

To: West Valley Citizen Task Force
From: Bill Logue, Citizen Task Force Facilitator
Date: July 15, 2009
Subject: **Summary of the June 24, 2009 Meeting**

Next Meeting

The next Citizen Task Force Meeting will be:

Time & Date: **7:00 – 9:30 PM, September 23, 2009**
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: Deb Aumick, Rob Dallas, Robert Engel, Chris Gerwitz, Lee Lambert, Kathy McGoldrick, Anthony Memmo, Joe Patti, Pete Scherer, Warren Schmidt, Ray Vaughan.

Agency Participants and Observers

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

New York State Energy Research and Development Authority (NYSERDA): Tom Attridge, Paul Bembia, John Kelly, Andrea Mellon, Marty Willett.

West Valley Environmental Services, LLC (WVES): John Chamberlain.

Observers: Kelly Hunter, Kathy Kellogg (Buffalo News), Phil Quinlan, Emmalie Vance (Springville Journal).

Introductions and Announcements

Bill Logue welcomed the group and reviewed the meeting documents.¹ Warren Schmidt informed the CTF that he was no longer working for State Senator Young and therefore was resigning as a full member of the CTF but that he would continue as alternate for Mike Brisky. He introduced Deb Aumick who will be Senator Young's representative on the CTF. Ms. Aumick is a retired department head and resident of Allegany County. She started work for Senator Young in April. CTF members introduced themselves to Ms. Aumick.

NYSERDA 2008 Deer Monitoring Results

Tom Attridge and Marty Willett of NYSERDA presented the results of the 2008 deer monitoring program. Monitoring was increased due to increased Cesium-137 levels in near site samples in 2006 and 2007. The New York State Department of Health (NYSDOH) has concluded the consumption of venison in the concentrations samples from those years is not a public health hazard. However, NYSERDA determined additional monitoring was warranted and advised hunters of the special monitoring for radionuclides for 2008. During the 2008 season, 45 deer (27 bucks and 15 doe) were taken on site and 300 hunters participated. Samples from 2 does and 14 bucks were donated by hunters and sampled for Cesium-137 and Tritium in the meat and Strontium-90 in the bone. The deer were estimated to be 1-3 ½ years old. At least one sample was taken from each of the 7 hunting areas. The highest samples were taken from

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

areas 1 and 6. Deer tend to graze within a 1-mile radius. NYSERDA's deer hunting sample results were compared with WVDP environmental monitoring sampling results (near site and control populations).

Sample results showed low concentrations. The highest 2008 sample was less than 3% of the FDA limit for domestic and imported food and the highest 2006 sample at less than 10%. With the exception of 2006-2007, the WVDP venison samples have similar concentrations of radionuclides as the control samples. A hunter eating 90 pounds of venison would receive an additional dose of 2 millirem. A typical chest x-ray results in a 10 millirem dose. No public health risk is deemed to exist; however, NYSERDA will continue to offer hunters the opportunity to provide samples and will make reports available to the public and regulators of the results.

NYSERDA Repair to State-Licensed Disposal Area Geomembrane Cover

Tom Attridge provided an update on the repair to the State-Licensed Disposal Area (SDA) geomembrane cover which suffered a tear as a result of a wind event on March 11, 2009. The SDA has two covers one of very-low density polyethylene and the other of Hypalon (XR-5). A northwest wind infiltrated Jersey barriers on an edge of the XR-5 cover, lifted and tore a portion. The tear was temporarily repaired and held in place with sand bags and no water reached the burial trenches.

Between June 2 and 9 a contractor repaired and rewelded the tear and repaired other minor nicks and the boots around monuments. The edge was redesigned to wrap the cap around the Jersey barriers so that they act as ballast and wind cannot infiltrate between the joints. Additional sand bag ballast was placed adjacent to the barrier. All work was done to American Society for Testing and Materials (ASTM) standards. CTF members encouraged NYSERDA to monitor and perhaps replace the sandbags as they appeared not be made of UV resistant material. Mr. Bower noted that the agencies had worked well together in taking lessons from the SDA and applying it to the design of the NRC-licensed Disposal Area (NDA) geomembrane cover and that DOE had been asked to present the lessons learned to other agencies considering caps at other sites. The NDA cover was built with sand ballast in the top of the cover and an anchor trench to hold the edge of the cover.

NYSERDA-DOE Settlement Negotiations

Paul Bembia reminded the CTF that NYSERDA and New York State sued the Department of Energy and the United States in 2006 to determine allocation of responsibilities under the West Valley Demonstration Project Act for various facilities, high-level waste disposal and costs for damages to natural resources. In 2007 the parties entered mediation. The parties remain under the confidentially provisions of mediation and cannot discuss details; however, on June 22, 2009 the NYSERDA Board authorized the president of NYSERDA to enter into a settlement agreement. The federal government is currently reviewing the agreement. Once approved by both parties it will be submitted to the court and made available for public comment before the court takes any action. Mr. Bembia emphasized that the negotiations and proposed agreement relate to allocation of financial responsibility and have no impact on the selection of alternatives in the Draft Environmental Impact Statement (DEIS).

DOE Update

Bryan Bower of DOE provided an update on the WVDP.

Safety and New Employees. Mr. Bower noted that the Project has the highest safety performance of Environmental Management sites in the DOE complex and in early May passed 1.5 million safe work hours. The WVDP staff and contractors will continue emphasizing site safety, follow-up on all incidents, and introduce all new employees to the safety culture at WVDP. Training programs and facilities are being enhanced, a safety fair was held in June and all new employees will be mentored by experienced employees. West Valley Environmental Services has hired 45 new employees and 25 subcontract employees; with some receiving as much as 12 weeks of training.

