

# The Buffalo News : City & Region

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06/27/09 07:01 AM

## ASHFORD

### Settlement of nuclear cleanup nears completion

By Kathy Kellogg  
CATTARAUGUS CORRESPONDENT

ASHFORD — A settlement may be close at hand in the state's legal battle with the federal government over cleanup issues and costs for the former nuclear fuel reprocessing facility near West Valley.

A confidential settlement agreement has been drafted as part of the court-ordered mediation in a federal lawsuit, filed in 2006 by the New York State Energy Research and Development Agency (NYSERDA) against the Department of Energy (DOE).

NYSERDA's Board met recently in Albany and adopted a resolution endorsing the settlement, which was then passed to the DOE for review.

"It deals with the allocation of financial responsibilities," said Paul Bembia of NYSERDA. "There will be certainty what each agency is responsible for."

Bembia updated members of the West Valley Citizen Task Force on the tentative agreement during the cleanup advisory panel's monthly meeting Wednesday in the Ashford Office Complex. He expressed hope that long-standing differences will no longer pose problems for the agencies' mutual cooperation on cleanup measures.

He said the terms of the agreement represent some progress but for now must remain confidential, adding that it does not spell out a remedy for cleanup. Once both sides agree to the settlement terms it will be filed with the federal court that ordered the talks.

Bembia said the two parties are still negotiating a public review process that will begin after the agreement is made public. The tentative settlement comes during a public comment period on the draft environmental impact statement for the decommissioning and/or long-term stewardship at the site of a former commercial nuclear waste reprocessing facility and the West Valley Demonstration Project. The DOE announced recently that June 8 comment deadline would be extended 90 days.

NYSERDA filed the lawsuit in December 2006, several months after announcing it was considering withdrawing from its role as a joint lead agency in the review of the environmental impact statement. At the time, NYSERDA officials expressed fears that DOE was preparing to close some of the highly contaminated facilities, leave wastes in place and return the site to the state for long-term oversight.

The state is the owner of the 3,300-acre property but the DOE was ordered in 1980 by Congress to solidify high-level liquid wastes in a vitrification demonstration project, and to decontaminate and decommission facilities at the site.

NYSERDA maintained that decommissioning must include exhumation of wastes and contamination sources, such as underground high-level waste tanks, a reprocessing building, a state-licensed disposal area maintained by NYSERDA, and a Nuclear Regulatory Commission-licensed disposal area under the management of the DOE.

Also at issue is the long-term responsibility for an underground liquid plume of strontium-90 that has migrated into a nearby watershed feeding Cattaraugus Creek. There, it is considered by DOE to be harmless to public health but could pose future environmental problems under state jurisdiction.

Rutland Herald

Article published Jul 7, 2009

## **Reprocessing is no solution**

A June 25 opinion editorial by a vice president for Entergy Nuclear about nuclear waste reprocessing proposed that "reprocessing can reduce the amount of radioactive material."

Few countries in Europe and Asia have such programs because these have been financially and environmentally catastrophic.

The Bush administration began the new push for a Global Nuclear Energy Partnership. In 1979 a United States naval nuclear engineer and president, Jimmy Carter, ended this dangerous program.

Reprocessing spent nuclear fuel was supposed to be one alternative to lots and lots of mining forever and forever. The biggest experiment in reprocessing was at Sellafield in Britain. In 2005, after decades of contamination and leaks and general spewing of horrible matter into the ocean, air, and land around the reprocessing plant, Sellafield was shut down because a bigger-than-usual leak of fuel dissolved in nitric acid —some tens of thousands of gallons —was discovered. It contained enough plutonium to make about 20 nuclear bombs.

A nuclear dump site just six miles from the famous Champagne vineyards in France is leaking radioactive waste into the groundwater. According to the French nuclear safety authority, the "wall of a storage cell fissured" while concrete was being added to a recent layer of nuclear waste.

It showed levels of radioactivity leaking from another dump site run by the same company in Normandy — at up to 90 times above European safety limits.

That waste has seeped into underground water used by farmers, with contamination spreading into the countryside and threatening dairy production. The Champagne site will receive a total of 4,000 terabequerels of tritium — more than three times the amount of tritium waste as the dump site in Normandy.

Reprocessing is not a new idea. In fact, more than \$40 billion has been spent globally on reprocessing technologies that have never become commercially successful. A 1996 report by the National Academy of Sciences concluded that the costs of reprocessing and transmutation of irradiated fuel from waste produced by existing U.S. reactors alone easily could be more than \$100 billion, in the addition to the cost of a geologic repository.

The Department of Energy has not presented any estimate for the lifecycle cost of the GNEP program, which also proposes reprocessing waste from new reactors and foreign waste.

Reprocessing will not solve our country's nuclear waste problem because it will make more waste streams that must be managed and cannot eliminate the need for a geologic repository.

The United States has not cleaned up the mess from past reprocessing. The only private commercial reprocessing facility in the United States, West Valley in New York, resulted in radioactive waste that is still threatening the Great Lakes watershed more than 30 years later and will cost \$5.2 billion to clean up.

Finally, if this had reduced the amount of material, then the U.S. taxpayers would not be on the hook for more than \$100 billion to clean up the reprocessing waste at the U.S. nuclear weapons sites that was reprocessed to get plutonium for nuclear weapons, as well as reprocessed naval fuel.

