



NYS gets \$1.7 billion in Recovery Act funding to invest in clean energy projects

September 16th, 2010

8:15 pm ET

By [Karen Rubin](#), Long

New York State is receiving \$1.7 billion in Recovery Act funding to invest in clean energy projects.
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Island Populist Examiner

New York State is receiving nearly \$1.7 billion to invest in clean energy from the American Recovery and Reinvestment Act. In all, the Recovery Act is investing \$90 billion in clean energy nationwide as part of the Obama Administration's unprecedented commitment to rebuilding a strong, sustainable 21st century economy.

U.S. Secretary of Energy Steven Chu today announced the release of a report detailing the broad range of clean energy projects underway in New York funded under the American Recovery and Reinvestment Act. The Recovery Act is investing \$90 billion in clean energy nationwide, including nearly \$1.7 billion in New York, as part of the Obama Administration's unprecedented commitment to rebuilding a strong, sustainable 21st century economy. To download a copy of the report, visit <http://www.energy.gov/recovery/ny.htm>.

"Our investments in clean energy under the Recovery Act are benefiting every state in America," said U.S. Secretary of Energy Steven Chu, in announcing the release of a [report](#) detailing the broad range of clean energy projects underway in New York.

"The American Recovery & Reinvestment Act (ARRA) is making a meaningful down payment on the nation's energy and environmental future," the department stated in a press release.

"The Recovery Act investment of \$1.6 billion in New York is supporting a broad range of clean energy projects = 136 so far - from energy efficiency and the smart grid to advanced battery manufacturing, the Brookhaven National Lab in Upton, and cleanup of the state's Cold War legacy nuclear sites. Through these investments, New York's businesses, universities, national labs, non-profits, and local governments are creating quality jobs today and positioning New York to play an important role in the new energy economy of the future."

New York State received 32 competitive grants or tax cuts. Among them:

- The New York State Energy Research and Development Authority has been granted \$123.1 million in State Energy Program funds to invest in state-level energy efficiency and renewable energy priorities.
- New York State has been granted \$394.7 million in Weatherization Assistance Program funds to scale-up existing weatherization efforts in the state, creating jobs, reducing carbon emissions, and saving money for New York's low-income families. Over the course of the Recovery Act,
- New York expects to weatherize approximately 45,400 homes. The program also includes workforce training and education as part of the state's efforts to develop a green workforce.
- Sixty communities in New York were granted a total of \$175.6 million for Energy Efficiency and Conservation Block Grants (EECBG) to develop, promote, implement, and manage local energy efficiency programs.
- The New York State Energy Research and Development Authority has been granted \$18.7 million for the Energy Efficient Appliance Rebate Program, which offers consumer rebates for purchasing certain ENERGY STAR® appliances. These energy efficient appliances reduce energy use and save money for families, while helping the environment and supporting the local economy.
- Consolidated Edison Company of New York, Inc. has been awarded \$136.2 million under the Smart Grid Investment Grant program to deploy a wide range of grid-related technologies to make the electric grid work more efficiently. Consolidated Edison Company has also been awarded \$45.4 million to demonstrate a scalable smart grid prototype that promotes cyber security, reduces electric demand, increases reliability and energy efficiency, and is cost effective.
-
- New York received twenty-seven 1603 payments for renewable energy generation totaling \$80.6 million, which include solar, wind, hydropower, and combined heat and energy projects. For example, Canandaigua Power Partners, LLC received \$52.4 million for a wind energy project.
- West Valley Environmental Services, LLC, in West Valley, has been awarded \$62.9 million to reduce the cleanup footprint and accelerate decommissioning at the West Valley Demonstration Project.
- Department of Energy offered Beacon Power a conditional commitment for a \$43 million loan guarantee to support the construction of its 20 megawatt flywheel energy storage plant in Stephentown, New York.
- The New York State Research and Development Authority has been awarded \$40 million under the Retrofit Ramp-Up program to develop innovative energy efficiency retrofit financing options that will help to create large-scale, sustainable approaches to financing energy efficiency improvements across the state

"The Recovery Act funding for projects like modernizing our electrical grid, improving the efficiency of our homes and businesses, and building new advanced vehicle and renewable energy manufacturing facilities is creating jobs now while laying the groundwork for America's new industrial revolution."

Under the Recovery Act, the private sector is joining with the federal government, universities, states and local communities to move the country toward a clean energy future.

