

Task Force to hear presentations about closing of West Valley site

By Rick Miller
Olean Times Herald

ASHFORD HOLLOW – Members of the West Valley Citizens Task Force will hear presentations Wednesday on a draft environmental impact statement (DEIS) or the decommissioning and cleanup at the West Valley Demonstration Project.

Representatives from the U.S. Department of Energy and New York State Energy Research and Development Authority will outline plans for the preferred alternative in the DEIS – phased decision making.

The draft environmental impact statement is a revised version of a 1996 DEIS proposed by the Department of Energy. It covers the 200-acre WVDP site, the 3,000-acre Western New York Nuclear Service Center, and the 14-acre state-licensed disposal area. All are located on the compound in Ashford Hollow, the site of the nation's only commercial nuclear fuel reprocessing cen-

ter that operated from 1966 to 1972

According to the draft plan, phase 1 of the proposed clean-up will involve removal of the main process building. The building is the source of a radioactive groundwater plume, the location of a vitrification facility where high level radioactive liquid waste was solidified, and the site of several waste lagoons.

The waste tank farm will be dried and continue to be managed without any long-term decisions being made at this time on whether to remove them. No decision is proposed on a construction and demolition debris landfill or the Nuclear Regulatory Commission-licensed disposal area. The NYSERDA disposal area would also be managed for 30 years until a decision is made whether to dig it up and remove it from the site.

Phase 2 would be to complete the decommissioning and long-term management of the site in the town of Ashford.

Demolition of the main

process building could not proceed without building a new facility for storage of 275 10-foot high steel casks containing radioactive glass until a federal repository, possibly Yucca Mountain in Nevada, is available for their long term storage (thousands of years).

Crews continue to scrub the radioactive cells in the main process building and are removing asbestos and other hazardous materials prior to its demolition.

Copies of the DEIS are available at the Springville Library, 18 Chapel St., and the WVDP Reading Room at the Ashford Office Complex, 90309 Route 219 in Ashford Hollow.

The DEIS is also be available on the DOE Web site at www.gc.energy.gov/NEPA, and the West Valley EIS Web site: www.westvalleyeis.com

Public hearings on the DEIS are scheduled for March 31 at the Seneca Nation of Indians William Seneca Building on Route 438 in Irving and April 1 at the Ashford Office Complex, Route 219 in Ashford Hollow.

The public has until June 9 to comment on the DEIS.

► West Valley Demonstration Project Task Force to meet regarding cleanup

By Rick Miller
Olean Times Herald

ASHFORD HOLLOW - The cleanup of the region's radioactive waste dump site may soon take another step forward.

The West Valley Citizens Task Force will meet privately next month to consider whether to support the preferred alternative in the Draft Environmental Impact Statement (DEIS) for the West Valley Demonstration Project (WVDP) cleanup.

The U.S. Department of Energy (DOE) and New York State Energy Research and Development Authority (NYSERDA) are cooperating on the DEIS - which involves a cleanup of most of the WVDP site - while deferring decisions on whether to exhume and remove underground waste tanks and state and federal low-level disposal areas.

Members of the Citizens Task Force met Wednesday with DOE and NYSERDA officials who outlined the preferred alternative that includes demolition and removal of the Main Process Building, addressing a plume of radioactive strontium 90 that leaked from the plant during operations from 1966 to 1972 when the plant reprocessed spent nuclear fuel.

Catherine Bohan, Environmental Impact Statement manager for the DOE, said the alternatives range from a total site cleanup that could take up to 64 years and cost more than \$9.7 billion, to a no-action alternative, which most agree is unlikely but must be addressed. Other alternatives include:

► The \$1.2 billion "Phased Decisionmaking" preferred alternative, which removes most facilities, but does not address the waste tanks, state disposal area or Nuclear Regulatory Commission-licensed disposal area.

► A \$1.1 billion "Close-In-Place" alternative where facilities would remain, but filled with cement and barriers built to contain groundwater infiltration. This would require long-term monitoring.

A six-month comment period on the DEIS began earlier this month. Public hearings on the preferred alternative will be held in March and April.

John Kelly, NYSERDA manager for the WVDP site, said NYSERDA agreed to endorse the preferred alternative, but has concerns about some issues. It allows significant cleanup to proceed relatively quickly and allows for continued study of the state and federal disposal areas and how to best address the underground tanks that once held more than 660,000 gallons of highly radioactive liquid.

The tanks have been pumped of their liquids - much of it was solidified into

glass now stored in steel casks in the Main Process Building - and are in the process of being dried out. A "hot" radioactive residue remains that formed like a bathtub ring on the inside of the tanks and on the interior steel support structure.

Mr. Kelly said an independent expert review of the DEIS commissioned by NYSERDA cited several concerns including inadequate erosion modeling spanning thousands of years, exposure scenarios, engineered barriers designed to restrict groundwater flow in contaminated areas and the cost of exhuming and disposing of buried waste.

Citizens Task Force member Ray Vaughn suggested near the end of the nearly three-hour meeting that members might want to meet in caucus without state or federal officials on Jan. 14 to discuss what its policy will be regarding the preferred alternative in the DEIS.

"We need to have a policy discussion on whether the CTF wants to support the preferred alternative or a full-site removal." That way, he said, the Task Force can give the public an indication early in the public comment process of what it might recommend to the public. "Which one of the three alternatives do we favor?" he asked.

Mr. Vaughn also said that the DOE had not adequately addressed individual concerns in the DEIS released in 1996, and expressed concern the same thing would happen this time - that similar con-

cerns would be grouped together and not adequately addressed.

