To: West Valley Citizen Task Force
From: Bill Logue, Citizen Task Force Facilitator
Date: April 15, 2011
Subject: Summary of the March 23, 2011 Meeting

Next Meeting

The next Citizen Task Force Meeting will be:

Time & Date: 7:00 – 9:30 PM, April 27, 2011
Location: Ashford Office Complex
9030 Route 219
West Valley, NY

Note: Participants must be U.S. citizens and have photo identification. Please contact Bill Logue (860-521-9122, Bill@LogueGroup.com) with questions or comments concerning this summary or future meetings.

NOTE: The meeting will start at 7:00 PM not 6:30. Future meetings will start at 6:30 PM

CTF Members and Alternates Attending

Deb Aumick (via telephone), Chris Gerwitz, Steve Kowalski, Lee James, Paul Kranz (via telephone), Lee Lambert (via telephone), Kathy McGoldrick, Anthony Memmo, Joe Patti, John Pfeffer, Warren Schmidt, Ray Vaughan.

Agency Participants and Observers

Department of Energy (DOE): Bryan Bower, Arnold Edelman (via telephone), Martin Krentz.
New York State Energy Research and Development Authority (NYSERDA): Tom Attridge, Paul Bembia, Andrea Mellon, Dave Munro (via telephone).
West Valley Environmental Services, LLC (WVES): Sonja Allen, John Chamberlain, Laurene Rowell.
Observers: Lynette Bennette, Bruce Chapman, Elizabeth Lowes, Jared Matesic, John Rendell, Bill Schaab, Matt Sergeant, Bob Steiner, Barbara Warren (via telephone).

Introductions and Announcements

Bill Logue welcomed the group and reviewed the meeting documents.[1] The CTF welcomed Lee James from Congressman Tom Reed's office as a member. Ms. James introduced herself. Joe Sempolinski will be her alternate. Bill Logue reported that the CTF website received approximately 3,000 page requests between February 4 and March 22.

Later in the meeting Bryan Bower of DOE reported that, in response to the tsunami and nuclear contamination events in Japan, the Department has sent 33 staff experts to supplement the 6 already in Japan and 9 tons of equipment to assist in the response. Information on the response may be found at www.energy.gov/japan2011.

Upcoming Schedule

The CTF agreed that the group will forego meetings in May, August and November in favor of the Quarterly Public Meetings which will be public meetings on the Phase 1 Studies Process. CTF members will attempt to attend those meetings. The U.S. Nuclear Waste Technical Review Board is scheduled to hold a public meeting on April 27 in Buffalo. The meeting will discuss management and disposition of West Valley

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

Demonstration Project (WVDP) nuclear wastes. On April 27 the CTF will start its meeting at 7:00 PM rather than 6:30.

Phase 1 Studies Process

Paul Bembia of NYSERDA reported that DOE and NYSERDA have signed the agreement on the process for the Phase 1 studies and the Second Supplemental Agreement and these are posted on the web. (http://www.nyserda.org/programs/West_Valley/pdfs/SecondSupplementalAgreementPhase1Studies.pdf and http://www.nyserda.org/programs/West_Valley/pdfs/Phase1StudiesGuidance.pdf)

Department of Energy Cleanup Vision

Bryan Bower of DOE presented an overview of the agency's cleanup vision for 2020 as presented by Assistant Secretary of Environmental Management (EM) Triay in support of the President's 2012 budget. He then described the implications for WVDP.

At the outset Mr. Bower noted that EM is a national responsibility. As such DOE: reduces risk to workers, communities and the environment through cleanup as part of its Federal obligation; the work is essential to the health and economic vitality of communities; significant progress has been made in reducing risk and liability at a demonstrated value to taxpayers, but the work is not complete; and costs and risk will increase with time without additional work.