"These unprecedented investments in energy efficiency, renewable energy, advanced vehicle manufacturing, the smart grid, and research, development, and deployment of the latest innovative energy technologies will help the U.S. to create hundreds of thousands of new jobs, improve our energy security, and reduce carbon pollution," the DOE stated.

"Our clean energy investments here in America are improving U.S. economic competitiveness, supporting the growth of new green industries like advanced battery manufacturing, solar and wind energy, and carbon capture

and sequestration, and creating new jobs across the country. By 2012, we expect our commitment to clean energy to lead to more than 800,000 jobs nationally."

More information about Recovery Act-supported jobs in New York is available at www.recovery.gov.

The report released today on the Recovery Act projects in the state includes information about the Department of Energy's \$12 billion investments in energy efficiency, including low-income home weatherization, local initiatives to launch new conservation and renewable energy projects, and technologies that will significantly reduce the energy use in homes, businesses and industry.

The Recovery Act is investing a total of nearly \$769 million in New York to advance local energy efficiency efforts and support the development of a long-term, sustainable energy efficiency and retrofit industry.

The Recovery Act is also enabling the growth of the renewable energy industry in America. In addition to investments in the research, development, and deployment of solar, wind, biomass, geothermal and other renewable energy technologies, the Recovery Act is enabling more than \$5 billion in tax grants to more than 1,000 renewable energy projects across the country. These projects are leveraging more than \$15 billion in total private capital investments to expand the clean energy industry and generate more than 11 gigawatts of new, clean renewable energy.

This includes 27 renewable energy projects in New York that are supported by nearly \$81 million in federal investment. The tax program has already funded enough renewable energy projects nationally to power more than one million homes; that is enough clean energy to power the homes of everyone living in Boston, Seattle, Atlanta, Kansas City, and Cincinnati combined.

According to an April 2010 study by Lawrence Berkeley National Laboratory on these awards, these projects are supporting more than 51,600 construction jobs and 3,860 permanent jobs.

The Recovery Act also includes \$2.3 billion in tax credits for more than 180 clean energy manufacturing projects across the country. These projects include new manufacturing facilities to make solar energy components, wind turbines, and high efficiency appliances, among others – including five facilities in New York. These investments under the Recovery Act are helping to achieve President Obama's goal of doubling U.S. renewable energy generation capacity and U.S. renewable manufacturing capacity by 2012.

Investments in advanced vehicles and the smart grid are also playing an important role in America's clean energy development. The Recovery Act is investing \$4.5 billion in smart grid technologies, including \$276 million in New York, which is helping to modernize and upgrade America's electricity system, improve the reliability and efficiency of the electrical grid, and provide consumers with more information about their energy use. More than \$3.4 billion nationally is also being invested in developing and deploying the next generation of advanced vehicles, including vehicles powered by electricity, biomass, and other alternative fuels. The state is receiving nearly \$65 million to build a sustainable transportation sector, helping to reduce our dependence on fossil fuels and limit carbon pollution.

"These unprecedented investments under the Recovery Act are helping to make the U.S. a global leader in clean energy, improve America's energy security, and address climate change," the DOE said.

In all, New York State received \$13.2 billion in American Recovery Act grants, of which \$4.2 billion has been received. the government credits the Recovery Act funding for supporting 46,323 jobs.

Nuclear workers want Congress to improve compensation program

By JERRY ZREMSKI

NEWS WASHINGTON BUREAU CHIEF

WASHINGTON — Advocates for workers exposed to radiation during their Cold War work at factories around the country — including several facilities in the Buffalo area — came to the Capitol on Tuesday to press for improvements to a government compensation program that they say has been slow and ineffective.

The Alliance of Nuclear Worker Advocacy Groups presented lawmakers with petitions including signatures from 624 people nationwide seeking reform of the Energy Employees Occupational Illness Compensation Program.

Passed 10 years ago, the bill aims to provide compensation to workers who were exposed to radiation, as well as to their survivors. But a Government Accountability Office study earlier this year found that it can take three years for the Department of Labor to process claims, and that only about 40 percent of claims have been approved.

"We're trying to build pressure right now" for changes in

the program, said Antoinette Bonsignore of the Linde Ceramics Special Exposure Cohort Action Group.

The workers' advocates are pushing for the passage of the Charlie Wolf Nuclear Workers Compensation Act, which would expand the number of diseases covered by the program while making it easier for workers to qualify for benefits.

The bill has 10 sponsors in the House and three in the Senate, and it has not moved forward since its introduction last year. Bonsignore said the advocates hope Congress will hold hearings on the bill and take action on it next year.

