



Public Health
Prevent. Promote. Protect.

Established 1923

CATTARAUGUS COUNTY BOARD OF HEALTH

1 Leo Moss Drive, Olean, NY 14760, Tel. (716) 373-8050, Fax (716) 701-3737

Joseph Bohan, MD, President

Joseph Eade, Vice-President

Giles Hamlin, MD

Zahid Chohan, MD

Sondra Fox, RN

Richard Haberer

James Lapey

Georgina Paul, FNP

James Snyder

MINUTES

October 2, 2013

The 819th meeting of the Cattaraugus County Board of Health was held at St. Bonaventure Clubhouse Restaurant, Route 417, Allegany, New York on October 2, 2013.

The following members were present:

Joseph Bohan, MD

James Lapey

Giles Hamlin, MD

James Snyder

Sondra Fox, RN

Georgina Paul, FNP

Richard Haberer

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director

Thomas Brady, County Attorney

Linda Edstrom, County Legislator

Paula Stockman, County Legislator

Donna Vickman, County Legislator

Carl Edwards, County Legislator

Karen Manners, Secretary to Public Health Director

Eric Wohlers, Environmental Health Director

Raymond Jordan, Sr. Public Health Sanitarian

Susan Andrews, Director of Patient Services

Gilbert Witte, MD, Medical Director

David Porter, Hearing Officer

Dan Coyne, President, CH2M HILL Babcock & Wilcox West Valley

John Rendall, VP of Regulatory Strategy

Rick Miller, Olean Times Herald

Chris Chapman, Buffalo News & Jamestown Post Journal

The meeting was called to order by Dr. Bohan. The roll was called and a quorum declared.

Mr. Haberer made a motion to approve the minutes of the September 4, 2013 meeting. It was seconded by Mrs. Fox and unanimously approved.

Dr. Bohan introduced Mr. Dan Coyne and Mr. John Rendall to give an update on the West Valley Demonstration Project.

Mr. Coyne thanked the Board for the opportunity to present an update on the project. He highlighted seven different points of interest (noted on the attached handout):

Worker and Public Safety – There have been no recordable injuries in 2013 which is defined as an injury that requires prescription medication, a broken bone or stitches. Once every 3 years an Emergency Management Response drill is conducted on site. Recently the exercise was a contaminated fire, and the drill went very well. Because of the effective radiological controls, when they tore down one of the contaminated buildings there was no impact to the outside community or to the workers. There is also active worker health programs offered by the agency because we care about the health of our employees.

Environmental Health and Safety – Mr. Coyne stated that the comprehensive Annual Site Environmental Monitoring Report for 2012 is available on the website at www.wv.doe.gov.

High-level Waste Relocation Project – The 275 glass canisters of vitrified high-level waste that are inside the building will be moved out of the building onto a storage pad so that the building can be demolished. While excavating an area to place the cement storage pad, some contaminated asphalt was found that had to be packaged into waste containers and shipped off site to a low level waste repository. Mr. Coyne stated that it appeared that the contamination was due to a previously small spill on the asphalt. They are backfilling the hole now and are not finding any contamination. Dr. Bohan asked how the contamination is detected. Mr. Coyne stated that they do borings beforehand and do a walkover with a sodium iodide detector in the area where they are digging and the area where the soil is being dumped. The pad that will be poured in a few weeks will be a concrete pad that will accommodate 56 cement vertical storage casks, that surrounds the multipurpose canister that holds 5 glass-encased rods which are 10' x 2'. Mr. Coyne stated that fully loaded a vertical storage cask weighs 84½ tons and all 56 of these will be stored on the pad until they can be transported to a federal repository. Mr. Wohlers commented that the high-level glass containers are encased in stainless steel and then in metal casks and then are put in concrete shipping containers.

Large Facility Deactivation – The high-level waste canisters will be removed from the Main Plant Process Building and then the building will be deactivated so that the building can be demolished which is not expected to happen until after 2018.

Balance of Site Facilities (BOSF) Demolition – Several non-radiological structures have been recently removed including the Waste Tank Farm Test Tower, the New Cooling Tower, Vitrification (VIT) Hill Office Trailers and additional facilities are being prepared for demolition. Roughly 30,000 sq. ft. of facilities around the outer parameter of the plant have been torn down.

