

To: West Valley Citizen Task Force
From: Melinda Holland
Subject: Summary of August 7, 2002, CTF Meeting
Date: August 27, 2002

Next Meeting

The next full Citizen Task Force (CTF) meeting will be held as follows:

Date **September 24, 2002**
Time 7:00 - 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: John Beltz, Gayla Gray (for Lana Redeye), Bill King, Lee Lambert, Mark Mitskovski (for Larry Rubin), Joe Patti, John Pfeffer, Paul Piciulo, Pete Scherer, Ray Vaughan, Alice Williams and Eric Wohlers.

CTF Members not attending (nor represented by an alternate) were: Nevella McNeil, Warren Schmidt, Tim Siepel and Mark Steffan.

Congressional Representative Staffers

Attending were: Laura Krolczyk and Sean Sweeney with Senator Clinton's office; and Scott Sroka, Heather McLean, and Moira Campion with Senator Schumer's office.

Agency Attendees

Jack Krajewski, New York State Department of Environmental Conservation (NYSDEC); Tom Barnes, Southern Tier West; and John Marshall, U. S. Department of Commerce-Economic Development Administration.

Attendees via Teleconference

Claudia Craig and Chad Glenn, U. S. Nuclear Regulatory Commission (NRC).

Meeting Highlights

Topics discussed included:

- ▶ Status of negotiations between DOE and NYSERDA;
- ▶ Status of Congressional involvement in site issues;
- ▶ Status of DOE funding support for Future Site Use Study;
- ▶ CTF draft comments on DOE's Accelerated Cleanup Plan for West Valley; and
- ▶ CTF membership.

Meeting Summary

Tom Attridge opened the meeting by briefly describing the written materials that were disseminated at the meeting (see the list at the end of this summary) and Melinda Holland reviewed the agenda.

Status of DOE/NYSERDA Negotiations

The last negotiations meeting was held on June 27, 2002. Scheduling difficulties precluded a meeting in July. The next negotiations meeting will be held in late August. DOE and NYSERDA stated that the negotiations will focus on near-term work scope issues, because the major issues, such as long-term stewardship and the high level waste disposal fee, are too difficult to resolve at this time. In response to a question, a DOE representative stated that the Environmental Impact Statement (EIS) schedule should not be delayed due to the lack of progress in the negotiations. She stated that NYSERDA is currently reviewing the draft Notice of Intent on the EIS for Decommissioning and Long-Term Stewardship.

Status on Congressional Involvement

The staff from the offices of Senator Clinton and Senator Schumer thanked the Task Force for the opportunity to join their meeting and for the afternoon site tour, both of which helped them understand the needs of the site and the community. They were impressed by the attendance at the meeting, which indicates how important the site is to the local community. They expressed a desire to continue regular dialogue with the CTF. Moira Campion encouraged Task Force members to feel free to call at any time. CTF members also thanked Senator Clinton's and Senator Schumer's staff for showing so much interest in the site and the community and for helping secure adequate funding of the West Valley Demonstration Project (WVDP) budget. Scott Sroka noted that Senator Schumer and Senator Clinton have visited the West Valley site, which shows how important both Senators believe the West Valley issues are to the people of New York State. Sean Sweeney asked that the CTF continue to keep the Senators and their staff informed of events related to the site because it will help them stay focused on current needs.

In response to a CTF member question, the Congressional staff present at the meeting explained that even though the negotiations will not likely be concluded successfully by the end of September, this should not prevent the site from receiving approximately \$90 Million dollars in funding for Fiscal Year 2003-2004. They stated that the resumption of the negotiations and exchange of letters between DOE and NYSERDA provided evidence of a good faith effort to give the House and Senate appropriations committees reason to restore the 2003 funding. The House Energy and Water Committee has approved \$90 million and the Senate Energy and Water Committee has approved \$95 million - the final budget amount will be worked out by the Conference Committee, but should be at least \$90 million. Senator Clinton and Senator Schumer's staff stated that the efforts of the Citizen Task Force have been instrumental in seeing that the 2003 funding was restored. However, they also acknowledged the importance of a timely resolution of the major issues between NYSERDA and DOE. A CTF member mentioned that the retirement of Sonny Callahan will be a big loss to West Valley, a fact that makes it important to resolve issues before he retires.

A CTF member informed Senator Clinton's and Senator Schumer's staff that the Coalition for West Valley Nuclear Wastes is evaluating whether to take legal action against DOE over the proposed bifurcation of the EIS for Decommissioning and Long-Term Stewardship—they will determine this after DOE issues its Notice of Intent.

Task Force members stated that the WVDP Act created a state-of-the-art cleanup effort for the liquid high-level nuclear wastes. They asserted that the remaining cleanup at the site should also be state-of-the-art since West Valley will be one of the first DOE sites to be cleaned up and should be done right. Sean Sweeney agreed that the WVDP developed the best technology and has served as a model for the rest of the DOE complex on vitrification. He supported the CTF's desire that the West Valley site continue to demonstrate the best approach for cleanup of the remaining wastes. A Task Force member urged the Senatorial staff to communicate back to the Senators the need to push for development of a national

nuclear waste cleanup policy which is protective of public health and the environment.