The advocacy groups are still collecting signatures on their petition at www.rockyflatsnuclear.com.

Under one part of the compensation program, workers who got cancer or other illnesses connected to exposure to radiation are eligible for lump sum payments of \$150,000, as are their immediate survivors.

A separate part of the program offers payments of up to \$250,000 to nuclear workers who got ill because of exposure

to toxic chemicals; their immediate survivors can also get compensation.

Workers from the following local facilities may be eligible for the payments if their work involved Cold War government nuclear programs:

- Bethlehem Steel, Lackawanna.
- Bliss & Laughlin Steel, Buffalo.
- Carborundum Co., Niagara Falls.
- Electro Metallurgical, Niagara Falls.
- Hooker Electrochemical, Niagara Falls.
- Lake Ontario Ordnance Works, Niagara Falls.
- Linde Air Products, Buffalo.
- Linde Ceramics, Tonawanda.
- Seaway Industrial Park, Tonawanda.
- Simonds Saw and Steel Co., Lockport.
- Utica Street Warehouse, Buffalo.
- West Valley Demonstration Project.

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Senator Young visits Ashford Board meeting



By: W. Chris Proctor

Date: Wednesday September 15, 2010

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The town of Ashford Board of Directors took advantage of Senator Catharine Young's presence at their meeting on September 8 and agreed to hold an informal question and answer session.

Young (R,I,C., Olean) is a farm girl who graduated from St. Bonaventure University, raised a family and served in the state Assembly before being elected to the state Senate in 2005. She serves all of Chautauqua, Cattaraugus and Allegheny counties.

Among the issues Young has been at the forefront of are last winter's battle to clean up the New York State Department of Corrections at the highest levels. During the spring, she led the fight to kill a farm labor bill that would have forced farmers to pay overtime wages. This summer, Young was cited as a voice of reason during the budget fiasco.

Young weathered questions, comments and complaints regarding the West Valley Demonstration Project, NYSERDA, the Nuclear Regulatory Commission, the United States Environmental Protection Agency and the Department of Energy. One suggestion was the strategic scheduling of meetings immediately following the gubernatorial election on November 2.

The future of the existing Route 219 high level bridge that extends south into the town of Ashford and Cattaraugus County was a main topic of conversation. Young mentioned that a bill of two years ago that would have kept that bridge in state hands did not go through the Senate. She suggested that the town respond by forming and passing a resolution.

Passing a resolution was also Young's idea for a first move in regard to the town's complaint on the location of the new Route 219 intersection near Peters Road. After listening to a list of potential dangers associated with the new interchange, Young decided her office would contact the

ALL SMILES — Town of Ashford administrators following a question and answer session with Senator Catharine Young. Front row, from left: Highway Superintendent Tim Engels; Councilman Charles Davis; Councilman William Helm; back: Town Clerk Patricia Dashnaw; Supervisor Chris Gerwitz; State Senator Catharine Young; Councilman John Pfeffer; Councilwoman Beverly Hess.

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partment of Transportation directly.

Regarding property taxes, Young said, "I'm worried about the high cost of living here. I'm worried about the high cost of working here."

Reminding those in attendance that "Massachusetts used to be called tax-achusetts," Young alluded to

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that state's successful property tax cap. Her figures showed that, once the third highest in average property tax, Massachusetts, currently using the cap, ranks 33rd.

Young also called for a spending cap in New York state. She spoke of its importance in helping keep unemployment in check. "It's all about jobs. Jobs and the economy," she said.

Young responded to questions about agriculture, "It's tough to do business in New York state and even more so for the farmers," she said. She pointed out the 52 percent cut in farming programs during the past two years.

The West Valley Fire Department asked about costly new rope laws, which led to discussion regarding the state's ever-growing list of unfunded mandates, which Young called "knee jerk resolutions that often go way beyond federal (guidelines)." Another local bell ringer includes extra school audits.

After one local resident used the word "despair," Young told a story about meeting a Swedish ball bearing CEO ready to open a plant in South Carolina. He told her that his company was looking to invest in America because of all the opportunities available here.

Young made it clear she is serious about jobs and that she supports Marsaillies Shale.

The next Ashford Board meeting will be October 13 at 7 p.m.