ROBERT LINCOLN

Rutland

Buffalo News, Wednesday, July 15, 2009

**U. S. SENATE**

## **Panel OKs \$65.5 million for West Valley cleanup**

July 15, 2009, 6:58 AM

WASHINGTON—A key Senate committee approved \$65.5 million for the West Valley Demonstration Project to fund waste disposal and cleanup, Sens. Charles E. Schumer and Kirsten Gillibrand, D-N. Y., announced Tuesday. The bill will now go to the Senate floor for full approval and then to President Obama to be signed.

The money provided would be in addition to the \$75 million in stimulus funds already allocated to clean up the former nuclear fuel reprocessing facility.

# Springville Journal

## Thursday, July 23, 2009

Posted: 2009-07-22

By: [Natalie Condat-Smith](#) Member Since: 2009-01-29

### Ashford learns of tentative settlement agreement for WVDP cleanup costs

#### *Agreement to resolve claims for financial responsibilities*

The Ashford Town Board was told that tentatively, a written settlement agreement has been developed, resolving claims for financial responsibilities for the cleanup of the West Valley Demonstration Project.

Speaking at the town of Ashford Board meeting on Wednesday, July 8, Paul Bambia, program director of New York State Energy Research and Development Authority (NYSERDA) said that in 2006, NYSERDA and the Department of Environmental Conservation of New York State filed a lawsuit against the Department of Energy (DOE) and the federal government.



The lawsuit was related to a number of long-standing financial issues with regard to responsibilities for the West Valley Demonstration Project cleanup and asked for the court to delineate the DOE's responsibilities. It also requested a ruling that the federal government pay the fee for the disposal of the high level waste at the site.

Bambia said that in 2007, DOE and NYSERDA began a mediation process to settle the lawsuit.

"I wanted to let you know that a tentative written settlement agreement has now been developed that resolves several of NYSERDA and New York state's claims for financial responsibilities for the clean up," he said. "On Monday, June 22, NYSERDA's Board of Directors met and unanimously approved a resolution that authorized NYSERDA's president to enter into this settlement agreement with the federal government."

Although the federal government is still reviewing the tentative settlement agreement, it will not be filed with the courts until the parties have signed it.

Bambia concluded his presentation by saying that he could not disclose any details of the settlement because both agencies are still working under the terms of a confidentiality agreement that was imposed by the court.

"I can say that the agreement only relates to financial allocation and it has nothing to do in regard to the cleanup alternatives," he added.

Once the federal government has completed its review of the agreement, it will get filed with the courts which will then be asked not to take any action on it until a public comment period has taken place. No details are yet available for this.

In other matters:

- Two local residents Paul and Judy Steffenhagen, expressed concern about a neighboring property which they referred to as an eyesore.

"What action has been taken? What is the time frame and what was the result," asked Judy Steffenhagen.

Apparently the problems include nine and sometimes more people living in a trailer, which is a violation of the health code; too many occupants for the septic system which is apparently buried under the front porch; dumping of trash; nine propane tanks on the property and rat problems.

The board discussed the various issues. Town of Ashford Supervisor Chris Gerwitz said that the town lawyer, code enforcement officer and perhaps the County Health Department need to be involved in order to find a resolution with the most "legal teeth" to it.

"Hopefully we will be talking to you sooner than the next meeting with some kind of good news," Councilman John Pfeffer said.

- Following the public forum regarding the proposed wind energy ordinances on June 30, all comments received have now been compiled. These were submitted to the planning board on July 1 and are now under review.

- The application deadline for New York state grant programs is October 16 for water quality improvement projects, including water quality management.

- A public hearing will be arranged with respect to the town's trailer moratorium which expires on July 30.

# The Buffalo News : City & Region

Monday, August 10, 2009

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## POLITICS

### Massa names Schmidt to congressional staff

August 09, 2009, 6:22 AM /

Rep. Eric Massa, D-Corning, has named Cattaraugus County Conservative Party Chairman Warren Schmidt of Freedom as his new director of intergovernmental affairs.

Schmidt will serve as a liaison between municipalities and local governmental leaders in the district and will help in the dissemination of governmental funding.

Schmidt said he agreed to join the congressman's staff because of his independence and willingness to work with a diverse group with a range of political philosophies.

## Buffalo Rising, August 14, 2009



### Important Moment for West Valley Nuclear Waste

By Larry Brooks

The next few weeks present a window of opportunity for citizens to make a difference on one of the largest environmental hazards in Western New York. Until September 8th, the U. S. Department of Energy (DOE) will be accepting comments on its Draft Environmental Impact Statement, which has explored how to cleanup the site.

The West Valley Demonstration Project is a repository of nuclear waste. DOE and the New York State Energy Research and Development Authority (NYSERDA) are partners in maintaining the site and studying ways to decommission it. Decades of debate and studies have culminated in a Draft Environmental Impact Study (DEIS) that has studied four alternatives for cleaning up this site. According to Brian Smith, WNY Program Director of [Citizens Campaign for the Environment](#) (CCE) the study prefers an alternative that would immediately address one issue--a plume of radioactive contamination has been migrating through groundwater, about 1 percent of the total waste onsite--and defer total cleanup of the site for thirty years.

But leaving buried waste on the site leaves the potential for environmental disaster. Sister Sharon Goodremote of Catholic Charities explains, "West Valley is surrounded by streams--Buttermilk, Cattaraugus, etc., which run directly into Lake Erie, one of the Earth's largest collections of fresh water. It's on a fault in the area known for movement in the land." Smith cites a report commissioned by the New York State legislature, written by independent academics, that concluded the site could be breached in the future. Smith says, "Even NYSERDA in the DEIS forward admits they're not comfortable with the long-term stability of the site." Smith also said that this report concluded that a full, immediate cleanup of the site would cost less than leaving the waste onsite for a long period of time and maintaining it and allowing for future leaks.