Another member, however, thought it was too soon for the Citizens Task Force to stake out a position before having read the DEIS.

Dr. Tim Siepel wondered that if a consensus has already been reached among members of the Task Force, "it would give us more time for political action."

A link to the DEIS is available at westvalleyeis.com. Copies are available at the WVDP Reading Room at the Ashford Office Complex on Route 219 in Ashford Hollow, and the Concord Public Library in Springville. Also, a link to NYSERDA's independent review of the DEIS can be found at www.nyserda.org/publications/westvalleyindependentreview.pdf.

Public hearings on the DEIS are scheduled for March 31 at 6 p.m. at the Seneca Nation of Indians William Seneca Building in Irving, April 1 at 6:30 p.m. at the Ashford Office Complex, and April 2 at 6:30 p.m. at the McKinley Inn in Hamburg.

► Contact reporter Rick Miller at rmiller@olean-timesherald.com

Springville Journal, Thursday, December 18, 2008

Worker's compensation insurance costs rising again in Ashford

By RENEE HANLEY
Journal Correspondent

The Ashford Town Board discussed several topics in addition to their regular business during their monthly meeting on December 12. One matter of concern was the rising cost of workmen's compensation insurance, which has been increasingly substantial each year.

The town purchases its compensation coverage through the county's risk management program. In 1994, the cost for this insurance was less than \$5,000. The bill for the current year is over \$64,000, up from last year's \$58,644. The board agreed that they would look into alternate providers and other means to decrease the rate.

Supervisor Chris Gerwitz notified the board that he had recently been informed of a \$50,000 grant which the county received to investigate how tax assessments are measured.

The county is currently surveying towns via an independent firm regarding assessment methods and rates and should have the results in March. The goal is to make evaluations fairer and more consistent throughout the state. West Valley currently has a 70 percent evaluation rate.

Gerwitz noted that a benefit of the town's current program is, "if someone feels that they are not taxed properly or fairly, they can do their homework and compare their assessment with a similar property and file a grievance."

In other news,

- The board discussed the increasing Amish buggy traffic on Route 219 as it travels through Ashford. Supervisor Gerwitz had received letters from Assemblyman Joe Giglio as well as the Cattaraugus County Agricultural Department requesting signage be placed along the roadside to warn motorists of potential slow-moving traffic. Councilman Bill Heim related a close encounter he had when rounding a curve in the darkness and suddenly encountering a horse and buggy unit on the road. Heim noted that the carriage was not very visible at night and suggested that this type of vehicle use better lighting.

"The state requires us to have certain things on our automobiles. I think the state should require them to have something on the back of their buggies, for their safety and ours," Heim added. Gerwitz agreed to send the board's recommendations to New York State Department of Transportation (NYSDOT) Traffic Engineer Tom Messana.

- The Board has received the draft environmental impact statement (EIS) concerning New York State Energy, Research and Development Authority (NYSERDA) from the Department of Energy in three large volumes. Cathy Bohan, a representative of NYSERDA, would like to make a presentation to the board regarding the EIS. Councilman John Pfeffer suggested that the presentation be open to the community and he offered to contact Bohan to set up a meeting.

- A payment of \$782.98 was received from the Justice Court Assistance Program.

- A final draft of the Wind Energy ordinance is expected to be completed by the end of the month.

- The Water Committee will meet with engineer Glen Cooley in January.

- The Board held an executive session of approximately 45 minutes with no action taken.

- The next regular meeting of the Ashford Town Board will be held on January 14, 7:30 p.m. in the Community Center in West Valley.

Buffalo News, December 19, 2008

12/19/08 06:38 AM

Questions raised on West Valley Decisions

By Kathy Kellogg

CATTARAUGUS CORRESPONDENT

ASHFORD — State energy experts are asking the U. S. Department of Energy to take a closer look at scientific assumptions that could be used as a basis for future decisions in longterm cleanup at the West Valley Nuclear Demonstration Project.

The New York State Energy Research and Development Authority presents this “view” in the first few pages of the Department of Energy’s newly released draft environmental impact study, which provides four cleanup and management possibilities for a range of low-level to highly radioactive wastes left over from operations at the closed nuclear fuel reprocessing facility near West Valley.

The first part of a two-phase option — preferred by both DOE and state authority — would remove some dangerous structures and radioactive sources of groundwater contamination.

That would take about eight years, with the scope of work in the second stage depending on the results of technical evaluations and new studies. That decision will determine whether a waste “tank farm” and other items will be closed in place or dug up and moved off-site. The work in this phase also will require the construction of new containment structures, barriers and protective shielding.

John Kelly, of the state authority, told members of the West Valley Citizen Task Force on Wednesday night that the authority agrees with DOE — that the preferred alternative allows important work and cleanup to continue in the short term.

But he pointed to potential problems raised by an independent review team of scientists, whose conclusions are in the forward section of the study.

“Our differences lie in the long-term analysis, used to support the long-term decision to leave the material in the tank farm in place. That’s where we differ,” Kelly told task force members.

Among the shortcomings noted by the review team:

- Computer modeling may be inadequate for decisions on long-term erosion.
- The analysis of contaminant transport by groundwater could be improved.
- Assumptions may be lax in determining the performance of barriers such as caps and slurry walls over thousands of years.
- The analysis of the longterm, in-place closing of facilities in Phase 2 is seriously flawed and lacks a clear path for future decisions.

