

To: West Valley Citizen Task Force
From: Melinda Holland, Task Force Facilitator
Date: November 16, 2006
Subject: **Summary of the October 25, 2006, Citizen Task Force Meeting**

Next Meeting

The next Citizen Task Force meeting will be held as follows:

Date: **Wednesday, November 29, 2006**
Time: 7:00 - 9:30 p.m.
Location: **Ashford Office Complex**
9030 Route 219
West Valley, NY

NOTE: All participants must be U. S. citizens and bring photo identification.

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (828) 894-5963, or Tom Attridge at (716) 942-9960, ext. 2453.

CTF Attendees

Attending were: Paul Piciulo, Darwin John, Bryan Bower (by teleconference), Dan Sullivan, Lee Lambert, Tim Siepel, Eric Wohlers, Pete Scherer, Bill King, Joe Patti, and Ray Vaughan.

CTF Members not attending (nor represented by an alternate) were: Bill Snyder (for Gary Eppolito), Stephen Kowalski, Pete Cooney, Chris Pawenski (for Andrew Eszak), Mike Hutchinson, Mike Briskey (for New York State Assemblyman Giglio), and John Pfeffer.

Agency and Other Attendees

Chad Glenn, Nuclear Regulatory Commission (NRC); Tim Rice, New York State Department of Environmental Conservation (NYSDEC); Jim Hammelman, SAIC; and Pat Wherley, SAIC.

Meeting Highlights

- ▶ Presentation and discussion on current West Valley Demonstration Project (WVDP) site work and regulatory activities;
- ▶ NYSERDA Update;
- ▶ Finalization of a CTF letter to DOE and NYSERDA management;
- ▶ Presentations and discussion on the North Plateau Ground Water Plume;
- ▶ Discussion of the draft 2006 CTF Work Plan; and
- ▶ Discussion of next steps, agenda topics, action items and observer comments.

Meeting Summary

Tom Attridge reviewed the documents¹ provided for this meeting and Melinda Holland reviewed the agenda.

¹ The documents distributed at this CTF meeting may be found on the "Meeting Materials" page of the CTF web site at www.westvalleyctf.org

Status of Site Activities

Dan Sullivan, DOE, presented current information about site activities with Bryan Bower, DOE participating via conference call. A CTF member stated that the Town of Ashford was involved in the recent transportation emergency response exercise, noting that towns now must be involved in the National Incident Management System program. Regarding buildings which have been removed, a CTF member asked if the associated piping, sump pumps, and related utilities are being removed prior to demolition. Mr. Sullivan explained that only above grade systems are being removed at this time. Below grade equipment and contamination will be addressed through the Decommissioning Environmental Impact Statement (EIS). In response to another question, Cathy Bohan, DOE's NEPA Compliance Officer, explained that prior to facility removal, the pipes contained in these buildings are all isolated and sumps are covered as part of preparation for removing the building.

A Task Force member asked about DOE's analysis of possible future storage needs under each EIS alternative. Mr. Sullivan explained that they have more storage available than waste. Ms. Bohan noted that Appendix D of the recently issued Environmental Assessment contained DOE's response to comments on this subject and how DOE evaluated possible needs for storage under the various EIS alternatives.

Bryan Bower, DOE, explained that DOE will be using the Core Team process to work with the participating agencies to resolve technical issues associated with EIS comments. He noted that the core team process will look at all issues and all viable alternatives. Paul Piciulo, NYSERDA, explained that NYSERDA is currently not participating in the core team process because no preferred alternative has been selected and agency responsibilities have not been resolved. Mr. Bower noted that Peter Smith, President, NYSERDA, and Jim Rispoli, head of DOE Environmental Management, are talking in an effort to resolve the issues between the two agencies.

A CTF member requested more information on DOE's experience and expertise across the range of DOE sites in developing technology/procedures for High-Level Waste (HLW) Tank exhumation. Mr. Bower offered to try to obtain this information for the CTF. In response to a related question, Mr. Bower explained that some HLW tanks at the Savannah River Site (SRS) have been closed in place and that DOE is looking into closing HLW tanks at its Hanford and Idaho Falls sites. The CTF member asked for more information and monitoring data on those tank closures. A NYSERDA representative noted that the HLW tank closures at SRS are "operational" closures, not decommissioning as is required for the tanks at West Valley, which goes beyond what is required at other DOE sites.

