

**Regional Administrator Talking Points
West Valley Demonstration Project June 15, 2006 Meeting**

The EPA Region 2 Office, virtually since its inception in 1970, has been involved with the West Valley Site.

- In the mid-1970s, when the caps over the shallow land burial area failed and trench water threatened to overflow out of the burial trenches we provided support to the State.

- In the late 1970s, when the private company operating the reprocessing operation turned the site over to the State we supported the need for federal legislation which became the West Valley Demonstration Project Act (WVDP) of 1980 and brought the U.S. Department of Energy (DOE) onto the West Valley site to demonstrate it can solidify liquid high level radioactive waste (HLW).

- In the following decade, we supported DOE during its very successful vitrification of over 600,000 gallons of high level radioactive waste that was stored in two underground tanks. We did that as both a regulator and a Federal partner.

- In 2003 we worked together with the other Regulatory Agencies to put forward a compilation of cleanup criteria that will lead to the successful completion of the DOE's work under the WVDP Act. We joined with the Nuclear Regulatory Commission (NRC) and Department of Environmental Conservation (DEC) to be a Cooperating Agency with DOE and the New York State Energy Research & Development Agency (NYSERDA) to develop the Environmental Impact Statement (EIS) required to decommission this site.

Obviously, we are not casual observers but have a long-term interest in seeing the West Valley site reach a safe resolution. Three of my staff: Jeanette Eng, Michael DeBonis, and Paul Giardina, have been directly involved with West Valley since those early days in the mid 1970s.

The West Valley experience was a pioneering one in the atomic energy industry. It opened its doors to commercial disposal of low-level radioactive waste in 1963 and to commercial reprocessing of spent nuclear fuel in 1966. Lots of lessons were and can be learned from being first.

We had lots of comments on the multi-agency document, and we do believe the document provides invaluable information to help us think through "What would be a safe and equitable resolution for the West Valley site?" It is clear to us at EPA that we need a clear vision for a preferred alternative for the draft EIS. That vision is dictated by certain factors that appear inescapable.

- The only way to meet RCRA under the WVDP is clean closure on the North Plateau
- Leaving high-level radioactive waste on non-Federal lands just isn't a precedent that can be set here.
- The 1.5 million cubic meters of radioactive waste in the South Plateau will need to remain under long-term regulatory oversight.

The most important reason for this vision may be a non-regulatory one. Clean closure of the North Plateau is the only alternative that clearly is going to have the most political and public support from the Stakeholders involved in this matter.

My staff tells me that the biggest technical obstacle to clean closure on the north plateau is the four remaining high-level radioactive waste tanks and their highly radioactive waste residues. There are 243 high-level radioactive waste tanks containing over 80 million gallons of waste nationwide and yet the four at West Valley, containing less than 20 thousand gallons of residue, are the only ones not on Federal land. It is clear that in the spirit of the West Valley Demonstration Project Act, it is time for one more demonstration project, one that would demonstrate the feasibility and cost-effectiveness of high-level rad waste tank removal. My guess is that someday the technology we demonstrate might be useful at one of the remaining 239 tanks on Federal land.

As such, I have directed my staff to propose to you later today a joint Pilot Demonstration Tank Removal Project with our Federal stakeholders for the purpose of removing the four West Valley tanks within the next 10 years so that we can provide clean closure on the North Plateau and that the EIS reflect this as part of the preferred alternative.

I see benefits to both the Federal government and to New York State with this proposal. I see DOE able to complete its mission under the West Valley Demonstration Project Act without setting precedence for tank removal at the DOE sites. I see New York State able to close this chapter on pioneering fuel reprocessing and revert to being a steward of the West Valley site.