There are three other options for the cleanup: removing all radioactive waste, including debris from

decommissioned and razed buildings, a job taking 64 years, and an optioned hobbled by the fact there is no national nuclear waste repository at present; doing nothing; burying nuclear waste and debris where it is — an option considered unacceptable by local residents, the state and Canadian authorities.

Kelly's remarks followed a presentation from Kathy Bohan, the DOE's document manager, who will receive comments from the public on the environmental impact statement. After the meeting, she responded to Kelly by pointing out the DOE concedes in the impact statement that there are uncertainties in assessing a project expected to endure 10,000 to 100,000 years.

"We try to disclose the assumptions and what uncertainties exist," said Bohan, who urged that the statement be a road to reach a broader understanding of the document.



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Coalition on West Valley Nuclear Wastes donates primary documents to SUNY Fredonia

*POSTED: December 29,
2008*

The Coalition on West Valley Nuclear Wastes has donated 90 cubic feet of primary documents to the Archives and Special Collections at SUNY Fredonia. The materials, pertaining to the West Valley Nuclear Demonstration Project, have been collected and maintained over the last four decades by the Coalition, an activist group of primarily Cattaraugus and Erie County citizens.

Currently headed by Judith Einach of Buffalo and Joanne Hameister of East Aurora, the Coalition has documented the activities at the West Valley site since it opened in the early 1960s in the Town of Ashford in Cattaraugus County, roughly about 30 miles south of Buffalo.

"This collection is the most complete documented history available anywhere about nuclear reprocessing and storage," said Randy Gadikian, director of library services at SUNY Fredonia. "It documents the successes, failures and risks that are entailed in operating such a project, and for the first time, this information is available for public review."

The collection includes national and international government documents, corporate documents, Coalition meeting minutes, correspondence and comments, campaigns and collected research, and materials from related organizations. While the majority of the materials are paper documents, the collection also contains audio/visual materials and artifacts, among other media. The primary goal is to preserve these materials and make them available to researchers at the local, national and international level.

"Our mission has always been to be a watchdog," said Hameister. "But because we have taken our mission seriously, we are considered a significant stakeholder - and not necessarily an adversarial one - in some of their decision making."

The West Valley Project was established by the State Office of Atomic Development to commercialize the reprocessing of spent nuclear fuel from power reactors. In 1972 the plant was shut down and radioactive waste was stored underground in steel tanks and unlined burial trenches.

As significant as the collection is, it may now be of even greater relevance following the announcement earlier this week of a state-funded study which determined that all of the waste should be removed from the site. The study - the first of its kind to assess the full cost of cleaning up the site - concluded that permanently burying the waste materials on the site would lead to higher long-term costs in addition to the risk of widespread radiation poisoning.

Economists and scientists involved in the study estimate that the costs to excavate the waste would be \$9.9 billion, compared to \$13 to \$27 billion to leave it buried onsite, depending on whether or not a catastrophic release of the waste occurs.

One of those scientists is Dr. Michael P. Wilson, a professor of geosciences at SUNY Fredonia who has been providing expert research and testimony relating to this issue since 1986. His research has confirmed the extreme risks and dangers present at the site.

"The nuclear wastes at West Valley will remain radioactive for tens of thousands of years, and will eventually be consumed by erosion and discharged downstream to Lakes Erie and Ontario," Dr. Wilson said.

While his research shows that it will likely occur in less than 3,000 years, it is possible, he says, that it could occur in as little as 200 to 300 years.

"It would have to be a pretty big leak," Dr. Wilson acknowledges, "but the wrong kind of erosion could produce exactly that."

"The risks are very real," Gadakian agrees. "When you consider that about 60% of the Canadian population alone is situated in the provinces of Ontario and Quebec - northeast and downstream of West Valley - the potential for a catastrophic event is clearly present. The ability to thoroughly research this topic finally exists, and it exists at SUNY Fredonia."

SUNY Fredonia's Archives and Special Collections received a \$12,000 grant through the Documentary Heritage Program of New York State Archives to process the collection, which was donated to the university in May. The Archives team, which includes contractor Scott Richmond, will work to preserve the various document formats, manage the collection and provide access to researchers.

"The Coalition's collection and the West Valley materials are significant to both our region and the world," Reed Library Archivist Jeremy Linden added. "They also provide a great resource to SUNY Fredonia's academic mission. The contents are relevant to numerous disciplines across campus, from physics and political science to history and journalism, and offer our students and faculty a unique set of research and educational opportunities."

Prior to their arrival at Reed Library, the documents were located all over Western New York. While much was kept in an East Aurora storage unit, items were also housed in members' homes. Future materials will be added to the collection in five-year increments to ensure that documentation of the Coalition and the West Valley site continues into the future.

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Options for West Valley Demonstration Project site explained to CTF

By NATALIE CONDOR-SMITH

Journal Correspondent

Differences still exist between the United States Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) concerning the decommissioning and/or long term stewardship of the WVDP.

At the monthly meeting of the West Valley Citizen Task Force (WV CTF) members on Wednesday, Dec. 17, Cathy Bohan, draft Environmental Impact Statement (EIS) Document Manager, of the DOE and John Kelly, Project Manager of NYSERDA gave a presentation of the contents of the recently issued EIS.

The presentation included the findings and supporting information where differences remain.

“I don’t know how many of us in this room thought we would get to this point but here we are. I know most of you have kind of a background in the history of this document and you know all the challenges that have been inherent along the way.

“It has been very difficult over all these years to come to terms with the risks, costs and regulations and different questions and responsibilities because these topics are very complex.

