

To: West Valley Citizen Task Force
From: Melinda Holland, Task Force Facilitator
Subject: Summary of the March 22, 2006 Meeting
Date: April 22, 2006

Next Meeting

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

Date: Wednesday, May 24, 2006
Time: 7:00 - 9:30 p.m.
Location: West Valley Demonstration Project Site
10282 Rock Springs Road
West Valley, NY

NOTE: The April 26th meeting has been cancelled.

All participants must bring photo identification to enter the site. 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) 942-9960 ext. 2453.

CTF Attendees

Attending were: Paul Piciulo, Bryan Bower, Ray Vaughan, Darwin John, Pete Scherer, Chris Pawenski (for Andrew Eszak), Stephen Kowalski, Tom Buttafarro, Pete Cooney, Joe Patti, Lee Lambert, Dennis McCauley (for Tim Siepel), Bill King, and Warren Schmidt.

CTF Members not attending (nor represented by an alternate) were: Mike Hutchinson, John Pfeffer, Eric Wohlers, and Gary Eppolito.

Agency Attendees

Pat Concannon, 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;
- ▶ Follow-up from the Mound/Miamisburg/Fernald CTF Field Trip;
- ▶ Discuss development of an Education Work Group and In-Service Training for the CTF;
- ▶ Discuss CTF outreach;
- ▶ Review CTF web site; and
- ▶ Discussion of next steps, action items and observer comments.

Meeting Summary

Current Developments at the WVDP

Bryan Bower, DOE, gave a West Valley Demonstration Project (WVDP) Update presentation. He also stated that the new Request for Proposals (RFP) for future work at the WVDP will be posted at the following web link in the near future (which as of this summary date has been posted): http://www.emcbc.doe.gov/wvdp_seb

In response to a CTF member's question, Mr. Bower explained that the buildings currently slated for removal will be completely removed and the contractor will ensure that no residual contamination remains. He also noted that three of the structures to be removed are large tent structures. Mr. Bower agreed to get back to the CTF with information on how much of the available on-site waste storage will be lost by removing these structures. He noted that Lag Storage #3 and #4, two structures that will remain in place, have a lot of capacity due to the off-site shipment of large amounts of waste. In response to another question, Mr. Bower stated that the tent structures could not be donated for reuse if they are classified as waste.

A CTF member expressed continued concerns over the possible destruction of the Main 2 Warehouse, which he would prefer left in place for future re-use. He suggested that DOE study the possible future reuses for the on-site buildings, then inform the Town of Ashford and the CTF of their findings before making a decision. A NYSERDA representative told the CTF that his agency has also asked for a plan for disposition of the site facilities. Mr. Bower responded that DOE has not yet made a decision on the Main 2 Warehouse and that the Site Utilization Management Plan (SUMP) is the plan they are currently working under. He stated that the SUMP describes the work planned for the next procurement, including which facilities are planned to be removed. In response to a CTF member's question about DOE's response to the CTF letter commenting on the SUMP, Mr. Bower explained that DOE Headquarters is reviewing the CTF and NYSERDA comment letters. Mr. Bower stated that the Performance Work Statement portion of the upcoming RFP will contain more detail about the work to be done than the SUMP but he could not disclose that information until the RFP is officially posted.

A Task Force member expressed concern that DOE is rushing to remove as much as possible from the site then walk away from the rest. He questioned why DOE is planning to ship the Drum Cell waste off-site if they are going to leave a lot of other waste such as the tanks and burial grounds. He also stressed the need to complete the Environmental Impact Statement as soon as possible before making all these choices about what to remove or leave. Mr. Bower explained that the decisions on the tanks and burial grounds will wait until the EIS is issued.

When questioned about compliance with the National Environmental Policy Act (NEPA) for activities planned before issuance of the EIS, Mr. Bower explained that they have NEPA coverage in the form of Categorical Exclusion 2004-1 because the proposed removal of some of the site structures is not a major federal action, and does not need an EIS or Environmental Assessment (EA), as there is no significant environmental impact. The Task Force member requested a copy of Categorical Exclusion 2004-1.

