THE WEST VALLEY CITIZEN TASK FORCE

Resolution Concerning Funding

Adopted May 26, 2010

Whereas, The West Valley Citizen Task Force (CTF) was charged to develop recommendations to New York State Energy, Research and Development Authority (NYSERDA) and United States Department of Energy (DOE) regarding the West Valley Demonstration Project (WVDP) and the Western New York Nuclear Service Center;

Whereas, WVDP is the most significant and substantial non-defense related radioactive cleanup site managed by DOE;

Whereas, the recently released Record of Decision (ROD) commits DOE to an ambitious schedule of remediation in Phase 1 to address both contained and uncontrolled releases of radioactivity to the environment through the demolition of contaminated structures and facilities at the site and implementation of interim remedial actions;

Whereas, the CTF congratulates DOE and NYSERDA on release of the ROD and New York State Environmental Quality Review Act Findings Statement and recent cooperation between the agencies;

Whereas, NYSERDA has identified in the Environmental Impact Statement and Findings Statement the need to develop and implement a number of site investigations and studies to define remedial actions and eliminate uncertainties with respect to issues regarding control, containment and/or exhumation of site wastes;

Whereas, in its 1998 Final Report and in comments on the draft Environmental Impact Statement, the CTF has stated that, due to the potential impacts of radioactive contamination on the environment and on the Great Lakes and the health, safety, welfare and economy of the people and communities of Western New York, the CTF's end state vision for the West Valley Demonstration Project and Western New York Nuclear Service Center is one of unrestricted release, and that all waste be safely stored above ground until such time as it can be permanently disposed;

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Whereas, on February 26, 2010, the two Senators and fifteen Representatives of the New York Congressional Delegation wrote DOE Secretary Steven Chu supporting full removal of all radioactive and hazardous materials and noting that questions have been raised concerning the validity of scientific analysis on the long term impacts;

Whereas, the United States Environmental Protection Agency Region 2 wrote DOE on March 1, 2010, expressing concerns regarding the potential long term storage of high-level radioactive waste, Greater Than Class C Waste, Spent Nuclear Fuel and other long-lived radioactive waste at the site and requesting studies be designed to ensure the long term storage of these wastes would meet applicable EPA standards;

Whereas, DOE has indicated a willingness to conduct site investigations and studies in response to the request of NYSERDA and other stakeholders,

Whereas, the Environmental Impact Statement and ROD assume funding of approximately $75 million per year on average over 10 years to complete the work and studies envisioned in Phase 1 of the ROD to implement these remedial actions and studies which will better define and expedite decisions related to Phase 2 site work;

Whereas, maintaining a skilled workforce and healthy local economy is essential to WVDP and the region for both Phase 1 and Phase 2 work;

Whereas, the base funding over the last decade has declined to $60 million per year and has been supplemented by approximately $75 million in American Resource and Recovery Act (ARRA) funds for 2009 through 2011;

Whereas, the CTF understands that DOE is considering reducing the WVDP ARRA allocation by $11 Million to expedite work at other facilities, that the President's 2011 Fiscal Year Budget proposes $60 million in funding and DOE has not yet released a Phase 1 ten year plan for funding and project scheduling; and

Whereas, no timetable has been identified for the replacement of this non-recurring ARRA funding or sufficient baseline funding of at least $75 million per year needed at the WVDP site to accomplish the necessary work and studies in Phase 1.

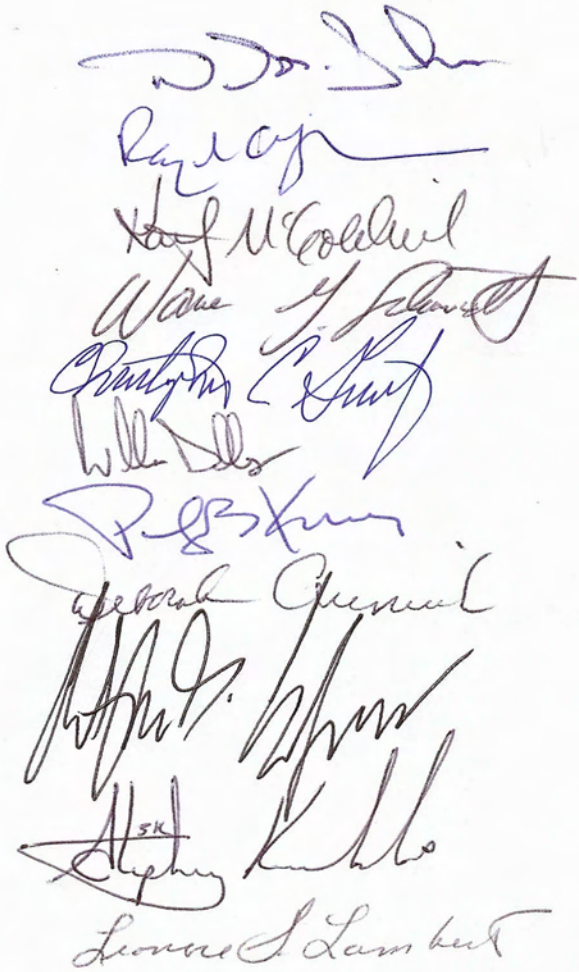
Now Therefore, The CTF believes that the proposed decommissioning activities in Phase 1 are significant steps in remediating the contamination at the site and moving towards unrestricted release and should be implemented forthwith;

The CTF endorses the commissioning of studies and analyses, with full public input, which fully examine uncertainties and better inform decisionmaking including the feasibility, cost and

technologies associated with exhumation, temporary safe above ground storage, and ultimate transportation for disposal of wastes which will result in unrestricted release of the site;

That performing the work and conducting the studies within the 10-year assessment period of the ROD can only be completed with sufficient and stable funding *at least at the level* assumed in the EIS of $750 million over the 10 years; and

That DOE, NYSERDA, and the New York Congressional delegation should fully fund this work, now be it

Resolved, That the West Valley Citizen Task Force supports the above as significant and important steps towards its goal of sitewide removal which require necessary and stable budget of state and federal funds.

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