

To: West Valley Citizen Task Force
From: Bill Logue, Citizen Task Force Facilitator
Date: August 19, 2008
Subject: **Summary of the July 23, 2008 Meeting**

Next Meeting

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

Time & Date: **7:00 – 9:30 PM, September 24, 2008**
Location: Ashford Office Complex
9030 Route 219
West Valley, NY

Note: All participants must be United States citizens and must bring photo identification. If you have questions or comments regarding the upcoming meeting or about this summary, please contact Bill Logue (860-521-9122, bill@loguegroup.com).

CTF Participants

CTF Members and Alternates attending: Mike Brisky, Rob Dallas, Judy Einach, Chris Gerwitz, Gladys Gifford, Mike Hutchinson, Steve Kowalski, Paul Kranz, John Pfeffer, Bob Potter, Pete Scherer, Warren Schmidt, Tim Siepel, Bill Snyder, Ray Vaughan.

Agency Participants and Observers

Department of Energy (DOE): Cathy Bohan, Bryan Bower, Ben Underwood.

New York State Energy Research and Development Authority (NYSERDA): Tom Attridge, Paul Bembia, Dave Munro, Peter Swift (Independent Expert Review Team).

West Valley Environmental Services, LLC (WVES): Ken Alkema, Sonja Allen, John Chamberlain.

Observers: Michael Bemski, Kelly Hunter, Kathy Kellogg (Buffalo News).

Introductions and Announcements

Bill Logue welcomed the group and reviewed the agenda and meeting documents.¹ He reminded CTF members of the DOE/NRC Decommissioning Plan meeting on July 24 and that the public could observe and comment. The meeting topic is dose limits which will define the level of cleanup necessary to decommission the site. Bill Logue noted that the New York State Department of Health is gathering information concerning certain license requirement exemptions granted in 1963. When it is available, the information will be forwarded to CTF members. Several copies of the DVD of Dr. John Voegelé's presentation on the Yucca Mountain Repository are available to CTF members and a link to stream it over the web will be posted on the CTF Web site in the near future.

DOE Presentation: 2009 Funding & Near-Term Work

Funding. Bryan Bower of DOE presented an overview of the 2009 funding profile and near-term work at the WVDP. The 2009 WVDP president's budget, passed in the House, calls for approximately \$59 million in funding. The Senate has agreed on \$73 million in 2009 funding. The exact amount of funding will be established through the committee reconciliation process. Continuing resolutions are possible in an election year. The 5-year funding profile calls for \$75 million in annual baseline funding for 2010 through

¹ The documents are listed at the end of this summary and may be found at www.westvalleyctf.org

2013, assuming the preferred alternative is selected with a Record of Decision (ROD). Mr. Bower noted that funding levels are projections and are dependent on Congressional authorization.

On-going work includes: maintaining the high-level waste (HLW) canisters on-site, environmental monitoring, pumping and treating the North Plateau Groundwater Plume (the Plume), maintaining security and safeguards and other on-going operations and maintenance.

Work for FY 2009 (October 2008 – September 2009) includes: completing cover installation over the NRC-licensed disposal area (NDA); for the HLW tank farm, installation of drying system, begin removal of residual liquids, and groundwater mitigation measures; for the Plume, continue sampling for hazardous constituents and background levels and conducting field characterization and testing to support installation of a permeable treatment wall; removing a number of facilities to reduce the footprint of facilities which require ongoing maintenance; continue decontamination of the Main Process Plant Building (MPPB) and develop demolition plans and obtain plan approvals; and process legacy LLW and transuranic waste (TRU). In response to CTF member questions, Mr. Bower noted:

- There is some movement of groundwater in the Plume area towards the tank farm already. It is unknown if this movement is natural or the result of pumping near the tank farm to keep ground water low in the area. The design and construction of the tank farm influences water flow towards areas where it can be pumped and treated thereby avoiding spread of contamination should a leak occur. Considerable research and analysis will be performed and groundwater modeling will support future planning.
- Sampling will occur in and around the MPPB but not in the Construction Demolition Debris Landfill (CDDL).

Near-Term work for FY 2010 includes: Characterization and begin deactivation and decontamination of the Remote Handled Waste Facility (RHWF) and Vitrification Facility and begin preparation for demolition plans; completion of design and initiate installation of Plume control measures; continue MPPB decontamination, management of radiologically contaminated site water, process and ship LLW waste for disposal, process TRU waste for on-site storage, process high-activity waste through RHWF and Vitrification Facility; publish Final EIS and ROD; NRC issues Technical Evaluation Report; and begin implementation of EIS ROD activities (subject to EIS and ROD and based on preferred alternative recommended by the Core Team). In response to CTF member questions, Mr. Bower noted:

- The RHWF is too small to handle materials from the NDA and State Licensed Disposal Area (SDA) if they were exhumed. However, it will be one of the last facilities removed so it can be available in the event it is needed to verify packaged materials. When packaging materials now, a video and audio record is being kept to avoid reopening containers in the future. Pursuant to the WVDP Act, the building must be decommissioned and cannot be used for commercial purposes.

