

To: West Valley Citizen Task Force
From: Melinda Holland, Task Force Facilitator
Date: July 16, 2007
Subject: **Summary of the June 27, 2007, Citizen Task Force Meeting**

Next Meeting

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

Date: **Wednesday, July 25, 2007**
Time: 7:00 - 9:30 p.m.
Location: **Ashford Office Complex**
9030 Route 219
West Valley, NY

NOTE: All participants must be U. S. citizens and bring photo identification.

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Tom Attridge at (716) 942-9960, ext. 2453.

CTF Attendees

Attending were: Paul Piciulo, Bryan Bower, Lee Lambert, Joe Patti, Ray Vaughan, Bill King, Rob Dallas (for Pete Cooney), Warren Schmidt (for Mike Brisky & Julie Sirianni), Pete Scherer, Stephen Kowalski, Eric Wohlers, Tim Siepel, and Mike Hutchinson.

CTF Members not attending (nor represented by an alternate) were: Bill Snyder, John Pfeffer, Chris Pawenski, and Darwin John.

Agency and Other Attendees

Pat Concannon, New York State Department of Environmental Conservation (NYSDEC).

Meeting Highlights

- ▶ DOE Project Update Presentation;
- ▶ NYSERDA Update;
- ▶ NYSERDA Presentation “Expedited Way Ahead”;
- ▶ Presentation “Review of West Valley Erosion Analysis”;
- ▶ Presentation “Brief Overview of Landscape Evolution Models and their Application to West Valley”; and
- ▶ Discussion of next steps, agenda topics, action items and observer comments.

Meeting Summary

Tom Attridge reviewed the documents¹ provided for this meeting and Melinda Holland reviewed the agenda.

¹ The documents distributed at this CTF meeting may be found on the “Meeting Materials” page of the CTF web site at www.westvalleyctf.org

DOE Project Update Presentation

Bryan Bower, DOE, gave a presentation on current activities at the West Valley Demonstration Project. A CTF member asked how the 300 R waste was solidified. Mr. Bower explained that the 300 R waste was a radioactive source, but other liquid wastes were solidified using a cement grout. The Task Force member also asked if the permeable treatment wall proposed for the North Plateau Ground Water Plume would be in addition to the treatment wall already in place. Mr. Bower stated that the new treatment wall would be further north from the existing wall. A NYSERDA representative noted that it was his understanding that the cost share between NYSERDA and DOE for the new treatment wall would be resolved later to allow the work to progress. Mr. Bower stated that the work is currently moving ahead to the data study and design phase.

In response to a question about the status of the site contract, Mr. Bower explained that the decision is imminent and that an announcement should be made before the July 25th CTF meeting.

NYSERDA Update

Paul Piciulo, NYSERDA, stated that Paul Tonko will be the new President of NYSERDA. Dr. Piciulo explained that the West Valley Remediation Act legislation was introduced in the House of Representatives by Representative Kuhl in May and in the Senate in January. A CTF member stated that the Task Force should have the opportunity sooner, rather than later, to express their concerns regarding the legislation. A NYSERDA representative stated that the legislation is not likely to move soon, and that they would reach out to the Senators and Representative Kuhl about the CTF's desire for input.

Regarding the State of New York's lawsuit against DOE, Hal Brodie, NYSERDA, noted that the case is going into non-binding mediation.

NYSERDA Presentation "Expedited Way Ahead"

Colleen Gerwitz, NYSERDA, gave a presentation on NYSERDA's views on the proposed expedited way ahead. A CTF member expressed concern over the length of time it is taking to complete the Environmental Impact Statement (EIS) and questioned whether there is any impetus to drive the EIS to completion. Mrs. Gerwitz noted understanding of the concern and that NYSERDA also wants to see solid scientific work as a basis for EIS decision-making. Mr. Bower explained that the current schedule shows completion of the EIS in 2009 but that is dependent on reaching agreement within the Core Team on technical issues like erosion modeling as well as the future of the tanks and disposal areas. Mr. Bower also noted that DOE would be interested in having NYSERDA put its new proposal for the way ahead out for public comment to obtain input from more stakeholders.

In response to a question about the U.S. Environmental Protection Agency's (EPA) involvement, Mrs. Gerwitz explained that EPA is involved in the Core Team, but is not doing a separate technical analysis, only policy analysis under the National Environmental Policy Act (NEPA).

A CTF member expressed concern that cleanup work continue to move ahead at the site, and noted that splitting the EIS again could allow for ongoing work while the more difficult issues

are resolved. Another CTF member asked whether splitting the EIS again would allow for more public input. Mr. Bower noted that the NEPA process already allows public input, for example last year's Environmental Assessment for the building removals was shared publicly. He stated that the Decommissioning EIS process provides the most opportunity for public involvement but it does have risks such as potential lawsuits blocking implementation of the EIS recommendations. He also noted that there is site work in the near future under either scenario. Dr. Piciulo noted that the next opportunity for public input into the EIS would be in 2009, and that he would like CTF feedback on NYSERDA's proposed process presented at this meeting. A Task Force member requested a written explanation on how a Mitigative Action Plan could work under NEPA. Another CTF member noted that the group needs time to consider and discuss NYSERDA's proposal in-depth. NYSERDA agreed to continue discussion on this topic at the next CTF meeting, if the CTF wanted to.

