

To: Citizen Task Force
From: Melinda Holland, Clean Sites
Subject: Summary of May 6, 1998, Task Force Report Drafting Subcommittee Meeting
Date: May 13, 1998

Next Meeting:

The next Citizen Task Force (CTF) meeting will be on:

Date: Tuesday May 19, 1998
Time: 7:00 p.m. - 9:30 p.m.
Location: Ashford Office Complex
9030 Route 219, 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.

CTF Attendees:

Attending were: Ray Vaughan, Pete Scherer, Joe Patti, Barbara Mazurowski (for Tom Rowland), Paul Piciulo, Bridget Wilson, Murray Regan, Blake Reeves, Warren Schmidt, Rich Tobe, and Bill King. Not attending were: Tom Rowland, Lana Rosler, Elaine Belt, Pete Cooney, Nevella McNeil, John Pfeffer, Tim Siepel, Larry Smith, and Eric Wohlers.

Regulatory Agency Attendees

Jack Krawjewski, NYSDEC.

May 6 Report Drafting Subcommittee Meeting Summary:

Tom Attridge and Melinda Holland opened the meeting by reviewing administrative issues and the agenda. Tom Attridge informed the CTF that Elaine Belt had resigned from the CTF and that Bridget Wilson (who has been serving as Elaine's alternative) would take Elaine's seat on the Task Force.

Toby Michelena, a consultant working with the League of Women Voters and DOE, gave the CTF a brief overview of a workshop sponsored by the League and DOE on June 21 - 23 in San Diego California. A description of the workshop is attached. The workshop will focus on disposal and disposition of nuclear material and wastes from DOE facilities. The CTF was invited to send one representative to the workshop. Other interested local stakeholder organizations (see the list of participation goals on page 2 and 3 of the attached materials) are encouraged to also nominate a participant to attend the workshop. Members of the CTF who represent other stakeholder groups

are eligible to attend as a representative of their group in addition to the member who is representing the CTF.

If you are interested in being the CTF's representative to the workshop, please call Tom Attridge at (716) 942-2453 before the next CTF meeting. If you are interested in attending as a representative for another stakeholder group please call Toby Michelena, (518) 482-4674, as soon as possible.

The report drafting subcommittee meeting focused on resolving issues which have been placed in the "parking lot" over the past several meetings. They began with issues from the April 21 meeting (see attached sheet listing all parking lot issues). The draft report is attached to this summary, modifications made during this meeting are noted by strike out (deletions) and shading (new language).

The first issue discussed was restructuring paragraph 9 in Section IV. As noted on the attached draft, revisions were made to clarify the wording of this paragraph. On the second issue of defining what triggers would cause review and appropriate action, the subcommittee decided that it would be appropriate to have the site managers describe these triggers in the proposed preferred alternative. Having triggers in the NRC license was also discussed but participants acknowledged that it would be up to NRC to take that step.

Next the subcommittee discussed the issue of adding language to the report to define what institutional controls means to the CTF. A CTF member stated that he did not think additional language was necessary because footnote 5 in Section IV references 10 CTF Section 20.1403(e) and Section 61.59(b) of NRC's regulations which define institutional controls. He agreed to bring a copy of those sections to the next CTF meeting so the group could determine if that language was sufficient.

The next issue was adding language on the role of NYSDEC and NYSDOH. After some discussion, a new paragraph 4 was added to Section IV of the report to deal with this (see the attached draft). The new language states that the preferred alternative should detail the role of other agencies.

A CTF member asked whether the report should contain language indicating that incineration is not favored as a remedy at this site. Another member stated that he felt that any technology (including incineration) which was not proposed in the DEIS should go through a review process. This item was placed in the parking lot to be dealt with at a future meeting.

The next parking lot issue discussed came from the April 1 meeting and dealt with the issue of changing the first sentence of paragraph 3, Section III from "The CTF **does not believe** the site is suitable for the long term ..." to "The CTF **questions whether** the site is suitable for the long term ...". The CTF agreed to defer this discussion until CTF members have re-read the comments of the Center for Nuclear Waste Regulatory Analysis', August 1996 report entitled: *Review of DEIS for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of the Facilities at the Western New York Nuclear Service Center*, Section 3 (attached).

The next parking lot issue was a request by a CTF member that NRC or the state clarify whether the site could meet the NRC or state siting criteria. This stimulated a discussion on the need for characterization of the site outside the 200 acre active portion to determine if any area on the 3,300 acres would meet the requirements for long-term storage or disposal. This additional characterization has not been done and would be very expensive. A CTF member suggested adding language to the report which would indicate that the CTF opposes placing wastes anywhere beyond the 200 acre parcel until characterization has been completed. Another CTF member stated that the costs of moving wastes to other potential long-term storage sites within the 3,300 acres need to be evaluated before decisions are made. A site representative responded that if moving wastes to another location on site were proposed, that the site would prepare cost estimates. A CTF member offered to draft language for addition to the report which would invite the site, if they believe a better spot exists for long term storage on the 3,300 acres, to state what, where, and why.

The CTF members present decided they would prefer to postpone the next video conference with Representative Houghton until after the CTF's draft report is complete.

The next meeting will focus on resolving issues remaining in the "parking lot" from previous meetings. The CTF members present asked Melinda Holland to contact CTF members to schedule an all-day Saturday meeting to complete the report.

May 6 Unresolved Issues (Parking Lot)

- ◆ Consider adding language on the use of incineration and other technologies not discussed in the West Valley DEIS.
- ◆ Review NRC regulatory language on institutional controls at the next meeting and decide whether additional language should be added to the report.
- ◆ CTF members to review the comments of the Center for Nuclear Waste Regulatory Analysis', August 1996 report entitled: *Review of DEIS for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of the Facilities at the Western New York Nuclear Service Center*, Section 3. Based on that review the CTF will re-address the issue with the language of the first sentence of paragraph 3, Section III at the next meeting.

Observer Comments:

An observer commented that the report needs to include language to deal with future surprises such as contaminated materials. She also suggested not limiting the reference to state agencies to their current names which may change over time, instead she recommended the wording "entities such as ...". Another observer expressed her dissatisfaction with the language on institutional controls, she felt that the report should say more than just comply with NRC requirements. Instead she urged the CTF to say how much reliance on institutional controls is acceptable to the CTF.

Next Steps

- ◆ Provide the CTF with copies of the regulation sections cited in footnote 5 in section IV of the draft report.
- ◆ Try to schedule a Saturday CTF meeting to complete the report.
- ◆ **If you are interested in being the CTF's representative to the League of Women Voters' workshop, please call Tom Attridge at (716) 942-2453 before the next CTF meeting. If you are interested in attending as a representative for another stakeholder group please call Toby Michelena, (518) 482-4674, as soon as possible.**