

To: West Valley Citizen Task Force  
From: Bill Logue, Citizen Task Force Facilitator  
Date: February , 2010  
Subject: **Summary of the January 27, 2009 Meeting**

## Next Meeting

The next Citizen Task Force Meeting will be:

Time & Date: **7:00 – 9:30 PM, February 24, 2010**  
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](mailto:Bill@LogueGroup.com)).

## CTF Participants

**CTF Members and Alternates attending:** Deb Aumick, Chris Crawford, Rob Dallas, Judy Einach, Bob Engel, Chris Gerwitz, Mike Hutchinson, Steve Kowalski, Paul Kranz, Lee Lambert, Anthony Memmo, Warren Schmidt, Bill Snyder, Ray Vaughan.

## Agency Participants and Observers

*Department of Energy (DOE):* Bryan Bower, Cathy Bohan, Craig Rieman.

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

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

*Observers:* Dane Evans, Charlie Hebdon, Rick Miller (Olean Times Herald), Robert Steiner.

## Introductions and Announcements

Bill Logue welcomed the group and reviewed the meeting documents.<sup>1</sup> Warren Schmidt stated that Congressman Massa had sent a letter to DOE and NYSERDA as requested by the CTF. A copy will be circulated electronically and included with the meeting materials. NYSERDA will provide a copy of its response to Representative Massa's letter. The DOE response is being drafted and a copy will be provided to the CTF when it is available.

## Consent Decree Status

Paul Bembia of NYSERDA reminded the CTF that the proposed consent decree resolving litigation over allocation of responsibility for cleanup costs had been filed with the court with a request that court action be delayed pending public review and comment. Four comment letters from three groups (the CTF, the Citizens Environmental Coalition and the Coalition on West Valley Nuclear Wastes) were received. A motion for approval of the consent decree will be filed with the court by March 1 and will include background information, the comments and responses to the comments.

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<sup>1</sup> The documents are listed at the end of this summary and may be found at [www.westvalleyctf.org](http://www.westvalleyctf.org)

## **NYSERDA Update**

Tom Attridge, NYSERDA Program Manager for the West Valley Site Management Program, presented an update on NYSERDA activities related to the Erdman Brook Erosion Mitigation Project and the Tank T-1 Leachate Removal Project.

**Erdman Brook Erosion Mitigation.** In the spring of 2009 inspection of the Erdman Brook area near the north slope of the State-Licensed Disposal Area (SDA) revealed a knickpoint, or small waterfall, created by erosion. Knickpoints tend to migrate upstream and can remove a significant amount of soil material. This knickpoint had developed several lobes and was creating channel flow in low water conditions over the edges onto surface lands beside the brook at the toe of the north slope of the SDA. This presented possible slope instability issues. A mitigation plan for the area, which is a federally designated wetland, was developed in consultation with the New York State Department of Environmental Conservation and the US Army Corps of Engineers.

The goal of the plan was to realign the channel away from the toe of the slope. The work entailed a new access road, temporary water quality protection measures including two stone checkdams to gather sediment, and brush was cleared leaving stumps to promote rapid revegetation. The stream was diverted and dried and then the knickpoint was eliminated and graded upstream before a geomembrane was placed in the new channel and topped with medium stone. The length of the new area is 150-175 feet. Lagoon Road Creek was tied in and the area was seeded and mulched. Some wetlands material was used, with approval of the Army Corps, to build up the base of the north slope.

NYSERDA recently sampled a log that was unearthed during the erosion down-cutting process that was radiocarbon dated at between 250 and 400 years. Ray Vaughan noted that this called into question many assumptions about the previous erosion assessments in that it showed that the area probably has experienced episodic erosion and infill deposit since the last glacial period. The Previous assumption has been that only progressive downcut erosion has occurred since the last glacial period.

**T-1 Tank and Leachate Removal.** The T-1 building is adjacent to the SDA and received liquids pumped from the SDA in 1991 to lower liquid levels in Trench 14. This resulted in 8,000 gallons of low-level radioactive waste (LLW) and chemically hazardous waste leachate which has been stored in a tank for 20 years. During phase 1 of the project, a radiological and chemical sampling and analysis laboratory was established at the site, a transfer system was designed and tested and the leachate was pumped through a double-walled hose directly into 32 275-gallon "totes" for transport in two trucks to Tennessee. A small amount of other liquid waste was shipped in one 55 gallon drum with overpacks. The liquid wastes will be thermally treated and the resulting ash disposed of in Utah.

In phase 2, the tank will be removed from the building through an existing roof hatch and shipped to Washington for size reduction before being disposed of in Utah. A small amount of LLW will be shipped at the same time. The building will be clean closed and removed from the RCRA permit after a confirmatory survey, documentation and a report to the New York State Department of Environmental Conservation (NYSDEC) and the US EPA. The work should be complete by April 2010.

