



THE WEST VALLEY
CITIZEN TASK FORCE

December 15, 2010

The Honorable Charles E. Schumer
United States Senate
313 Hart Senate Office Building
Washington D.C. 20510

The Honorable Kirsten E. Gillibrand
United States Senate
532 Dirksen Senate Office Building
Washington, DC 20510

RE: Legislative Representation on the West Valley Citizen Task Force

Dear Senator Schumer and Senator Gillibrand,

We are contacting you to solicit the participation of a staff member from one or both of your offices to serve as your representative on the West Valley Citizen Task Force.

The Citizen Task Force (CTF) has met monthly since it was convened by the New York State Energy Research and Development Authority and the US Department of Energy in 1997. With representation from the community, local government and environmental organizations, the CTF has provided stakeholder input to NYSERDA and DOE on decisions concerning the West Valley Demonstration Project and Western New York Nuclear Service Center.

With the recent release of the Final Environmental Impact Statement for the site, project activities are at a crucial stage and your involvement through regular staff participation would greatly benefit decision making at the site. Decisions made by responsible State and Federal agencies over the next few years have the potential to impact human health and the environment for tens to thousands of years. These decisions will also have a significant impact on the economy of Western New York and the State as a whole, in the short and long term.

The Record of Decision and New York State Finding Statement were recently filed for the site. Both adopt a phased decision making process with a final decision to be made within 10 years. Since the CTF issued a report in 1998, we have advocated for complete cleanup of the site. DOE and NYSERDA are entering into a "Phase 1 Studies Process" to identify, select and conduct additional studies that will determine the ultimate cleanup fate of the site.

The issues are complex and involve scientific, technical, financial and political matters. The coming year will determine how many of the scientific and technical issues will be approached. We plan to participate actively in the Phase 1 Studies Process. As you will see from the attached letter recently sent to DOE, we are concerned that insufficient funding has and will

be devoted to this and future phases. Lack of funding now will only increase the risk and cost associated with cleaning up the site. In the past you have been friends and advocates for the issues of concern to the CTF. At this critical juncture we hope that you will consider a higher and more formal level of involvement through direct representation on the CTF.

Thank you for your attention to this matter. We look forward to your responses.



A collection of seven handwritten signatures in black ink, arranged vertically. The signatures are: Ray Day, Kathy McGoldrick, Warren Plunkett, Michael R. J. Sullivan, Paul J. Pat, Stephen K. L. Ho, and Christopher C. Grunz.

The Members of the West Valley Citizen Task Force

Copy:

Bryan Bower, Director, West Valley Demonstration Project, U.S. DOE

Paul Bembia, Director, West Valley Site Management Program, NYSERDA



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CITIZEN TASK FORCE

November 10, 2010

Dr. Ines Triay
Assistant Secretary for Environmental Management
EM-1/Forrestal Building
U.S. Department of Energy
1000 Independence Ave., S.W.
Washington, DC 20585

Ms. Joann Luczak
Deputy Assistant Secretary
Program Planning and Budget
Office of Environmental Management
EM-20/Forrestal Building
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

RE: Environmental Budget Funding for West Valley Demonstration Project

Dear Dr. Triay and Ms. Luczak,

The members of the West Valley Citizen Task Force (CTF) are encouraged by the progress that has been made at the West Valley Demonstration Project over the past few years, including the cooperation established by the multi-agency Core Team, the resolution of litigation with the filing of the Consent Decree between the Department of Energy and the State of New York, and the filing of the Record of Decision and New York Findings Statement.

Although encouraged by this progress, we are very concerned about the proposed funding levels for the Phase 1 Facilities Decommissioning contract. Current allocation projections are inadequate when compared to the Department's own estimates as stated in the Final Environmental Impact Statement. There is pressing need for sufficient and stable funding to

accomplish the Phase 1 actions and conduct the necessary studies to properly inform Phase 2 decisionmaking. Near term funding shortfalls will have long term project and schedule impacts which will ultimately result in decision delays and increased long term cost.

