

To: Citizen Task Force  
From: Melinda Holland, Clean Sites  
Subject: Summary of May 19, 1998, Task Force Report Drafting Subcommittee Meeting--  
**Revised 6/4/98**  
Date: May 27, 1998

**Next Meeting:**

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

Date: Wednesday, June 3, 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, John Pfeffer, Tim Siepel, Barbara Mazurowski, Paul Piciulo, Bridget Wilson, Warren Schmidt, and Bill King. Not attending were: Lana Rosler, Pete Cooney, Nevella McNeil, Larry Smith, Eric Wohlers, Murray Regan, Blake Reeves, and Rich Tobe.

*Regulatory Agency Attendees*

~~Jack Krajewski, NYSDEC~~; Jack Parrot and Tim Johnson, NRC (attended via video conference).

**May 19 Report Drafting Subcommittee Meeting Summary:**

Tom Attridge and Melinda Holland opened the meeting by reviewing administrative issues and the agenda.

The drafting subcommittee had agreed to focus on resolving the remaining parking lot issues during this meeting. See the attached list of parking lot issues which shows issues resolved at this meeting (issues with strike-out lines are completed). The subcommittee began with discussions on the definition of institutional controls. After some discussion, the subcommittee agreed to add a reference to the definition of institutional controls contained in the West Valley DEIS in a footnote

to paragraph 5, Section IV (see line 155 of the attached draft dated 5/20/98). They also agreed to add a reference to the NRC's definition of active maintenance found at 10CFR§61.2. The subcommittee agreed to additional clarifications to paragraph 5 as indicated by the words in grey shading.

Next, the subcommittee discussed the parking lot item (from May 6, 1998, meeting) which requested that CTF members review the August 1996 report by the Center for Nuclear Waste Regulatory Analysis (a copy of the relevant section of that report was attached to the summary of the May 6, 1998, meeting). This report was discussed in light of disagreements over the language contained in paragraph 3, Section III (line 57 of the 5/20/98 draft) of the CTF's draft report ("does not believe" vs "questions whether"). A NYSERDA representative reminded the subcommittee that the Center for Nuclear Waste Regulatory Analysis' report dealt only with the 200 acre WVDP premises because the DEIS only addressed the WVDP premises. The remainder of the 3,300 acres comprising the site has not been characterized, thus it is unknown whether a location on that land might exist which would be suitable for the disposal of wastes. The NYSERDA representative stated that the closure in place of wastes found on the current site (200 acres) is not required to meet the provisions of 10CFR61. He acknowledged that to create a new disposal site would require compliance with Part 61, but that storage is not regulated by 10CFR61. He indicated that it would not be cost effective to dig up wastes and move them to another area on the 3,300 acres for long-term storage and perpetual monitoring and maintenance if perpetual monitoring and maintenance of in-place closure would do sufficiently.

A CTF member also distributed new language proposed for an addition to paragraph 3, Section III (see attached sheet). After much discussion, that language was refined into a new paragraph 4 (indicated by grey shading on the attached draft dated 5/20/98). The disagreement over the language in the first sentence of paragraph 3 was resolved to everyone's satisfaction by the addition of the parenthetical phrase " (based on currently available information)" after "The CTF does not believe...", with deletion of the phrase "(questions whether)"; (see lines 57, 58 of the attached draft dated 5/20/98).

A CTF member responded that it is not clear that 10CFR61 does not apply to the existing site, and even if it does not, 10CRF61 provides good guidance which should be followed. A discussion then ensued over which parts of paragraph 3 referred to the 200 acres and which to the 3,300 acres. It was concluded that the first sentence of paragraph 3 referred to the 3,300 acres (including the 200 acre WVDP premises) but that the last sentence of the paragraph referred only to the 200 acre WVDP premises. After discussion, the subcommittee agreed to add a definition of the term "site" (see line 7 and footnote 1 of the 5/20/98 draft). The 3,300 acres, including the WVDP premises, and the SDA, will be referred to as the "Center" as appropriate throughout the document. When only the 200 acre WVDP premises is intended it will be referred to as the "site." The subcommittee asked the facilitator and site staff to change the terms through out the report as they felt appropriate. All CTF members are asked to closely review these changes to be sure they agree with the proposed use of these terms.

Next, the subcommittee discussed changes to paragraph XI in Section III. The subcommittee agreed to complete the last sentence to read "In addition, the CTF requests that USDOE remain on

the Center so long as any waste remains at the Center, especially waste from federal defense activities and from federal research, development and defense contracts.” (see lines 133-135 of the draft dated 5/20/98). Some minor editorial changes were also made to the draft and are indicated by grey shading and/or strike-out in the attached draft dated 5/20/98.

At the end of the meeting, the subcommittee reviewed the entire parking lot issues list and indicated which issues they felt have been adequately dealt with to date. Those issues are indicated by strike-out on the attached list. A clean list of the four remaining parking lot issues is also attached. Those issues will be addressed by the subcommittee at the June 3, 1998, meeting.

Next, the facilitator mentioned the workshop to be sponsored by the League of Women Voters and DOE on June 21-23, 1998, in San Diego, California which was discussed at the May 6, 1998, meeting. 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. Based on expression of interest from CTF members, it appears that Larry Smith will attend as the CTF representative. Joe Patti and Pete Scherer will attend the conference as local business representatives. Three local government representatives (who are also CTF members) will be invited, as will the Seneca Nation of Indians and other interested local stakeholder organizations.

#### **Observer Comments:**

An observer complimented the group on reaching a compromise on the language in paragraph 3 in Section III of their draft recommendations report. Another observer questioned whether the “preferred alternative” is what will actually be implemented and, if not, questioned whether or not the language of the report should be changed. A CTF member responded that the CTF’s role is to make recommendations to the site which will be considered in developing the preferred alternative. If another alternative is chosen the CTF may not agree with it.

#### **Next Steps**

- ◆ At the June 3, 1998, meeting the report drafting subcommittee will focus on completing the draft CTF report. If you cannot attend the June 3, 1998, meeting please convey your concerns to another CTF member or Melinda Holland before the meeting.
- ◆ At the June 3, 1998, meeting the subcommittee will also discuss the process by which the CTF will attempt to reach consensus on the report.