Near-Term work for FY 2011 includes: continuation of the previous work (MPPB, radiologically contaminated water management, LLW waste shipment, TRU waste storage and processing of high activity radioactive waste); complete processing and disposition of legacy TRU waste through the RHWF; complete RHWF and Vitrification Facility deactivation and decontamination; complete installation of

tank/vault drying system and Plume control measures; achieve Interim End State completion; and continue implementation of EIS ROD activities. The last year of the current WVES contract is 2011. The presumed work for 2012 will be construction of an alternative HLW canister storage facility and continuation of EIS ROD activities (facility disposition, lagoon disposition and shipping of newly generated waste). In 2013 these activities will continue. A new contract will be awarded to begin work in FY 2012.

DOE Presentation: Draft Environmental Impact Statement Structure and Organization of Sections and Chapters

Cathy Bohan, DOE National Environmental Policy Act (NEPA) Compliance Officer for the WVDP presented an overview of the structure and organization of the Draft Environmental Impact Statement (DEIS). The DEIS and summaries of it will be available in paper copy, electronically on disc and online. The public will be able to register in advance and on the evening of the public meeting to submit oral comments. If time allows, members of the public who did not register either in advance or before the meeting began, will be allowed to present their comments. Written comments will be accepted at any time during the comment period.

Ms. Bohan noted that the DEIS will address the DOE-controlled 200 acres of the WVDP, the 14 acres of the SDA and the 3000+ acres of the Western New York Nuclear Service Center controlled by NYSERDA. These locations are further delineated into 12 Waste Management Areas (WMAs). The DEIS will have four major components: A Summary and Guide for Stakeholders, Chapters, Appendices and Comment Response. Volume 1 will contain the Summary and Guide and will address the DEIS purposes, results, alternatives and mitigation measures; a reader's guide on particular topics; and information on public participation opportunities. She pointed out that the CTF will find much of the information it is interested in contained in Chapters 2 and 4 and several of the Appendices. The DEIS will explain the history of the 1996 DEIS and, she expects, will be titled as a revised draft of that document.

Chapter 2 Part 1, Project Description and Alternatives, describes the alternatives. In the first, Site-wide Removal, all facilities would be removed, except for HLW canisters pending an available federal repository, all other radioactive and hazardous waste would be removed offsite and the entire Center would be available for unrestricted release. Under the Close-in-Place Alternative, key facilities would be closed in place and specially-designed closure facilities and engineered barriers would be built to isolate larger inventories of long-lived radionuclides. Under the NEPA required No-action Alternative, no decommissioning actions would be taken but continued management and oversight would occur.

The proposed Preferred Alternative is called the Phased Decisionmaking Alternative. Under this alternative Phase 1 includes:

- Removal of MPPB, Vitrification Facility and 01-14 Building, source area of the Plume, and the lagoons.
- No decommissioning or long-term management decisions would be made for the Waste Tank Farm and its support facilities, the CDDL, the non-source area of the plume, or the NDA.
- The SDA would continue under active management for up to 30 years.

- Further characterization would be conducted to support additional evaluations to determine the technical approach to be used to complete decommissioning.

In Phase 2, the work would complete the decommissioning or long-term management decision making, following the approach determined to be the most appropriate through the additional evaluations.

Chapter 2 Part 2 will be the comparison of alternatives. It will address near-term impacts resulting from decommissioning actions (removal or isolation) including such things as; land use, socioeconomics, human health and safety, waste management and transportation. It will also address long-term impacts from waste remaining on site for the Close-in-Place and No Action alternatives. Cost-benefit considerations will be described and the Preferred Alternative identified with the rationale for its selection. This will include identification of the locations where waste will be shipped.

Chapter 4 will detail environmental consequences including: analysis of impacts, cost-benefit considerations, incomplete and unavailable information, intentional and destructive acts (both worker sabotage and terrorist acts), cumulative impacts and resource commitments.

Appendices. There will be a number of appendices that will be of interest to the Citizen Task Force. Appendix A will summarize comments received on the 1996 draft. Appendix C will describe facilities/areas, implementation activities, and proposed new construction. Appendix D will provide an overview of the Performance Assessment Approach, Appendix E the Hydrogeological Analysis, Appendix F the Erosion Studies, Appendix H the Long-Term Performance Assessment Results and Appendix L the Regulatory Compliance Discussion. The DEIS is supported by a set of five Technical Reports that describe methodology and facilities common to each alternative, as well as the specifics of each individual alternative.