Presentation "Review of West Valley Erosion Analysis"

Joe Price, SAIC, gave a review of past West Valley erosion analyses. A CTF member asked if erodibility provides a representation of mass wasting and slumping. Mr. Price explained that it does not, but another parameter called diffusivity does account for this and they selected the value that was not likely to be exceeded under any scenario. He further explained that the analysis was projected out over a 10,000 year period. A CTF member noted that 20 different modelers would give almost as many different results and noted that he would like assurances of receiving good answers from the model used. Another Task Force member noted that there may not have even been people in western New York 10,000 years ago and does not believe it is possible to predict events 10,000 years in the future. Mr. Price stated that the regulatory agencies need to specify the level of accuracy that is needed to make decisions regarding the future of the site.

Presentation "Brief Overview of Landscape Evolution Models and their Application to West Valley"

Greg Tucker, University of Colorado, gave a brief overview of landscape evolution models and their application to West Valley. In response to a question Mr. Tucker explained that slumping is considered under gravity-driven transport processes in erosion modeling. He noted that the type of soil is factored into modeling in several places including geomorphic transport functions, but there is not a good way to account for different types of soil in modeling. Mr. Tucker also stated that they assume that Buttermilk Creek's cut occurred approximately 17,000 years ago during the retreat of the glacier. In response a question about why the prior modeling efforts did not recognize that the results showed too much smoothness in the contours, Mr. Price explained that, to be conservative, they used a high value for the creep coefficient as they believed the regulatory agencies preferred.

A CTF member asked if Mr. Tucker was aware of any other projects that have used natural systems to test erosion models. Mr. Tucker noted that there are several scientific papers published on this subject and it is becoming a very popular method of testing models. In response to another question, he explained that Willgoose and Hancock have used existing natural systems to test small scale modeling predictions at a uranium mill tailings site in Australia. Mr. Tucker further noted that including randomness (Monte Carlo) in modeling is favored.

A Task Force member asked about the model's ability to deal with extreme rainfall events. Mr. Tucker explained that you can look at the geologic history to help determine the impact of catastrophic events. Mr. Tucker also noted that to his knowledge these models do not have the ability to consider seismic events or earthquakes. In response to another question, Mr. Tucker stated that the character of the soil strata is considered by analyzing soil particle size, strength of bonds between particles, ease of detaching a particle, and ease of transport. A CTF member asked if he could consult with Mr. Tucker by telephone on future questions, Mr. Price offered to check and let him know.

In response to a question on his work on the West Valley site erosion model, Mr. Tucker explained that they are just getting started and do not have any results yet. He noted that they hope to have preliminary proof of concept runs done by fall, and to do 1,000 runs of the model might take two or three months. Mr. Price stated that it might take a year to complete the work. Mr. Bower noted that the erosion modeling mostly affects the areas where decisions are proposed to be deferred (the burial grounds and tanks) so the schedule should not be a problem.

A Task Force member asked if there is any incentive to give a politically-acceptable result in the modeling efforts. Mr. Tucker responded that he has no incentive to find a politically-acceptable result only a scientifically-defensible result. He also stated that he agrees that the information used for the modeling is crucial which is why he wants to validate the model based on historic changes in the region's topography. He further noted that there are changes such as global warming which could lead to results no one has considered such as a future ice age and that modeling cannot account for these extreme contingencies. Mr. Tucker stated that his approach is to take a wide range of different future variables and explore them all, such as forested land, open land, developed land, etc.

Observer Comments

An observer questioned who owns the Department of Defense waste in the burial grounds and the annual cost of cleaning up the site. Another observer noted that he has observed the site for decades and does not believe you can achieve certainty about the future impacts of erosion, beyond noting that the site is vulnerable to erosion which will ultimately waste into the environment. He encouraged decision-makers to consider the fact that the site will erode over time in their deliberations.

Action Items

Action	Assigned To	Due Date
Cathy Bohan to call Ray Vaughan regarding how a Mitigative Action Plan could work under NEPA.	Bohan	07/24/07
Decide if the CTF would like to continue discussion on the NYSERDA proposal for the EIS	Logue/Cook	07/24/07
Check if a CTF member would be able to consult via telephone with Greg Tucker in the future	Joe Price, SAIC	07/24/07

Documents Distributed

Document Subject	Document Description	Date; Generated by (if applicable/known)
06/27/07 Agenda	Agenda	Holland; 06/12/07
May 21, 2007 CTF Meeting Summary	Summary	Holland; 05/03/07
DOE Presentation "Project Update"	Presentation	Riemer; 05/22/07
NYSERDA Presentation "Expedited Way Ahead"	Presentation	Gerwitz; 06/27/07
Presentation "Review of West Valley Erosion Analysis"	Presentation	Joe Price; 06/27/07
Presentation "Brief Overview of Landscape Evolution Models and their Application to West Valley"	Presentation	Greg Tucker; 06/27/07
NYSERDA Proposal: Alternate EIS Strategy	memo	NYSERDA; 05/16/07
Historical EIS Scope Reductions	Chart	NYSERDA; 06/27/07
Compilation of News Articles	News Articles	June 2007
H.R. 2476	Legislation	House Of Representatives; 05/24/07
Senate Bill 81	Legislation	Senate; 01/04/07
NYSERDA Letter Re: New Facilitator	Letter	Piciulo; 06/20/07