

To: West Valley Citizen Task Force
From: Tom Attridge
Subject: Summary of the March 11, 2004, Meeting between New York State Legislators and CTF Members
Date: March 30, 2004

If you have questions or comments regarding this summary, please contact Tom Attridge at (716) 942-2453 or tha@nysesda.org.

CTF Attendees

Bill King, Lee Lambert, Ray Vaughan, Joe Patti, Mike Hutchinson, John Pfeffer, and Paul Piciulo (Tom Attridge as facilitator).

New York State Legislator Attendees

Senator Patricia McGee and Assemblywoman Catharine Young.

Meeting Highlights

- NYS Legislators Update on Recent Activities;
- CTF Vision of Cleanup and Decommissioning;
- CTF Disagreement with DOE's Preferred Alternative;
- DOE's Scope of Work for Next Contract;
- Long-Term Site Funding Needs on NYS Budget;
- Southern Tier West's Site Reuse/Regional Development Studies;
- Negative Economic Impacts from Expected Loss of Jobs;
- NYS Comptroller Report "Public Authority Reform;" and
- CTF's Plan to Meet with Western New York Congressional Delegation.

Meeting Summary

The meeting was hosted by Senator Patricia McGee and Assemblywoman Catharine Young in their office (located adjacent to one another) in Olean.

NYS Legislators Update on Recent Activities - The meeting began with Senator McGee and Assemblywoman Young discussing their recent involvement in West Valley site issues. Senator McGee shared that both had met with NYSERDA President Peter Smith to talk about the State's perspective on the most recent developments at the West Valley site. They explained that they shared NYSERDA's view that the federal government should be responsible for the cleanup of the entire site. They also suggested that the CTF pass a resolution calling for full site cleanup, as well as for continued funding of the cleanup. Assemblywoman Young also suggested that other local civic organizations be contacted and encouraged to pass their own resolutions calling for the same. Senator McGee asked the CTF to provide a list of organizations to their office and they would help contact these groups.

CTF Vision of Cleanup and Decommissioning - A CTF member reminded the two legislators that the State-Licensed Disposal Area (SDA) and part of the Nuclear Regulatory Commission-Licensed Disposal Area (NDA) fall under New York State responsibility. Senator McGee said she was aware of this state responsibility, but suggested that the current focus should be on pressuring DOE to do the right thing at West Valley. Another CTF member stated that one of the biggest problems at the site is the confusion over assignment of responsibilities for cleanup, while another CTF member added that New York State has title to the waste. The NYSERDA representative responded by saying DOE should be completing the entire cleanup of the site regardless of who has title to the high-level waste. The two legislators requested

a copy of the 1998 CTF Recommendations Report, to which the NYSERDA representative said he would send each a copy.

CTF Disagreement with DOE's Preferred Alternative - A CTF member handed out a copy of a comparison between the DOE Preferred Alternative and the CTF's End-State Vision. Catharine Young questioned if it was the CTF's desire to have all waste removed from the site. A CTF member responded that it was, explaining that it made the most sense to have all the waste shipped off site to a more suitable disposal area. However, he acknowledged that some waste might not be able to be shipped off-site right away because there is currently no place open that would accept it. He added that erosion is a major issue that will effect the site over the long-term, so removal of all of the waste will be required eventually. Another CTF member stated that it is becoming more and more clear that all of the waste needs to be shipped off-site for disposal, adding that when the vitrification campaign was over DOE began ruthlessly cutting budget and responsibilities. Another CTF member stated that there should be a long-term economic commitment from the federal government to benefit the region.

There was discussion about the need to complete the Environmental Impact Statement (EIS) for Decommissioning and Long-Term Stewardship. A CTF member indicated that the EIS is long overdue, having been in preparation since 1988. Senator McGee inquired about who is responsible for completing the EIS. The NYSERDA representative explained that it is a joint EIS with the state paying 27% of the costs and the federal government paying 73%. He added that the federal government has management control of the EIS. Senator McGee suggested that the CTF ask (in writing) the Western New York Congressional Delegation to inquire about the status of the EIS, putting pressure on DOE to complete it.