ARRA Funded Projects. Under the American Recovery and Reinvestment Act (ARRA) an additional \$75 million in funding is available. Some planned work, such as the Main Plant Process Building (MPPB) was deferred in 2008 to install the NDA cover. Other planned work with ARRA funds includes: install solidification system for MPPB liquids, install tank and vault drying system, waste processing acceleration, North Plateau Groundwater Plume (NPGP) mitigation, 01-14 building demolition, lagoon isolation, begin vitrification facility demolition, and slab and foundation removal. The high-level waste (HLW) canister move from the MPPB will be budgeted under baseline funding rather than ARRA as previously planned because it cannot be accomplished within three years and is not deemed "shovel ready." Some of the planned ARRA work will require that the EIS Record of Decision be in place by March to be accomplished in time.

NDA and MPPB. The NDA geomembrane cover is performing well and showing a significant decrease in gallons of water required to be processed. MPPB demolition preparation is proceeding with dismantlement and decontamination work in multiple locations including the process cell mechanical cell crane room extension, extraction cell, acid recovery cell, analytical labs and hot acid cell.

Waste processing. As of May 31, 65,714 cubic feet of stored low-level waste (LLW) and 28,992 cubic feet transuranic (TRU) waste have been processed. Forty-one truckloads of LLW waste have been shipped for off-site disposal. Contact handled TRU waste processing to new DOE standards has started with delays due to equipment failures. The TRU waste is being segregated from LLW by in-situ object counting scans that allow containers to be scanned prior to opening to identify the location of TRU waste within the container. An 88% reduction in volume is being achieved.

HLW Waste Tanks and Vault Drying. The system has been designed for drying the HLW tanks and vaults and a contract award submitted to DOE for approval. Installation is to begin in the summer of 2009 and work completed by December 2010.

NPGP Mitigation. The University of Buffalo is conducting nonradioactive tests on the zeolite wall and radioactive testing will occur on-site. Pump tests of the proposed permeable treatment wall (PTW) are complete. The wall will capture the higher concentrations from the plume and alternatives to capture Strontium-90 beyond the wall near the swamp ditch are being evaluated. A characterization report of contaminants will be complete by the end of July and preliminary design of the PTW will take place in

the fall. Because of additional data collected in the fall of 2008 and the spring of 2009, the pilot project to capture the NPGP beyond the PTW location is being re-evaluated, efforts for the remainder of the year will concentrate on work to test and install the PTW.

Railroad Repair. The area of erosion has been evaluated and railroad tie and rail replacement has started in the non-impacted area and other work will be completed in the next several months.

Demolition Preparation. Demolition preparation is underway for the cooling tower, environmental lab, and laundry facility.

DEIS. The comment period for the Draft Environmental Impact Statement has been extended to September 8, 2009. The Final EIS is expected in February 2010 with a Record of Decision in March 2010.

CTF Discussion

Lee Lambert asked if the placement of windpower turbines could impact the spread of airborne release from the site. Several people opined that they would not and Paul Bembia noted that the placement of turbines would require State Environmental Quality Review Act public process.

Kathy McGoldrick reported on the meeting she and John Pfeffer had with U.S. Representative Eric Massa. The Congressman indicated he would be receptive to receiving a letter from the CTF requesting continuation of the CTF, CTF participation on the Core Team and ongoing public participation for major decisions regarding the WVDP. Kathy McGoldrick and Bill Logue will work to draft a letter for consideration by the CTF. DOE reminded the CTF that the purpose of the Core Team was to resolve technical issues among the agencies and that it was possible that the Core team could be disbanded because it has served its functions. The Core Team is discussing what mechanisms and forums are appropriate to address issues such as future studies. The agencies are looking at ways to include input from the CTF, the Coalition on West Valley Nuclear Wastes and other environmental groups. Ray Vaughan stated that, if the Core team continues, he was willing to participate to some extent in those meetings. Several members expressed reservations about CTF participation in Core Team meetings. The letter from Paul Giardina of the EPA dated November 13, 2007 and memos and letters with the August and September 2007 meeting materials on the Federal Advisory Committee Act and Core Team process were brought to the CTF's attention to help inform their ongoing discussion of this issue.

Upcoming Meetings

Unless necessary by other events the CTF will not meet during July or August and will hold its next regularly scheduled meeting on September 23. At future meetings NYSEDA will inform the CTF about the performance, operations and maintenance, and environmental monitoring of the SDA. When appropriate, NYSEDA and DOE will update the CTF on the settlement agreement. DOE will update the CTF on the tank and vault during and, in the late fall, the NPGP mitigation. CTF members requested a site tour in September.

Observer Comments

There were no observer comments.

Action Items

Action	Assigned To	Due Date
Draft letter to Congressman Massa for CTF review	McGoldrick/Logue	7/20/2009

Documents Distributed

Document Description	Generated by; Date
Revised Meeting Agenda.	6/23/2009
NYSERDA Deer Hunt Monitoring Program	NYSERDA; 6/24/2009
SDA Geomembrane Repair Update	NYSERDA; 6/24/2009
West Valley Demonstration Project Update	DOE; 6/24/2009
NRC Request for Additional Information on Phase 1 Decommissioning Plan	NRC; 5/15/2009
Town of Concord Resolution concerning Draft Environmental Impact Statement	Concord; 5/22/2009
Newspaper clippings distributed at the meeting	NYSERDA; 6/24/2009