

To: West Valley Citizen Task Force  
From: Bill Logue, Citizen Task Force Facilitator  
Date: April 16, 2012  
Subject: **Summary of the March 28, 2012 Meeting**

## Next Meeting

The next Citizen Task Force Meeting will be:

Time & Date: **6:30 – 9:00 PM, April 25, 2012**  
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](mailto:Bill@LogueGroup.com)) with questions or comments concerning this summary or future meetings.

## CTF Members and Alternates Attending

Deb Aumick, Rob Dallas, Judy Einach\*, Gladys Gifford, Mike Hutchinson, Lee James, Paul Kranz, Lee Lambert, Joe Patti, Warren Schmidt, Bill Snyder, Ray Vaughan, Eric Wohlers.

## Agency Participants and Observers

*Department of Energy (DOE)*: Bryan Bower, Sandra Szalinski, Ben Underwood\*.

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

*CH2M HILL B&W West Valley, Inc. (CHBWV)*: Lynette Bennett, Dan Coyne, Heatherly Dukes, Ray Geimer, John Rendall, Bill Schaab.

*Observers*: Diane D'Arrigo\*, Joanne Hameister\*, Alvin Schuster, Barbara Warren\*.

## Introductions and Announcements

Bill Logue welcomed all present and reviewed the meeting materials<sup>1</sup> and adjustments to the agenda. During the meeting the CTF agreed to postpone discussion of the Asset Revitalization Initiative to a later meeting. Paul Bembia of NYSERDA informed the CTF that the RFP for facilitation of the CTF was released on March 22, proposals are due May 15 and a review panel has been formed which includes Warren Schmidt. He also informed the CTF that ECS, the Phase 1 Studies contractor, had contracted with Bill Logue to moderate the Quarterly Public/Phase 1 Studies Meetings. NYSERDA and DOE announced five additional potential areas of study (PAS) for Phase 1. Three relate to exhumation and two relate to engineered barriers. Subject matter experts are being identified to conduct the studies.

## West Valley Demonstration Project Update

Bryan Bower of DOE presented an update of activities at the WVDP.

**Safety.** CHBWV has worked 279,741 work hours without a lost-time work accident. WVDP has worked 4,279,741 million hours since last lost time accident. Mr. Bower noted that a recent trip and fall in one of the modular office units would raise the Total Recordable Case rate up from zero but that the Days Away, Restricted or Transferred Case Rate would remain at zero. An investigation was conducted and corrective

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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)

\* Participated by telephone.

measures are being implemented.

**Main Plant Processing Building (MPPB).** Removal of instruments and tubing is complete in the Upper Extraction Aisle. Asbestos abatement has started in the Mass Spec Lab and document review for radiological characterization for 14 high hazard cells has begun.

**01-14 Building.** The 01-14 building, located at the south end of the MPPB, is being prepared for demolition in the early fall. To bring it to a "cold, dark and dry" state the following is being done: asbestos sampling, electrical isolation, temporary power installation, cut into waste dispensing cell and preparation for ammonia tank removal. Removal of existing power and mechanical lines allows for safe drilling and cutting through walls to prep for demolition.

**Site Operations.** Plant Support Operations (PSA) was moved from the MPPB into a new hub adjacent to the guard shack with wireless remote monitoring installed in many locations. The sampler for tank 8D-4 was built and is being tested in mock-up. Tank 8D-4 is a smaller stainless steel tank used in Thorax processing and contains 6,000 gallons of liquid from vitrification decontamination. Sampling is needed because the liquids are not homogenous. The sampler was designed with American Resource and Recovery Act (ARRA) funds and will sample every 2/10 of a foot and the sludge in the tank bottom. Samples will be sent to two labs and results are expected in the fall. A CTF member noted that corrosion in tank 8D-2 resulted from neutralization and therefore other tanks had been kept acidic. DOE later informed the CTF via email that the pH in the tank is 11.4. The vehicle repair shop is empty and critical equipment relocated.

**High Level Waste (HLW) Canister Storage.** Subsurface core boring sampling for the canister storage area/pad is underway. Proposal responses for construction are due in April. The area surrounding the canister in the MPPB is being cleared with 14 drums relocated and 2 chemical process cell lines removed.