Goodremote says, "It's not acceptable to me to wait 30 years to remove the waste." She has both a personal and professional interest in this issue, getting out information and helping to organize religious and community groups. Catholic Charities has strongly supported the full cleanup--not only the social justice aspects--but also because "as stewards of creation, it is important we do the proper thing. This is definitely a moral issue, how we treat the gifts of creation. We, as humans are responsible [and] leaving nuclear waste at West Valley will not create a healthy environment."

CCE advocates for protection and restoration of the Great Lakes and considers West Valley one of the most serious threats. Smith says they consider this decision critical and are trying to garner grassroots support. "We are calling on them (DOE & NYSERDA) to do the safest and most effective cleanup of the total waste."



On Tuesday, September 1st at noon, there will be a West Valley Cleanup Crew Media Event at the NYSERDA offices in the Larkin Building, 726 Exchange Street, Buffalo. Join a coalition of environmental, religious, conservation, and community groups and policymakers. The event will alert the public to the end of the public comment period and announce a "Phone-a-thon Day" on September 2nd, in which people are asked to call the Department of Energy in support of a full cleanup. Organizers ask participants to bring a mop, bucket or broom to symbolize the 'cleanup crew.'

What can you do now? Members of the public can submit their comments to the DOE online at: <http://www.westvalleyeis.com/comment.htm> or join fellow citizens at the demonstration, September 1st, at the NYSERDA office. For more information or to join the cause, contact Brian Smith at [bsmith@citizenscampaign.org](mailto:bsmith@citizenscampaign.org) or Sister Sharon Goodremote at [s.goodremote@ccwny.org](mailto:s.goodremote@ccwny.org) or 853-4424, ext. 3006.

Smith says, "There's no final decision yet. The public should provide comments to DOE calling for a full cleanup. Our health and the health of the Great Lakes are dependent on DOE and NYSERDA making the right decision."

Buffalo News, August 22, 2009

**Opinion:**

**Flooding Highlights Need for West Valley Cleanup**

Recent extreme weather dumped more than 5 inches of rain in Western New York, creating flash-flood conditions in Cattaraugus Creek and demonstrating vividly the powerful forces of water and erosion in this region. These are the forces independent scientists were most concerned about in relation to trying to contain dangerous radioactive wastes from being released to waterways and the Great Lakes. The contamination of drinking water from Lake Erie would be a catastrophe, exposing thousands of people to radiation, and the replacement of water would be necessary and expensive.

The federal Department of Energy is proposing to clean up just 1 percent of the radioactive material at West Valley. Global warming is expected to cause an increase in severe weather events including increased rainfall and hurricanes. Yet the DOE wrongly assumed that no global warming would occur for 10,000 years, and therefore did not study severe weather events and the possibility of exposing and distributing buried radioactive waste. The August heavy downpours, flash flooding and severe erosion show clearly what is wrong with this thinking.

We urge the public to tell the DOE that only a full cleanup at West Valley is acceptable. Act now. Send your comments at [http:// www.westvalleyeis.com/comment.htm](http://www.westvalleyeis.com/comment.htm)

Barbara Warren

*Executive Director Citizens' Environmental Coalition*

# Re-ENERGIZE BUFFALO

Wednesday, August 26, 2009

## Clean Up the West Valley Nuclear Site

Let NY State Know

it's time to

### Clean Up the West Valley Nuclear Site

Bring your mop, bucket and broom to a West Valley Cleanup Crew Media Event!

- **WHAT:** News Conference and Media Event
- **WHEN:** Tuesday, September 1, at Noon (Please arrive at 11:45 AM)
- **WHERE:** NYS Energy Research & Development Agency, Larkin Building, 726 Exchange Street, Buffalo [\[Map\]](#)

Join a coalition of environmental, religious, conservation and community groups and state policymakers. The media event will alert the public to the end of the public comment period on the West Valley cleanup plan and announce a "Phone-athon Day" on September 2nd where people are asked to call the Department of Energy in support of a full cleanup.

The main theme of the event is to have a "cleanup crew" of people with mops, buckets and brooms call on the state and federal agencies to approve a full cleanup of the West Valley site to protect Lake Erie.

Sponsored by Center for Health, Environment & Justice, Catholic Charities, Citizens' Environmental Coalition, Great Lakes Sports Fishing Council.

## UPCOMING EVENTS

- TUESDAY, August 25, MEETING: Sierra Club, Niagara Chapter, 7pm, Rm. 240, Duns Scotus Hall, Daemen College
- September 1, News Conference at Noon (Arrive at 11:45am), NYS Energy Research & Development Agency, 726 Exchange St., Buffalo



Protect our Waterways



Niagara River



Nuclear Information & Resource Service, Sierra Club Niagara Group and others. For more information, contact [Diane D'Arrigo, NIRS](mailto:dianed@nirs.org), at [dianed@nirs.org](mailto:dianed@nirs.org)

For more information about the need to cleanup the West Valley Nuclear Site, [click here](#).

