

To: West Valley Citizen Task Force
From: Melinda Holland, Task Force Facilitator
Date: September 5, 2005
Subject: **Summary of the August 24, 2005 Citizen Task Force Meeting**

Next Meeting

The next Citizen Task Force meeting will be held as follows:

Date: **Wednesday, September 28, 2005**
Time: 7:00 - 9:30 p.m.
Location: **Ashford Office Complex**
9030 Route 219
West Valley, NY

NOTE: CTF meetings will be held on the fourth Wednesday of each month at the Ashford Office Complex, unless otherwise noted. All participants must be a U. S. citizen and bring photo identification.

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (828) 894-5963, or Tom Attridge at (716) 942-2453.

CTF Attendees

Attending were: Ray Vaughan, Lee Lambert, Paul Piciulo, T. J. Jackson, Pete Scherer, Warren Schmidt, Bill King, Tim Siepel, Joe Patti, Stephen Kowolski and Eric Wohlers.

CTF Members not attending (nor represented by an alternate) were: Rev. Bill Kay, John Pfeffer, Chris Pawenski (for Larry Rubin), Mike Hutchinson, Gary Eppolito, Gayla Gray, Tom Buttafarro (for New York State Assemblyman Giglio), and Pete Cooney.

Agency Attendees

Pat Concannon, Tim Rice, Lynn Winterberger, Vimal Minocha, and John Zeh; New York State Department of Environmental Conservation (NYSDEC).

Meeting Highlights

- ▶ Presentation and discussion on current West Valley Demonstration Project (WVDP) site work and regulatory activities;
- ▶ CTF discussion of membership and addition of new member;
- ▶ Update and discussion on the New York State Energy Research and Development Authority's (NYSERDA) revised draft legislation; and
- ▶ Discussion of next steps, action items and observer comments.

Meeting Summary

Tom Attridge reviewed the documents provided for this meeting and Melinda Holland reviewed the agenda.

CTF Membership

As discussed at the July CTF meeting the addition of Mr. Tom Buttafarro filled the only vacancy on the Task Force bringing the total number of members up to sixteen. CTF members agreed unanimously to

change Section II.A.2 of the ground rules to increase the maximum number of Task Force members to seventeen (17) to allow the addition of Stephen Kowalski as a representative of the West Valley School Board to the CTF. After the ground rules change was approved, the CTF members agreed unanimously to add Mr. Kowalski to the Task Force.

Status of Site Activities

John Chamberlain responded to a CTF member question regarding leaks into the fuel storage pool and gave an overview of recent activities at the West Valley Demonstration Project (WVDP). A CTF member asked how the water is getting into the fuel storage pool (“the pool”), whether contaminated water may have leaked out of the pool in the past, and whether released water may have contributed to the North Plateau ground water plume. Mr. Chamberlain explained the North Plateau ground water plume investigation included a blocked evaporation test to see if the pool was losing water when evaporation was prevented. The test showed a loss of around 8 to 9 gallons per day that could not be accounted for and was assumed to be leaking out of the pool. He noted that analysis of the pool water and outside groundwater showed them to be dissimilar enough that they concluded that the pool water was not contributing to the plume. Mr. Chamberlain explained that they are continuing to sample and investigate the water leaking into the pool and are also reviewing the ground water monitoring well data. A Task Force member asked for more information on the number, location, and results of monitoring well data, which WVNSCO agreed to provide. A DOE representative noted that they are gathering more data to investigate the possible relationship between a leak in the pool and the groundwater plume, but can make no conclusions at this time.

In response to another CTF member’s questions, a WVNSCO representative explained that the pool is 40 feet deep and is 12 feet wide in the area known as “the cup” which is holding the water at this time. The pool walls are 3 feet thick at the base and 1 ½ feet thick at the top. ~~and~~ The pool does not have hydrostatic relief valves. They estimate around 1,000 gallons of water are in the pool at this time. In response to another question, a WVNSCO representative noted that the pool is not water tight, is unlined and constructed from concrete which has seams. A NYSERDA representative noted that cracks in the concrete can be seen near the top of the pool. A CTF member asked if it was safe to leave the water in the pool and a WVNSCO representative explained that they are investigating and working with the regulatory agencies on that issue.

A CTF member asked for clarification on whether the fixatives on the pool walls are still holding contamination in place. A WVNSCO representative explained that after the pool was drained, fixative was applied to the walls to prevent airborne contamination but it was not a water sealing coating. He noted that the cesium which had leached into the concrete could leach back out and that this is under investigation. In response to another question, a WVNSCO representative explained that the pool is monitored quarterly, the last monitoring was done a couple of months ago at which time a small amount of moisture was seen as a wet stain or small puddle.