“As a result of efforts of the Federal and State agencies involved in this process over the last few years, we were able to develop a proposed approach that seemed acceptable to all of those parties involved and is the preferred alternative in the EIS now available to the public for consideration and comment,” Bohan said.

Bohan then summarized the options, including the potential impacts, contained within the EIS. The four options are:

- **Site-wide Removal:** The removal of all facilities over a 64-year period, vitrified high level waste to be stored on site until it is shipped to a federal waste repository; decontamination of environmental media as necessary and all radioactive, hazardous and mixed waste to be characterized, packaged and shipped for disposal as appropriate.

- Site-wide Close-in-Place: All major facilities would be closed over an approximately 7-year period; isolation of residual radioactivity; and creation of a buffer area and long-term stewardship.

- No Action: No decommissioning action would be taken and there would be continued management and oversight of all facilities.

This alternative option is used as a baseline point of comparison for the other alternatives and is required under the National Environmental Policy Act.

And the final option, which is the preferred alternative, is referred to as the Phased Decision-making Alternative.

Under this alternative, decommissioning would be accomplished in two phases.

Phase 1 would include the removal of the Main Plant Process Building, the Vitrification Facility, the Remote Handled Waste Facility and the 01-14 Building, as well as the source area of the North Plateau Groundwater plume and the lagoons over an 8-year period.

Additional characterization and studies would take place during this time to provide information to support evaluations to determine the best technical approach to complete decommissioning.

Phase 2 would entail the completion of decommissioning actions or long-term management based on the additional information collected and approach determined to be most appropriate in Phase 1.

CTF member Judy Einach asked, “Given that there is discord among the various experts who have contributed to this document, in Phase 2, would there be room to make adjustments to the science so that decisions made in Phase 2 might be based on more agreement between the agencies or groups and so that the science is more defensible?”

“I think absolutely there is that possibility,” responded Bohan. “The very purpose of conducting evaluations in Phase 1 would be to collect additional information that may better inform our decision and lower the risks associated with making a decision, given the inherent uncertainties involved in each alternative.”

The Phased Decision-Making Alternative is the preferred option because it involves near-term decommissioning and removal actions where there is agency consensus and undertakes characterization work and studies that could facilitate future decision-making for the remaining facilities or area, according to the draft EIS.

The public involvement opportunities are in the form of public hearings, as follows, with the comment period from Dec. 5, 2008 through June 8, 2009:

- March 31, 2009 from 6 p.m. to 9 p.m. at the Seneca Nation of Indians, 12837 Rte 437, Irving.

- April 1, 2009 from 6:30 p.m. to 9:30 p.m. at the Ashford Office Complex, 9030 Rte. 219, West Valley.

- April 2, 2009 from 6:30 p.m. to 9:30 p.m. at the Clarion Hotel-McKinley’s Banquet & Conference Center, S-3950 McKinley Parkway, Bladell.

It is a “momentous occasion,” Bill Logue, independent facilitator of the CTF, noted of the issuance of the draft EIS.

Logue went through the dates of meetings in 2009, including those of the study groups, saying, “As we get with these meetings over the next couple of months, we’re probably going to be pressing you all for a little faster turnaround time on the meeting summaries so that we can post them more quickly.”

The next monthly meeting of the CTF has been tentatively scheduled for Wednesday, Jan. 28, 2009, at 7 p.m. at the Ashford Office Complex in Ashford Hollow.

Springville Journal, Thursday, December 25, 2008

West Valley BOE learns about alternate routes for Rails-to-Trails

By RENEE HANLEY
Journal Correspondent

Rails to Trails advocate and West Valley teacher Deborah Fenn presented a synopsis of the proposed Erie-Cattaraugus Rail-Trail during the December 8 meeting of West Valley Central School's Board of Education meeting.

Although the abandoned spur of the Buffalo-Pittsburgh tracks would not be accessible through **NYSERDA** land, the trail could potentially continue on to West Valley via alternate routes. Fenn noted that students and staff of the school have been supportive of the proposition and there would be opportunity for school and community involvement in developing the trail. Fenn summarized many benefits of a rail bed trail and addressed concerns that adjacent property owners or the public may have concerning the trails' use and maintenance.

If the rail corridor is to be preserved, it would be acquired by the NYS Parks Recreation and Historic Preservation Department. Fenn requested that the Board write a letter of support for the project, and the Board agreed to put the matter up for discussion at its next meeting. More information regarding the proposed trail is available on the internet at www.ecattrail.org.

Technology coordinator Cathie Benz demonstrated a recently acquired Classroom Performance System and Interwrite pad to board members. The pad, about the size of a large book, enables a computer to be accessed with remote technology and the screen is projected via connected equipment. The Classroom Performance System (CPS) uses wireless connectivity and remote "clickers" to instantly record results of tests and other exercises using the technology. Board members were given an opportunity to take a quiz using the equipment and they were able to immediately view the results via a projection appliance. The district presently owns three sets of the CPS and each set contains 30 interactive response devices.

Other items discussed during the Monday evening meeting:

- Principal Bonnie Smith reported that only one student fell below a level three rating on the fifth grade Social Studies test.
- Family reading nights have been well attended and successful.
- Qualifying records and items from the past will be disposed of according to regulations.
- Andrea Schneider, a graduate student from St. Bonaventure, was approved for an administrative internship under Superintendent Hilary Bowen.
- The Board entered an executive session at the conclusion of its agenda. The next regular meeting of the board is scheduled for January 12 at 7 p.m.