NYSERDA Update

Dr. Paul Piciulo, NYSERDA explained that there was no activity to report on the proposed legislation or the pending litigation. He noted that Peter Smith, President, NYSERDA, met on October 6th with representatives of Bell IPC regarding the ethanol plant which has been proposed for construction on NYSERDA's West Valley property.

Dr. Piciulo reviewed his memorandum to the CTF which explains NYSERDA's consideration of terminating its participation in the joint EIS process with DOE.

A Task Force member asked if NYSERDA would be willing to produce a preferred cleanup alternative on its own. Dr. Piciulo said that he believes NYSERDA could develop its own preferred alternative and that the approach recommended by EPA Region II was a good start. This preferred alternative would remove the HLW tanks, remove the contamination source for the North Plateau groundwater plume, provide for continued monitoring of the remaining groundwater plume, and provide for continued monitoring and maintenance of the South Plateau facilities. In response to the CTF members inquiry about a written NYSERDA preferred alternative, Hal Brodie, NYSERDA, explained that a cleanup alternative cannot be selected until an EIS is complete and that the NYSERDA Board of Directors would have to approve the

selection of an alternative. The Task Force member suggested that NYSERDA should produce a written preferred alternative to allow the public to compare it with the one that DOE will propose. He also asked why the HLW tanks could not remain in place and be monitored, if it is acceptable for the burial grounds on the South Plateau to remain with monitoring.

A CTF member asked how NYSERDA will meet their State Environmental Quality Review Act (SEQRA) obligations and mesh NYSERDA's review with DOE's EIS. Mr. Bower responded that DOE believes that a site-wide EIS would give the best result and that they hope NYSERDA will participate in the Core Team process towards that end. Dr. Piciulo noted that NYSERDA is discussing how they will meet its SEQRA obligations and is willing to discuss this further at a future CTF meeting. He also noted that NYSERDA does not need to be a joint lead agency on the EIS, instead they can comment on the draft EIS.

A CTF member suggested that DOE investigate how other countries are dealing with buried HLW tank decommissioning.

CTF Letter to DOE and NYSERDA Management

Next the CTF discussed, revised, and reached consensus on a letter to NYSERDA and DOE upper management urging them to resolve their differences.

North Plateau Ground Water Plume

Next, Bob Steiner, WVNSCO, gave an overview presentation of the North Plateau Groundwater Plume. A CTF member asked if a computer model of the plume could be produced to predict where it will be at different points in the future. Mr. Steiner stated that it is possible to model the plume and they have done some initial work to predict the future impact of the plume. In response to a Task Force member's question about monitoring near the pond and drainage ditch east of the plant, Mr. Steiner explained that they do monitor the drainage ditches in that area but have not seen contamination levels there as high as in other outfalls.

In response to a question about the permeability of the Lavery Till and possible downward migration pathways created by the pilings driven through the Lavery Till to construct the main plant, Mr. Steiner noted that this question had been raised by NRC and is being investigated.

A CTF member stated that the permeable treatment wall should have been three or four times longer so the plume would not have flowed around it. CTF members also suggested that the site managers establish a pond to contain plume water once it comes to the surface, and installation of a larger pump and treat system.

Another member asked why the dose for the maximally exposed individual was so low. Mr. Steiner explained that the dose calculation was for a person some distance away on Cattaraugus Creek who is eating fish from the creek, and that decay of radioisotopes also contributes to the low numbers.

Next, Paul Bembia, NYSERDA, gave a presentation on the data from the North Plateau Groundwater Plume. A CTF member asked how deep the pilings are for the Main Plant and Mr. Bembia explained that the pilings go into and in some cases, through the Lavery Till. The CTF member requested a copy of the pilings construction plan. In response to a question about how long it will take the plume to exit into Franks Creek, Mr. Bembia explained that it could be another ten years but the complex geology makes predictions uncertain. Mr. Bembia also explained that the concentration numbers fluctuate over the years possibly due to fluctuations in rainfall. In response to a question about the impact of parking lot storm water drainage controls, Mr. Bembia noted that these controls decreased run-off and appeared to have had a positive impact.