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Opinion

Pulse of The People: Nukes are not the answer

Published: Tuesday, September 07, 2010

The news article entitled "Aid, taxes drive debate" regarding a Congressional debate between U.S. Rep. Scott Murphy and challenger Chris Gibson hosted by the Adirondack Regional Chamber of Commerce Young Professionals group indicated their lack toward improving our economy.

The article mentioned the men's discussion of federal government spending, taxes and support for nuclear power.

Congress appropriates millions to the U.S. Department of Energy to spend for nuclear power research and development to increase the volume of poisonous radioactive waste. In addition, the nuclear power industry lobbies for tax cuts to produce the radioactive wastes and depends on additional federal spending to store the radioactive waste for an estimated 10,000 years to 1 million years.

I do not understand how the Young Professionals group expects nuclear power, supported by these two men, to improve our economy and environment. Since 1972, the federal government with some assistance from our dysfunctional state government spends millions every year to attempt to prevent radioactive wastes leaking into Lake Erie and decontaminate the West Valley, New York nuclear dump.

I hope the Young Professionals and the two candidates for congress do not intend to improve our economy by supporting nuclear power plants and nuclear waste storage in the Adirondacks.

Michael McGlynn

Watervliet

Comments

The Jamestown Post-Journal

Local News

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Study Will Put West Valley Project 'On A Path To Closure'

By Sharon Turano sturano@post-journal.com

POSTED: September 3, 2010

WEST VALLEY - Work is under way to prepare for implementation of a years-long study regarding how to close the West Valley Demonstration Project.

The site, near the Cattaraugus-Erie County border, is that of a former nuclear fuel reprocessing plant that closed in the 1970s and is being cleaned up by federal and state agencies.

"The completion of the site's environmental impact statement will put the West Valley Demonstration Project on a path to closure," said Bryan Bower, Department of Energy federal project director, previously.

The environmental study has been complete and "phased decision making" is being followed in the site's final closure plan. Sonja Allen, spokesperson, said that involves decommissioning some of the facility within the next 10 years, while closing the remaining areas continues to be studied during that time.

Work to be done in the next 10 years includes: removal of the main plant process building, the vitrification facility, the remote-handled waste facility, the lagoon areas, a number of unneeded facilities and the contaminated soils under and around these facilities, including the source of the contaminated groundwater plume.

Ms. Allen said recent accomplishments at the site include getting projects ready so the closure of the first phase identified projects can commence.

"There's an awful lot of cleanup work going on," said Ms. Allen.

She said contaminated pipes are being taken out, some by remote control, while nitrocision is being done on cell walls. Ms. Allen said that involves using nitrogen in a power-washer-type device to freeze-dry and clean cell walls. She said the technology produces nitrogen vapor so a secondary waste stream that would then have to be cleaned is not created.

Waste is also being processed at the site in preparation for closure, she said, adding that includes work on a groundwater plume, four underground tanks that are in concrete vaults.

Jamestown Post-Journal (Continued)

During the work, she said a worker was contaminated Sunday when gear worn by an employee working to decontaminate the main plant became wet, and her skin was contaminated after waste soaked through the protective clothing she was wearing. Ms. Allen said the contamination was detected and skin cleaned. There was no intake of chemicals, she said.

The main plant, she said, is a 50-year-old building classified as a higher-risk area that will be demolished within the first phase or next 10 years, of the final cleanup measure.

According to a newsletter published about the cleanup, super-saks are being filled with zeolite, a naturally occurring mineral that will be used to fill a 850-foot long trench behind the main plant for planned fall installation underground.

It is being installed in order to remove radioactive contamination from groundwater.

Compared to a home water softener system, a trench will be excavated near the edge of a contaminated groundwater plume and backfilled with the zeolite sacks to hold the radioactive material in place to prevent it from migrating off the site.

The contamination in the groundwater came from a leak in a process line in the main plant process building during nuclear fuel reprocessing.

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NYSERDA opens public deer hunting at WNY Nuclear Service Center



By: Press Release

Date: Wednesday September 1, 2010

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The New York State Energy Research and Development Authority will sponsor a public deer hunting program at the Western New York Nuclear Service Center in the town of Ashford beginning October 16.

Approximately 2,000 acres of the 3,340-acre facility will be open for the entire archery season and six and one-half days during gun season. Scouting is available on Saturday, Oct. 9 and the following Wednesday, Oct. 13, from 9 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.

NYSERDA's program is open to anyone with a valid 2010-11 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 during archery season is mandatory, with each registered bow hunter being issued a valid 2010 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 gate house.