SUNDAY, DECEMBER 28, 2008

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► West Valley

Coalition has concerns about site's cleanup

By Rick Miller
Olean Times Herald

As chairperson of the West Valley Coalition on Nuclear Wastes, Joanne Hameister has been laboring for three decades to get the federal government to clean up the West Valley Demonstration Project.

With the recent release by the U.S. Department of Energy of a Draft Environmental Impact Statement, Mrs. Hameister is both heartened that decisions are being made that will lead to a cleanup, and concerned that the department didn't incorporate the New York State Energy Research and Development Authority's (NYSERDA) research and concerns into the statement.

Rather, she said the Department of Energy has placed the NYSERDA research and analysis as a sort of dissenting opinion in the forward of the statement.

"I think it is good that they (DOE and NYSERDA) are talking and making some hard decisions that will lead to cleanup actions," she said in an interview earlier this week.

"What we (the coalition) hope is that it will be incorporated into the (DEIS) document," Mrs. Hameister said. "I agree that moving forward is better than being stuck in a rut. It is not clear to the coalition that we are moving forward in a legal manner under the National Environmental Policy Act."

The coalition isn't sure that the department is proceeding legally under the Stipulation of Compromise that stemmed from the lawsuit the coalition filed in 1995. That federal lawsuit remains undecided, but the coalition is waiting to hear about its appeal of a recent federal court decision that found the Department of Energy could proceed with its "revised" Draft Environmental Impact Statement that split the cleanup into two separate parts.

Mrs. Hameister said a date should be set soon for the appeal before the Federal Appeals Court in New York City.

The lawsuit, said Mrs. Hameister, "has gone on and on since we started it in 1995. The DOE just keeps doing what it wants to do. The suit is still undecided."

She said at first glance, "There is a lot of difference between the 1996 draft EIS and this revision."

One thing she found disturbing and that will require additional study is the difference in the dosage measurement of radioactivity. If the 1996 data was right, she asked, how is it possible that the risk of radiation at the site is lower today?

The coalition is also "very concerned" about erosion

modeling the Department of Energy is using to calculate the risk of leaving tanks in the ground that once held 600,000 gallons of highly radioactive liquid. The department is proposing to dry the tanks of remaining liquid and leave the tanks buried for the next 30 years while they continue to monitor them and make a decision on whether to remove them in the future.

Also, Mrs. Hameister noted, the state and federal low-level nuclear disposal areas are slated under the statement to remain in place and be monitored for up to 30 years before any decision is made whether to excavate and remove those wastes. The disposal areas are trenches that were filled with various low-level and other radioactive waste and buried.

The coalition, she said, feels it should all be dug up and removed from the site before any more radioactivity is released into nearby streams that empty into Cattaraugus Creek and make their way into Lake Erie, which is a source of water for millions of people.

Mrs. Hameister is also thankful that the West Valley Citizens Task Force appears to be headed toward deciding whether it can support the draft statement as it is written, or if they want to press for a complete cleanup of the site. The problem with pursuing a full cleanup of the site at this time, she added, "is that it would be predicated on what some of us feel is bad science."

► Contact reporter Rick Miller at rmiller@olean-timesherald.com

Senator Charles E. Schumer

United States Senator for New York


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FOR IMMEDIATE RELEASE: December 22, 2008

SCHUMER RATCHETS UP PRESSURE ON GAO TO INVESTIGATE EGREGIOUSLY SLOW PROCESSING OF COMPENSATION FOR WNY NUCLEAR WORKERS

Despite Recent GAO and DOL Inspector General Reports Exposing Flaws of Claims Processing, Frustrations Remain for Bethlehem Steel, Linde Ceramics, And Other Nuclear Workers

Schumer, With Several Other Senators, Pushes GAO to Further Review Compensation Process for Gov't Employees Who Contracted Illnesses From Radioactive Materials

Schumer: These Workers Should Not Have to Wait a Minute More for Compensation

After years of review, and a recent Department of Labor Inspector General report exposing the flaws of the program, U.S. Senator Charles E. Schumer today ratcheted up the pressure on the Government Accountability Office (GAO) to investigate the claims processing and compensation process of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). The program is designed to compensate employees and contractors for the Department of Energy (DOE) and its predecessors who developed serious illnesses because of exposure to radiation or other toxic substances while working in the atomic weapons industry but has come under fire for its slow processing of claims. Recent reports have indicated that despite multiple reports exposing the flaws in the program, the claims process is still extremely slow and complex, making it difficult for sick and dying workers to be compensated.

To ensure prompt compensation for Western New York's and the nation's Cold War heroes, Schumer and several other senators urged GAO Comptroller Gene Dodaro to immediately review the compensation and claims processing of the program.

"Our nation's Cold War heroes don't have a minute to waste. Time is of the essence and we have to knock down the roadblocks that stand in the way of Western New York's nuclear workers receiving the

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compensation they deserve,” Schumer said. “It is unthinkable that our injured Cold War heroes and government employees have had to fight battle after battle for justice and compensation. Review of this program would provide the compensation that these workers so justly deserve in a timely manner. I strongly urge the agency to immediately review the program, and I will continue to fight to ensure that workers in this situation receive fair consideration for their claims.”