**Waste Operations – Shipping.** Plans called for 120,000 ft<sup>3</sup> of legacy low level waste (LLW) to be shipped with 40,000 ft<sup>3</sup> each year. Shipping is 6 months ahead of scheduled with 40,000 ft<sup>3</sup> shipped since the contract start. All shipments are complete for legacy hazardous waste and the storage locker closed. Approximately 161 ft<sup>3</sup> of LLW liquid waste was disposed of onsite through the interceptor and 623 ft<sup>3</sup> of LLW mixed waste was shipped. In the Remote Handled Waste Facility (RHWF) Box12-4490-V was processed and the material was removed, size reduced, and packaged as TRU waste. Four drums of TRU waste were placed into a Kistner box and moved to LAG storage. At the LAG Facility drum crushing is taking place and 6 B25 boxes have been generated. The Submerged Bed Scrubber will be processed and packaged by April 30. Miscellaneous materials are being size reduced and packaged.

In the Chemical Process Cell 145 ft<sup>3</sup> of Remote Handled (RH)/Contact Handled TRU waste was removed from the building and 9 RH TRU waste drums were relocated in the cell to clear a path for moving the canisters. A number of challenges remain including: debris from spent fuel processing, high doses of up to 4,100 R/hr from the drums, fissile gram equivalents as high as 4 kg, two drums may have intact fuel elements, WVDP does not have a defense determination and the contract specifies DOE N435.1 packaging instructions. DOE anticipates the materials will be packaged to Waste Isolation Pilot Plant (WIPP) criteria.

Another challenge for waste operation is the completion of the WIR evaluations for two additional items.

The melter needs to be grouted. Shipping weights for these three items will exceed standard rail dimensions.

**Looking Ahead.** Continue to work safely and compliantly. Upcoming work includes: HLW canister relocation storage system selection; complete packaging/removal of waste in the CPC; canal dredging and engineering for dam repairs; design for NDA North Slope armoring; and wireless remote monitoring of dam areas. Demolition equipment will arrive about April 15, 2012 following which the demolition off the WTF Test Tower, TSB Slab, Product Storage Area, and Hazardous Waste Lockers will occur by June 30, 2012.

**Other Discussion.** In response to a question, John Rendall of CHBWV noted that the environmental monitoring contract should be in place in July with a similar scope but aligned to the existing work. Mr. Bower answered a question by noting the vehicle repair shop was being demolished because it was not needed and a larger more suitable space was available in the Vitrification Test Facility.

### **Backshift Monitoring Plan**

Heatherly Dukes of CHBWV Nuclear Storage and Operations presented on the Backshift Monitoring Plan. She explained that the "backshift" is all times other than workdays Monday through Thursday. CHBWV proposed in its bid to reduce the backshift staffing from 2010 levels of 4 operators, 1 supervisor and 1 rad tech. On observation this was justified because many systems were no longer active, many procedures and surveillances could be streamlined or eliminated, and the monitoring could be aligned better with the active operations. The CHBWV approach is to place workers on risk reduction/elimination activities such as cold, dark and dry projects, waste packaging and shipping and decontamination and decommissioning activities. Therefore CHBWV is reducing the size of the backshift in phases and reassigning staff to these other activities. Phases 1 and 2 are complete with 1 rad tech on shift and 2 operators initially and then reducing this to 1 rad tech and 1 operator in late January. This is facilitated by changes in procedures and installation of new wireless technologies/operations for surveillance and monitoring. Phase 3 involves the facilities being taken cold, dark and dry, adjusting remaining system, installing additional wireless capability and possible further staff reductions on the backshift at some point in the future. The types of incidents that are monitored for include: power outages, weather events, system breakdowns and fires.

### **Waste Incidental to Reprocessing (WIR) Status**

Bryan Bower made a brief presentation on the WIR status which was followed by a lengthy discussion. He started by noting that the NRC policy was not part of the anticipated discussion. WIR is defined as a process whereby certain waste streams produced during the generation of high-level waste may be determined to be non-high-level waste through the WIR determination process and managed as LLW. DOE Manual 435.1-1 provides two methods for determining whether waste meets the incidental to reprocessing criteria and can be managed as LLW. One is the citation method which categorizes some contaminated job waste (clothing, tools and equipment) to meet the criteria allowing for management of LLW. The other is by evaluation with two steps: first a technical evaluation then a determination based on the results of the evaluation.

