

NYSERDA Proposal

Alternate EIS Strategy

Issue:

Ensuring that ability to perform environmentally prudent work and provide adequate significant work scope at the WVDP while the more controversial Decommissioning and/or Long-term Stewardship EIS is being completed and most likely challenged in the courts.

Proposal:

Split the Decommissioning and/or Long-term Stewardship EIS into two separate EISs with one EIS supporting facility removal actions and groundwater remediation and the second EIS supporting the decommissioning and/or long-term stewardship decisions for the remaining source-terms.

Facility Removal and Groundwater Remediation EIS

Proceed with a separate EIS that assesses the environmental impacts of removing all buildings and structures located on the WVDP premises and remediates the north plateau groundwater plume and contaminated soils. The preferred alternative in this EIS would be similar to the preferred alternative proposed by the core team (i.e, removal of buildings; removal of contaminated soil to achieve immediate restricted release with unrestricted release, by decay, in 100 to 150 years), except it would not address the HLW tanks, the NDA or SDA. The alternatives that would be evaluated in this EIS would be the no action alternative, the preferred alternative, and other viable alternatives, if any. The close in-place alternative would be an alternative that was considered but not evaluated because the removal actions were deemed technically and economically feasible and all the stakeholders agree that removal is preferable. The Facility Removal EIS would not include a long-term performance assessment. That assessment would be done in the Decommissioning EIS.

Scientific Panel to Support Decommissioning and/or Long-term Stewardship EIS:

NYSERDA proposes to convene, with DOE support, a panel of nationally recognized scientists to provide information and guidance regarding the “scientific boundaries” (i.e., the knowns and unknowns) and the quantification of the uncertainty of the many facets of performance assessment modeling for this site, particularly the erosion modeling release mechanisms. This scientific panel will be asked to provide recommendations regarding approaches to performance assessment modeling and uncertainty estimation for near and distant time periods, such that the results would be supported by the available science. The panel will be asked to comment on the level of uncertainty that can be anticipated to be associated with each recommended approach

and the viability of using the approach to calculate results in comparison to the license termination dose standards.

The Decommissioning and/or Long-term Stewardship EIS and the Decommissioning Plan would continue to be prepared in accordance with the recommendations of this scientific panel.

Fostering Agreement

NYSERDA would be willing to meet with the Coalition and/or any other agency or environmental group to help others see the advantages of proceeding along this two EIS process.

Advantages of Two EIS Approach

Unbundles Agreed Upon Work Scope From Difficult Policy and Technical Issues

The two EIS process allows the agreed upon work scope to proceed on a separate path that is not laden with controversial policy and technical issues, such as erosion modeling, tank exhumation, in-place tank closure, disposal area exhumation, decommissioning in-place, WIR determinations, RCRA closure of the HLW tanks, etc. These issues have stymied progress on the Decommissioning and/or Long-term Stewardship EIS for years. NYSERDA is concerned that these issues will continue to plague the ongoing EIS process and/or breed subsequent challenges to the decommissioning EIS which would prevent the agreed upon work scope from being performed

Expediency

Due to the reduced number of controversial issues and broad agreement with the proposed actions in the Facility Removal and Groundwater Remediation EIS, the EIS process is likely to be completed sooner and to avoid challenge.

Scientific Opinion and Weight Brought to Decommissioning EIS Process

The convening of a nationally recognized panel of performance assessment and erosion experts to guide the next steps in the development of the Decommissioning and/or Long-term Stewardship EIS analyses work will add credibility to this document and the subsequent decisions.