Mr. Bower described the 2020 Cleanup Vision that will build on the American Resource and Recovery Act (ARRA) funding. On a national basis, the EM team in the coming years will: complete three tank waste construction projects, reduce life cycle costs (6$ billion in ARRA work resulted in $7billion in cost avoidance and savings), dispose of 90% of legacy transuranic (TRU) waste by 2015, shrink EM legacy footprint 90% by 2015, and by 2020 virtually complete EM legacy cleanup leaving minor cleanup at Savannah River, Portsmouth, and Oak Ridge sites. WVDP will have a final decision when the high-level radioactive waste (HLW) disposition issue is resolved.

In response to questions, Mr. Bower noted that with the sunset of ARRA funding about 65 WVDP workers will receive notice of layoffs. At Hanford and Savannah River the work force will return to previous levels with about 150 workers being laid off. He further noted that Dr. Triay was seeking to achieve stable funding across the EM complex without having sites competing for funding at the expense of each other.

Mr. Bower noted the program priorities which drive funding decisions within the EM complex. In general higher risk issues of safety, security and higher level waste (e.g., tank waste stabilization, spent nuclear fuel) are prioritized over lower level wastes, soil and groundwater remediation and facility deactivation and decommissioning (D&D). This is reflected in the budget allocations across the complex with the request for New York State at $69.7 million with $60 million of that for WVDP. Mr. Bembia noted that WVDP work consists primarily of D&D placing the site at a lower priority. NYSERDA has advocated for $80-85 million in annual funding. CTF members commented that at $60 million work would slow and funding would be lower than it has traditionally been. This requires that they work to keep WVDP in the public eye to ensure adequate funding for Phase 1 work and a timely Phase 2 decision. A CTF member noted that with the closing of other sites he hoped that funding would return to WVDP. During the discussion Mr. Bower stated that although WVDP is a small site it is complex due to the types of waste. After discussion, John Pfeffer

volunteered to draft a letter on funding to Federal legislators for consideration by the CTF. The group will comment via email to arrive at a final letter.

Mr. Bower showed the graphic below on the cleanup scope and accomplishments to date and by 2020:

Cleanup Scope	**Accomplishments To Date**	**Accomplishments By FY 2020**
Liquid HLW Solidified	**All 600,000 gallons of liquid HLW solidified into 275 canisters**	By 2015, all 275 HLW canister placed into interim dry storage awaiting permanent disposal decision
TRU Waste Disposed	**1,650 of 2,280 cubic meters TRU waste disposal ready**	All TRU waste disposed (2,280 m^3)
HLW Tanks Stable	**98% of curies removed, Tank & Vault Drying System installed**	HLW tanks dry and stable awaiting **Phase 2 Decision**
Groundwater Plume Remediated	**Permeable Treatment Wall (PTW) installed**	Plume being remediated by PTW
Main Plant Process Building and Vitrification Facility	**MPPB Decontamination 70% complete**	Main Plant Process Building and Vitrification Facility Demolition Complete
Remote Handled Waste Facility	**RHWF in use for remote waste processing**	Remote Handled Waste Facility Demolition Complete
WMA 1 & WMA 2	**Active WMAs**	All Soil Remediation Complete
Balance of Site Facilities Removal	**18 of 61 Facilities Removed**	All 61 Facilities Removed
NRC-Licensed and State-Licensed Disposal Areas (NDA & SDA)	**Both Disposal Areas (NDA and SDA) under interim caps***	Capped and stable awaiting **Phase 2 Decision**

Mr. Bower stated that with $63 million in ARRA funding 83 jobs were created and were 19 saved and $19 million in contracts were awarded to small businesses. An additional $20 annually from 2012-2016 would allow WVDP to complete the 2020 vision, reduce the completion date by 4 years and save $120 million in long-term costs. At that time all TRU waste would be packaged and ready for shipment. Lastly, Mr. Bower noted that the current contract out for award would address facility disposition under Phase 1. A separate contract in the future will be awarded for soil remediation work. After issuance of a Final Decommissioning Record of Decision and Phase 2 Decommissioning Plan more work would be conducted on Phase 2.