The melter was subjected to the second method of a WIR evaluation which examined whether the wastes: 1) have been or will be processed to remove key radionuclides to maximum extent technically and economically practical; 2) will be managed to meet safety requirements comparable to 10 CFR 61 Subpart C, Performance Objectives for Land Disposal Facilities; and 3) will be managed at a concentration that

does not exceed the applicable concentration limits for Class C LLW as set out in 10 CFR 61.55 or meet alternative requirements for waste classification and characterization as DOE may authorize. The WIR evaluation allowed for a determination that the waste met the incidental to reprocessing criteria and could be managed as LLW. The process included consultation with NRC. Mr. Bower noted that Section 3116 of the Ronald Reagan National Defense Authorization Act applies to the Savannah and Idaho sites but not to West Valley or Hanford which are subject to DOE Order 435.1 for radioactive waste management and DOE Manual 435.1-1.

The unpackaged melter is a cube 10' on each side. It was flushed with chemicals and glass formers for an extended period before shutdown and two evacuated canisters then removed residual materials. The packaged canister is in a carbon steel box with a thickness of 6" on the sides and 4" on the top and bottom. The overall dimensions are 13x12x12 feet weighing approximately 180 tons once grouted. It contains about 4,570 curies, primarily Cs-137 with a maximum dose of 5mR/hr on contact. The WIR determination for the melter was published in February 2012. The next steps are to decide on the disposal location, finalize and obtain exemptions for the transportation route, complete grouting, and schedule and ship to the disposal site. The Nevada Nuclear Security Site and Waste Control Specialists facility in Texas are being considered as disposal sites.

Two additional vitrification system components will require WIR evaluations – the concentrator feed make-up tank (CFMT) and melter feed hold tank (MFHT). They have been placed in shielded boxes and grouted in place. The CFMT loaded box is 13 x 14 x 19 feet and package weighs 355,000 pounds and the MFHT loaded box is 13 x 14 x 16 feet and packaged weighs 305,000 pounds. Legal review needs to be completed. Then, in the near future, the draft WIR evaluations will be released for a 45 day public comment period and NRC review. Following that, comments will be addressed and the final determinations issued. If, through the WIR evaluation process, these pieces of equipment are determined to be non-high-level waste and can be managed as LLW, they will be shipped with the melter in a single shipment. These components and the melter are currently stored on-site at the railroad staging area.

Several CTF members expressed strong concern about the precedent of the determination that these items meet the WIR criteria and therefore can be managed as LLW. The concern is that a similar process could be followed for the HLW tanks 8D-2 and 8D-4 which could allow for closure in place. In response to how the tanks were distinguishable, Mr. Bower stated that they are under a different regulatory regime because the WVDP facilities are subject to the WVDP Act and therefore the License Termination Rule (10 CFR 20 Subpart E) as the decommissioning criteria. There was some discussion about whether there was a difference in application for on-site versus off-site disposal and to what extent dose concentration was a consideration (other than for purposes of the disposal location). Mr. Bower noted that for close in place for the tanks the NRC Policy Statement would apply. DOE counsel Ben Underwood stated that he had not fully considered the precedent issue and could not respond to that during the meeting. However, in response to a question, he noted that, if the tanks were to be exhumed, an evaluation WIR including public comment and NRC review would be necessary in order to determine whether the tanks could be managed as LLW and shipped to an appropriate off-site facility.

Another CTF member noted that the CTF had expressed strong concerns about these issues as far back as the comments to NRC in the late 1990's and that she felt all the comments had been ignored. Mr. Bower

acknowledged the frustration that members were feeling and noted that this was the regulatory avenue to remove the items from the site. He encouraged the CTF to view the site holistically and stated that the greatest risk at the site is associated with the State Licensed Disposal Area (SDA) and NRC Licensed Disposal Area (NDA) followed by the non-source area of the North Plateau Groundwater Plume and the Construction and Demolition Debris Landfill. All agreed that time be set aside at a future meeting to discuss the issue of WIR determinations and precedent for LLW determinations for WVDP facilities. During the discussion, DOE and NYSERDA committed to providing the CTF with an updated graphic showing the curies over time at various locations over the site.