## **WVES Workforce Update**

John McKibbin, president of West Valley Environmental Service (WVES) briefed the CTF on workforce changes at WVDP. On the first of February, 19-20 subcontract personnel will be released. He explained that there were a number of reasons for this including: reallocation of \$1.25 million in funds for equipment to increase the capacity to size reduce waste, a fixed budget through 2011 and the fact that the subcontractors' work had been completed. He noted that no reductions are being made in ARRA jobs. About 6 of the eliminated positions had supported ARRA work but these were being backfilled by WVES staff.

## **WVDP Update**

Bryan Bower, DOE Director of the West Valley Demonstration Project, presented a project update.

**Safety.** As of January 22, WVDP has achieved more than 2.2 million work hours, or more than 1,000 days, without a lost-time accident or illness and West Valley Environmental Services, LLC (WVES) has the best employee safety record among DOE prime contractors. WVES has applied for Voluntary Protection Program (VPP) recertification. West Valley Nuclear Services Company (WVNSCO) was certified as a VPP Star Project.

**Main Process Plant Building (MPPB).** Extraction Cell-3 clean out was completed in December 2009 using an A-frame over the pit to pull the vessels more than 50 feet through a roof hatch. Decontamination of the Process Mechanical Cell, and Power Manipulator and Crane Room is complete.

ARRA work in the MPPB includes isolating and removing hazardous and asbestos-containing materials and associated piping and electrical work. This will allow future demolition work to proceed without concern for live pipes or wires. The Acid Recovery Cell is decontaminated and the walls have been painted to control loose contamination. The Liquid Waste Cell was entered by personnel for the first time since 1971. Videos were taken to document hazards and planning work is underway to decontaminate the 9 tanks and fix contamination prior to pipe removal. In the Utility Control Room utility isolation and decontamination is continuing, as is removal of control panels for size reduction and disposal. The panels contain mercury switches and other contamination.

There are approximately 7,500 gallons of residual liquid waste which are being sampled and analyzed in order to be stabilized. A subcontract is in place to develop a "recipe" to mix the waste with concrete for disposal. The solidification system will be skid mounted so that it can be used in the future for portions of the MPPB demolition.

**Tank & Vault Drying System.** Also included in ARRA work is the tank and vault drying system. A 70% design review was conducted, with participation from NRC, NYSDEC and NYSERDA, for the Tank and Vault drying system which will be installed in 2010. A piping mockup was completed and informed future tooling needs. Temporary ventilation activities in the tanks have started. The tank and vault drying system should be operational by December 31, 2010.

**Waste Processing.** Waste processing work with ARRA funds is being accelerated with a second crew where new operators are mentored and paired with experienced operators. Facility upgrades are

complete in the Waste Packaging Area and Container Sorting and Packaging Facility to enable contact-handled Transuranic (TRU) waste processing. This is ahead of schedule and resulting in an 80% reduction in volume. As of December 31, 2009, 71,421 ft<sup>3</sup> of stored LLW and 34,225 ft<sup>3</sup> of TRU waste have been processed and 48,504 ft<sup>3</sup> of LLW disposed of.

**North Plateau Groundwater Plume Mitigation.** In November 2009 a preliminary design of the permeable treatment wall was reviewed and approved for final design and a test of the one-pass trencher for installation of zeolite was conducted. In December, DOE and WVES reviewed the zeolite testing report; however, a column test will be continued through May 2010 to gather more data. Zeolite will be tested for a percentage of “fines” (small zeolite that breaks down in shipping and can reduce the functionality of the wall). Shipments with fines in excess of 3% will be rejected. As a result of testing WVES learned that the zeolite flows better through the trencher when it is wet.

**Railroad Repair.** The rail line was restored to service in December 2009.

**Ground Level Offices.** Nineteen of the offices are now occupied by 91 employees. Fifty one units are on-site and 7 units are on order. The units will allow the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the MPPB and portions of the Administration Building to be vacated.

**Phase 1 Decommissioning Plan.** The Phase 1 Decommissioning Plan was submitted to NRC in December of 2008. It has undergone two revisions and DOE responded to 44 Requests for Additional Information through three submittals between August and November of 2009. DOE anticipates that NRC will transmit its Technical Evaluation Report (TER) in mid-February 2010. The TER will be made available for public inspection.

**Characterization Sampling and Analysis Plan (CSAP).** The CSAP, a separate document from the Decommissioning Plan, provides details about environmental data collection taking place to support Phase 1 decommissioning activities. DOE will submit this to NRC in mid-February. The purposes of the CSAP are to: pre-design data collection, remedial support, post remediation status documentation, and Phase 2 decision-making support. The CSAP will be posted on the website for public viewing. The CTF requested a briefing on the CSAP.

**Other News.** The WVES contract expires in 2011 and a new solicitation is being prepared for Phase 1 Decommissioning work. The President’s 2011 budget will be submitted to Congress in the near future. Mr. Bower will provide information on the budget when it becomes available.