During the gun 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 gun season will be at NYSERDA's hunting station, located in the WVDP's south parking lot. Beginning November 8, hunting assignments for the regular season will be posted outside

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NYSERDA's Ashford office, 9030-B 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).

This year's application packets will be available on Wednesday, Sept. 8, 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 the hunter. Completed registration forms should be mailed to the NYSERDA Deer Hunting Program, 9030-B Route 219, West Valley, New York 14171-9799, attention Alita Dueringer, or deposited in NYSERDA's drop box.

Inquire about additional deer management permits for use at the WNYNSC, contact the NYS DEC. Note that the site is located in Wildlife Management Unit 9M.

NYSERDA deer hunting dates:

- Archery: Open all season (October 16 - November 19). Pre-approval is mandatory.



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Contamination at West Valley Demonstration Project



By: Elizabeth O'Neil

Date: Wednesday September 1, 2010

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At the latest West Valley Citizen Task Force Meeting, it was announced that two contamination incidents occurred at the West Valley Demonstration Project's main plant recently.

The first occurred on July 25 when six workers had their shoes contaminated during an event with heavy rains and loss of plant ventilation.

The loss of the plant ventilation during the storm caused contaminated condensate to form inside the ventilation duct and leak out. As workers stepped in the puddles formed by the condensate, their shoes became contaminated. When the contamination was discovered, the workers removed their shoes. The area was then slated for decontamination. It was during this effort on August 1, that the second incident occurred. An operator received skin contamination after moisture seeped through two protective layers of coveralls. The contamination was detected when the worker left the area. The worker was decontaminated with soap and water. No internal contamination was reported.

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In other news:

• During the August 24 meeting, it was reported that Nitrocision Technology is working well. The new technology freezes the surface contamination before it is vacuumed up and put in drums. Cleanup is 95 percent complete in the process mechanical cell.

• Instrumentation and antennas were installed on the seismometer at West Valley Central School. The school and New York State Energy Research and Development Authority will both have seismic monitoring software which will be able to see real time read-outs as they happen.

• NYSERDA reported that the meteorological station is successfully "up and running." It gives the site immediate 24/7 alerts to weather changes. NYSERDA is also planning on monitoring for landslides and erosion through LIDAR (light detection and range) and orthoimagery of the Buttermilk Creek Watershed. The ground survey crews will start in October and will include use of low-flying aircraft in the October and November as many passes are needed to collect the necessary data. Private landowners will be contacted if they need to survey their parcel.

• NYSERDA has also received a consent decree, which addresses the cost allocation between the federal and state government. The cost allocation for various aspects of the site cleanup have been unresolved since the Department of Energy was directed to start the demonstration project in 1980. "This settlement agreement ensures the cleanup at West Valley will continue unimpeded by cost



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uncertainties," explained Francis Murray, president and CEO of NYSERDA.

• The partial site release was revisited because it has caused public comments and alarm. The three areas that would be removed from the Nuclear Regulatory Commission License are: one parcel of 134 acres, a 33-acre parcel known as the bulk storage warehouse and a 32-acre parcel. The bulk storage warehouse was initially impacted, but now has the possibility to be released. Ray Vaughan from CTF is worried about "the precedent it sets for future release of property."

The comments continued from people on the task force who were listening by phone; they stated that piecemealing a decommission plan could be a problem down the road with other impacted site releases. Non-impacted areas are not the issue and everyone would like to see them released from the license; but once they are released it is unknown what may happen. NRC has set a rule for release that says that a non-impacted portion of property has to be usable.

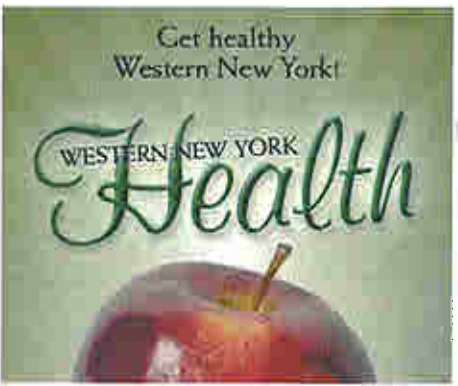
The next meeting of the Citizen Task Force will be held on September 22 at 6:30 p.m.





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NY, Dept. of Energy settle on West Valley clean up

By Rick Miller
Olean Times Herald

The long fight between the U.S. Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) over how to split the cost of future clean-up costs at the West Valley Demonstration Project is finally over.