Posted by David at 5:35 PM

Labels: [cleanup](#), [event](#), [news conference](#), [nuclear waste](#), [West Valley](#)

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## Niagara River

April ice fines upstream of Niagara Falls

## Niagara Falls

Largest electricity producer in NY

## FUTURE EVENTS

- [September 26, CONFERENCE: Fifth Annual "Environmental Summit", 8:30AM-12:30PM, Daemen College, contact Brenda Young at \[byoung@daemen.edu\]\(mailto:byoung@daemen.edu\)](#)
- [October 20th, 2009, CONFERENCE: UB Greener Shade of Blue and You, 10am-2pm, UB Center for the Arts, contact Jim Simon at 829-3535 or \[jrsimon@buffalo.edu\]\(mailto:jrsimon@buffalo.edu\)](#)
- [April 17, 2010, Buffalo-Niagara Green Expo, sponsored by Sen. Antoine Thompson](#)

## **Coalition urges complete West Valley cleanup**

By Mark Sommer, NEWS STAFF REPORTER

September 02, 2009, 7:09 AM

A coalition urged the public Tuesday to contact state and federal officials in the next week to demand full cleanup of the state's largest nuclear waste site at West Valley.

Surrounded by about 20 people holding mops, buckets and brooms, speakers assembled outside the New York State Energy and Research Development Authority offices in the Larkin at Exchange Building in Buffalo. They called on the agency and the federal Department of Energy to support the complete cleanup of the West Valley nuclear waste site to avoid future radioactive contamination of Lake Erie drinking water.

"We all know the West Valley site is in need of a cleanup— not just a dustpan cleanup, not a lets-deal-with-it-tomorrow kind of cleanup, not a coverup cleanup, not a look-the-other-way kind of cleanup," said Todd Gates a Seneca Nation of Indians official.

"The West Valley site is in need of a full-scale, let's-get-it-right kind of cleanup that will avoid any risk of contamination to current and future families of Western New York."

The coalition — which includes representatives of environmental, religious and sportsmen groups, urged the public today to call Energy Secretary Steven Chu — (202) 586-6210 — and Energy Research and Development Authority President Frank Murray — (866) 697-3732, Ext. 3320 — to support a full cleanup.

Both agencies currently back a targeted cleanup that would contain only 1 percent of the nuclear waste.

The coalition also urged the public to make their voices heard by Tuesday's public comment deadline by e-mailing [www.wesatvalleyeis.com](http://www.wesatvalleyeis.com). "Tell them you're concerned about the water quality of the Great Lakes and the drinking supply of fresh water for yourselves and your children," said Bob Ciesielski of the Sierra Club.

Several speakers said the flash floods that hit Gowanda last month also resulted in a landslide on the 160-foot bank of Buttermilk Creek, adjacent to West Valley's nuclear waste trenches, adding further concern about the site's safety.

The West Valley site drains into streams that feed Buttermilk Creek and into the Cattaraugus Creek watershed that runs through the Seneca Nation and into Lake Erie.

A complete cleanup is urged by legislatures in Erie, Niagara and Cattaraugus counties, along with numerous cities and towns, including Buffalo, and U. S. Sens. Charles E. Schumer and Kirsten E. Gillibrand, both D-N. Y., more than half of the state's congressional delegation and nearly three-dozen state lawmakers.

"We are tired of waiting for New York State and the Department of Energy to make a decision to clean up the nuclear waste at West Valley," said Diane D'Arrigo of the Nuclear Information and Resource Center.

[msommer@buffnews.com](mailto:msommer@buffnews.com)



TUESDAY, SEPTEMBER 1, 2009

### Coalition On West Valley Nuclear Wastes v. Chu

Aug 31: In the U.S. Court of Appeals, Second Circuit, Case No. 07-5243. As explained by the Appeals Court, the Coalition on West Valley Nuclear Wastes, et al contend that the United States Department of Energy (DOE, & Secy. Chu) violated both the National Environmental Policy Act (NEPA) and the terms of a 1987 settlement between the Coalition and the DOE by issuing an environmental impact statement concerning waste management activities at the West Valley Project site, a portion of the Western New York Nuclear Service Center, that did not address long-term closure issues regarding the rest of the Center. The district court granted summary judgment in favor of DOE on all claims and the Appeals Court affirmed the decision.

On one of the main issues of contention, the Appeals Court said, "The DOE's final Record of Decision on the Waste Management EIS indicates that its waste management actions entail shipping certain kinds of waste off-site and storing high-level waste at the West Valley site until it can be shipped to a geologic repository. . . . As the district court found, removing the waste from the site has "independent utility," for instance in storing the waste more safely, regardless of whether the Center as a whole is closed or decommissioned. Appellants have failed to present any evidence that would suggest that dealing in a more permanent fashion with waste that is currently left on the Project site somehow depends on closing the entire Center for its justification. Thus, we agree with the district court's conclusion that the waste management actions are not "connected" to the closure actions. . . . We also perceive no basis in the record for concluding that the actions are either cumulative in character, yielding cumulative environmental impacts that should be discussed in the same EIS . . . or that they are so similar that the 'best way to assess adequately the combined impacts . . . is to treat them in a single impact statement' . . ."

# The Buffalo News, 09-08-2009

## Clean up West Valley

### Floods and landslides expose risk of incomplete radiation cleanup

September 08, 2009, 6:48 AM /

The coalition urging state and federal officials to do a full cleanup of the state's largest nuclear waste site, at West Valley, has a clear understanding of the implications of doing nothing.

Doing nothing means that far into the future, the legacy of West Valley will be the way in which we treated our natural resources. Will Lake Erie be a clean body of water free from radioactive-waste pollutants? Or will it contain evidence of neglect and of a refusal to take responsibility for the highly toxic nuclear wastes buried in, or leaking from, the decommissioned reprocessing site south of Buffalo?

There are already signs that should heighten concerns.

As a recent article by News reporter Mark Sommer noted, the severe flooding that devastated the Gowanda area last month also triggered a landslide on a 160-foot bank of Buttermilk Creek, which is adjacent to West Valley's nuclear waste trenches. The waste site also drains into streams that feed Buttermilk Creek, and into the Cattaraugus Creek watershed running through the Seneca Nation and into Lake Erie.