Despite having one of the greatest concentrations of facilities involved in nuclear weapons production-related activities in the nation, Western New York continues to be severely underserved by the Energy Employees Occupational Illness Compensation Act (EEOICPA) program. Thousands of New Yorkers labored during the late 1940s and early 1950s in ultra hazardous conditions at the Department of Energy and contractor facilities, while being essentially unaware of the health risks. Workers at these facilities handled high levels of radioactive materials and were responsible for helping to create the huge nuclear arsenal that served as a deterrent to the Soviet Union during the Cold War. Although government scientists knew of the dangers posed by the radiation, workers were given little or no protection and many have been diagnosed with cancer.

The GAO has issued several reports over the past few years, outlining needed improvements in various aspects of the program. While improvements have been made, some claimants continue to experience lengthy time periods before they receive a determination of their claim. This often entails navigating through a complex and frustrating back-and-froth process whereby claimants must produce medical evidence to several agencies while their medical conditions worsen or may even result in death.

Schumer has long fought to get aid for former nuclear workers in Western New York. Today, Schumer renewed his push to gain compensation – just over a month after calling on the Department of Labor to implement the recommendations from its Inspector General report in November – and joined seven other Senators in pushing the GAO in a personal letter to investigate the slow claims process and compensation of the program. Senator Schumer and the senators called on the GAO to review the EEOICPA program and evaluate how Subtitles B and E of the program are being administered. Changes in how the programs are administered would ensure that the thousands workers in Western New York workers, including those who worked for Bethlehem Steel and Linde Ceramics, receive compensation for their medical expenses. Subtitle B of the act provides eligible workers who were exposed to radiation, beryllium, or silica with a one-time payment and coverage of medical expenses related to their illness. Subtitle E of the act provides wage loss compensation and certain other benefits to employees of Energy contractors and subcontractors who were exposed to toxic substances at certain Energy facilities. To file a claim, patients or their surviving families needed to provide proper documentation of their illness and employment history. The Senators wrote in their letter, “GAO has issued reports identifying needed improvements in various aspects of the program. While improvements have been made, some claimants continue to experience lengthy time periods before they receive determination of their claim...whereby claimants must furnish medical evidence to several agencies while their medical conditions worsen or may even result in death.” In November 2004, Schumer successfully secured a mandate from Congress that establishes a resource center intended to provide Western New Yorkers with the support that they need to effectively navigate the Energy Employees Occupational Illness Compensation Program. Senator Schumer's language established a new resource center in Western New York that would help sick nuclear workers with their compensation applications.

In 2006, Senator Schumer called for a full investigation of the Nuclear Workers Program after the Government Accountability Office (GAO) completed two major reports on the EEOICPA program exposing many flaws and inconsistencies. A report completed on December 5, 2006, was prepared due to a memorandum from the Office of Management and Budget (OMB) to the Department of Labor that raised concerns about potential efforts to improperly limit the cost of benefits paid to claimants. The memorandum also noted that the Department of Labor has identified the potential for a large expansion of EEOICPA Part B benefits through the designation of special exposure cohorts. Moreover, it also stated that the

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Administration planned a White House-led interagency workgroup to develop options to limit growth in the costs of benefits provided by the program.

In addition, a report released in November of 2008 by the DOL Inspector General found that while DOL is operating legally and there is no evidence that claims are being inappropriately denied, there is a problem with the slow processing of claims. Following the release of these findings, Senator Schumer, in a personal letter to Secretary of Labor Elaine Chao, called for the immediate implementation of steps to improve the claims process saying time is of the essence in the cases of many Western New York workers, specifically former Bethlehem Steel and Linde Ceramics workers for which Senator Schumer wrote personal letters to Paul L. Ziemer, Chairman of NIOSH's Advisory Board on Radiation and Worker Health asking the Advisory Board to declare a Special Exposure Cohort (SEC) for those employees whose radiation levels were high enough to be hazardous to their health.

Schumer noted, "So many of these men and women have had to jump through bureaucratic hoops to get the compensation and benefits they deserve. It is cruel and unnecessary that our injured Cold War heroes and government employees have had to fight battle after battle for justice and compensation. Review of this program would provide the compensation that these workers so justly deserve in a timely manner."

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Senator Schumer's Offices

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SUNY Fredonia receives 90 cubic feet of documents on West Valley Nuclear Demonstration Project

The Coalition on West Valley Nuclear Wastes has donated 90 cubic feet of primary documents to the Archives and Special Collections at SUNY Fredonia.

The materials, pertaining to the West Valley Nuclear Demonstration Project, have been collected and maintained over the last four decades by the Coalition, an activist group of primarily Cattaraugus and Erie County citizens.

The Coalition has documented the activities at the West Valley site since it opened in the early 1960s in the Town of Ashford.

"This collection is the most complete documented history available anywhere about nuclear reprocessing and storage," said Randy Gadikian, director of library services at SUNY Fredonia. "It documents the successes, failures and risks that are entailed in operating such a project, and for the first time, this information is available for public review."

The collection includes national and international government documents, corporate documents, Coalition meeting minutes, correspondence and comments, campaigns and collected research, and materials from related organizations.

While the majority of the materials are paper documents, the collection also contains audio/visual materials and artifacts,

among other media. The primary goal is to preserve these materials and make them available to researchers at the local, national and international level.

The West Valley Project was established by the State Office of Atomic Development to commercialize the reprocessing of spent nuclear fuel from power reactors. In 1972 the plant was shut down and radioactive waste was stored underground in steel tanks and unlined burial trenches.

As significant as the collection is, it may now be of even greater relevance following the announcement earlier this week of a state-funded study which determined that all of the waste should be removed from the site. The study - the first of its kind to assess the full cost of cleaning up the site - concluded that permanently burying the waste materials on the site would lead to higher long-term costs in addition to the risk of widespread radiation poisoning.