Waste Operations – Approximately 20,000 cubic feet of legacy low-level waste has been shipped out, which is waste that was at the site before August 2011. It has been shipped to Utah, Nevada, to Permafix for treatment and to facilities in Oak Ridge, Tennessee. There is legacy low-level waste and new gen waste, which is waste that we generated after August 2011. We have shipped 20 – 25 truckloads of waste out in the last two months.

Other Project Activities –Mr. Coyne stated that approval has been given to ship three big components on site to a low level waste repository. One is the vitrification melter and the other two are related components. There is a proposal out in the industry to do the transport because they are very heavy and will have to be trucked to a rail car to be transported, but there is uncertainty about funding because of the federal government shutdown. If significant changes occur in funding, the melter will stay on site.

Mr. Coyne stated that they are preparing for water well installations to eliminate dependency on surface water source for potable and fire water. They are also partnering with the West Valley Fire Company to upgrade the fire system.

Mr. Coyne said that their contract was initially from August 2011 – August 2017 and they are negotiating a change with the Department of Energy to extend it to April 2019.

Mr. Coyne concluded his report by saying that there are four milestones they want to achieve that their contract covers:

- 1) take the high-level waste and put it on a pad,
- 2) ship the legacy low level waste off site (waste generated before August 2011),
- 3) tear down the main plant, and
- 4) complete the demolition of the remainder of smaller buildings.

Dr. Bohan thanked Mr. Coyne for the update.

Director's Report: Dr. Watkins read a note from Mrs. Mary Thrasher thanking Dr. Watkins, the Board and the Legislators for their condolences and tribute to Tom.

At the last meeting, Laurie Adams and the Coalition requested that the Board consider a resolution to prohibit the sale of tobacco products in pharmacies. There were 8 pharmacies identified that are selling tobacco products; 4 Rite Aids, CVS, Walmart, Tops and Walgreens. After the presentation the Board decided to send a letter to the pharmacies who did not sell tobacco products thanking them for not selling tobacco products and also a letter to the pharmacies that were selling tobacco products asking them not to locate the tobacco products in the pharmacy section of the store. Mr. Brady was going to contact the Attorney General's Office and the State Comptroller's Office to see if a policy to prohibit the sale of tobacco products in pharmacies would nullify the registration of the permit or licensure at the State level.

During the presentation, the Board was shown several photos of what we thought were pharmacies that sold tobacco products next to nicotine replacement products, however, after the meeting questions were raised as to where the photos were taken and if what were shown in the photos is what was occurring at all 8 of the tobacco selling pharmacies in our county. After further research, it was discovered that the photos were actually taken at the CVS Pharmacy in Olean and that was the only pharmacy that had nicotine replacement products next to the tobacco products. At the other 7 pharmacies, the nicotine replacement products were sold separately from the tobacco products.

Mr. Haberer made a motion to table the decision to send letters to pharmacies regarding tobacco products. It was seconded by Mrs. Paul and unanimously approved. Mr. Brady informed the Board

that requests for information were sent to the State Comptroller and Attorney General in September. The State Comptroller contacted Mr. Brady and stated that they referred his request to the Attorney General's office and we have not heard from them yet. Mr. Brady stated that Albany County prepared a local law in April 2012 and it is still in their legislative committee, so they are also probably waiting to hear from the State.

Dr. Watkins stated that at the last meeting the Board approved four renewals of the Clean Indoor Air Act (CIAA) waiver for Ischua Fire Department, Off-Track Betting, Little Valley V.F.W. and Rough Kutts. The Health Department recently learned that Rough Kutts has closed and will not need an application for a CIAA waiver. If this establishment reopens in the future, the Board has the right to deny a request for a waiver.

We are waiting test results from the mosquito traps that were set in Conewango, Napoli, Carrollton and Portville, but initial testing has not identified any positive mosquitoes for Eastern Equine Encephalitis (EEE) or West Nile Virus (WNV). However, in September a horse tested positive for WNV in Randolph and Chautauqua County reported a privately owned horse that tested positive for EEE in the Town of Kiantone. The State Regional Office is requesting that we remain on alert and keep our health care providers advised. The season will end at the end of this month and we are hoping that we will not have a positive human case of either WNV or EEE. We will continue to try to push for those program aides in the 2014 Health Department budget to provide increased surveillance for these arboviruses in 2014.