The buckets and brooms later brandished by 20 or so people outside the New York State Energy and Research Development Authority offices in Buffalo's Larkin at Exchange Building symbolized the cleanup. Of course, the activists fully understand that it will take the force of the state and of the federal Department of Energy to avoid any future radioactive contamination of Lake Erie drinking water.

Federal and state officials have said that they are considering keeping the bulk of the nuclear waste buried right where it is—and promising to keep a careful eye on it. That's hardly a solution at all, let alone a long-term one.

This page has advocated digging up all the nuclear waste now and finding a place to keep it for the long term, thereby removing a large toxic land mine. But this would cost a lot of money—roughly \$10 billion.

An independent analysis, though, indicates that keeping the waste in place could cost \$27 billion over the long term.

The West Valley site, home to a government-encouraged nuclear fuels reprocessing operation from 1966 to 1972, remains a serious concern not just for the surrounding communities but for all of Western New York. There is only one real answer: The 640 tons of irradiated materials from atomic operations, the liquid wastes later solidified by stirring it into melted glass in the federal "demonstration project," require a complete cleanup.

Future generations will pay the real price of doing nothing.



The League of Women Voters of New York State  
82 Grand Street, Albany, New York 12207  
Phone: 518-465-4162 Fax: 518-465-0812  
www.lwvny.org E-Mail: lwvny@lwvny.org

## THE LEAGUE OF WOMEN VOTERS *of New York State*

### **NEWS RELEASE**

**FOR IMMEDIATE RELEASE:**  
**Wednesday, August 26, 2009**

**CONTACT: LEE LAMBERT**  
**716-652-8173**

### **LEAGUE OF WOMEN VOTERS SUPPORTS FULL CLEAN-UP OF WEST VALLEY NUCLEAR WASTE SITE**

The League of Women Voters of New York State (League) has submitted comments to the United States Department of Energy (DOE) asking for full exhumation of the radioactive and chemical contaminants at the West Valley nuclear waste site located in the town of Ashford, 35 miles south of Buffalo.

The draft environmental impact statement, released by the DOE on November 25, 2008, proposed bifurcated cleanup or “phased decision-making,” whereby one source of contaminants would be removed immediately while other sources, including a radioactive plume, underground tanks, and two unlined burial sites, would be monitored, with decisions regarding potential future cleanup deferred for up to thirty years. The League opposes this approach for three reasons: it poses an unacceptable risk for a precious and arguably scarce resource – the area’s future water supply; it ignores the most economically sensible option; and, by deferring of a major portion of cleanup, it removes cleanup from the public scrutiny that the EIS process was enacted to promote.

The League’s president Betsey Swan stated, upon filing the comments in opposition to bifurcated cleanup, “The DOE approach is appropriate neither from a scientific nor an economic standpoint. Moreover, it removes from public scrutiny future decisions regarding waste that will remain radioactive for thousands of generations.” Ms. Swan noted that the West Valley site was subject to high precipitation and aggressive erosion, rendering it unsuitable for storage of hazardous chemical and or radioactive waste underground. Nevertheless, the DOE proposes to leave such radioactive waste in the ground indefinitely, posing a danger to both local water supplies and the great lakes basin. Such storage could result in contamination of the water system for millions of people in New York State, eastern Canada, and the St. Lawrence region.

The League’s position is supported by a state-funded study, *The Real Costs of Cleaning Up Nuclear Waste (A Full Cost Accounting of Cleanup Options for the West Valley Nuclear Waste Site)*, which concluded that, in the long term, leaving buried waste on site is high-risk and expensive, while full cleanup presents both decreased risk and cost.

In filing its opposition to limited cleanup, the League reasserted two basic beliefs of the organization: that public participation of citizens in governmental decision-making is a vital part of a democracy; and that the protection of public health and safety, and of the environment, is paramount in a civilized society.

The League of Women Voters is a nonpartisan political organization that has worked for over ninety years to encourage informed and active participation in government, to increase understanding of major public policy issues, and to influence public policy through education and advocacy. Membership is open to all men and women who care about citizen involvement in our democratic institutions.





Published on NYLCV - New York League of Conservation Voters (<http://www.nylcv.org>)

## Nuclear Site Needs Cleanup, But How Thorough?

By Dan Hendrick

Created 09/03/2009 - 4:00pm

It seems that everyone agrees that one of the nation's largest repositories for nuclear materials should be cleaned up. But the question is - how "clean" is clean?



**The West Valley Demonstration Project** A group of residents gathered Tuesday at the New York State Energy and Research Development Authority offices in Buffalo, to urge NYSERDA and the federal Department of Energy to completely clean up the West Valley nuclear waste site [1]. A complete cleanup is essential, they contend, to avoid future radioactive contamination of Lake Erie drinking water, according to the Buffalo News [2].

Both the state and federal agencies, however, currently back a targeted cleanup that would contain only 1 percent of the waste.

DOE and NYSERDA are working together on a draft decommissioning and/or long-term stewardship plan for the West Valley site. They are accepting public comments on the plan [3] through September 8.

## **RE-ENERGIZE Buffalo, Wednesday, September 2, 2009**

### Cleanup Nuclear Waste at West Valley

#### **Coalition urges complete West Valley cleanup - 9/02/2009**

A coalition urged the public Tuesday to contact state and federal officials in the next week to demand full cleanup of the state's largest nuclear waste site at West Valley.

