

To: West Valley Citizen Task Force  
From: Melinda Holland  
Subject: Summary of June 27, 2002, CTF Meeting  
Date: July 25, 2002

### **Next Meeting**

The next full Citizen Task Force (CTF) meeting will be held as follows:

Date August 7, 2002  
Time 7:00 - 9:30 p.m.  
Location Ashford Office Complex  
9030 Route 219, West Valley, NY

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:* Gayla Gray (for Lana Redeye), Bill King, Lee Lambert, Mark Mitskovski (for Larry Rubin), Joe Patti, John Pfeffer, Nevella McNeil, Paul Piciulo, Pete Scherer, Ray Vaughan, Alice Williams, and Eric Wohlers.

*CTF Members not attending (nor represented by an alternate) were:* John Beltz, Michelle Enser, Warren Schmidt, Tim Siepel, and Mark Steffan.

### **Elected Official Participation**

New York State Assemblywoman Cathy Young; Laura Krolczyk, Senator Clinton's office; and Scott Sroka, Senator Schumer's office

### **Attendees via Teleconference**

Sean Sweeney, Senator Clinton's office

### **Meeting Highlights**

Topics discussed included:

- ▶ Status of negotiations between DOE and NYSERDA
- ▶ Status of Congressional Involvement
- ▶ Status of DOE funding support for Future Site Use Study
- ▶ Draft Comments on DOE's Accelerated Cleanup Plan for West Valley
- ▶ CTF membership

### **Meeting Summary**

Tom Attridge opened the meeting by briefly describing the written materials that were disseminated at the meeting (see the list at the end of this summary) and Melinda Holland reviewed the agenda. New York State Assemblywoman Cathy Young attended the meeting, informing the Task Force that the WVDP site would become part of what is now her district as a result of the recent rearrangement of districts. She is following events regarding the West Valley site closely, and as a past Cattaraugus County Board of Health member, she is familiar with the site and the area and will remain in touch with the Task Force.

### ***Status of DOE/NYSERDA Negotiations***

Paul Piciulo updated the CTF on the status of negotiations, reviewing topics that were covered at the meeting held today (6/27/02) with Mark Frei, Deputy Assistant Secretary for Site Closure, who is DOE's new lead negotiator. The next negotiating session is scheduled for July 24, 2002. Elizabeth Lowes remarked that Mr. Frei is knowledgeable about both high-level waste issues and the WVDP. Both site managers agreed that the common goal of the negotiating teams is to find areas of agreement to assure clean up progress and continued funding.

In response to a question, Alice Williams explained the NRC concept of SAFSTOR. If applied to the WVDP, all shippable waste could be shipped off-site, the buildings would be removed to extent feasible, tanks could be filled with low-strength grout, the process building would be maintained at a point where the rain can't get in and radioactive contamination can't get out. She stated that NRC allows power reactors to sit like this for 60 years to allow radiation levels to decay and the facility can be decommissioned at free-release levels. This works well for reactors because their containment buildings are so robust. She offered that the Richland B Plant and PUREX Plant are using this approach. In response to a question about making the West Valley site buildings available for private sector use, she responded that DOE has seen no evidence of private interest in leasing the buildings. A CTF member expressed hope that application of an approach like SAFSTOR could provide a breakthrough at West Valley. He stated that his organization has serious legal issues with the soon-to-be-released Notice of Intent for the Decommissioning Environmental Impact Statement (EIS), and hopes for a better solution. In response to a question about how NYSERDA feels about this concept, Paul Piciulo responded that the concept has merit. It would consolidate waste in one area of the site, reduce risk, and allow time for decay and for new technologies to develop. He added, however, that questions remain about how the final decommissioning would occur and other details.

Bill King introduced a faxed "Statement by Representative Amo Houghton to the West Valley Citizen Task Force" which stated that Representative Houghton had a productive meeting with U.S. Representative Sonny Callahan, Chairman of the House Appropriations Committee, Subcommittee on Energy & Water, about the WVDP 2003 budget. He said that Representative Callahan was optimistic about West Valley's FY 2003 funds, and would work with him to find an agreeable solution to the problems that exist between the State of New York and DOE. In return for Representative Callahan's help on the appropriation, Representative Houghton has agreed to help find a solution - perhaps legislatively - to the issues that remain unresolved by NYSERDA and DOE.

### ***Status on Congressional Involvement***

Next, Sean Sweeney of Senator Clinton's staff joined the meeting via conference call. He was very pleased to hear Representative Houghton's Statement and said that it would be an excellent development if there is positive news from the House before the Senate acts. The fact that the negotiations have resumed also helps them work through West Valley issues. He discussed the timelines on the Hill for the appropriations bills, adding that it did not look likely that the Senate Appropriation language would be complete before September. Senator Schumer's staff also shared that the Senator is pushing for West Valley to receive the full amount proposed by the Administration for 2003, as will Senator Clinton.

A CTF member asked about views on the potential funding for a study to evaluate economic redevelopment and potential reuses for the site. Mr. Sweeney requested that CTF member Eric Wohlers provide the specific contacts he has made with the U.S. Department of Commerce's Economic Development Agency (EDA) to Laura Krolczyk (Senator Clinton's Office) and Scott Sroka (Senator Schumer's Office), which Eric provided. Then Mr. Sweeney remarked that their office is working on establishing a \$150,000 "place-holder fund" under the Housing and Urban Development (HUD) economic development initiative that could be used for this type of study. Erie and Cattaraugus County CTF representatives shared that both county redevelopment agencies have been working on a scope of work for a study and feel optimistic about receiving at least \$75,000 from EDA, and \$25,000 each from Erie County, Cattaraugus County, and NYSERDA. Alice Williams shared that DOE has received word that House Appropriations staff feel it would be outside the scope of DOE's appropriation authority to spend WVDP funds to finance a economic redevelopment study.

