

To: West Valley Citizen Task Force
From: Melinda Holland, Holland and Associates
Subject: Summary of March 28, 2001, Task Force Meeting
Date: April 11, 2001

Next Meeting:

The next Citizen Task Force (CTF) meeting is scheduled as follows:

Date: Tuesday, April 24, 2001
Time: 7:00 p.m. - 9:30 p.m.
Location: Ashford Office Complex
9030 Route 219, West Valley, NY

The focus of the April 24 CTF meeting will be to discuss and develop comments on the “de-scoping” EIS proposal as presented in the March 26, 2001, Federal Register Notice. If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (864) 457-4202 or Tom Attridge at (716) 942-2453.

CTF Attendees:

Attending were:, Ray Vaughan, Pete Scherer, Alice Williams, Eric Wohlers, Tim Siepel, Lee Lambert, Mark Mitskovski (for Larry Rubin), John Pfeffer, Bridget Wilson, Warren Schmidt, Paul Piciulo, and Bill King. Not attending were: Nevella McNeil, Lana Redeye, Larry Smith, Murray Regan, Larry Rubin, Joe Patti, and Pete Cooney.

Agency Attendees

Attending in person: Bill Flynn, President, NYSERDA; Susan Brechbill, Director, DOE Ohio Field Office; Jack Krajewski, NYSDEC.

Attending via teleconference: Amy Snyder, John Greeves, and Bob Nelson, NRC.

March 27 Meeting Summary:

The meeting began with welcoming remarks from Bill Flynn, NYSERDA President, and Susan Brechbill, DOE Director of the Ohio Field Office. Mr. Flynn began by introducing himself to the CTF, saying that he is originally from Western New York (Mt. Morris). He stated that he is impressed by the work of the CTF and encourages them to continue working in the future. He also indicated that New York State is ready to continue negotiations with DOE, but that the Secretary of Energy currently has other more pressing issues, namely the national energy supply shortages.

Susan Brechbill stated that she was disappointed that an agreement wasn't reached between DOE and NYSERDA before the latest negotiation proposal was taken off the table by DOE in January. She added that it will take time for the new administration to become familiar with the issues at West Valley. Susan stated that DOE's number one priority for this year is to move the spent fuel to Idaho for interim storage. She also promised that DOE would provide an update of the document (that was provided to the CTF by Jim Turi in 1999) addressing the CTF recommendations report and showing the actions already taken based on the recommendations.

Bill Flynn added that NYSERDA is doing its part to support the fuel transport through New York State. He mentioned that he recently met with several state Senate and Assembly members, the Erie County Administrator, and NYSERDA's Board to brief them on the developments at West Valley. He added that all follow the activities and recommendations of the CTF and encourage the group to keep up the good work.

Next, Amy Snyder, NRC, gave an update on the status of NRC's draft Policy Statement. She said that NRC staff recommendations were submitted to the Commission in December and she hopes to see the Policy Statement released soon but has no specific target date.

Alice Williams, Director of DOE WVDP, gave an update on activities at the site:

- 23 samples were taken remotely from the "bath tub ring" and other areas of HLW Tank 8D-2 and are being analyzed.
- Last week another sluicer arm was installed in tank 8D-2 to begin washing the tank. In a few months it will be possible to determine how well it is cleaning the tank.
- The GAO report on West Valley is in draft form and being reviewed internally for the next few weeks. It is expected to be published toward the end of April and will be distributed to the CTF when it comes out.
- Copies of DOE's Report to Congress on Long-Term Stewardship were distributed at this meeting.¹
- The spent nuclear fuel shipment is on schedule. The site just received Certificates of Compliance for the shipping casks from NRC, which is a major milestone. The spent nuclear fuel will go to Idaho in a single shipment.

A CTF member reminded the site that he had been promised a breakdown of the various radionuclides and activity remaining in the bottom of Tanks 8D-1 and 8D-2 including the "bathtub ring." DOE agreed to provide the information as soon as possible.

Dan Sullivan gave the Task Force an update on the de-scoping of the draft Environmental Impact Statement (EIS). A Notice Of Intent (NOI) was published in the Federal Register on March 26, which invites public comment on DOE's strategy of revising its approach for completion of the 1996 Draft EIS into two separate EIS documents. The first revised draft EIS will focus on DOE's actions to decontaminate WVDP facilities and manage WVDP wastes. By April 26, DOE is seeking public comment on the plan and on the scope of the draft EIS on WVDP Decontamination and Waste Management. A public meeting on this will be held on April 10, 7:00 p.m. at the Ashford Office Complex. CTF members are encouraged to attend. Battelle has been hired to prepare the Decontamination and Waste Management EIS. Lucy Swartz and Bill

¹For a copy of this document, contact Sonja Allen, WVNS, at 716/942-2152.