The Health Department will offer flu vaccine to all employees, Board of Health members and Legislators in Olean on 10/16/13 from 11:00 a.m.–2:00 p.m. on the second floor of the County building and in Little Valley on 10/23/13 from 11:00 a.m.–3:00 p.m. in the Emergency Services Center.

Dr. Watkins remarked that the length of the federal government shutdown is still unclear at this time. The Health Department is concerned about the operation of the Women, Infants and Children (WIC) program which is a federally funded program that serves to safeguard the health of low income women, infants and children up to age 5 who are at nutritional risk. WIC checks are provided for approved food products, information is provided on healthy eating and referrals are made to health care providers. Clinical services, food benefits and administrative costs could be in jeopardy because of the shutdown. The State has some funds available, but may not be able to sustain operations if the shutdown goes on for a long period of time. We do have 9 WIC employees and as of this morning we have been told by the State that the WIC program should continue despite the shutdown.

Dr. Witte asked if the WIC funding was not available for a few weeks, if the Legislators could use money from the County surplus contingency fund during that period. Dr. Watkins stated that three of the WIC employees are County Employees and the other six are contracted employees. The CSEA contract requires a 30 day notification to the CSEA President if there is an interruption of service so at least for 30 days we would have to maintain those employees. Anything beyond that would have to be discussed with Legislators.

We have also been informed that the Centers for Disease Control (CDC) will be unable to support the annual seasonal influenza surveillance programs because of the government shutdown. So any

outbreak detection, linking across State boundaries and technical support will not be available until the shutdown has been lifted. Health and Human Services has informed us that they will try to continue to maintain minimal readiness and limited staffing for all hazardous preparedness and response operations.

The Healthy Livable Communities Consortium which was formed as a call to action in the spring of 2011 by the Health Department and Long Term Care Council continues to take huge strides towards creation of healthier opportunities for Cattaraugus County residents. The consortium has 60 to 70 partners from non-profit agencies and organizations including our county and local government. A meeting was well attended on Friday where a new database service system for the entire county was unveiled. Dr. Watkins said that Mrs. Fox, Mrs. Edstrom, Mrs. Stockman and Mrs. Vickman normally attend those meetings and asked Mrs. Fox to comment.

Mrs. Fox stated that she has participated in the consortium since it's inception in 2011. The goal is to educate individuals to make healthy lifestyle choices. One of the great things that happened was the recognition of the consortium by the Robert Wood Foundation with a sizable grant. She recognized this group for the remarkable work they are doing to make this a healthier community.

Dr. Watkins went on to say that the Affordable Care Act went into effect on October 1, 2013. There are multiple plans available for NYS residents and the cost varies depending on how much residents are willing to pay for their deductibles and co-pays. There are also plans where the insurance company pays 80% of the cost and the individual would pay 20% of the cost. The cost also depends on the number of visits selected per year with a primary care physician. Emergency room visits, prescriptions, doctor's visits, lab, hospitalizations, etc. will all be covered. Occasionally the Health Department will see clients without health insurance or students who do not want to provide their parents insurance information, now we will refer these clients to navigators in the community who will enroll them in a health insurance plan that we will subsequently bill for services provided.

The 2014 budget for the Health Department is complete and we are awaiting the first review with the County Administrator. The 2014 budget was kept within the requested parameters of the 2% increase from the 2013 budget. The budget we are submitting totals \$10,948,864.00.

Nursing Division Report: Mrs. Andrews reported the number of communicable disease cases for last month which were: Chlamydia-16; Gonorrhea-1; 3 newly diagnosed Hepatitis C Virus (HCV) infections; and several suspect Lyme disease cases. There were no Pertussis cases. The most serious case was an E.Coli case in a 5 year old girl who had kidney failure and is in Children's Hospital. This case is linked to a serotype from several other states but is the only case in New York State. No common cause has been determined yet, but she went to a water park and had a hamburger at the water park. Detailed information has been sent to the State to determine the source.

There is a flu clinic scheduled in Ellicottville tomorrow. So far, 732 doses of flu vaccine have been administered. Mrs. Andrews stated that we have run out of the high dose vaccine and will order more. We also provided flu vaccine for Pines Nursing Homes residents only and hopefully, next week we can give it to employees.