## **DOE Budget Update**

Mr. Bower reviewed the DOE Environmental Management (EM) priorities for budgeting decisions across the complex. They are:

- Activities to maintain a safe and secure posture in the EM complex
- Radioactive tank waste stabilization, treatment, and disposal
- Spent nuclear fuel storage, receipt, and disposition
- Special nuclear material consolidation, processing, and disposition
- High risk soil and groundwater remediation
- Transuranic and mixed/low-level waste disposition
- Soil and groundwater remediation
- Excess facilities deactivation and decommissioning

He noted that WVDP had completed the high risk activities and therefore ranked low on the priority list nationally because the focus at WVDP is now on the last three items. Mr. Bembia noted the difficulty in completing work because work being low on the priority ranking.

The EM budget for defense sites is \$5.6 billion and \$200 million for non-defense. WVDP, MOAB and Brookhaven are non-defense sites. In 2012 \$60 million was requested as baseline funding. Congressmen Reed and Higgins worked together to increase this to \$66 million. Previous baselines for FY 2009-2011 were \$60 million which was then supplemented by about \$20 million annually in ARRA funding which was used for temporary workers and work on the Permeable Treatment Wall and the Tank and Vault Drying System. The President's FY 2013 budget request is \$50 million. In an election year continuing resolutions are likely and funding is apt to be lower than the President's request. WVDP will continue to implement Phase I decommissioning, adjusting work activities as necessary to meet budget constraints and maintain a safe site. The cost to keep the site safe is \$20 million per year so any reductions in baseline increase the time to implement Phase 1.

One option to maintain a more level funding pattern in FY 2013 is to request a carryover of the \$6 million in additional funding budgeted for FY 2012 into FY 2013. Members discussed this briefly and saw benefits to it but also risks in that the funds could be cut if not expended. Some members expressed concern about possible uneven funding and impacts on the workforce. Mr. Bower noted that this was also a concern but could be managed because if additional funding was received it could be used for things such as canister purchases without impacting the workforce with hiring followed by layoff.

A CTF member asked why buildings were scheduled to be demolished when they might be used for preparing for the disposal containers. Mr. Bower stated that DOE decided in the prior and current contract to use a performance based approach with incentives and cost shares so that the contractor makes those decisions. The work plan is adjusted based on available funding.

### CTF 2011 Activities and Other Business

Due to limited time, the CTF did not review their 2011 activities in detail. Bill Logue noted that the group continues to have concerns about outreach. This will be a topic of a future meeting. In reviewing attendance, Bill Snyder committed to trying to make more meetings and considering a more active alternate. The CTF asked him to continue to serve.

Tentative items for the April meeting include: Environmental monitoring; WIR discussion and possible comment development on evaluations for the CFMT and MHFT; near term work; and Asset Revitalization Initiative.

### Observer Comments

Other than those noted above, there were no observer comments.

### Action Items

Action	Who; Date
Radionuclide inventory over time	DOE/NYSERDA; 4/9/2012
Schedule Agenda Work Group Call	Logue; 4/18/2012

### Documents Distributed

Document Description	Generated by; Date
Meeting Agenda	Logue; 3/28/2012
WVDP Project Update Presentation	DOE; 3/28/2012
WVDP Budget Update Presentation	DOE, 3/28/2012
WVDP WIR Determination Presentation	DOE; 3/28/2012
CTF Letters: <ul style="list-style-type: none"> <li>• May 6, 2011 WIR Melter Comment Letter to DOE</li> <li>• July 28, 2006 NUREG-1854 Comment Letter to NRC</li> </ul>	CTF Various
WVDP Backshift Monitoring Plan	CHBWV; 3/28/2012
CTF 2011 Summary of Activities and Survey	Logue
CTF Agenda Work Group Call Summary	Logue 2/29/2012
News articles distributed at January 25, 2012 meeting	NYSERDA; 1/25/2012