A **Special Section** would articulate NYSERDA's view on the EIS analysis and results, should they differ from DOE's, and include a quantitative risk assessment for the SDA. Paul Bembia explained that NYSERDA's independent expert review team was reviewing the DEIS and identifying issues. NYSERDA, DOE and the cooperating agencies are working to resolve these issues before issuance of the DEIS. If some issues are not resolved, this section will include NYSERDA's analysis of the issue. Structuring the process and DEIS in this manner allows for a timely release of the document and for NYSERDA to continue as a joint lead agency.

For the SDA, the Preferred Alternative calls for continuing to actively manage it in place for up to 30 years. NYSERDA is conducting the quantitative risk assessment to support this decision. Dr. Peter Swift, a member of the independent expert review team and staff at Sandia Labs, speaking only for himself, stated that they were looking at probabilistic risk assessment for the SDA including the risk of off-site radiation releases and the uncertainties related to both rare events and the facility.

In response to a question, Dr. Swift noted that the uncertainty for the 30-year on-going assessment period would not include climate changes but would include weather events including extreme storms. Paul Bembia indicated NYSERDA had given a copy of the recent NOAA report on weather trends to John Stetkar the chief modeler on the project for NYSERDA.

Several CTF members raised questions or made comments expressing concern about the possibility that Phase 2 would not be implemented and that the impacts of this possibility might not be addressed in the DEIS analysis. Cathy Bohan stated that the Phase 2 impacts would be bounded by the other three alternatives and that the on-going assessment period will be described in the DEIS. A CTF member strongly encouraged DOE to do site-specific studies and to preserve the underlying data in the analyses so that, as further analysis is performed, the assumptions and predictions in the EIS can be assessed.

A CTF member expressed concern that the HLW Tanks are susceptible to corrosion. Mr. Bower noted that the tank and vault drying system is designed to prevent further corrosion. In response to another comment related to the proposed Yucca Mountain repository, Dr. Swift noted that no new tunnels have been dug at Yucca Mountain. DOE has submitted a license application to build more tunnels. A determination on the application will be made in the next three to four years. If it opens, the soonest the repository might receive waste is in 2020.

CTF Discussion on Approach for Commenting on DEIS

CTF members discussed how they had organized for the 1996 Final Report and provided comments on the Waste Management EIS. They agreed to continue the discussion further at subsequent meetings in the fall.

Report on Route 219 and Carbon Dioxide Sequestration Seismic Studies

Bill Logue provided CTF members with a memo on his inquiries into the seismic studies concerning the Route 219 landslide and the proposed carbon dioxide sequestration well in the Springville area. The memo may be found with the meeting materials on the CTF website. Based on the NY Department of Transportation Report Summary Report and interviews with NYDOT staff, the Route 219 landslide analysis did not include any new seismic studies and none are planned. The coal-fired power plant that had considered carbon dioxide sequestration near Springville has been abandoned. Based on this information no further inquiries will be made at this time.

Other Business

Judy Einach reported that the full cost accounting study is almost complete and suggested that it be a topic at a future meeting, perhaps October. Bryan Bower stated that DOE had updated its WVDP website and encouraged members to visit it. (<http://www.wv.doe.gov/>)

Observer Comments

An observer recommended that the DEIS clearly describe how the comments and concerns from the 1996 DEIS have been addressed so the public may understand how their comments have impacted the 2008 draft and how this draft is a collaboration among the agencies to work through many issues raised in the comments. In response to an inquiry, DOE indicated that the DEIS would discuss disposition options for soil removed from the Plume source remediation area. Mr. Bower noted that the former vitrification vessels were currently being undergoing a Waste Incidental to Reprocessing determination and, once that determination is made, the CTF will be informed, as will the public at a future Quarterly Public Meeting.

Action Items

Action	Assigned To	Due Date
Advise CTF of WIR determination of vitrification vessels	DOE	When determination is made
New York State Department of Health is gathering information concerning certain license requirement exemptions granted in 1963. When it is available, the information will be forwarded to CTF members.	NYSDOH	When available

Documents Distributed

Document Description	Generated by; Date
Agenda	Logue; 7/23/2008
DOE Presentation: 2009 Funding & Near-Term Work	DOE; 7/23/2008
DOE Presentation: Draft Environmental Impact Statement Structure and Organization of Sections and Chapters	DOE; 7/23/2008
Summary of the Agenda Work Group Conference Call	Logue; 7/18/08
Memo to CTF on Seismic Studies related to Route 219 and Possible Carbon Dioxide Sequestration	Logue; 7/21/08
NY State Department of Transportation Summary Report Scoby Hill Landslide	NYDOT; 5/20/08
NY State Department of Environmental Conservation RCRA Process Flow Chart	NYSDEC
Compilation of News Articles	NYSERDA; 6/25/2008