Surrounded by about 20 people holding mops, buckets and brooms, speakers assembled outside the New York State Energy and Research Development Authority offices in the Larkin at Exchange Building in Buffalo. They called on the agency and the federal Department of Energy to support the complete cleanup of the West Valley nuclear waste site to avoid future radioactive contamination of Lake Erie drinking water.

The coalition, which includes representatives of environmental, religious and sportsmen groups, urged the public to make their voices heard by the **public comment deadline, Tuesday, September 8**. "Tell them you're concerned about the water quality of the Great Lakes and the drinking supply of fresh water for yourselves and your children," said Bob Ciesielski of the Sierra Club.

"We are tired of waiting for New York State and the Department of Energy to make a decision to clean up the nuclear waste at West Valley," said Diane D'Arrigo of the Nuclear Information and Resource Center.

Read the full report by Mark Sommer in The Buffalo News.

**NOTE:** I phoned U.S. Dept. of Energy Secretary Steven Chu's office, and they said they had received many calls about this issue. However, they also said that they are taking comments **only** by U.S. mail or by FAX. Their contact information is below:

#### **U.S. Mail:**

Attn: Catherine Bohan  
EIS Document Manager  
West Valley Demonstration Project, U.S. Department of Energy  
P.O. Box 2368  
Germantown, MD 20874

**Toll Free Fax:** 866-306-9094

**NOTE:** I phoned NYSERDA President Frank Murray's office ( **866-697-3732 x 3320**) after hours and was able to record a message and send it to him.

**ArtVoice, 09-02-2009**  
**West Valley Cleanup**  
by Larry Brooks



(photo: Artvoice)

**Deadline for public comment on West Valley cleanup approaches**

This Tuesday, about 30 people collected on the sidewalk in front of the local office of the New York State Energy Research and Development Authority. Representing a diverse cross-section of area organizations, the group stood shoulder to shoulder to demonstrate their solidarity, to exhort citizens to comment, and to urge policymakers to decide now to fully clean up the West Valley Nuclear Waste Site.

Speakers included: Todd Gates, Seneca Nation of Indians Tribal Councilor; Bill Nowak, representing New York State Senator Antoine Thompson; Bob Ciesielski, Sierra Club; Sister Sharon Goodremote, Buffalo Diocese Care for Creation Committee; Brian Smith, Citizens Campaign for the Environment; Diane D'Arrigo, Nuclear Information & Resource Service; and Lenore Lee Lambert, League of Women Voters Western New York's Citizens Task Force.

The group brought mops, buckets, and brooms and called themselves the "Cleanup Crew." New York State's largest nuclear waste site, West Valley, south of Buffalo, is in the Cattaraugus Creek watershed which drains into Lake Erie. Right now, a radioactive plume of groundwater is migrating from the site. The site is owned by NYSERDA, in partnership with the US Department of Energy. DOE and NYSERDA have been studying long-term cleanup of the site and have released their findings in draft environmental impact studies. Of four alternatives to the site's cleanup plan, they favor the "phased decision making alternative," which would essentially address only about one percent of the total radioactivity on site. Decisions on the balance—

almost 99 percent of the radioactivity—would be addressed in phase two, spread out over 30 years.

(For a more comprehensive explanation of this site, its status, and the process for resolution, [visit here.](#))

This coalition is opposed to this approach for two major reasons. First, a state-funded study concludes that leaving buried waste on site is both high risk and very expensive, costing much more in future dollars than a full cleanup now, and does not consider the extra cost if a catastrophic release occurs. Second, and more importantly, is the geographic instability of the site. Recent heavy rain and flooding caused a landslide near to the site highlighting how unstable the site really is. The coalition favors the “sitewide removal alternative,” a full and immediate cleanup of the site. Virtually all the local Western New York delegation of the New York State Legislature as well as US Senators Schumer and Gillibrand also support this position. September 8 is the deadline for public comments on the DEIS. The group is hosting a phonathon on Wednesday, September 2, urging people to call US DOE Secretary Steven Chu (202-586-6210, [the.secretary@hq.doe.gov](mailto:the.secretary@hq.doe.gov)) and NYSERDA President Frank Murray (866-697-3732 extension 3320, [frank.murray@nyserda.org](mailto:frank.murray@nyserda.org)), and urge them to decide now to fully clean up the West Valley Nuclear Waste Site.

—*larry brooks*

Thursday, September 3, 2009, Springville Journal

## **NYSERDA opens public deer hunting at WNY Nuclear Service Center**

### *Event will take place in Ashford*

The New York State Energy Research and Development Authority (NYSERDA) will sponsor a public deer hunting program at the Western New York Nuclear Service Center (WNYNSC) in the town of Ashford beginning on October 17. Approximately 2,000 acres of the 3,340-acre facility will be open for the entire Archery season and 6-½ days during Regular season. Scouting is available on Saturday, October 10, and the following Wednesday, October 14, from 8:30 a.m. until 3 p.m. Check-in/out for Scouting will be at NYSERDA's hunting station, located in the south parking lot of the West Valley Demonstration Project (WVDP).

NYSERDA's program is open to anyone with a valid 2009-10 New York State Department of Environmental Conservation Big Game or Sportsman License, and allows up to 70 hunters (10 hunters per area) to hunt each scheduled day. Pre-approval to hunt in archery season is mandatory, with each registered bow hunter being issued a valid 2009 NYSERDA wallet ID card to hunt any day of the season. Archery hunting assignments are on a first-come, first-served basis and check-in/out for Archery will be at the WVDP main gatehouse.