Economists and scientists involved in the study estimate that the costs to excavate the waste would be \$9.9 billion, compared to \$13 to \$27 billion to leave it buried on-site, depending on whether or not a catastrophic release of the waste occurs.

One of those scientists is Dr. Michael P. Wilson, a professor of

geosciences at SUNY Fredonia who has been providing expert research and testimony relating to this issue since 1986. His research has confirmed the extreme risks and dangers present at the site.

"The nuclear wastes at West Valley will remain radioactive for tens of thousands of years, and will eventually be consumed by erosion and discharged downstream to Lakes Erie and Ontario," Dr. Wilson said.

While his research shows that it will likely occur in less than 3,000 years, it is possible, he says, that it could occur in as little as 200 to 300 years.

SUNY Fredonia's Archives and Special Collections received a \$12,000 grant through the Documentary Heritage Program of New York State Archives to process the collection, which was donated to the university in May. The Archives team, which includes contractor Scott Richmond, will work to preserve the various document formats, manage the collection and provide access to researchers.

"The Coalition's collection and the West Valley materials are significant to both our region and the world," Reed Library Archivist Jeremy Linden added. "They also provide a great resource to SUNY Fredonia's academic mission.

The contents are relevant to numerous disciplines across campus, from physics and political science to history and journalism, and offer our students and faculty a unique set of research and educational opportunities."

Prior to their arrival at Reed Library, the documents were located all over Western New York. Future materials will be added to the collection in five-year increments to ensure that documentation of the Coalition and the West Valley site continues into the future.

West Valley Nuclear Compensation Support Group to get help from government

By NATALIE CONDOR-SMITH
Journal Correspondent

Taking on the federal government is not a task for the faint-hearted but with the help of various interested and sympathetic individuals and groups, the West Valley Nuclear Compensation Support Group (WVNCSG) plans to do just that.

In a telephone conference call on Jan. 14, about 12 members of WVNCSG talked for almost an hour with Roger Cook, executive director of Western New York Council on Occupational Safety and Health, and Anne Rabe of the Center for Health, Environment and Justice (CHEJ) to discuss strategies for making more public their goal of receiving compensation for illnesses relating to their work at the West Valley Demonstration Project, including widows and widowers who lost their spouses as a result of exposure to radiation at the site.

Formed in 1981, the CHEJ is headed by Executive Director Lois Gibbs, the activist from Love Canal who discovered that the elementary school her child attended was built on top of a 20,000 ton toxic chemical dump.

Known nationally and internationally, CHEJ has convened several nationwide coalitions of grassroots groups to implement collaborative strategies around persistent toxic chemicals.

Asked by Cook what the group had done so far to publicize their position, various members responded saying advertisements had been taken out in local papers and stories written in the media. "A woman representing the Department of Labor came to one of our meetings and we have been in contact with all of our elected officials and senators," said Cheley Ghani, the widow of a deceased West Valley Demonstration Project worker.

Both Cook and Rabe provided many names of individuals who can be asked to help the group including Lois Gibbs herself; Richard Miller, an environmental exposure specialist and author of the US Atlas of Nuclear Fallout; Jim Melius, MD of Environmental Advocates; Senators Hillary Rodham Clinton, Chuck Schumer, and Catherine Young; Congressman Tom Reynolds and many others.

"Each of you need to write a statement about who you are,

where you worked, what kind of cancer you have, whether your claim has been denied, and when you or your loved one worked at West Valley because your goal should be to organize a public meeting to make the politicians come out and listen," said Rabe.

Continuing, Cook said, "We just need a paragraph about each of you telling your story and how NIOSH (National Institute for Occupational Safety and Health) has treated you, where your claim is now and why you think the process is not fair."

Said Sue Klein, another West Valley widow, "One worker recently got paid but he had to come down with three different cancers before NIOSH paid him and our husbands didn't live long enough to develop more cancers."

At its next meeting the WVNCSG plans to coordinate the claimant members' stories and history with their NIOSH claims.

The group urges anyone who works or worked at the site to attend the meeting which is being held at the Concord Town Hall, 86 Franklin Street in Springville on Friday, Jan. 23, at 6 p.m.,

Questions can be e-mailed to wvnscg@yahoo.com.

Three options proposed for Town of Ashford water system

By RENEE HANLEY
Journal Correspondent

Three proposed options were proposed at a recent Town of Ashford board meeting for updating the town's water system, including, the possibility of forming a new water district.

During the meeting on January 14, Ashford Supervisor Chris Gerwitz updated the public on a meeting which was held earlier in the day between Glen Cooley of E&M Engineers and board representatives.

He notified the public that Cooley's firm will be drafting a proposal regarding the required updating of the town's water system.

The proposal will consist of three variations, the first of which will be a cost estimate for forming a new water district with a brand new water system.

The second alternative will consist of forming a new water district but updating the existing system, which is 100 years old.

A third option would be figuring the cost of immediate repairs to the system to meet current regulations in the case of an emergency dysfunction.

It is expected that Cooley will have the proposal figures ready

for presentation by mid-March.

Councilman Bill Heim noted that "We, as town officials, have to give them [residents] the correct information so they can make their decision."

Gerwitz updated the board on his feedback from the state Department of Transportation on an earlier issue regarding horse-drawn buggies and their lack of reflectors or lights.

Ashford's supervisor read portions of a letter received from Regional Transportation Director Alan Taylor regarding horse-drawn vehicle traffic.