Bev Bennett, the Health Education Assistant and Laurie Rzucek, Community Health Nurse, attended an Amish Health Fair on 9/12/13 to provide education on immunization and other health issues. Many blood pressures were checked and over 60 bone density screenings were done, but no immunizations were given. It was held at a private Amish residence in Conewango and was well attended. Mrs. Andrews stated that currently there is an Amish boy in the central New York region who is hospitalized with tetanus and is on a ventilator. He stepped on a rusty nail, went to a physician and received the Tdap vaccination but did not receive any anti-toxin. Mrs. Paul mentioned that a doctor from the Cystic Fibrosis Clinic in Syracuse also attended the health fair. Mr. Snyder asked if she felt the Amish community is generally pretty healthy. Mrs. Paul stated that she believes that they are pretty healthy and often resort to herbs for healing instead of traditional medicine.

Mrs. Andrews said that we continue to provide free rapid HCV testing at the Health Department. Twenty were conducted with one reactive test last month and because of the arrangements with the State Health Department and Quest Labs we were able to send confirmatory testing to them. If that comes back positive then we will refer this individual to a participating provider.

The State is no longer providing free HIV rapid tests, so we will have to come up with a solution to continue to provide that service, although, we are able to bill the insurance company if the individual has insurance.

Day Cares will be audited beginning this month to evaluate how they are doing with immunization records. Patti Williams, Supervising Community Health Nurse, and another nurse are visiting the day care at Holiday Valley today to assess immunizations records and make sure all are up to date and assist with strategies to improve. Yesterday, Mrs. Williams attended a meeting of the Southwestern Immunization Coalition of NY. They are working to raise the Human Papilloma Virus (HPV) vaccination rates in Cattaraugus, Allegany and Chautauqua Counties. The current rate is approximately at 10% of males and females ages 11-18 receiving all 3 doses of the vaccine. An Assessment, Feedback, Incentives, and eXchange (AFIX) visit was conducted last week in a private provider's office and overall they are doing quite well with immunization records, but need to enter information into the State on a timely basis.

One child was started on post exposure rabies treatment following a dog bite from a dog that could not be located. This brings the total post exposure rabies treatments to 25 for the year.

Our Nurse Practitioner is attending training to do the implantable contraception; hopefully we will be able to offer that next week.

For the month of September there were three newly confirmed elevated blood lead levels (EBLL). The levels were 15ug/dl, 12ug/dl and 11ug/dl respectively (normal is 0-9ug/dl). One of those was identified at a WIC clinic where we do point of care testing. They are testing at the WIC clinic in Delevan today.

In Home Care, no additional Home Health Agencies have been certified. The current census is over 400 so our numbers have increased, and our year to date total this year is higher than it was last year at this time. Four nurses completed rather extensive training for the uniform assessment that is part of the NY Medicaid Redesign and went into effect on October 1, 2013.

We had one community health nurse resign to take a position elsewhere.

Environmental Health Division: Mr. Wohlers stated that he attends the monthly West Valley Citizen Task Force meetings and Mr. Coyne gave the Board good information. He requested a copy of their Environmental Report on CD ROM because it is a large document and they don't print them anymore. They were proposing to cut the Department of Energy budget last year, but after meeting with Congressman Reed and other Department of Energy officials in Washington in February, they were able to restore millions of dollars to continue funding the project. The funding is stable for the next year or two but they are already preparing federal budgets for fiscal year 2015 and the milestones that they have to complete is dependent on funding. One of the missions the Task Force has taken on is to stay in touch with elected officials in Washington and possibly have more meetings with the Congressional appropriations committees to stay in touch with the Department of Energy's Environmental management to be sure that they know that continuing the progress at West Valley is very important.

Mr. Wohlers contacted the regional office today and spoke to Dr. Gall's assistant who has been submitting our mosquito pools for analysis. He indicated that the results from the mosquito traps recently submitted were negative for both WNV and EEE. In addition, he also stated that they were very surprised that mosquitoes that are not usually caught in light traps were identified (i.e. *Culiseta melanura*, a type of mosquito species that carries EEE). It is important that the Health Department has the resources and the staff to conduct mosquito surveillance next year since the mosquito that carries the EEE virus was found and identified in Chautauqua County.

Mr. Wohlers reported that there is \$10,000 remaining in the Community Development Block Grant to replace failed septic and water systems. We have identified two more households which should expend the remaining funds. We have completed 35 projects to replace septic and water systems in the last two years under this grant. We will reapply for this grant when the opportunity is made available.