A federal judge in Buffalo has approved an agreement reached last year between the state and federal governments that essentially continues the 90/10 federal-state split that has been in effect since the cleanup began in 1980.

During the Bush Administration, officials from the DOE began calling for a higher contribution from the state for future cleanup costs. Officials from NYSERDA balked at that and filed suit against the DOE more than four years ago.

Federal Judge John T. Curtin signed the consent decree on Aug. 17 that formalizes the agreement.

"The Department of Energy is committed to partnering with our stakeholders as we fulfill our cleanup requirements," said Dr. Ines Triay, assistant secretary for the Office of Environmental Management.

"This settlement agreement ensures the cleanup at West Valley will continue unimpeded by cost uncertainties for both the federal

and state governments," said Francis J. Murray, president and CEO of NYSERDA.

"We can now continue the cleanup as partners, working together to protect the health and safety of the community and region, our site workers and the environment."

Earlier this year, DOE and NYSERDA selected phased decision-making as the clean-up approach.

Under this two-phased approach, many contaminated facilities would be removed from the site during the first phase.

As part of Phase 1 activities, DOE and NYSERDA will undertake additional studies that may better inform decisions about future cleanup and additional decommissioning of remaining facilities.

The cleanup is at the site of the nation's first and only commercial spent nuclear fuel reprocessing center and operated from 1966 to 1972 when it closed for renovations, but never reopened. The operator, Nuclear Fuel Services, closed in 1976 and four years later Congress approved the West Valley Demonstration Project to clean up the site.

The federal government has spent more than \$2 billion on the cleanup so far. New York has spent more than \$200 million.

(Contact reporter Rick Miller at rmiller@oleantimesherald.com)

Volunteers make a difference

On Aug. 19, a beautiful summer day, several people from the United Way and West Valley Environmental Services chose to help the Mental Health Association in Cattaraugus County for its annual Day of Caring. United Way and West Valley Environmental Services' employees transformed our facility, inside and out.

So much was accomplished in one day. Jobs completed included painting the back exterior wall, painting

the interior back door entrance, powerwashing the building facade and sidewalk area, painting trim in front, installing new drop-ceiling tiles in the Friendship Drop In Center, hanging signs, bulletin boards and artwork and reorganizing the basement storage area.

On behalf of the Mental Health Association and its Board of Directors, thank you.

Jim Finch
President
Mental Health
Association of Cattaraugus
County
Board of Directors

**Letter to
the editor**



DOE, New York Reach Cost Agreement for Nuclear Cleanup

Aug 30, 2010

The Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) have reached agreement on the allocation of costs for cleanup of the West Valley Demonstration Project (WVDP) and the Western New York Nuclear Service Center.

On Aug. 17, the U.S. District Court, Western District of New York, signed a consent decree that formalized the agreement.

"The Department of Energy is committed to partnering with our stakeholders as we fulfill our cleanup requirements," said Ines Triay, Ph.D., assistant secretary for the Office of Environmental Management.

"This settlement agreement ensures the cleanup at West Valley will continue unimpeded by cost uncertainties for both the federal and state governments," said Francis J. Murray, president and chief executive officer of NYSERDA. "We can now continue the cleanup as partners, working together to protect the health and safety of the community and region, our site workers and the environment."

The issues of cost allocation for various aspects of the site cleanup have been unresolved since the Department of Energy was directed by Congress to conduct a demonstration project at the site in 1980 under the West Valley Demonstration Project Act. In 2006, the State of New York litigated this matter, which resulted in the consent decree.

The decree addresses the cost allocation between the federal government and the state government, not the scope of the cleanup or site end-state decisions. Cleanup decisions were part of a Record of Decision issued by DOE under the National Environmental Policy Act, and a Finding Statement issued by NYSERDA under the State Environmental Quality Review Act.

Earlier this year, DOE and NYSERDA selected Phase Decision making as the cleanup approach. Under this two-phased approach, many contaminated facilities would be removed from the site during the first phase. As part of Phase 1 activities, DOE and NYSERDA will undertake additional studies that may better inform decisions about future cleanup and additional decommissioning of remaining facilities.

Located about 35 miles south of Buffalo, the WVDP is a DOE environmental cleanup and waste management project that is conducted in cooperation with NYSERDA. West Valley Environmental Services (WVES) manages and operates the WVDP under contract to DOE. The WVES team is comprised of URS Washington Division, Jacobs Engineering, Environmental Chemical Corporation, and Parallax. NYSERDA manages the State Licensed Disposal Area under New York State regulations.