**Discussion.** The CTF requested a presentation at a future meeting on employee dose levels over the last 5 years. The group discussed the use of real-time digital dosimeters which can be monitored by staff outside the work area when operators are in hot areas or areas with hot spots. This allows employees to stay within their daily 80 millirem dose limit or 100 millirem with a signed extension. The equipment has audio and visual alarms when higher readings are detected. Some protective clothing, which is worn once, costs approximately \$1,000.

## Final Environmental Impact Statement (FEIS)

The FEIS for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center was released and the notice will be published in the Federal Register on January 29, 2010 and the New York State Environmental Notice Bulletin on February 3. Mr. Bower thanked Cathy Bohan for her four years of hard work in shepherding the document through the process which began 22 years ago. The starting point for the FEIS will have the MPPB, Vitrification Facility and Remote Handled Waste Facility demolition ready; the Tank and Vault Drying System and North Plateau Permeable Treatment Wall installed; and covers and barrier walls for the SDA and NRC-Licensed Disposal Area (NDA). The proposed action in the FEIS is the same as that in the Draft EIS. DOE will, in accordance with the WVDP Act, decontaminate and decommission tanks and other WVDP facilities in which high-level radioactive waste (HLW) is stored, the facilities used to solidify the waste and material and hardware used in the project. NYSERDA will determine how the facilities and property it is responsible for will be managed or decommissioned. The alternatives examined included complete removal, close-in-place and the Phased Decisionmaking Alternative, which is the preferred alternative.

During public comment the following were received: 269 comment letters, 8 "postcard" campaigns conducted by organizations, 17 resolutions, the Full Cost Accounting Study, four public meetings and one video conference. The most common topics included: erosion, drinking water safety, dose to the public, the timing of the Phase 2 decision, adequacy of the DEIS, preference for the site-wide removal alternative, use of discounting in cost estimates, and requests for the extension to comment. Responses to comments are contained in the FEIS, additional baseline environmental information has been updated and the ongoing assessment period in the Phased Decisionmaking Alternative has been reduced from 30 years to 10 years. This change was made in response to public comment and because it will allow for continuation of work momentum without loss of the existing trained workforce. DOE and NYSERDA were able to resolve some issues in the NYSERDA view, including agreement on impacts from rail transportation. NYSERDA has revised the NYSERDA View and where differences remain the FEIS has delineated the issues in text boxes describing each agency's perspective.

EPA has expressed concern that future decisions could be influenced by a lack of a final disposal location for high-level waste (HLW). NYSERDA and DOE determined that the decision could be made and portions not implemented immediately if a disposal area is not yet available.

DOE and NYSERDA agree on the Preferred Alternative which in Phase 1 will remove the MPPB and lagoons, remediate the source area of the NPGP, and allow for collection and analysis of data and information to make a more informed Phase 2 decision. Under the Preferred Alternative, the Phase 2 decision would be made within 10 years through issuance of a Record of Decision (ROD) by DOE and a SEQRA Findings Statement by NYSERDA. In Phase 2, DOE will make the final decommissioning decision on remaining WVDP facilities and NYSERDA will make decisions on the NRC-licensed facility and the SDA.

The public will be involved during Phase 1 through the Quarterly Public Meeting, the CTF, input on studies which will inform Phase 2 decisions and through required future NEPA and SEQRA processes for Phase 2.

The ROD will be issued in not sooner than 30 days from publication of the FEIS. Changes are possible but unlikely between the FEIS and ROD. If the ROD changes, a new Decommissioning Plan will be submitted to NRC.

DOE and NYSERDA are committed to public involvement, and if the Phase Decisionmaking Alternative were selected, the public would be involved during Phase 1 through the Quarterly Public Meeting, the CTF, input on studies which will inform Phase 2 decisions and through required future NEPA and SEQRA processes for Phase 2. DOE and NYSERDA are working together on which studies need to be conducted during Phase 1.

The CTF congratulated DOE and NYSERDA on completing the FEIS.

## Future Meeting Topics

Items mentioned for future meetings included:

- CTF yearend review and planning for 2010
- Five-year Employee Dose
- CSAP
- Ongoing Assessment Studies
- Technical Evaluation Report by NRC

## Observer Comments

There were no observer comments.

## Action Items

Action	Assigned To	Due Date
Copies of response letters to Congressman Massa	DOE/NYSERDA	TBD

## Documents Distributed

Document Description	Generated by; Date
Meeting Agenda	Logue; 1/27/10
NYSERDA Update	NYSERDA; 1/27/10
DOE WVDP Update	DOE; 1/27/10
DOE Presentation on FEIS	DOE; 1/27/10

<b>Document Description</b>	<b>Generated by; Date</b>
CTF Letter to NY Attorney General on Proposed Consent Decree	CTF; 12/4/09
Newspaper clippings distributed at the meeting	NYSERDA; 1/27/10

Note: The CTF letter to Congressman Massa, the Congressman's letter to DOE and NRC and the agency responses will be posted with meeting materials for this meeting at [www.westvalleyctf.org](http://www.westvalleyctf.org).