During the summer months there have been reported problems with blue-green algae blooms. Fortunately, this year we didn't see a problem in Lime Lake or Beaver Lake, but Chautauqua Lake had a bad problem again this year. The last two years we have identified significant blue-green algae blooms, which are a toxic type of algae, in the Allegheny Reservoir. The Allegheny Reservoir is very unique because part of it is under the control of the Seneca Nation of Indians, NYS owns part of it in Allegany State Park and it is a National Forest in Pennsylvania. The U.S. Army Corp of Engineers has been doing weekly surveys and collecting samples in the Allegheny Reservoir. Warning and caution signs are posted based on the level of the algae at the different marinas and hopefully that will continue in future years because there have been reports that dogs and livestock have died from drinking the water where this algae is in bloom.

Mrs. Stockman stated that when the State discontinued their database for the dog licensing program, the County agreed to share their database with Town Clerks but the only rabies vaccination information was from animals vaccinated at the County Rabies Clinics. Mr. Wohlers said that they will inquire if veterinarians are interested in having the ability to enter their vaccination information into the system so that the database would be up to date.

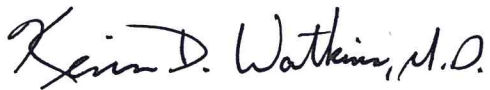
Mr. Jordan stated that Ms. Killock from Rough Kutts wanted the Board to know that they appreciated the Board granting the smoking waiver every year because it probably delayed them from going out of business for a few years.

Mr. Porter reported that all enforcement cases are closed so no Board action is necessary.

Mr. Snyder stated that it was 90 years ago this year that the Cattaraugus County Health Department was formed and was the first County Health Department in New York State. Mrs. Fox wanted to inform the Board that there will be a celebration with cake at the November 6, 2013 Board meeting and possibly a celebration at a Legislative meeting in November.

There being no further business to discuss, Mr. Lapey made a motion to adjourn. It was seconded by Mrs. Fox and carried to adjourn.

Respectfully submitted,

A handwritten signature in black ink that reads "Kevin D. Watkins, M.D." The signature is written in a cursive, flowing style.

Kevin D. Watkins, M.D., M.P.H.
Secretary

KDW/km



WVDP Project Update Cattaraugus County Board of Health

Dan Coyne

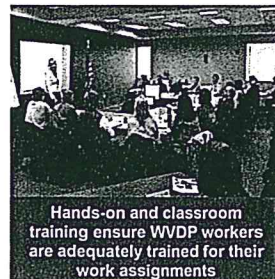
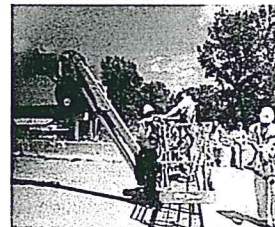
President & General Manager

CH2M HILL Babcock & Wilcox West Valley

October 2, 2013

Worker and Public Safety

- CHBWV has a robust industrial and radiological safety program in place to assure worker and public safety
 - No Recordable Injuries in 2013
 - Radiological safety maintained through effective monitoring and controls
 - Effective Emergency Management Response Team in place and tested on an ongoing basis
 - Active worker health program
 - Know Your Numbers
 - Walking challenge



Hands-on and classroom training ensure WVDP workers are adequately trained for their work assignments

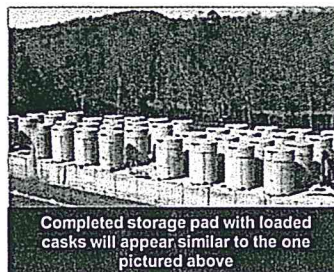
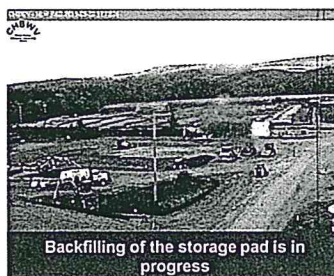
Environmental Health and Safety

- Annual Site Environmental Monitoring Report for 2012 is available at www.wv.doe.gov
 - No unplanned radiological or chemical releases during 2012
 - Active Environmental Monitoring program in place that focuses on surface water, air and groundwater pathways
 - Routinely sample for radiological and chemical constituents on and off the site
 - 16 offsite ambient air monitoring locations activated in late 2012 to collect baseline data