During the regular season, hunters may pre-register and select one hunting assignment of their choice; walk-ins will be allowed, subject to availability. Check-in/out for regular season will be at NYSERDA's hunting station, located in the WVDP's south parking lot. Beginning November 11, hunting assignments for the regular season will be posted outside NYSERDA's Ashford Office, 9030 Route 219, which is approximately five miles south of Schwartz Road. As in previous years, hunting with a rifle is prohibited (i.e., shotguns only). 2009 application packets will be available on Wednesday, September 9, in the drop box at NYSERDA's offices and at the main gate of the WVDP. Interested hunters can call the Deer Hunting Information Line (942-9960 ext. 4990), which offers a recorded message on hunting availability throughout the season, and request that an application be mailed/e-mailed to you. Completed registration forms should be mailed to the NYSERDA Deer Hunting Program, 9030 Route 219, West Valley, New York 14171-9799, attention Alita Dueringer, or deposited in NYSERDA's drop box.

To inquire about additional deer management permits for use at the WNYNSC, contact the New York State Department of Environmental Conservation. Please note that the site is located in Wildlife Management Unit 9M.

NYSERDA deer hunting dates:

Archery: Open all season (October 17 - November 20) — pre-approval is mandatory

Regular: November 21, 22, 23, 24 25, 26\* (one-half day) , and 27 \*Open until noon on Thanksgiving day, November 26.





Published on NYLCV - New York League of Conservation Voters (<http://www.nylcv.org>)

## Residents Urge West Valley Nuclear Site Clean-up

by Adrienne Oppenheim  
Created 09/10/2009 - 12:08pm

On his past Tuesday a group of representatives of environmental, religious and sportsmen groups, urged the public to call Energy Secretary Steven Chu and Energy Research and Development Authority President Frank Luray to support a full cleanup of the West Valley nuclear waste site, the largest nuclear waste site in the state. According to [The Buffalo News](#) [0], both the [Department of Energy](#) [1] and the [New York State Energy and Research Development Authority](#) [2] currently support a plan that cleans up approximately 1% of the waste, but keeps the remainder buried beneath the site with a promise to keep a careful watch over the site. The alternative is to dig up and remove the waste to a permanent and safe resting place. [Buffalo News](#) [3] reports this plan would cost approximately \$10 billion, as opposed to the estimated \$27 billion over time if the toxic waste remains buried at the site.



The coalition is concerned about future radioactive contamination of Lake Erie and Lake Erie drinking water, as well as other surrounding resources. The West Valley site drains into streams that feed Puttermilk Creek and into the Cattaraugus Creek watershed which then run through the Seneca Nation and into Lake Erie. In addition to the current levels of contamination, recent flash floods causing landslides near the site have added to safety concerns.

A complete site cleanup is strongly supported by legislatures spanning a large geographic region including Erie, Niagara and Cattaraugus counties, along with numerous cities and towns. U. S. Senators Charles E. Schumer and Kirsten E. Gillibrand, both D-N. Y., and more than half of the state's

Congressional delegation among others all support a complete clean up.

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**Source URL:**

[http://www.nylcv.org/ecopoliticsdaily/20090910\\_residents\\_urge\\_west\\_valley\\_nuclear\\_site\\_clean\\_up](http://www.nylcv.org/ecopoliticsdaily/20090910_residents_urge_west_valley_nuclear_site_clean_up)

**Links:**

- 1] <http://www.energy.gov/>
- 2] <http://www.nyserda.org/>
- 3] <http://www.buffalonews.com/opinion/editorials/story/788144.html>

# THE BUFFALO NEWS

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## WEST VALLEY

### **Agency plans open house to update N-site review**

September 13, 2009, 7:09 AM /

The Nuclear Regulatory Commission will host an open house Wednesday in West Valley to update the public on the agency's review of the Department of Energy's Phase I decommissioning plan for the West Valley Demonstration Project.

The meetings will be held from 6:30 to 9 p. m. at the Ashford Office Complex, Conference Room C-1, 9030 Route 219.



## ***Be concerned about water***

Dear Editor,

The Coalition on West Valley Nuclear Wastes was turned away by a federal appeals court earlier this week, when the court ruled that the U.S. Department of Energy can split the cleanup of the site into two parts — thus creating an indefinite delay in final closure of the site. This does not violate a 1987 agreement between DOE and the Coalition to complete the closure without undue delay.

The wastes at West Valley are located over an aquifer the EPA determined in 1987 “is the sole or principal source of drinking water for the entire townships of Freedom and Yorkshire; and parts of Arcade, Sardinia, Concord, Ashford, Centerville, Rushford, Farmersville, Machias, Ellicottville, East Otto, Otto, Persia, Collins, Java, Wethersfield and Eagle Townships, and [ . . . ] this aquifer, if contaminated, would create a significant hazard to public health.” 52 Fed. Reg. 36100 (Sept. 25, 1987).

Residents in these communities and users of water resources in Lake Erie and the Niagara River should be concerned about whether their health will get progressively worse without a plan for closing the site once and for all.

Gary Abraham  
Concerned Citizens  
For Cattaraugus County

**Springville Journal, Thursday, September 18, 2009**

**Fallout from August storm continues to dominate Ashford Town Board meeting**  
*Ashford making progress with FEMA*

Slowly but surely, progress is being made by the Town of Ashford in its efforts to work with the Federal Emergency Management Agency (FEMA) to secure the necessary funds needed for the restoration of damage caused by the severe storm and flooding on Aug. 9.

