

To: West Valley Citizen Task Force  
From: Cindy Cook and Bill Logue, Citizen Task Force Facilitators  
Date: September 10, 2007  
Subject: **Summary of the August 22, 2007, Citizen Task Force Meeting**

### **Next Meeting**

The next Citizen Task Force meeting will be held as follows:

Date: **September 26, 2007**  
Time: 7:00 - 9:30 p.m.  
Location: **Ashford Office Complex**  
9030 Route 219  
West Valley, NY

**NOTE:** All participants must be U. S. citizens and bring photo identification.

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Cindy Cook (802-223-1330, [ccook@adamantaccord.com](mailto:ccook@adamantaccord.com)) or Bill Logue (860-521-9122, [bill@loguegroup.com](mailto:bill@loguegroup.com) ).

### **CTF Attendees**

CTF members attending: Paul Bembia, Mike Brisky, Mike Hutchinson, Mark Jamison, Bill King, Lee Lambert, Joe Patti, Craig Rieman (for Bryan Bower), Warren Schmidt (for Julie Sirianni), Tim Siepel, Bill Snyder, Ray Vaughan and Eric Wohlers.

CTF Members not attending (nor represented by an alternate): Rob Dallas, Andrew Eszak, Stephen Kowalski, John Pfeffer and Pete Scherer.

### **CTF Alternates Attending**

CTF alternates attending: Judy Einach

### **Agency and Other Attendees**

*Coalition on West Valley Nuclear Wastes:* Joanne Hameister

*Department of Energy (DOE):* Moira Maloney, Ben Underwood

*New York State Energy Research and Development Authority (NYSERDA):* Tom Attridge, Ted Sonntag and Hal Brodie (by telephone)

*New York Office of the Attorney General:* Linda White

*West Valley Nuclear Services Company (WVNSCO):* Sonja Allen, John Chamberlain, Steve Warren

*West Valley Environmental Services (WVES):* Paul Hunt

### **Meeting Summary**

Cindy Cook and Bill Logue welcomed the group and reviewed the meeting documents and the meeting agenda.<sup>1</sup> Mark Jamison, Program Manager for the Seneca Nation's Air

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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)

and Water Quality programs, was introduced as a new member of the CTF. He replaces Darwin John as the Seneca Nation's representative. Mr. Jamison has participated as an observer in a number of prior CTF meetings.

### ***DOE Project Update***

Craig Rieman, Deputy Director West Valley Demonstration Project, DOE, gave a presentation on activities at the West Valley Demonstration Project. He noted:

- One safety incident in the last month with an unloaded forklift resulting in minor injuries. Immediate and long-term actions are being taken and an investigation is being conducted.
- Drum Cell processing continues with the remaining 4,000 cells targeted for shipment by the end of September.
- 11,000 ft<sup>3</sup> of the 16,000 ft<sup>3</sup> low-level waste (LLW) has been processed and shipped. The plan calls for 5 boxes of high-activity LLW, previously removed from the Vitrification Facility, to be shipped off-site for disposal. Packing of the 4<sup>th</sup> box is nearly complete.
- WVNSCO is continuing the above work; has initiated the NDA cap process and plans to award the contract to a small business in August; is preparing a characterization plan for the North Plateau groundwater plume; and is addressing repairs and upgrades on the rail line leading to the site.
- WVES work will consist of decontamination of the Main Plant Process Building, Remote Handled Waste Facility (RHWF) and the Vitrification Facility; process and ship LLW and transuranic waste; and deactivate, decontaminate and remove additional facilities (except RHWF, Vitrification, Main Processing Plant Building and High Level Waste canister facilities).

Mr. Rieman distributed a letter from Dan Meess which states that WVNSCO has investigated underground mapping technologies, and believes that the proposed additional fill and the synthetic liner over the NDA will not jeopardize future use of these technologies.

Also distributed was a letter from DOE on the applicability of the Federal Advisory Committee Act to the Core Team. Mr. Rieman noted that the Core Team had discussed the issue of CTF participation and that the majority of the agencies had determined that the process is not open to the public. A CTF member indicated he would review the letter and noted there were two issues of concern 1) whether meetings should be open to the general public and 2) whether the Core Team could cut itself off from valid external technical input. Mr. Rieman noted the Core Team's desire to communicate with the CTF and its request to participate in the September CTF meeting. Mr. Bembia stated that NYSERDA supported CTF participation in the Core Team meetings. He also stated that the Core Team had not explored the possibility of a technical presentation to the Core Team by CTF member Ray Vaughan and suggested that option be explored.

### ***NYSERDA Update***

Paul Bembia, Acting Director of the West Valley Project for NYSERDA, noted:

- There is nothing new to report on the legislation.
- In the litigation, the parties have selected Linda Singer, an experienced environmental mediator from JAMS (a nationally recognized dispute resolution firm). A series of meetings will be held in September and October.
- NYSERDA is refocusing its efforts at West Valley and some staff responsibilities are shifting. Dr. Paul Piciulo will become Program Liaison for interactions with NRC and other agencies, Colleen Gerwitz will be working in the Energy Analysis Unit and that Mr. Bembia is acting Director and will represent NYSERDA on the CTF. A national search has begun for a new Director.