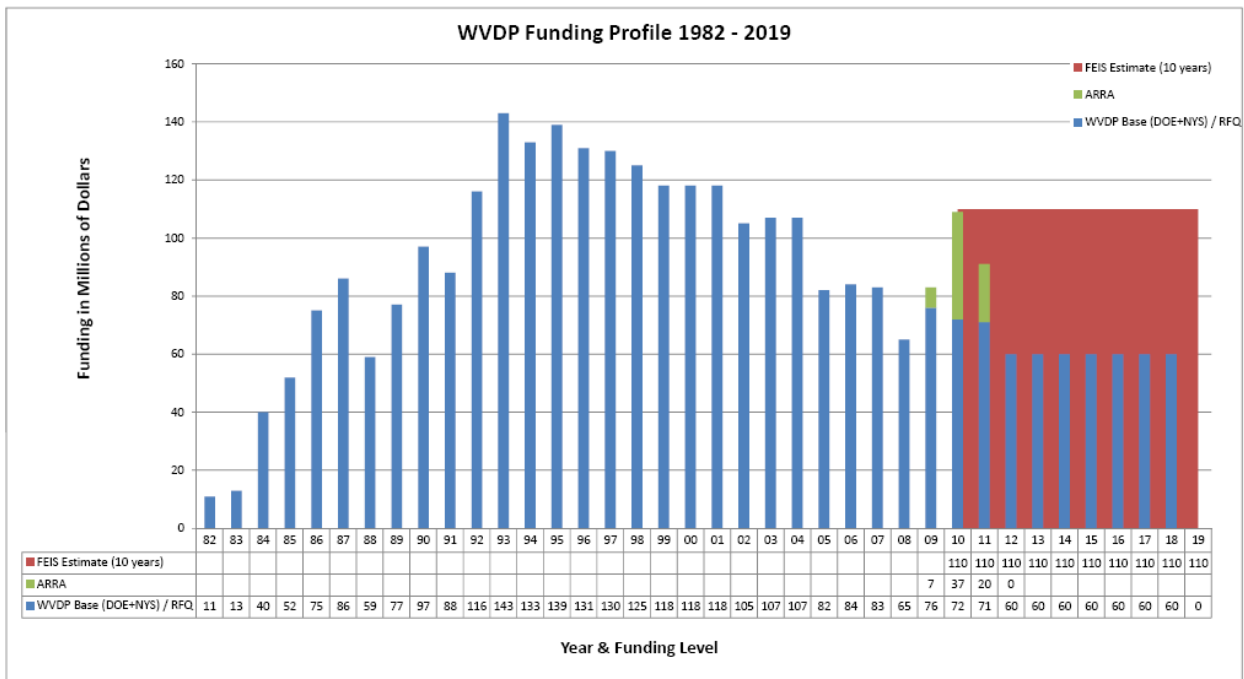
The West Valley Demonstration Project has been subject to delays, multiple plan revisions and budget cuts for decades. Budget cuts have slowed this important work and greatly reduced the workforce at the site. Most recently, American Recovery and Reinvestment Act of 2009 funding intended for WVDP was diverted to other sites. We urge you to help us try to maintain the proper funding and workforce to continue this vital project. Partial funding for West Valley would result in delaying the long-term cleanup. Substantial on-going operations and maintenance costs can be avoided if the cleanup is fully funded.

Our eventual goal is complete cleanup for the health and safety of the community. This goal is made all the more important by recent climate change reports about the increasing likelihood of severe weather events to which the site is susceptible. Arguably it is now all the more important to be proactive in the cleanup of environmentally dangerous sites in the region including West Valley.

DOE and NYSERDA are now embarking on the beginning of the on-going assessment and decisionmaking period which is not to exceed 10 years. The proposed Phase 1 studies process will allow for informed final decisionmaking regarding the West Valley Demonstration Project and the Western New York Nuclear Service Center. DOE within the past few weeks issued an RFQ for Phase 1 Decommissioning - Facilities Disposition.

The RFQ calls for work to take up to 7 years and to be funded at the level of \$60 million per year for this decommissioning work. This is unacceptable. The ROD and FEIS anticipate work in Phase 1 being accomplished over 8-10 years at a cost of between \$1,064,538,700 and \$1,162,761,100, depending on the disposal pathway of wastes, or an average of about \$110 million annually.

The graph below, which assumes \$1.1 billion required over the next 10 years, clearly shows how overall funding has diminished as base funding has decreased and that significant budget gaps are projected going forward. The impacts of this reduced funding will only compound with time. The number of workers has declined, generally at a more precipitous rate than the funding decline.



Note: Years 2012 through 2018 show an assumed Federal Appropriation of \$60 million annually.

Performing the work and conducting the studies within the 10-year assessment period of the ROD can only be completed with sufficient and stable funding *at least at the level* assumed in the FEIS of \$1.1 billion over the 10 years. We respectfully request that your EM budget package allocate full funding for West Valley to ensure that the site cleanup continues on a positive trajectory.

Respectfully,

The West Valley Citizen Task Force

Copy: Bryan Bower, Director WVDP
Paul Bembia, Director WVSMF

Eric W. Wohlers