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Agreement on cleanup OK'd by federal judge

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A federal judge has approved the agreement between New York State and the U. S. Department of Energy spelling out how they will split the costs of the cleanup of the West Valley Demonstration Project.

U. S. District Judge John T. Curtin approved the consent decree sealing the deal, Bill Taylor, a Department of Energy spokesman, said Wednesday.

Under the deal, which was announced last October, the federal government will pay 90 percent of the cost of the cleanup of the high-level nuclear waste tanks at West Valley, with the state paying 10 percent. The same percentages will apply to the cleanup of the original processing building at the site.

The cost dispute between the federal and state governments at the nuclear site 35 miles south of Buffalo stretches back to 1980.

“This settlement agreement ensures the cleanup at West Valley will continue unimpeded by cost uncertainties for both the federal and state governments,” said Francis J. Murray, president and chief executive officer of the New York State Energy Research and Development Authority.

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State Department Pumps Shale Gas In Big Confab

BY JOHNATHAN RICKMAN

At a rare Obama administration event trumpeting the nation's huge new fossil energy resource, a senior State Department official Tuesday said the U.S. shale gas phenomenon has effectively transformed global energy markets and is a "terrific boon" for U.S. energy security that could be replicated in other countries if carefully regulated.

Those comments by State Department Coordinator for International Energy Affairs David Goldwyn came at a two-day State-sponsored forum in Washington this week dubbed the Global Shale Gas Initiative, which included officials from some 20 countries.

The forum focused on shale gas development abroad and how the United States was eager to help other nations develop those resources through transfer of innovative drilling technology and techniques.

But in remarks at the conference, Goldwyn also

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EPA Boiler Regulations Will Strangle Biomass Power Plants—Industry

BY CHRIS HOLLY

An Environmental Protection Agency plan to tighten emission limits for new and existing industrial boilers has sparked alarmed protests from the biomass generation industry and electric utilities, who say the proposed regulations are so onerous they threaten to shut down existing biomass power plants and already are chilling deployment of new facilities.

In comments on the rules submitted to EPA Monday, Biomass Power Association President and Chief Executive Officer Robert Cleaves said EPA's proposal is "uneconomic [and] unachievable," and will make it impossible to meet the Obama administration's goal of rapidly expanding renewable energy production. Biomass generation comprises roughly half of all U.S. renewable energy generation.

"In light of the overwhelming support for biomass from every corner of government, it is imperative that EPA adopt a rule that is protective of the public health and the environment while also allowing this critically important energy source to be fully utilized," Cleaves said. "We are concerned that the proposed rules will impose tens of billions of dollars

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DOE, New York Agree On Cost Divvy For West Valley Cleanup

Ending four years of litigation, the Energy De-

BY GEORGE LOBSENZ

Court for the Western District of New York.

partment and New York officials announced Wednesday they have reached agreement on the allocation of costs for the hugely expensive cleanup of the West Valley Demonstration Project, a former spent nuclear fuel reprocessing facility and radioactive waste disposal site in western New York.

The cost breakdown for the cleanup—which easily will run into the hundreds of millions of dollars—was spelled out in a consent decree approved August 17 by Judge John Curtin of U.S. District

While the consent decree resolves a lawsuit filed by New York in 2006 over cost allocation issues, it does not settle an ongoing dispute between DOE and state officials over the proper scope of cleanup at the site nor what contamination can be left in place at the facility.

To the contrary, the consent decree may prompt DOE to dig its heels in more firmly in regard to leaving some residual contamination and structures on site because the agreement socks the department with 90 percent of the cost of such

big-ticket items as cleaning up the main reprocessing building and underground storage tanks that held high-level radioactive waste.

Overall, the consent decree requires DOE to pick up 90 percent of eight categories of waste or contaminated structures, while New York is assigned full or primary responsibility for only a few operations to remove contaminated soil and piping, especially that associated with a state-licensed waste disposal area at West Valley.

DOE and New York authorities have been arguing for 30 years over the cleanup of West Valley, which was ordered by Congress in a 1980 law. The project has been difficult because

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NNSA Names Lead Environment Official

The National Nuclear Security Administration this month named Kenneth Powers as associate administrator for infrastructure and environment, responsible for overseeing facility and environmental manage-

ment programs at the semi-autonomous Energy Department weapons agency.