"We met with FEMA today," (September 9) said Town Supervisor Chris Gerwitz. "We had to fill out a Letter of Intention and numerous forms, but the big thing is making sure your paperwork is filled out so that money will come pretty quick for reimbursement." When asked by Councilman Bill Heim how long it will actually take, Gerwitz responded that it depends on if the project is considered large or small. "If it is \$64,000, they will get you half the money up front," he said.

In other, but related news, Gerwitz said that two homes on Fox Valley and East Otto Roads have both been condemned as a result of the flood.

Paul Bambia of the New York State Energy Research and Development Authority (NYSERDA) reported that there were two areas of concern at the West Valley Demonstration Project. "There's the Fox Valley Road which could again weaken that whole area," he said. "And then there's the area further down, which had previously washed out, which we were doing repair on."

Bambia also said that there was erosion on the south reservoir spillway and also on the north reservoir dam.

"All that was inspected and the dams are completely safe but we will be doing some repairs on the dam and on the spillway," he said.

Continuing, Bambia reported that there was some erosion on the creeks around the state disposal and NRC license disposal areas but reassured the Board that the facilities are safe. "There were no releases or risk of contamination but we're going to be doing some repair work there as well," he said, noting that all the damage has been reported to the State Emergency Management Agency and FEMA.

Bambia concluded by saying a meeting will take place with these agencies soon to discuss if there are any opportunities for any federal assistance under the disaster declaration.

In other business:

- With regard to the summer children's recreation program from July 6 to Aug. 10, Lisa Proctor, the town's Summer Youth Recreation director, said that an average of 35

children attended each day. The program included three field trips this year. "I heard nothing but positive things and I'm extremely proud of what you guys did," said Council Member Charles Davis. "You did it in a professional manner and a lot of leadership was provided."

- The New York State Energy Research and Development Authority (NYSERDA) is continuing its deer hunting program this year but no rifles will be allowed, according to Gerwitz and applications will be available commencing Sept. 10. "We're looking forward to another busy and safe hunting season," said Paul Bambia, Program Director of NYSERDA.

- Highway Supervisor Tim Engels reported that he is going to be meeting with contractors regarding the repair of the railroad which runs through the town of Ashford and the West Valley Demonstration Project area. Repairs will take place because of erosion which could compromise the railroad. The staff of the Highway Department was commended for all their hard work.

- National Grid will be holding an Energy Efficiency Expo at the Buffalo Niagara Convention Center in Buffalo on Oct. 7.

- A Town of Ashford budget meeting has been set for Wednesday, Oct. 7 at 7:30 p.m. at the Community Center.

- Bob Runge of RJR Engineering has said that he would like to purchase the Crystal Valley Water Company.

- Gerwitz said that the Planning Board is working on "the big windmill park" and that the Board hopes to have a report available by late September, following which another public meeting will probably be held in November.

The next regular meeting of the Town of Ashford will be held at 7:30 p.m. on Wednesday, Oct. 14.

# THE BUFFALO NEWS

## ASHFORD

### **N-agency tells residents about its role in site cleanup**

By Kathy Kellogg  
CATTARAUGUS CORRESPONDENT  
September 20, 2009, 6:48 AM /

ASHFORD — Representatives from the Nuclear Regulatory Commission were on hand last week for an informal meeting with about 20 area residents to explain the agency's role in the decommissioning decisions for the Western New York Nuclear Service Center.

"Normally, we have approval authority," Keith I. McConnell said as he explained his agency's role in the Department of Energy's cleanup efforts and a related decommissioning plan. McConnell is the NRC's deputy director for decommissioning and uranium recovery licensing.

The 1980 West Valley Demonstration Project Act authorized the Department of Energy to take over the center and decontaminate and decommission the site.

The decommissioning plan — independent from the Department of Energy's draft environmental impact statement — sets criteria for the first phase of a two-phase cleanup alternative, also described in the impact statement. The decommissioning plan assumes a preferred cleanup alternative will be chosen by the DOE in a final impact statement, scheduled to be released next spring. But if another cleanup solution is chosen, a new decommissioning plan will have to be drawn up and then reviewed by the NRC.

The preferred alternative describes a new on-site storage facility to hold 275 canisters of solidified, high-level radioactive wastes, and demolition and removal of the main plant process building where the waste is now stored.

The removal would include below-ground sections of the plant and the source of an underground plume of radioactive contaminants. The alternative also lists other tasks, including the removal of a low-level waste water treatment facility, lagoons and facilities not involved in the maintenance of a waste tank farm, the plume and a federal nuclear disposal area.

The DOE would then evaluate soil containing higher contamination levels and create a strategy for a state-licensed disposal area. The assessments could take 30 years as preparation for the permanent Phase 2 decisions — closing the waste tank farm and the federal nuclear disposal area.

Under the NRC's current review of the decommissioning plan, additional information has been requested but no fatal flaws have been found, McConnell said.

The NRC also has responsibility to monitor the cleanup when it begins and perform technical surveys of conditions on the 200 acres targeted in the effort.

The deadline for public comment ended earlier this month, generating calls for full removal of the highly radioactive wastes at the former commercial nuclear reprocessing facility which closed in 1972.

Several of those in attendance questioned radiation exposure levels associated with the cleanup effort and the timing of the cleanup decision and the removal of stored canisters of the solidified high-level radioactive wastes.

The NRC visit is expected to be a part of the discussion at the West Valley Citizen Task Force meeting at 7 p. m. Wednesday in the Ashford Office Complex, 9030 Route 219. That meeting will follow a guided site visit of the West Valley Demonstration Project to view progress of recent cleanup efforts there. Task Force meetings are open to the public.

[citydesk@buffnews.com](mailto:citydesk@buffnews.com)