A Task Force member asked if NYSERDA views the plume as a health risk. Mr. Bembia responded that the plume is not a current risk to public health and safety, but NYSERDA believes that allowing the plume to spread has not been an acceptable environmental management decision by DOE. A Task Force member noted that people downstream are going to be shocked to find out that they are drinking Strontium 90 in their water. In response to a CTF member question about regulatory limits on plume discharges, Mr. Bembia explained that DOE is self-regulating for radiation discharges so neither NYSDEC nor NRC regulatory limits apply. He noted that the point of compliance used is important as well - if compliance is measured downstream in Cattaraugus Creek, that provides a buffer zone, but the result would be different if compliance was measured at the site fence line. Chad Glenn, NRC, stated that the NRC Monitoring Report speaks for itself regarding the plume and that NRC is evaluating the adequacy of DOE's short term actions; the long-term solutions must be addressed in the EIS. A Task Force member noted that the plume is a near-term issue given its rate of movement and that waiting for the EIS is not an acceptable solution.

Given the lack of time remaining, CTF members decided to postpone discussion of the draft letter to NRC regarding the groundwater plume. Further work will be done on the letter prior to the November 29th meeting.

CTF Membership

Paul Piciulo stated that he has contacted New York State Senator Young regarding her providing a replacement for Warren Schmidt on the Task Force and is waiting to hear back from Senator Young. Melinda Holland mentioned that she will be interviewing a candidate who teaches at the West Valley Central School for possible CTF membership on October 26th.

Next Steps

Melinda Holland reviewed the November agenda topics. Given the lack of attendance at 6:00 p.m. no further 6:00 p.m. orientation sessions will be scheduled unless requested. The Seneca Nation presentation will be postponed until the new year.

Observer Comments

A NYSDEC representative noted that both NYSERDA and DOE have SEQRA obligations and NYSDEC is working to assure that those obligations are met.

Action Items

Action	Assigned To	Due Date
Provide the CTF with information on DOE's experience and expertise across the range of DOE sites in developing technology/procedures for High-Level Waste Tank exhumation	DOE	11/29/06
Provide the CTF with information and monitoring data on DOE HLW tanks that have been closed in place.	DOE	11/29/06
Provide a copy of the Main Plant pilings construction plan to Eric Wohlers.	NYSERDA	11/29/065
Edit/refine the draft CTF letter to NRC on the North Plateau Groundwater Plume	CTF Members	11/29/06

Provide Darwin John information on sampling of the ponds north of the WVDP property line.	DOE	11/29/06
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Documents Distributed

Document Subject	Document Description	Date; Generated by (if applicable/known)
10-25-06 Meeting Agenda	Agenda	Holland; 10-25-06
Summary of the September 27, 2006 CTF Meeting	Summary	Holland; 10-12-06
Presentation "Project Overview"	Presentation	Chamberlain; 10-25-06
Presentation "Project Update"	Presentation	Sullivan; 10-25-06
Presentation "North Plateau Groundwater Program"	Presentation	WVNSCO; 10-25-06
Presentation "North Plateau Groundwater Plume Data Summary"	Presentation	Bembia; 10-25-06
Draft CTF Letter to DOE and NYSERDA Management	Letter	Lambert; 10-25-06
CTF 2006 Work Plan	Work Plan	Holland; 10-23-06
Draft CTF Letter to NRC Regarding the North Plateau Groundwater Plume	Letter	Lambert; 10-17-06
Memorandum from Paul Piculio to the CTF Regarding Participation in the EIS Process	Memo	Piculio; 09-25-06
NYSERDA Letter to Joseph Bell Regarding Proposed Ethanol Plant	Letter	P. Smith; 10-10-06
Thank You Letter from DOE, NYSERDA and the CTF to Dave Wilcox	Letter	DOE, NYSERDA, CTF; 10-25-06
Thank You Letter from DOE, NYSERDA and the CTF to Warren Schmidt	Letter	DOE, NYSERDA, CTF; 10-25-06