The board had previously contacted the transportation department regarding the safety and illumination of these vehicles, due to the increase of Amish residents in the area.

Taylor recommended that the board contact its legislative representatives. A motion to send a letter to the appropriate parties expressing concerns and issues was passed.

In a discussion concerning the wind energy ordinance, Gerwitz observed that it is necessary to follow the State Environmental Quality Review (SEQR) process, including filing of the long declaration form. The form must be filed before a public hearing may be held. When asked by Heim

who prepares the paperwork, Gerwitz responded that it could be town officials, Attorney Charlie Harrigan or an outside firm who would work on the SEQR.

Gerwitz notified the board of a letter inviting him to a meeting in Colden regarding the Erie-Cattaraugus Rail Trail organization.

The board feels that due to the nuclear waste site in the Town of Ashford encompassing the abandoned train tracks, the trail will not be able to proceed through the area.

Eventually, processed nuclear waste may be transferred off the site by a train which would travel along the Ashford spur.

However, Gerwitz agreed that the rail corridors should be banked for future use, rather than sold back to adjacent property owners.

In other news:

- The board will perform an end-of-year audit of the books on January 21.

- The planning board is updating the mobile home ordinance.

- The town received over \$2,500 from the Justice Court Fund for the month of December.

The next Town of Ashford board meeting is scheduled for Wednesday, Feb. 11 in the Community Center of West Valley at 7:30 p.m.

Springville Chamber of Commerce announces award recipients on Jan. 24

The 2009 Springville Area Chamber of Commerce Annual Dinner will be held on Saturday evening, January 24, at 6 o'clock at Pops Sports Bar and Grill.

The Chamber Dinner honors outstanding individuals, businesses and not-for-profit organizations for their service and involvement in the Springville area. Winners are chosen from nominations solicited from the local community.

This year's award for Outstanding Individual goes to Helen Brogan for her tireless efforts on behalf of the Springville Area Chamber of Commerce as well as her commitment to the community.

Helen has been a major supporter of the Dairy Festival. She is diligent in organizing the Trade Show and lends her assistance in other areas of the Festival. Besides her work with the Chamber of Commerce, Helen makes significant contributions to the community through other efforts such as the Christmas tree and

decorations she donated this year that was proudly displayed on the corner of Main and Mechanic streets.

West Valley Environmental Services, LLC (WVES) will be honored as Outstanding Business for its many contributions to the Springville Community. WVES sponsors a food drive that benefits the Springville Food Pantries; supports the Boys and Girls Club of Springville; provides scholarship awards to high school students; sponsors local events such as The Battle of the Bands and local fundraising efforts like the Kiwanis Club and St. Al's Golf Tournaments; donated buildings to the Springville Volunteer Hose Company and the Boys and Girls Club of Springville; and spruced up the Springville Youth Inc. Community Park during the United Way Day of Caring.

Through the assistance of many volunteers, this year the award for Outstanding Not-For-Profit Organization goes to the Fellowship

Hill Ministries. This organization generously runs the Food Pantry and the Trading Post that provide basic human needs, including, food, clothing, and household items to our community. They also provide services and support through workshops, retreats, worship and fellowship. The past year's economy has made the need for the services provided by this organization more important and necessary than ever before.

The public is invited to attend the awards dinner. Dinner selections are: Bourbon Honey Salmon, Roast Beef or Vegetable Stir-fry with potatoes, vegetables and dessert. The cocktail hour will begin at 6 p.m., dinner at 7 p.m. followed by awards presentation. In addition, there will be a silent auction as well as elections for the Springville Area Chamber of Commerce Board of Directors.

For ticket reservations, please call the Chamber office at 592-4746 or contact any Chamber Board member.

01/23/09 06:24 AM

WEST VALLEY

Overview of cleanup plans is focus of quarterly meeting

An overview of proposed plans for ongoing cleanup of the West Valley Demonstration Project will be presented to the public in a quarterly meeting at 6:30 p. m. Tuesday in Concord Town Hall, 86 Franklin St.

Representatives from the U. S. Department of Energy and the State Energy Research and Development Authority will review the draft environmental impact statement for the decommissioning and/or long-term stewardship of the Demonstration Project and the Western New York Nuclear Service Center.

For more information, call the Demonstration Project Communications Department at 942-4610.

Corrections

Updated: 01/27/09 7:06 AM

An overview of proposed plans for ongoing cleanup of the West Valley Demonstration Project will be presented to the public by state and federal officials at 6:30 p. m. next Tuesday in Concord Town Hall, 86 Franklin St., Springville. The date of the meeting was incorrect in Friday's News.

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The Buffalo News corrects published errors of substance. To request a correction, please notify the editor by writing to: P. O. Box 100, Buffalo, NY 14240. Or call The News at 849-4444 and ask to speak to the editor of the department in which the article was published. Or fax your request to 856-5150.

01/28/09 07:12 AM

ASHFORD

West Valley cleanup plan is topic of presentation

ASHFORD — The Nuclear Regulatory Commission will present an overview on the agency's review of the Department of Energy's West Valley decommissioning plan from 6 to 8 p. m. today in the Ashford Office Complex, 9030 Route 219.

The NRC event will be followed at 8 by a presentation by the West Valley Citizen Task Force on the cost of the West Valley Demonstration Project cleanup. The latter meeting will focus on full-cost accounting of cleanup options by members of the Coalition on West Valley Nuclear Wastes, Citizens Environmental Coalition, Center for Health, Environment and Justice, and the Nuclear Information Resource Center.