Powers most recently served as the director of project management at DOE's Office of Civilian Radioactive

Waste Management in Las Vegas. He previously served as deputy manager of NNSA's Nevada Operations Office from 1999 to 2002 and as deputy director of the NNSA Service Center from 2002 to 2003.

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some of the nuclear activities at the site were launched by the federal government and some by the state through the New York State Energy Research and Development Authority (NYSERDA), which owns the site.

Licensed by the Atomic Energy Commission in 1966, West Valley was home to the nation's only commercial nuclear spent fuel reprocessing plant. Nuclear Fuel Services Inc. (NFS) operated the facility from 1966 to 1972, processing 640 metric tons of spent fuel to recover uranium and plutonium for re-use. When the U.S. government dropped its nuclear fuel recycling program, NFS effectively returned the plant to NYSERDA in 1976, leaving substantial waste and site contamination behind, including 660,000 gallons of highly radioactive sludge and liquid in underground storage tanks.

For its part, NYSERDA licensed low-level waste disposal landfills at the site that have leaked contamination. DOE also notes that the state licensed and oversaw operation of the spent fuel reprocessing facility, but state officials point out that most of the spent fuel that came to West Valley was from nuclear weapons production reactors operated by DOE.

The allegations by NYSERDA against DOE reflect tensions that have been seen between the department and other states that host some of the department's most contaminated nuclear sites.

In general, state officials have pushed DOE to remove highly contaminated buildings and dig up buried waste to the maximum extent possible. They fear that DOE is looking to cut its cleanup costs by leaving some residual contamination in place at its sites.

The department contends extensive waste removal at some sites will cost billions of dollars while providing only modest long-term health and environmental benefits. DOE officials also maintain that sophisticated disposal-in-place technologies—such as underground barriers against contaminant transport—can keep pollution from spreading for centuries.

Since Congress passed the West Valley Demonstration Project Act, DOE has made substantial progress on cleanup, removing high-level waste from the site's underground storage tanks and putting it in canisters for permanent geologic disposal. DOE finished that job in 2002, producing 275 canisters of glassified waste now stored at the site.

As for the rest of the sprawling site, DOE and New York

authorities in April announced a final decision to take a phased approach to the cleanup, with the first phase involving the removal of several major nuclear material processing buildings, certain lagoons and contaminated soils contributing to groundwater pollution.

DOE and state officials also said they would jointly determine a strategy within 10 years for addressing remaining facilities and soil and groundwater contamination at the site, including the emptied underground storage tanks.

However, reaching agreement on the scope of the second phase appears likely to be difficult in light of complaints already made by NYSERDA about initial DOE analyses regarding the amount of residual contamination that can be left on site, especially whether the highly radioactive waste storage tanks can be closed in place rather than removed.

In general, NYSERDA says DOE has conducted badly flawed analyses to support the notion that the waste tanks and other residual waste can be safely disposed of in place, with little long-term release of radionuclides to the environment.

More specifically, the state agency said DOE studies on likely future soil erosion at the site are "not scientifically defensible" and do not reflect current on-the-ground evidence of substantial and continuing erosion at the 3,338-acre site, which is located about 30 miles southeast of Buffalo. State officials fear such erosion could release long-lived radionuclides left at West Valley under long-term institutional controls, with the potential for streams running through the site to carry such contaminants to Lake Erie.

Beyond the erosion issue, NYSERDA also contends that DOE's long-term contaminant transport analyses for the West Valley site are unreliable and that the department has overstated the probable costs of digging up the waste storage tanks and contaminated soil.

DOE has disputed many of NYSERDA's criticisms and says its analysis shows that digging up the waste tanks and other residual contamination would cause exposures to cleanup and waste transport workers that would outweigh the likely long-term health and environmental benefits to communities nearby West Valley from removal of the tanks.

South Carolina has been the only state so far to allow DOE to close in place some underground high-level waste storage tanks that have been emptied at the department's Savannah River Site.

Editor's Note: There is still time to register for today's 11 a.m. webinar *U.S. Military FOBs: Energy Efficient and Renewable Energy Systems*. Speakers for this important webinar are: James Short, technical advisor to Director of Operational Energy Plans & Programs, Department of Defense; Dave Munchow, President & CEO, SkyBuilt Power; Gil Metzger, Director of Intelligent Microgrid Solutions; Lockheed Martin Missiles & Fire Control; and Kelly Merkel, Renewable Energy analyst for the U.S. Marine Corps Expeditionary Energy Office. There is no travel required and if you register using promotional code "Energy" the fee for one site/one computer is just \$299.