To initiate discussion on obtaining funding for a economic redevelopment study, a Task Force member introduced John Marshall, U. S. Department of Commerce-Economic Development Administration (EDA), and Tom Barnes, Southern Tier West, to the Senatorial staff and the CTF. The CTF member explained that the Task Force is promoting the need for a regional redevelopment study to help identify future economically viable re-uses for the site and other assets of the region. The eventual closure of the site will have a significant economic impact on the region, thus a study is needed to identify ways to keep existing high paying, skilled jobs in the area and to create new ones. He asked the Senatorial staff and DOE for an update on availability of funding to conduct this redevelopment study. Sean Sweeney responded that they have been exploring sources of funding for this study. Their most recent efforts to have such funds included in part of an Economic Development Initiative appropriation did not work because the pot of money was too small. In 2004 they will seek a direct appropriation for funding this study. For 2003 they will explore options with the Department of Commerce or DOE, or during this September's Conference Committee development of an additional DOE appropriation. A CTF member noted that Erie and Cattaraugus Counties are willing to provide matching funds for the study and that NYSERDA is also expected to contribute. He urged Congress to push DOE to provide the rest of the funding. Another CTF member urged Congress and the agencies not to wait to begin the economic redevelopment process, noting that the Ashford Office Complex has space for almost 300 people now. A Task Force member asked the Senatorial staff present at the meeting to investigate how other DOE and Department of Defense (DOD) facilities have succeeded with redevelopment around closing facilities. Moira Campion agreed to look into relevant examples. The EDA representative explained that DOD base closures are different from DOE facilities in that they receive special appropriations for Base Realignment and Closure (BRAC) sites, but DOE does not get special appropriations for site transition funding.

In response to a question, a DOE representative stated that at this point it does not appear that either site cleanup funds or its Office of Worker Transition funds can be used to support a redevelopment study for West Valley. She stated that DOE is still looking for a way to honor the funding offer made in Undersecretary Robert Card's recent letter. The EDA representative stated that his agency could not act to offer funding for a study until DOE decides that it cannot. This is due to the fact that DOE is the lead agency at West Valley and under EDA's Memorandum of Agreement with DOE, EDA must wait until DOE decides not to act before taking action. He suggested that a letter from DOE stating that funding for a study is not available in the 2003 DOE budget, may be sufficient for EDA to move ahead. Under its Economic Adjustment Assistance Program EDA may offer \$50K - 75K to communities to conduct studies of this type.

A discussion ensued about the amount of land which might be available for re-use. A CTF member inquired about the availability of the approximately 700 acres across the road from the site. It was noted that only about 164 acres are under DOE control. Of the remaining 3000 +/- acres which NYSERDA owns, it is not clear how much, if any, could be released for re-use in the near future. Until the final remedy for the site has been selected, NYSERDA will not know how much land will need to be kept as a buffer area.

Discuss Draft Comments on DOE's Accelerated Cleanup Plan for West Valley

The Task Force discussed and accepted a number of edits to the draft comments on DOE's Accelerated Cleanup Plan for West Valley. The letter was finalized and will be mailed. (The letter was subsequently mailed to Jessie Roberson on August 9, 2002).

New Task Force Member

CTF members present unanimously approved Mike Hutchinson as a new CTF member to fill the vacancy created by Bridget Wilson's resignation. Mr. Hutchinson is a member of the Cattaraugus Creek Basin Task Force and is the Supervisor of the Gowanda Wastewater Treatment Facility.

Melinda Holland has begun the search for someone to fill the new vacancy created by Michelle Enser's resignation. Task Force members agreed that Ms. Holland should focus on a local resident, preferably with ties to the West Valley Central School. Ms. Holland requested that members submit names of candidates.

Next Steps

The CTF has decided to hold the next meeting on September 24, 2002.

Action Items

Action	Assigned to	Due Date (2002)
Obtain a copy of the Redevelopment Study done for Miamisburg/Mound	Melinda Holland	September 15
Submit a recommendation for a new member to fill the vacancy created by Michelle Enser's resignation.	Melinda Holland	September 24
Issue letter to Ms. Roberson on DOE Accelerated Cleanup Plan.	Sonja Allen	August 9
Send letter to Mike Hutchinson welcoming him to the CTF	Tom Attridge	September 2

Observer Comments

An observer noted that she was concerned about an apparent disconnect in the minutes from the last meeting. She said there is a disconnect between the discussion about pursuing the concept of SAFSTOR with the decision to stop further cleanup on the "bath tub ring" in Tank 8-D-2. She also suggested that "youth" be added as a characteristic sought in new Task Force members as the Task Force will need to continue for many years.

List of Documents For copies, please contact Sonja Allen at (716) 942-2152.

- ▶ Meeting agenda
- ▶ Letter from Richard Meserve, US NRC, to Ray Vaughan, Coalition on West Valley Nuclear Wastes, dated July 23, 2002
- ▶ Letter from Ray Vaughan, Coalition on West Valley Nuclear Wastes, to Richard Meserve, US NRC, dated August 2, 2002
- ▶ Comments from Lee Lambert on the draft letter on the Accelerated Cleanup Plan for West Valley, dated August 1, 2002
- ▶ Senate Appropriations language
- ▶ Various media articles