Mr. King and Mr. Wohlers volunteered to draft a letter of appreciation from the CTF to Dr. Piciulo for initiating the CTF process and his participation over the years and a letter to Ms. Gerwitz in appreciation of her assistance to the CTF.

### ***Core Team Update***

Craig Rieman, DOE, noted that the Core Team met on August 8 and 9 and that the primary topics of discussion were the single EIS and liquid waste management. As noted above, the Core Team has requested a meeting with the CTF in September prior to the scheduled Core Team meeting in Buffalo on September 27 and 28. Core Team members would like to have time with CTF members both during the meeting and informally before hand.

### ***WVES Presentation***

Paul Hunt, Manager of Waste Management Projects for West Valley Environmental Services LLC gave a presentation on the contract transition process. Mr. Hunt worked in the solid waste program at the Savannah River site for 16 years. He noted the following:

- He reviewed the experience of the members of the WVES team. Once the management structure is finalized he will provide an organizational chart to the CTF.
- About 21 employees have accepted voluntary separation. A total reduction of less than 50 employees is likely. Some transfers will occur and a few involuntary separations. The scope of work through 2008 calls for about 260-270 employees.
- The WVES board is meeting on August 23. In response to a request from a CTF member, Mr. Hunt noted that one topic of the meeting will be community participation. Mr. King suggested that local input be sought.

determining if exhumation is feasible. Mr. Vaughan asked NYSERDA and DOE to share the information and assumptions underlying those estimates.

Mr. Vaughan noted that he developed several ballpark estimates to stimulate discussion. In making these estimates, he made several assumptions:

- That waste transportation costs dominate overall costs;
- That cost comparisons could be made based on waste volume at the SDA and Drum Cell; and
- That NYSERDA would have access to transportation and disposal rates that are comparable to those available to DOE.

Mr. Vaughan presented two different methods for arriving at ballpark SDA exhumation cost estimates. First, using the above assumptions, he looked at costs based on total waste volume using low (waste only), medium (waste plus some surrounding soils) and high (total SDA area) and using rail transportation costs of \$30 per ft<sup>3</sup>. The table below illustrates the calculations:

<b>Estimated SDA waste volume (cubic feet)</b>	<b><u>Transportation cost (rail)</u></b>	
	<b><u>Per cubic foot*</u></b>	<b><u>Waste transp. cost</u></b>
2.35 million (waste only)	\$30	\$70.5 million
4 million (realistic?)	\$30	\$120 million
20 million (total acreage of SDA)	\$30	\$600 million

Mr. Vaughan stated that he felt the \$120 million figure is most realistic. Using this \$120 million transportation cost estimate, a waste disposal cost of \$15 per ft<sup>3</sup>, assumptions about labor/engineering, materials and fuels and a 50% contingency, results in an estimated SDA total exhumation cost of \$660 million. Shown in the table below:

<b><u>SDA exhumation cost category</u></b>	<b><u>Estimated cost</u></b>
Waste transportation	\$120 million
Waste disposal @ \$15/cu. ft. (?)	\$ 60 million?
Labor/engineering	\$200 million?
Materials/fuels	\$ 60 million?
Contingency	<u>\$220 million?</u>
<b>TOTAL</b>	<b>\$660 million??</b>

Mr. Vaughan's second method for developing ballpark cost estimates involves using the Drum Cell waste disposal costs, which are likely to be comparable. The table below compares these volumes:

<b><u>Estimated SDA waste volume (cu. ft.)</u></b>	<b><u>Comparison to Drum Cell waste</u></b>
2.35 million ..... (waste only)	is about 12X Drum Cell waste volume
4 million ..... (realistic?)	is about 20X Drum Cell waste volume
20 million ..... (total acreage of SDA)	is about 100X Drum Cell waste volume

Mr. Bembia expressed appreciation for the presentation as a means of beginning a discussion. He noted that the \$3-4 billion estimate was developed as part of a draft Closure Engineering Report (CER) for the entire site prepared for DOE. NYSERDA recognizes that there is significant uncertainty regarding these estimates. The CER estimates that about 16 million ft<sup>3</sup> of waste, debris and soil from the SDA will need to be excavated, dewatered, sorted and characterized. This includes the trenches and some soils between and around them. The CER also assumed that the onsite LLW treatment facility cannot handle the leachate in the trenches because of hazardous constituents so additional processing facilities will be needed. DOE facilities are not likely to be available for disposal of these wastes, consequently a commercial site with significant increased cost was used in the CER. In addition, approximately 75,000 ft<sup>3</sup> of greater-than-class C waste is likely to be generated during exhumation. There is currently no disposal site for such waste from West Valley.