In response to a question about the amount of radioactive contamination in the pool before it was drained compared to the present, a WVNSCO representative explained that there was contamination in the pool while it was used for storage, but the amounts measured increased during drainage of the pool as material was disturbed. He also explained that evaporation of water from the pool did not result in airborne contamination and that they have not observed any evidence of a “bath tub ring” in the pool. In response to a question, he explained that four observation cameras remain in the pool.

A NYSERDA representative asked if the water will be removed from the pool (and the problem causing the leak corrected). A WVNSCO representative explained that this will be decided after the investigation is complete.

Mr. Chamberlain continued his presentation on recent activities at the West Valley Demonstration Project (WVDP). In response to a CTF member’s question, Mr. Chamberlain noted that some of the percentage

figures in his employment statistics slides where incorrect and provided the updated numbers. Mr. Chamberlain clarified some of the terminology used in his presentation. In response to a question about whether the site was laying off employees to save money then hiring them back as consultants, a DOE representative explained that this is not the normal practice, but may happen on occasion. A Task Force member requested more information on the amount of profit made under the WVNSCO contract. A WVNSCO representative explained that profit and premiums come from meeting contract milestones, and agreed to get back to the CTF with more information on this point.

Regarding the Decommissioning Environmental Impact Statement (EIS), a DOE representative explained that the draft EIS will go to DOE Headquarters for review then be provided to the regulators for their review by mid-September.

Legislation

Next, Melinda Holland explained that she has not yet heard from Senator Schumer's staff will regarding setting up a meeting or conference call to discuss the proposed legislation. She will contact the CTF as soon as they call.

A NYSERDA representative explained that Congress has been in recess during August. Representative Kuhl introduced the bill in the U.S. House of Representatives and it has been referred to the Committee on Energy and Commerce. A CTF member added that Representative Kuhl's staff indicated that the Representative plans to push the bill in September.

Nuclear Regulatory Commission Letter

A CTF member asked for an interpretation of the recent letter from the Nuclear Regulatory Commission (NRC) regarding partial release of land from the NRC license. A NYSERDA representative explained that NRC staff are drafting a process paper for Commission consideration on how 'unaffected' site land might be released from the license for reuse prior to full decommissioning. However, it may take some time before such a process is approved by the Commission. A CTF member expressed concern that NRC might allow a nuclear power plant to be built on the site, another CTF member explained that he reads the letter to say that NRC will just use the nuclear power plant regulations to 'inform', or be a model for, development of a process to release land from the license. A NYSERDA representative explained that NRC's typical process is to require a decommissioning plan and cleanup before they release land from the license. She further explained that some power reactors have large buffer zones, and NRC has allowed the release of some of this land from the license under its regulations. NRC will use that process as a model to design a process for partial release of land from the West Valley site, but the process must be approved by the Commission.

A Task Force member asked if NRC was aware of the deer hunting program at the site. A NYSERDA representative explained that deer hunting is only allowed in non-impacted areas of the site, and NRC knows of the deer hunting but has not asked for any information. NRC receives the site's annual environmental monitoring report which contains the results from tests of deer meat samples.

Next Steps

Due to the holidays, the November and December CTF meetings will be held on Wednesday November 30th and Wednesday December 21st. The October meeting will be as scheduled on Wednesday October 26th.

Observer Comments

There were no observer comments.

Action Items

Action	Assigned To	Due Date
Provide information on the location and results of monitoring well data near the pool	WVNSCO	9/28/05
Provide information on the amount of profit made under the WVNSCO contract	WVNSCO	9/28/05

Documents Distributed

Document Subject	Document Description	Date; Generated by (if applicable/known)
Draft Agenda	Agenda	Holland; 8/24/05
Summary of the 7/27/05 CTF Meeting	Summary	Holland; 8/15/05
Memo to the CTF	Memo	Chamberlain; 8/24/05
2005 CTF Work Plan	Work Plan	Holland; 8/24/05
NRC Letter to NYSERDA - Partial Site Release	Letter	NRC; 7/25/05
CTF Letter to Senator's Schumer & Clinton (with copy of H.R.3101)	Letter	CTF; 7/29/05
NYSERDA Letter to NRC - Partial Site Release	Letter	NYSERDA; 3/31/05
Memo Regarding CTF Membership	Memo	Holland; 8/18/05
Energy Communities Alliance Bulletin	Newsletter	ECR; August 2005