3

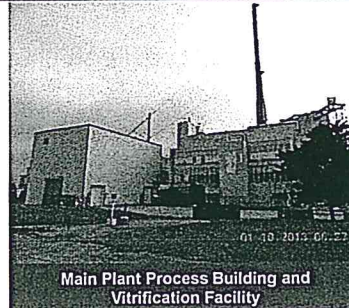
High-level Waste Relocation Project

- High-level waste canisters being prepared for relocation from Main Plant Process Building (MPPB) to passive outside storage
 - Robust concrete and steel storage casks
 - Method consistent with spent nuclear fuel dry storage systems
 - Pad construction underway
 - Storage cask construction to begin this fall
 - Facility modifications initiated to support canister movements
 - Key procurements in place
 - Canister relocation scheduled for 2016-2018
- Radiological dose to public will be at background levels at the perimeter fence



Large Facility Deactivation

- Main Plant Process Building (MPPB)
 - Radiologically-contaminated 5-story structure
 - Deactivation activities underway in several locations to reduce radiological dose
 - Emphasis on maintaining safe facility configuration and safe work environment
 - Removing waste stored inside building
 - Isolating and removing contaminated components
 - Steam heating system deactivated; Backup heat in system installed
 - Preparing to install portable ventilation equipment
 - Roof repairs completed



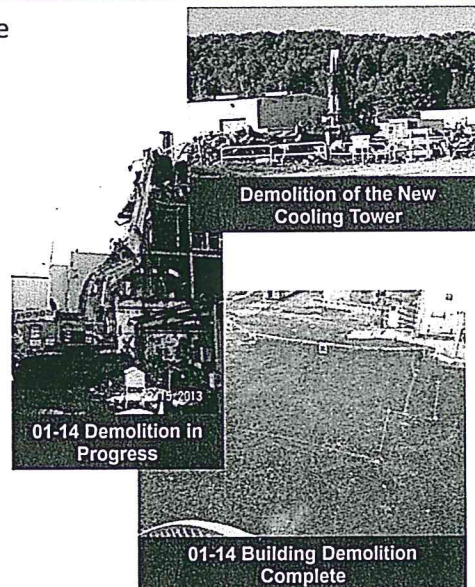
Main Plant Process Building and Vitrification Facility

- Vitrification Facility
 - Facility Connected to the MPPB via tunnel
 - Used for vitrification of high-level waste
 - Removing equipment and materials to prepare structure for demolition

5

Balance of Site Facilities (BOSF) Demolition

- Demolishing facilities to reduce site hazards and footprint
 - 01-14 Building safely demolished (May 2013)
 - Effective radiological controls and constant monitoring protected worker and public health
 - Industrial and radiological waste packaged and disposed
 - Several non-radiological structures recently removed
 - Waste Tank Farm Test Tower
 - New Cooling Tower
 - Vit Hill Office Trailers
 - Preparing additional facilities for demolition



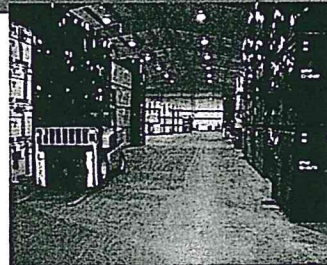
Demolition of the New Cooling Tower

01-14 Demolition in Progress

01-14 Building Demolition Complete

Waste Operations

- Accelerated offsite shipments of Legacy Waste
 - Achieved 50% inventory reduction of low-level and mixed waste in storage through offsite shipments
 - Increased available capacity for inside waste storage
 - Waste stored outside and in the MPPB will be consolidated in Lag Storage



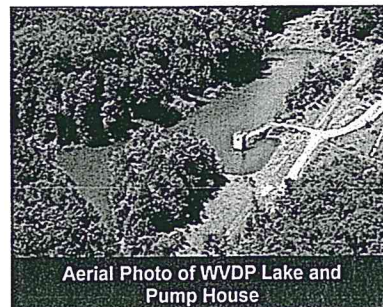
09/23/2013
Lag Storage Area 4, before and after legacy waste shipments

Other Project Activities

- Melter shipment
 - Preparing the vitrification melter and related components for offsite disposal
- Preparing for water well installation
 - Will eliminate dependency on surface water source for potable and fire water
- Fire Protection System
 - Completed 80% of upgrades and corrective maintenance to fire water distribution system



Vitrification Components are Being Prepared for Shipment



Aerial Photo of WVDP Lake and Pump House