A member raised the issue of potential downward migration of contamination along H-pilings under the Main Plant Processing Building (MPPB), Bryan Bower indicated that this could be suggested as a Phase 1 studies topic. In response to a question, Mr. Bower stated that the Remote Handled Waste Facility (RHWF) was too small for use during later work and if the high-level waste tanks and disposal areas are exhumed a

larger facility will be required. A member stated that he felt that further National Environmental Policy Act analysis of this decision would be useful.

One observer, Barbara Warren, noted that until the HLW canisters are relocated and the MPPB is demolished the source area of the North Plateau Groundwater Plume would not be accessible and the contamination would spread thereby reducing the life expectancy of the Permeable Treatment Wall and increasing costs. Mr. Bower responded that the contamination remaining under the MPPB is generally non-mobile wastes, which are more hazardous but would not spread.

Waste Incidental to Reprocessing Draft Evaluation for WVDP Melter

Laurene Rowell, WVES Manager of Project Integration, Strategy & Communications, presented on the Waste Incidental to Reprocessing (WIR) Draft Evaluation for the WVDP Melter. Ms. Rowell started by noting that DOE had previously established three criteria for radioactive waste management with 1) key radionuclides removed to the maximum extent technically and economically practical, 2) meeting safety requirements, and 3) meeting Class C concentration limits allows the material to be handled as low-level radioactive waste (LLW). The Technical Evaluation documents the technical analysis against the criteria, consultation with NRC and gathering of state and public comment. After consideration of the evaluation results a determination will be made. A CTF member noted that he saw a potential conflict between the WVDP Act and DOE manual 435.1-1 in the definition of the waste.

The melter was used between 1996 and 2002 to solidify 600,000 gallons of liquefied radioactive waste into glass. The melter was flushed to remove as much residual waste and contamination as possible before being removed from the vitrification cell and packaged for shipment. It now sits on the South Plateau awaiting shipment. The melter is packaged in a large carbon steel container. Combined, the melter and package weigh 159 tons. It contains approximately 4,570 curies, primarily Cesium-137, with a maximum contact dose rate of 5 mR/hr.

In applying criterion 1, it was determined that dismantlement and additional flushing were not economically feasible. In applying criterion 2, two potential sites, Nevada National Security Site and Waste Control Specialists in Texas, were identified as sites that could accept the melter. In applying criterion 3, it was determined that the melter meets LLW concentration limits. It will be grouted for stability.

The evaluation comment period will be open until April 28. DOE will then consider comments and issue a final decision in August 2011. A CTF member expressed concern that this evaluation did not provide sufficient review similar to an EIS process. Ms. Rowell noted that DOE was engaging in public input beyond the required amount. After discussion Lee Lambert and Ray Vaughan agreed to review the evaluation to determine if comments are warranted and, if so, suggest comments for consideration by the CTF.

Ms. Warren, an observer, expressed concern that the WIR determination for this equipment could be unwanted precedent for other equipment in the future.

DEIS for Greater-Than-Class-C LLW and GTCC-Like Waste

Arnie Edelman, of the DOE Office of Disposal Operations in the Office of Environmental Management, briefed the CTF on the DEIS for Greater-Than-Class- C (GTCC) LLW and GTCC-Like Waste. The DEIS

was made available for comment in late February and the comment period closes June 27, 2011. Nine public hearings will be held around the country in April and May. He encouraged CTF members to submit comments. He noted that in the drafting process WVDP wastes were considered.