CTF Mound/Miamisburg/Fernald Field Trip

There was some follow up discussion of the February CTF field trip to the Mound/Miamisburg/Fernald DOE facilities. A CTF member asked if environmental monitoring data was available on these sites regarding contamination releases to air, soil or water. A NYSERDA representative responded that this type of monitoring data is collected by each site and can probably be obtained for the CTF. Another Task Force member asked if data had been obtained on how much “Payment In Lieu Of Taxes,” or PILOT, was being paid to local governments at these sites. [This was an action item for Mike Hutchinson from the February CTF meeting. Melinda Holland agreed to follow up with Mr. Hutchinson]. In response to a question, a NYSERDA representative explained that a PILOT of the State of New York pays about \$500,000 a per year, which is divided between the West Valley Central School, Cattaraugus County, the Town of Ashford and the local fire district. A CTF member noted that the school receives the largest percentage of these funds and the Town the least.

Education and In-Service Training

At its February meeting, the Task Force agreed to form a new Education Work Group to plan an In-Service Training for CTF members. The following Task Force members volunteered to serve on the Education Work Group: Warren Schmidt, Ray Vaughan, Pete Scherer, Steve Kowalski, and Tom Buttafarro. Melinda Holland will coordinate schedules and set up conference calls for the Education Work Group to begin planning the In-Service Training.

Potential topics for the In-Service Training suggested at the last two CTF meetings include:

- CTF goals and mission;
- Current and past CTF accomplishments;
- Methods to improve CTF communication with constituents and the public;
- Technical terms (acronyms) and site components;
- Major site decision documents and the CTF’s responses; and
- NEPA and the regulatory framework for the site.

Task Force Outreach

Regarding CTF press releases, a Task Force member noted that a press release should be short, direct and timely. He did not think using the meeting summary would satisfy any of those criteria. Another CTF member noted that as the Task Force is an advisory body, any press releases it issues should reflect what the CTF advised at a particular meeting. A Task Force member added that for a press release to be timely, the key points should be decided by the CTF at the end of a meeting, but the actual writing should be done by someone neutral. Another CTF member suggested that the Facilitator draft the press releases based on CTF suggestions at the end of a meeting.

A CTF member suggested that the news media be invited to attend the CTF In-Service Training that is being developed. It was suggested that the Education Work Group address the issue of improving the CTF’s outreach to the public and the media.

Darwin John discussed his interest in having articles on West Valley and the Task Force activities placed in the Seneca Nation’s newspaper which is distributed to enrolled members and

other interested people. CTF members offered assistance, if needed, and encouraged publication of articles on CTF activities in the Seneca Nation's newspaper.

Task Force Web Site

Melinda Holland gave the CTF an on-line overview of the contents of the CTF's web site, www.westvalleyctf.org

Task Force member suggestions for additions or improvements to the web site included:

- A an interactive site map, with labels (links) to obtain more information about specific components of the site;
- The WVDP's photo gallery linked to the CTF's web site; and
- Links from the CTF web site to the DOE WVDP web site for maps and photos.

It was suggested that the Education Work Group could also make suggestions for ways to improve the web site.

Legislation

Paul Piciulo, NYSERDA, and Bill King noted that there was no new information on the proposed legislation. A NYSERDA representative mentioned that a Committee of the NYSERDA Board of Directors had recommended that the full board pass a resolution authorizing the filing of a legal complaint against the federal government. This recommendation goes to the full NYSERDA Board on April 3rd.

CTF Membership

Melinda Holland reported that Gary Eppolito has appointed Bill Snyder III, who is a Town of Concord Councilman, as his alternate to the CTF. Ms. Holland will contact Mr. Snyder to introduce him to the CTF process. Ms. Holland also reported that she is interviewing candidates for the vacancy created by Bill Kay's resignation from the Task Force and will have more to report at the next meeting.

