

To: Citizen Task Force
From: Melinda Holland, Clean Sites
Subject: Summary of April 15, 1997, Meeting (**Revised**)
Date: ~~April 22, 1997~~ **May 20, 1997**

Next Meeting:

The next Task Force meeting will be on:

Date: Wednesday, May 7, 1997
Time: 7:00 p.m. - 9:30 p.m.
Location: Ashford Office Complex
9950 Route 229, West Valley, NY

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (864) 457-4202, or Tom Attridge at (716) 942-2453.

Task Force Attendees:

Attending were: Pete Scherer, Joe Patti, Tim Siepel, Larry Smith, Ray Vaughan, John Pfeffer, Elaine Belt, Paul Piciulo, Tom Rowland, Rich Tobe, Bill King, Blake Reeves, Eric Wohlers Warren Schmidt, Pete Cooney, Dick Timm. Not attending were: Lana Rosler, and Nevella McNeil.

Regulatory Agency Attendees:

Jack Krajewski, NY State Department of Environmental Conservation (NYSDEC):

Attendees via video conference: Gary Conforti, NRC, Bobby Eid, NRC, Prati Swani, SAIC.

Also attending were George Pangburn and Tim Johnson, NRC.

April 15th Meeting Summary:

Tom Attridge began the meeting by addressing administrative issues and reminding CTE members of the need to identify dates they will not be available for meetings during the spring/summer. Melinda Holland reviewed the agenda with the Task Force.

Erosion Presentation

The meeting began with a presentation by Jim Hammelman and Joe Price of SAIC on the basic principals of erosion and an overview of how erosion was considered in the DEIS. ¹

Responses to CTF member questions and issues on erosion are summarized below.

Wind driven erosion was not considered in the DEIS but a response to CTF member's inquiries on this issue will be provided. There is no well-accepted model for predicting gully advance, but SAIC feels that the estimates for erosion from creek rim widening are conservative. The inclusion of additional impacts associated with gully advance are not expected to change the conclusions shown in the DEIS. On the subject of erosion control measures, SAIC stated that the shorter-term "local" erosion controls are considered more reliable (because they are designed to be rebuilt every 50 years) than the global erosion controls which involve rerouting creeks and drainage and need to be designed to last 1,000 years. CTF members expressed an interest in knowing more about successful application of local or global erosion controls in similar areas. A CTF member stressed continuing concern over the reliability of engineered solutions for erosion and requested NRC input on what constitutes acceptable institutional controls for erosion.

Presentation on Waste Management Areas 8 and 7 [NDA & SDA]

Next, Paul Perchio, NYSERDA, summarized the alternatives and analysis in the DEIS for the NDA and SDA. During the discussion period which followed, a number of questions and issues were raised.

Data on potential doses to individual site workers [maximally exposed worker] during large scale exhumations will be developed in response to a CTF member's inquiry. A Task Force member also requested more information on the engineering approach for exhumation, including technologies, and predicted exposures. There was discussion over the magnitude of potential exposures to future intruders onto the site property and it was acknowledged that for some of the alternatives, if institutional controls failed, intruders could receive unacceptably high doses. The wastes in the NDA are lower in volume but higher in radioactivity while the SDA has much larger volumes but the wastes are lower in radioactivity. The calculated fatalities are higher for alternatives 1 - 4 of the SDA because of the increase in transportation related fatalities resulting from the larger volume of waste to be transported. At the present time there is no disposal facility available for transuranic and Greater Than Class C waste and it is questionable whether the existing low-level waste disposal facilities would be able/willing to handle the volumes of waste generated by the West Valley site.

¹For copies of any presentation materials distributed at the meeting please call Sonja Allen, WVNS, [716] 942-2152.

In response to an inquiry about the drift mine technology suggested in Mr. Mayo's letter to the CTF, site representatives and a CTF member expressed serious reservations about that technology's usefulness and safety at this site and suggested that it not be pursued. One CTF member advised remaining open to the option of considering other, more suitable, innovative technologies.

In response to concerns expressed over the government's ability to respond quickly to erosion caused by severe storm events due to lack of funding or bureaucratic delays, NYSERDA explained that personnel would be on site to inspect and maintain institutional controls and that approximately 1 million dollars is estimated per year for these activities. In the event of emergencies, procedures would be in place to allow a rapid response without paperwork delays. A member reminded the group about the difficulty and uncertainty of setting up a government trust fund and operated over this long period of time. A tour of erosion-prone areas on site such as Buttermilk Creek was suggested and Tom Attridge agreed to organize it. For alternative #2 the wastes would be moved and contained in a area not prone to erosion except for the drum cell which would need institutional controls for protection against erosion. A CTF member questioned whether it makes sense to move half of the waste to a non-erosion prone area if you leave the other half in place [the drum cell].

A discussion resulted from a CTF member's concern that the Task Force is being rushed to complete its process and that adequate time is not being allowed. Another member stated that the pace was working for him. Another member asked for information on what is really driving the schedule and expressed concern that the CTF might be expected to make recommendations before it receives guidance from NRC on regulatory standards.

Next a discussion of regulatory issues ensued, focusing on the meaning of terms and requirements in the West Valley Demonstration Project Act, NRC's responsibilities under that act, and the relationship between the act and other NRC requirements. CTF members were asked to read the Act. The questions raised have been listed below as issues for the next issues meeting with NRC. Several members stated that they would like to deal with the same NRC representatives not different people each meeting. It was therefore suggested to postpone the next NRC issues meeting from May 7th until a date when Mike Weber and John Greeves would be available to meet with the CTF.

List of Potential Issues to be Addressed at the Next Issues Meeting with NRC

- ▶ Institutional controls - what is acceptable?
- ▶ Waste classification issues
- ▶ Out of state disposal risks
- ▶ License issues, including perpetual license and regulatory basis for perpetual license
- ▶ Which wastes are covered under the act?

List of Potential Issues to be Addressed at the Next Issues Meeting with NRC (continued)

- ▶ Levels of protectiveness required for closure under the proposed NRC regulations:
 - ▶ What criteria/conditions must be met to qualify for a lower standard?
 - ▶ What is the NRC decision making process to decide when to allow 100,000 yr. perpetual license?
 - ▶ Do the alternatives proposed under the DEIS meet the requirements of the proposed rule?
- ▶ Clarify timing of NRC decision-making process: Does NRC want CTF recommendations and DOE/NYS/ERDA recommendations before it issues D, D&J criteria?
 - ▶ Interpretation of the West Valley Demonstration Project Act use of “decommission:” How will NRC implement its responsibilities under that act, and relationship between requirements of that Act and NRC requirements?
 - ▶ Clarification about the proposed rule’s groundwater protection standards and relationship to drinking water standards
 - ▶ Whether part of the site is likely to remain restricted [e.g., wastes left on site]

Observer Comments:

There were no observer comments at this meeting.

Action Items:

- ▶ Respond to inquiry on wind driven erosion at the site
- ▶ Provide data on potential doses to site workers during large scale exhumations
- ▶ Provide examples of successful application of similar types of erosion controls as proposed for the West Valley site
- ▶ Clarify what is driving the CTF schedule
- ▶ Organize site tour of erosion prone areas
- ▶ Provide more detail on exhumation technologies/approaches