Fallon from Battelle introduced themselves to the Task Force. The schedule shows a draft EIS ready by November 1, 2001, with a public meeting to be held in December 2001. In the near future, DOE plans to issue a second NOI for the second EIS, with NYSERDA as a joint lead agency, for decommissioning and/or long-term stewardship of the WVDP and WNYNSC.

A Task Force member mentioned that the Coalition's legal concerns over this "de-scoping" of the EIS have not been resolved. The Coalition believes that the Stipulation of Compromise and NEPA have substantive requirements which are not resolved under the de-scoping proposal. A DOE official responded that DOE does not agree with the Coalition on this point. The CTF will be kept informed of progress on this issue.

As promised at the last CTF meeting, John Chamberlain of WVNS, provided the CTF with a overview of DOE's Citizen Advisory Board (CAB) process and how West Valley could form a CAB if desired. He also provided copies of the Federal Advisory Committee Act and DOE's procedures for running advisory committees. Tom Attridge then led the CTF in a discussion about the future of the Task Force and its possible missions. Tom suggested that this would be a good time to make adjustments if the CTF felt it was appropriate. CTF members and site representatives agreed that there did not seem to be any compelling reason to create a CAB for West Valley as the CTF process is working well. Tom Attridge asked CTF members to let him know by telephone, email, etc., if any members wish to step down. He asked the CTF to also consider what interests are not adequately represented on the Task Force. A member suggested that each CTF member be contacted individually to give them a private opportunity to resign. A CTF member mentioned that many CTF members no longer represent the organizations/interests that they did at the beginning of the process.

Several members stressed that the CTF needs a new mission statement with concrete tasks to stimulate participation and interest by members, adding that the original mission has been on the back burner due to lack of a preferred alternative. It was suggested that seeking new members be deferred until a new mission is developed to reinvigorate existing members and have something to attract new participants. A member requested copies of the mission statements of the other DOE CABs to help in drafting a new CTF mission statement. A CTF member stated that the agencies should make the recommendations on new members since they convened the original Task Force. Several stated that they did not like the idea of CTF members having term limits as they had spent a great deal of time becoming knowledgeable about the site issues and did not want to lose that resource because of term limits.

A discussion ensued about whether the CTF should select its own tasks/focus areas or respond to the areas where the site requests its involvement. A member stressed the need to develop comments on the de-scoping EIS proposal before April 25. Another mentioned that the site needs to put the same level of interest into the CTF as it did in early years if it expects the CTF members to be productive and engaged. A member stated that the site managers should have some ideas about the preferred alternative for site closure and they should share that with the CTF. Another member noted that Susan Brechbill had offered to provide an updated response to the CTF recommendations and expressed interest in receiving such a response. A DOE representative verified that, per the Ohio Field Office Director's request, DOE would be providing a response to the CTF's recommendations based upon DOE's "vision" for a preferred alternative.

At the conclusion of the discussion, there was support for developing a fairly broad CTF mission statement, then developing a list of tasks/topics which would change over time. Specific topics which were presented at the meeting included:

- DEIS for Decontamination and Waste Management
- DEIS for Decommissioning
- NRC Policy Statement for Decontamination and Decommissioning
- Long-Term Stewardship
- Future Land Use Options

NYSERDA was requested to look at membership issues and get back to the CTF.

The next meeting was set for April 24 to prepare comments on the de-scoped EIS proposal. Task Force members were urged to attend the April 10 public meeting on this topic to help prepare for the CTF meeting on the 24th. A CTF member asked the DOE representative if the comment period could be extended to allow the CTF adequate time to comment on the DEIS. DOE responded that if the CTF needed a bit more time to develop comments, DOE would certainly accept them.

Observer Comments

Gladys Gifford urged the CTF to consider adding representatives of the local schools and/or school board to represent the interests of youth in the community.

Action Items

- Provide copies of the mission statements of other DOE site CABs.
- DOE to provide an updated response to how the Task Force's recommendations have been incorporated into the "DOE Vision" for site closure and long-term management.
- DOE to provide a breakdown of the various radionuclides and activity remaining in Tanks 8D-1 and 8D-2 and the "bathtub ring."
- NYSERDA to contact CTF members individually to inquire about their desire to continue serving on Task Force.