

In Chapter 1 (page 1-16), the review of comments made thirteen years ago on the 1996 DEIS inappropriately lists some of those comments as “out of scope” comments. See, for example, page A-14 of Appendix A for more detail on one of the 1996 comments that DOE now calls “out of scope.” The commenter(s) who submitted this comment in 1996 said that DOE and NYSERDA should identify any short-term activities which, if not performed, could significantly increase the difficulty of site closure. As an example, the commenter(s) noted immediate efforts needed to prevent the spread of contamination in the strontium-90 groundwater plume. DOE wrongly calls this comment “out of scope” and claims that near-term activities to address the plume are “ongoing” – yet the failure to take effective action since 1996 has resulted in exactly the type of problem pointed out by the commenter(s). The difficulty and expense of site closure have increased enormously since 1996 due to short-term activities that were not performed.

The list of Waste Classifications on page 2-2 shows a definition of transuranic waste that disagrees with the definition in the West Valley Demonstration Project Act. This needs to be clarified and corrected.

Table 2-3 (page 2-52) shows an unusually long time for sitewide removal (64 years) and shows only 260 employees as the average workforce for this decommissioning alternative. Chapter 4, Table 4-11, is cited in support of these numbers. However, Table 4-11 and Chapter 4 generally do not provide adequate information to support or explain the low number of projected employees (260 on average, ranging up to 310 in the peak year, as indicated on page 4-47). Given the fact that the current or recent workforce is about 50% higher than this (page 3-85 shows 384 current or recent employees receiving a combined base salary of \$27 million), the lower projected employment in the DEIS seems unreasonable. By comparison, the 1996 DEIS (Table I-5) shows direct employment levels over 800 for the sitewide removal alternative, and the number of workers actually employed at the site during vitrification provides another basis for comparison. Even if decommissioning does not require 800 workers at the site, a workforce larger than 260 (e.g., 520 workers) appears reasonable unless DOE can provide a better explanation of why higher employment numbers are not considered. Doubling the workforce from 260 to 520 could at least roughly cut the time required for cleanup in half – from 64 to about 32 years.

1-1 “joint lead agencies” implies a great deal of cooperation between DOE and NYSEERDA, while the NYS Foreword indicates many misgivings about certain elements of the document.

“This Draft EIS revises the 1996 Cleanup and Closure Draft EIS” is misleading, since the new title says nothing of cleanup or closure, as the original did;

1-5 DOE determined that “the Waste Management EIS would be a new EIS and that the Decommissioning and/or Long-Term Stewardship EIS would be considered the revised draft of the 1996 Cleanup and Closure Draft EIS.” 1) Splitting the original EIS is illegal, jeopardizing the intent of the original EIS for the entire site. 2) The title change from “Cleanup and Closure” to “Decommissioning and/or Long-Term Stewardship” indicates no intention to clean up and close the site. (See also:) p. 11 # 1.6.1 explains the rationale behind the decision to “revise and reissue the 1996 Cleanup and Closure Draft EIS”, changing the title to “Decommissioning and /or Long-Term Stewardship EIS”. Why not the Revised Cleanup and Closure EIS? The title gives no indication of cleaning up the site.

1-5 The flexibility in allowable public dose criteria under the License Termination Rule is disturbing, varying from 25 millirem per year TEDE (total effective dose equivalent) plus ALARA (“as low as reasonably achievable”) to 100 if institutional controls fail, OR, if “technically not achievable or prohibitively expensive” may be as high as 500 millirem per year TEDE. If the 100 is exceeded under restricted release, the area would be rechecked within five years. That is not very comforting, certainly not indicative of protection of human health and safety.

1-5 If the LTR can not be met, the flexibility in allowable alternatives is even more disturbing. In this case, certain steps are allowable if protection can be “reasonably assured” through such measures as engineered barriers, which so far have been unreliable. “Reasonably assured” is a nebulous phrase, subject to interpretation and not necessarily assuring at all. The paragraph goes on to say that the NRC Final Policy Statement provides flexibility “to assure cleanup to the maximum extent technically and economically feasible”. This means someone decides whether the action that could be taken, if it is technically possible, is worth the effort and the cost involved.

1-6 How can the tanks be decontaminated and decommissioned in the ground? If the material inside is dried, would it not still be radioactive? Does the LTR apply to that material? “Such requirements as NRC will prescribe”... What determines end of NRC involvement in the site?

1-8 Can NRC disapprove of the DOE plan at some later point?

1-8 As it deals with non-DOE, non-Project and non-SDA waste, can NRC, in resuming its regulatory role, exercise any authority to force parties to take action? i.e. take any action once the Act is completed?

Page 1-10 # 1.5 Decisions... “...to complete WVDP and either close or manage...” Cleanup is not mentioned.

p.14 # 1.6.9 Tanks at Hanford WA (over 200 tanks underground, 177 large, 61 smaller) Move wastes into a new Integrated Waste Facility that WV might utilize. Tanks still in ground? Facility built yet?

p.14 # 1.6.11 Removal of Certain Facilities at WV... Take down to complete requirements of the Act, but for future cleanup wouldn't any of them be usable?

DIES Chapter 2- CTF Member Individual comments as of 4/5/2009

Page	Paragraph / Section	Comment
2-1	2.1	line 2 should read "Review Act (SEQR), this <i>revised draft</i> environmental impact statement (DEIS) document should use "DEIS" universally
2-1	2.1	3rd bullet - remove "the Preferred Alternative" by identifying the preferred alternative in the body of the document, especially in the introduction, it infers a pre-determination prior to the presentation of impacts.
2-1	2.1	Last paragraph: The DEIS refers to the Final EIS and Record of Decision. If the Phased Decisionmaking Alternative is selected, a FINAL EIS and ROD cannot be issued. A Phased Alternative would be tantamount to an Interim Remedial Action. A determination of impacts for issue of a FINAL EIS is not possible without a comprehensive determination of action and subsequent impacts.
2-18	2.3.2.2 Lagoon 1 paragraph	What is the "Old Hardstand"? I don't believe there is any previous mention of it. (there is mention of other "Hardstand(s)" in the document without further descriptions)
2-27	2.3.2.11	No activity is planned for WMA 11. Is the Scrap Material Landfill to be closed in place?
2-31	2.4	4th paragraph - delete (the Preferred Alternative) per the comment above
2-46	2.4.3.2	2nd bullet - while a downgradient barrier wall is needed to contain further plume migration, an upgradient barrier wall would be needed to minimize infiltration of groundwater into the excavation needed for the below grade structure and soil removal work.
2-60	2.6.4	1st bullet - Should read: The Sitewide Removal Alternative would ultimately result in a complete release of site land available for unrestricted reuse. While it would incur the greatest....., it would provide the least long term radiological dose.