In response to a question about his feedback on the CTF's meeting with the Congressional representatives in Washington, DC, Mr. Sweeney expressed his opinion that the meeting had a strong, positive impact on the Congressional representatives. Another CTF member expressed his gratitude to the Senate and House staff for maintaining a level of awareness and interest in the WVDP. Mr. Sweeney reiterated that the two senate offices are working with a united front to raise awareness that the WVDP is very important.

A CTF member asked Mr. Sweeney if there is anything further the CTF can do to assist in the Congressional delegation, to which Mr. Sweeney responded that he would give the matter some consideration and get back to the CTF if anything occurs to him.

***Presentation entitled, "West Valley Demonstration Project—Through 2004 and Beyond"***

John Chamberlain, West Valley Nuclear Services Company Technical Communications Advisor, provided the CTF with a presentation on the WVDP work scopes that are to be conducted over the next two years (2003-2004). The work scopes included draining and cleaning the fuel storage pool, decontamination of two highly contaminated former reprocessing chambers, construction of the Remote-Handled Waste Facility, characterizing the contamination remaining in Project facilities, and working on the Waste Management and Decommissioning EISs.

Assemblywoman Young asked what work was going to be done on the North Plateau groundwater contamination. Mr. Chamberlain noted evaluations have shown that due to the limited amount of contamination, the rate of motion, and natural breakdown that without any mitigation off-site public health and safety is not impacted. He said the WVDP would continue to work at minimizing off-site releases by continuing pump and treat, and evaluating improvements to the in-ground permeable treatment wall. A Task Force member asked if the WVNSCO accelerated plan led to stopping decontamination work on the "bath tub ring" in Tank 8D-2. Mr. Chamberlain responded that efforts to remove residual contamination from Tank 8D-2 were stopped because cleaning efforts became unproductive as the remaining material is primarily fixed to surfaces.

CTF members stressed the need for decisions such as the preferred alternative, EIS, and Record of Decision (ROD) to be made during the 'bridge' time of this proposed accelerated cleanup. DOE representatives stated that they will complete the Decommissioning ROD by early 2005 to support a new procurement for a site cleanup contractor. Task Force members reminded site representatives that at the February Quarterly Public Meeting, they had said the ROD would be done in 2004. As 2004 is an election year, the ROD process should be speeded up to avoid the delays and re-invention process which may occur if the Administration changes.

***Discuss Draft Comments on DOE's Accelerated Cleanup Plan for West Valley***

After extensive discussion on the draft letter, the Task Force decided to shorten the letter to clarify the message they want to send. Key concerns and suggestions for the revised letter included:

- ▶ Consider Assistant Secretary Jessie Roberson's point of view, the current letter could encourage her to cut funding for West Valley;
- ▶ Use a more collegial, cooperative tone (though one CTF member was opposed to the more collegial tone)
- ▶ Messages to stress in this letter should include: move the negotiations ahead, keep stable funding levels for the site, risk reduction is important to the community, and that the CTF wants to work cooperatively with DOE and NYSERDA
- ▶ Clarify that this letter is not about DOE's accelerated cleanup account as the acceleration plans for West Valley do not involve use of those funds
- ▶ Make the letter much shorter, one page would be best
- ▶ Focus on the actions the CTF wants Ms. Roberson to take in response to this letter, such as complete a preferred alternative, EIS, and ROD
- ▶ Summarize briefly the key recommendations in the CTF's Report and attach a copy of the report

- ▶ Look at points made in prior CTF letters to Ms. Roberson

Gayla Gray took the action to revise the letter, work with the drafting subgroup (Ray, Mark, Gayla) to develop a new draft based on the feedback provided at this meeting, and distribute the draft letter to CTF members for their review.

### **Next Steps**

The CTF has decided to hold the next meeting on August 7<sup>th</sup>. The meeting will focus on discussions with Senate and House staff who will attend the meeting.

Melinda Holland gave the CTF an update on her search for a replacement for Bridget Wilson and asked each Task Force member to briefly state what characteristics they would like her to look for in a the replacement.

### **Action Items**

<b>Action</b>	<b>Assigned to</b>	<b>Due Date (2002)</b>
Revise draft letter to Ms. Roberson on DOE Accelerated Cleanup Plan.	Gayla Gray, Mark Mitskovski and Ray Vaughan	August 7

### **Observer Comments**

Elizabeth Lowes, DOE WV, stated that she was concerned about the discussions on the draft letter to Ms. Roberson. She fears that the message Ms. Roberson will hear is that the CTF does not support the work proposed for 2003 and 2004 and would prefer that the site focus on getting the EIS completed. She is concerned the current draft letter sends the message that site cleanup work can be put on hold for the next few years.

**List of Documents** For copies, please contact Sonja Allen at (716) 942-2152.

- ▶ Meeting agenda
- ▶ Fax from Congressman Houghton regarding the FY03 budget request
- ▶ Letter from Richard Meserve, US NRC, to Paul Piciulo, NYSERDA, regarding NYSERDA comments on NRC’s Final Policy Statement on Decommissioning Criteria for the WVDP
- ▶ Letter from Richard Meserve, US NRC, to Eric Wohlers, West Valley CTF, regarding the CTF’s comments on NRC’s Final Policy Statement on Decommissioning Criteria for the WVDP
- ▶ CTF Draft Letter with comments on DOE’s Accelerated Cleanup Plan for West Valley (6/28/02)
- ▶ June 11, 2002, CTF Summary
- ▶ “West Valley Demonstration Project–Through 2004 and Beyond” presentation