DOE's Scope of Work for Next Contract - A CTF member commented that the Scope of Work clearly suggests that DOE wants to leave as much waste as possible at the site and leave. Another CTF member mentioned that the North Plateau Groundwater Plume is an example of DOE walking away from its responsibility, adding that it was not clear if they were even monitoring the plume anymore. Another CTF member stated that he is troubled by this change from DOE and that the community's safety should be first and foremost. Another CTF member shared that there is currently a bill in Congress, sponsored by Representative Tom Reynolds, to establish an \$8 Billion fund for cleaning up the Great Lakes Watershed. He added that because the West Valley site is part of the Lake Erie watershed, it may be prudent to help push for this bill as the site could benefit financially if it passes. Senator McGee suggested that the CTF write a letter to Representative Reynolds reminding him of the connection of the site to Lake Erie. A CTF member informed the legislators that the CTF had recently submitted comments to DOE on the Scope of Work. The two legislators inquired about the CTF's communication for informing the public of this, as well as communicating other CTF actions. The CTF members said that they have no plans for public communication of their comments on the Scope of Work. The two legislators encouraged the CTF to develop its own public relations strategy for getting the word out to the public. The CTF members agreed they should be doing more to get the word out and talked about establishing a website and preparing press releases.

Long-Term Site Funding Needs on NYS Budget - Assemblywoman Young reiterated her contention that the federal government should clean up the entire site at West Valley. A CTF member stated the federal government should turn the site back to New York State in pristine condition, including the SDA. Another CTF member asked about the state Payment-In-Lieu-Of-Tax (PILOT) funds that the town currently receives and whether we should be asking for more money from the state. Another CTF member (Town representative) said that it is probably not a good idea to ask for more at this time.

Southern Tier West's Site Reuse/Regional Development Studies- The two legislators were interested in learning about the recent developments with the economic redevelopment studies being conducted by Southern Tier West. The NYSERDA representative explained the status of the studies, the make-up of the study advisory committee, and the schedule for meetings. A CTF member stated that the studies were premature and that his town (Ashford) would not be participating in the regional redevelopment study.

He indicated that the Town of Concord was also not participating. Assemblywoman Young reminded the CTF members that at the last CTF meeting that she attended, she told the group that she thought the studies were premature. Another CTF member stated that the impetus behind conducting the studies now was the Risk-Based End-State (RBES) process that DOE was conducting. He added that now that DOE has dropped RBES requirements for West Valley, there is no longer a time crunch on getting the studies completed.

Negative Economic Impacts from Expected Loss of Jobs - A CTF member stated his concern that the critical issue regarding future economic development in the region is replacing the expected loss of hundreds of jobs from the West Valley site. Both legislators suggested that the Empire State Development Corporation had programs designed to help communities with these kind of issues.

NYS Comptroller Report "Public Authority Reform" - A CTF member asked the two legislators what impact, if any, this report would have on public authorities, like NYSERDA. Senator McGee stated that she did not believe it would have an immediate impact on the way public authorities are doing business, though some good things may come out of this assessment in the future. Assemblywoman Young agreed.

CTF's Plan to Meet with Western New York Congressional Delegation - A CTF member reported that the staff of the Western New York congressional delegation advised them to come up with its dream legislation before traveling to Washington, DC to meet with the representatives. It was also suggested that the CTF hear NYSERDA's principles for legislation before coming to Washington. The NYSERDA representative said that NYSERDA's President Peter Smith would be talking with the CTF about this at their next meeting on March 17, 2004. Another CTF member stated that a meeting with the congressional representatives would likely not take place until after Easter.

Action Items

Action	Assigned To	Due Date
Develop and pass a resolution calling for full site cleanup, as well as for continued funding of the cleanup.	CTF	TBD
Provide a mailing list of organizations/individuals to Senator McGee and Assemblywoman Young so they can contact them about West Valley issue.	CTF	TBD
Send copy of 1998 CTF Recommendations Report to Senator McGee and Assemblywoman Young.	Paul Piciulo	03/26/04
Ask Congress to inquire about the status of the Decommissioning and Long-Term Stewardship EIS and why it is taking so longer to complete.	CTF	TBD
Discuss public relations mechanisms (e.g. web page) to help get CTF information out to the public.	CTF	03/17/04