NRC Document on Process for Releasing Non-Impacted Areas of the Western New York Nuclear Service Center Before the Completion of Site Decommissioning

CTF members asked if the Nuclear Regulatory Commission (NRC) would be willing to give a presentation on their SECY-06-0035 "Process for Releasing Non-Impacted Areas of the Western New York Service Center Before the Completion of Site Decommissioning." A NYSERDA representative agreed to contact NRC regarding this request. A NYSERDA representative noted that the NRC was addressing "non-impacted areas" which means the area outside the 200-acre "site." A CTF member asked for information on how the Task Force can understand what portions of the land could be released for redevelopment. He also requested an aerial photograph of the entire 3,300 acre Center to help the CTF with evaluation of non-impacted areas for future re-use. Another Task Force member noted that NRC's issuance of this recommendation shows that progress is being made despite initial doubts that any land could be released for redevelopment.

Other Items of Interest

A Task Force member called a caucus of CTF members-only during the break. There was no action or report from that caucus discussion.

Warren Schmidt reported that NYS Senator Cathy Young will submit a “Member Item” to the state legislature in the amount of \$54,000 to fund a “full-cost accounting” study of the WVDP site cleanup options.

There was agreement to cancel the April 26th Task Force meeting for two reasons. First, the agencies will be meeting in New York City on the morning of the 27th to discuss agency comments to the draft EIS. Second, there are currently no topics proposed for an April meeting.

The Task Force asked that a thank-you letter be sent to T.J. Jackson for his years of service as the DOE representative on the CTF.

A CTF member noted that the Ashford Office Complex is now fully leased.

Observer Comments

A representative of the Mound/Miamisburg site contractor explained that there is extensive environmental monitoring at this site which will continue as the site is transferred from DOE’s Environmental Management Division to the Legacy Management Division. He stated that they view this data as showing negligible health, safety or environmental risk from the site.

Another observer mentioned his confusion regarding DOE’s responsibilities (e.g. North Plateau Groundwater Plume) that extend beyond the West Valley Demonstration Project Act.

Action Items

Action	Assigned To	Due Date
Set up a meeting to begin developing in-service training for the CTF	CTF Education Work Group; Holland	as soon as possible
Continue discussions on development of press releases after each meeting	CTF Education Work Group; Holland	at next Work Group Meeting
Provide a copy of Categorical Exclusion 2004-1 to CTF	DOE	4/21/06
Provide the CTF with information on how much of the available on-site waste storage will be lost by removing the tent structures (Warehouse Hardstand Tent, Sample Storage Area & STS Tent)	DOE	4/21/06
Determine how much of a PILOT was being paid to local governments at the Mound and Fernald sites	Mike Hutchinson	4/21/06

Find an appropriate CTF replacement for Bill Kay	Melinda Holland	5/24/06
Ask the Nuclear Regulatory Commission (NRC) to give a presentation on their SECY-06-0035 “Process for Releasing Non-Impacted Areas of the Western New York Service Center Before the Completion of Site Decommissioning”	NYSERDA	3/24/06

Documents Distributed

Document Subject	Document Description	Generated by Date (if applicable/known)
3/22/06 Meeting Agenda	Agenda	Holland; 3/22/06
Presentation “Project Update”	Presentation	Bower; 3/22/06
Draft 2006 CTF Work Plan	Work Plan	Holland; 3/22/06
Announcement of WVDP tours	Web announcement	DOE; 3/22/06
NRC Memorandum “Process for Releasing Non-Impacted Areas of the WNYSC Before the Completion of Site Decommissioning”	NRC Policy Issue Memorandum; SECY-06-0035, & enclosures	NRC; 2/13/06
Summary of the 2/22/06 CTF Meeting	Summary	Holland; 3/13/06
“Excerpt from Attachment to SECY-05-0073, dated April 28, 2005; “History of Waste-Incidental-to-Reprocessing Criteria”	NRC Attachment	NRC; 4/28/05