Mr. Edelman described the proposed action of constructing and operating a new facility(ies) or using an existing facility for disposal of this type of waste. Such a facility is needed for a number of reasons including none now exists, Federal law requires one and national security concerns warrant one to secure material which could be made into a "dirty bomb." It would also support a number of U.S. programs and implement environmental stewardship. He reviewed the GTCC Waste inventory. LLRW is divided into four classifications based on the concentrations of radionuclides, A, B, C and GTCC. GTCC-Like waste applies to DOE DOE-owned or -generated LLW or non-defense generated transuranic waste with similar characteristics to GTCC wastes and have no specified disposal pathway. There are three types of wastes: 1) activated metals – mostly from decommissioned nuclear reactors, 2) sealed sources – generally used in medical treatment and diagnostics, and industrial equipment, and 3) other waste which is generally from contaminated equipment, debris, filters, resins, soils, etc.

WVDP GTCC-LLW and GTCC-Like waste comprise about 50% of the 12,000 m^3 of total inventory of GTCC and GTCC-like wastes; about 2,200 m^3 are from the D&D of the MPPB and tank farm and 4,300 m^3 from State-licensed Disposal Area and NRC-Licensed Disposal Area are estimated if full exhumation is selected as the final decision. Much of the wastes will be generated over the next 20-30 years.

NRC regulations require a geologic repository unless an alternative method is approved by NRC. Three alternative disposal methods were considered in addition to the Geologic Repository – Waste Isolation Pilot Plant (WIPP). They are: intermediate depth boreholes, enhanced near-surface trenches and above-grade vaults. Six existing disposal sites and WIPP were considered. In addition to the no action alternative four alternatives were evaluated. DOE does not have a preferred alternative in the DEIS and it is possible that combination of the alternatives by method, site and type of waste will be selected.

Potential impacts were examined for each alternative. For no action, there are potential impacts on long-term human health but no impacts for the other environmental resource areas evaluated and, because no shipping would occur, no impacts from transportation. For WIPP, the impact would be low for the environmental resource areas and the impacts from rail and truck shipments over 60 years could result in 1-2 non-radiological accident fatalities. For the borehole, trench and vault alternatives there are low resource impacts at all sites except for long-term human health impacts at some sites. The impacts varied across the resource areas for environmental justice, cultural resources, and cumulative impacts. Transportation impact for rail and truck over 60 years is likely to be one non-radiological accident fatality.

In selecting the preferred alternative, or combination of alternatives, considerations will include: waste type (radionuclide inventory, stability, size and availability for disposal), disposal method (inadvertent human intrusion, construction and operations experience, post closure care, and cost), and locations (human health, cultural and tribal concerns, laws, regulations and other requirements). In closing, Mr. Edelman stated that the FEIS will be developed, a report to Congress issued, Congressional Action taken, a Record of Decision issued and then implementation will occur. NRC will render an opinion as to whether the

alternatives are reasonable under current regulations or if new regulations are needed. He anticipates issuance of the FEIS early in 2012. If legislation passes in a timely manner the facility could be operational in 2020.

Warren Schmidt will review the DEIS and in consultation with Lee Lambert, Kathy McGoldrick and Paul Kranz recommend if the CTF should submit any comments.

Observer Comments

There were no additional observer comments to those noted above.

Action Items

Action	Who; Date
WIR Evaluation: Determine if CTF comments are warranted, draft comments for consideration	Lambert & Vaughan 3/20/2011
GTCC DEIS: Determine if CTF comments are warranted, draft comments for consideration	Schmidt, Lambert, McGoldrick, Kranz; 3/20/2011
Draft funding letter for Federal legislators	Pfeffer; 3/30/2011

Documents Distributed

Document Description	Generated by; Date
Meeting Agenda	Logue; 3/23/2011
DOE Presentation - 2020 Vision	DOE; 3/23/2011
WVES Presentation – WIR Evaluation	WVES; 3/23/2011
DOE Presentation on GTCC DEIS	DOE; 3/23/2011
Press release: US Nuclear Waste Technical Review Board 4/27/2011 meeting to discuss WVDP Nuclear Wastes	NWTRB; 3/23/2011
Newspaper clippings distributed at the meeting	NYSERDA; 1/26/2011