

TOWN OF CONCORD
ERIE COUNTY
SPRINGVILLE, NEW YORK

INTRO NO. 5i
RESOLUTION NO. 12

DATE May 22nd, 2009

To Whom It May Concern:

I hereby certify that a meeting of the Town Board of the Town of Concord held at the Town Hall in the Town of Concord on the 22nd Day of May 2009, a resolution was adopted of which the following is a true copy:

Councilman Snyder moved the adoption of Resolution 12, seconded by Councilman Salzler, and passed unanimously:

Revised Draft Environmental Impact Statement for Decommissioning and/ or Long Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center

WHEREAS; The Town Board of the Town of Concord appreciates the work that went into, and the cooperation among the core team members, especially DOE and NYSERDA, and all the groups involved in bringing the site to its current condition and to this Revised Draft EIS, and

WHEREAS; The Town Board of the Town of Concord would also like to recognize the important role the West Valley Citizen's Task Force (CTF) has played in this process and would like to emphasize the importance of the CTF's continuing role in this process as we move forward, and

WHEREAS; The Town Board of the Town of Concord makes it's comments and decisions on this Revised Draft EIS with public health and safety on the forefront of our minds, and wishes to best represent the views and sentiment of the residents of the Town of Concord, and

WHEREAS; The Town Board of the Town of Concord, for the purposes of making comments on this Revised Draft EIS, operates under the overall premise that the site will be completely cleaned to a point of sitewide removal where all waste, both radioactive and all other types, will be shipped off site for disposal as soon as reasonably possible, and eventually unrestricted use of the land will be achieved where applicable and safe, and

WHEREAS; we understand that there are obstacles that currently prevent full cleanup and site wide removal from taking place in the near future, the main one being, the lack of a Federal waste repository to send orphan and/ or high - level radioactive waste to, and

WHEREAS, we recognize that there are certain risks associated with any of the alternatives listed in this Draft EIS and that certain risks may be greater for sitewide removal, these could include impacts to human health and safety in the form of a release during cleanup activities, a catastrophic release, and a dose risk during transportation of waste, all of which could affect the general public or workers involved in clean up activities through several media including air, soil, and water, and

WHEREAS; The Town Board of the Town of Concord asserts that these risks and many other risks not mentioned, will eventually be outweighed by public sentiment and demand for sitewide removal of all wastes and, in time, by the risks associated with leaving this waste on site for long periods of time, and

WHEREAS; we recognize and agree that more time is needed to study erosion modeling, transportation methods, developing technologies to aid in containment and removal, engineered man made barrier technology, and other risks, and that these studies will support the eventuality of sitewide removal and full cleanup, and

WHEREAS; the fact that NYSERDA does not agree with the analysis of soil erosion over the long term in the Revised Draft EIS indicates that more studies are needed in this area, but also, that more studies of this nature will not necessarily provide scientifically defensible analysis and therefore, due to the unique geographical conditions that exist on this site, erosion conditions over a longer period of time may never be accurately predictable, indicating sitewide removal as the best long term option, and

WHEREAS; we question some of the transportation figures presented in the Revised Draft EIS, including the number of fatalities associated with rail accidents in transporting waste, a more thorough study is required in this area which may reveal these figures as overestimated and therefore, reveal a more positive conclusion toward moving forward with sitewide removal in regards to transporting waste of site which is critical to this alternative, and

WHEREAS; any additional studies related to erosion should take into consideration real world observations that can be made on site; just as the NYSDOT was surprised at the slumping conditions that developed while extending the 219 expressway through the Town of Concord in the Scoby Hill Road area, many local residents in our community predicted similar scenarios based on real world observations made over time, this to could be said about the conditions at the West Valley Site and therefore, the same lesson should be learned: erosion model output and related studies should be compared to actual field conditions and related data collected over time, this will inevitably lead to a conclusion to remove waste from the site, versus storing waste on site for the long term, and

WHEREAS; we understand that the stability and long term performance of engineered barriers is critical to a close in place alternative or a close in place decision for Phase 2 of the Phased Decision Making Alternative and therefore, it shouldn't be assumed that these barriers will remain in place, unaffected by weather, time, and erosion, as we have observed the affects of these conditions on the engineered barriers currently on site and that sitewide removal is the only guarantee of no release from the site over the long term due to the deterioration or failure of engineered barriers, and

WHEREAS, we also recognize that some important decisions will have to be made throughout the Phased Decision Making process and that these decisions will be made with full public participation and consideration, with input from all the parties involved, with the best information at hand, will require revision of the EIS, and will eventually lead to sitewide removal and full cleanup, and

WHEREAS; we also want to re-emphasize the importance of public involvement in whatever alternative is selectet, a clear and defined public process is necessary for public review and input for decisions that will need to be made throughout this process, especially that of the vaguely defined Phase 2 of the Phased Decision Making Alternative where regular consultation with the public will be a necessity and should be a guarantee until the day the site is completely clean and release plans are in place, and

THEREFORE; The Town Board of the Town of Concord agrees that the preferred alternative of Phased Decision Making is a prudent way to move forward in that Phase 1 activities allow for a number of valuable cleanup activities to take place including removal of the Main Plant Process building, the source of the North Plateau Groundwater Plume, and the Lagoons tin Waste Management Area 2; and that this Phase also provides time to complete necessary studies, investigate and develop improved technologies, and further characterize site waste, and

THEREFORE; The Town Board of the Town of Concord has determined that a time frame not to exceed 30 years for Phase 1 activities is far too long and should be limited to 10 years to prevent a loss of momentum toward full cleanup; this would include political, public, funding, and workforce momentum which could be lost over a 30 year period of time, now be it

RESOLVED; that the Town Board of the Town of Concord supports a combined alternative of phased decision making with an understanding of eventual sitewide removal resulting in the release of as much of the site as possible for unrestricted use at the time of release, we understand this as completing Phase 1 of the Phased Decision Making Alternative, and Phase 2 would result in a decision to move ahead with sitewide removal.

STATE OF NEW YORK
ERIE COUNTY
OFFICE OF THE CLERK OF
THE TOWN OF CONCORD

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This is to certify that I, MARY E. BOLT, Clerk of the Town of Concord, in the said County of Erie, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the Town of Concord in said County of Erie, on the 14th day of May, 2009, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 22nd day of May, 2009.

Mary E. Bolt
Clerk of the Town Board, Town of Concord, NY

(SEAL)