NYSERDA handed out information on the SDA previously presented at the July 16, 2003 CTF meeting. The information describes how the inventory was conducted, the types of waste in the SDA, a description of waste profiles, types of records available (with examples), summaries of percentage of waste volumes by primary group (e.g., fuel cycle, industrial, institutional, etc.), an inventory by radionuclide, and a comparison with the Barnwell facility of waste volume by class.

CTF members discussed SDA exhumation, including how the CER information could be made available to inform the discussion. The CER and EIS are part of the overall EIS contract managed by DOE. NYSERDA is a co-lead agency. It is DOE's policy not to release draft information, such as the CER, that is undergoing technical review and revision. The draft CER was the subject of a Freedom of Information Request to the New York State Department of Environmental Conservation (NYSDEC) by the Coalition on West Valley Nuclear Wastes. The Coalition has received a copy from the NYSDEC and will determine if it is able to share that draft with the CTF. Other options discussed for gaining access to the information in the CER include requesting a presentation to the CTF

by the contractor similar to the erosion modeling and waste characterization presentations. The facilitators offered to explore these options prior to the next meeting. Judy Einach noted, on behalf of the Coalition, that a cost study was underway and would be released in the fall. When it is released it will be shared with the CTF.

CTF members requested the following information:

- Commercial disposal costs, and
- Information regarding sites that may be available to accept SDA waste.

## ***Other Business***

### **Press Articles**

A CTF member noted two recent articles that she felt were inaccurate. The CTF discussed the August 16 Springville Journal article on the North Plateau groundwater plume. In general members agreed that the plume *currently* poses no public health or safety threat because of its distance from the property boundary and ongoing monitoring. However, if it is not properly monitored and contained it will contaminate a much larger area, requiring additional clean-up costs and could become a health and safety threat. The CTF had stated its concern about the plume in the past including a December 22, 2006 letter to the NRC and a January 2007 press release.

One member noted that he felt that the plume was originally discovered in the 1990's because a Coalition member raised the issue of rising radioactivity levels in monitoring wells. Paul Bembia concurred in the conclusion of no current public health or safety threat, but stated that containment is important. He noted that DOE is looking at the issue as part of the enhanced interim end-state. NYSERDA supports DOE doing more to contain the plume. Paul Bembia and Craig Rieman noted that Bryan Bower had suggested the Springville Journal reporter speak with NYSERDA, but NYSERDA was never contacted.

Eric Wohlers and Tim Siepel agreed to draft a letter to the editor of the Springville Journal summarizing the concerns of the CTF. They promised to circulate the letter for comment immediately, following the Press Release Guidelines that the CTF adopted in March. Lee Lambert noted that she and several others are drafting a letter to the paper that they would be personally signing and delivering.

### **Membership**

The facilitators noted that there is currently one open slot on the CTF. In the past, the CTF has expressed a desire for additional technical expertise. The Coalition for Nuclear Wastes at West Valley has requested a formal seat at the table rather than sitting as an alternate. John Pfeffer has indicated there may be a faculty member at the University of Buffalo who may be willing to serve on the CTF and who has technical expertise that could be useful. The facilitators indicated they will have conversations between meetings with CTF members and with NYSERDA and DOE about how the open slot might be filled, with the goal of making a recommendation at the September meeting for the CTF's consideration.

### ***Observer Comments***

An observer from the Coalition on West Valley Nuclear Wastes encouraged the CTF and agencies to remember the personal and community impacts of the workforce changes. She related a story of a 40 year old employee who was likely to lose his/her job and had limited employment opportunities.

### ***Action Items***

<b>Action</b>	<b>Assigned To</b>	<b>Due Date</b>
Draft letter to the editor of the Springville Journal	Wohlers/Siepel	8/24/07
Draft letter of appreciation to Paul Piciulo	Wohlers/King	8/31/07
Draft letter of appreciation to Colleen Gerwitz	Wohlers/King	8/31/07
Determine if CER is available from Coalition on West Valley Nuclear Wastes	Logue/Cook	9/14/07
Estimates of commercial disposal costs and sites that currently will accept SDA wastes	NYSERDA	9/26/07
Organizational chart and information about WVES	WVES – Paul Hunt	9/26/07

### ***Documents Distributed***

<b>Document Description</b>	<b>Date; Generated by (if applicable /known)</b>
Agenda	Cook/Logue; 8/22/07
DOE Presentation - "Progress Update August 22, 2007"	DOE; 8/22/07
WVES Presentation – "West Valley Environmental Services LLC: Contract Transition"	WVES; 8/22/07
WVNSCO letter from Dan Meess to Ray Vaughan concerning NDA Cap	WVNSCO; 8/22/07
DOE letter to CTF concerning Applicability of Federal Advisory Committee Act to the Core Team	DOE; 8/22/07
State License Disposal Area – NYSERDA presentation to CTF on 7/16/2003	NYSERDA; 7/16/03
Compilation of News Articles	NYSERDA