



THE WEST VALLEY CITIZEN TASK FORCE

Via Email Only

October 31, 2011

Blue Ribbon Commission on America's Nuclear Future
c/o Timothy A. Frazier, Designated Federal Officer
U.S. Department of Energy
1000 Independence Avenue, SW.
Washington, DC 20585

RE: Comments on Draft Report Blue Ribbon Commission on America's Nuclear Future

Dear Commission Members,

We would like to begin by thanking John Kotek, Staff Director of the Commission, for his overview of the Draft Report at our September meeting.

Below please find the comments of the West Valley Citizen Task Force (CTF) concerning the Draft Report of the Blue Ribbon Commission on America's Nuclear Future.

Background

The West Valley Demonstration Project is unique in that it is the **only** U.S. commercial reprocessing plant to operate. As such its legacy is instructive for the Commission. The CTF has provided input on joint state-federal decommissioning activities at the West Valley Demonstration Project since 1997.

During reprocessing operations from 1966 to 1972 the site accepted both defense and commercial spent nuclear fuel for reprocessing. Difficulties resulted in high worker exposure and releases of contaminants into the ground, air and water. Two onsite burial grounds operated from 1963 - 1975 and hold wastes exceeding 10 CFR 61 limits. More than 2.4 million cubic feet of onsite source term includes high-level waste (HLW), transuranic waste and low-level waste totaling about 16 million curies. The site is erosion prone and sits within the Great Lakes watershed. Given today's understanding of geographic terrain and regional climate as it impacts water quality, West Valley and indeed all of Western New York State would never have been chosen for location of waste of this type.

Cleanup efforts have required site-specific federal legislation (the West Valley Demonstration Project Act of 1980) and have encountered perhaps the longest time in the country to develop a Final Environmental Impact Statement (EIS). The EIS has deferred the resolution of many issues to a future

Phase 2 decision, scheduled to be made up to 10 years after the recent Phase 1 decision. Studies informing Phase II decisions have yet to be decided.

The site successfully pioneered the vitrification of 600,000 gallons of high-level liquid waste. The 275 canisters of vitrified HLW contain a fully commingled mixture of defense and commercial waste, reflecting the original mix of fuel reprocessed at the site. These 275 canisters, produced in accordance with the West Valley Demonstration Project Act, remain stored on site and are scheduled to be moved to another on site location in the next few years to allow for removal of the former Main Plant Processing Building and access to the source of a strontium-90 groundwater plume. The plume has been moving across the property for decades, while Cesium, a companion source of contamination beneath the building, remains rather static in that location.

West Valley has struggled to maintain funding adequate to the task with approximately \$2 billion spent to-date and future additional clean-up estimated at between \$1.5 to \$10 billion, depending on the final decision. Funding of work and employment levels at the site have declined over the years. Funding levels of close to \$100 million per year were sought and received for several years but the past decade has brought severe cuts in that annual allocation. The Citizen Task Force and local Western New York communities remain committed to ensuring a full clean-up of the site.

Our Concerns

The West Valley site continues to have a number of unresolved problems. These include:

- Lack of a final decision which will adequately protect the Great Lakes environment and public health and safety.
- Adequate funding to ensure Phase 1 cleanup activities are accomplished in a timely manner.
- Orphan wastes, such as the 275 HLW canisters, have no disposal pathway either now or as part of a priority waste stream in the Commission's draft report.

When the West Valley site opened for reprocessing there were expectations of quality jobs and economic benefit to the community. This did not happen. When the West Valley Demonstration Project Act was passed there was a clear prospect that the site would be cleaned up and the community protected. With no permanent disposal pathway currently available for high-level wastes, and no interim storage category in the Commission's Report for the type of wastes from West Valley, the site may be host to these wastes for the foreseeable future. The lesson for other communities who may elect to become interim storage sites is that for those who step up there is no end date in sight.

Our Request

The CTF believes that the Blue Ribbon Commission should recommend that the federal government do the following to address West Valley's high-level and other radioactive waste contamination problems:

- 1) Align BRC Recommendations with West Valley Need for HLW Disposal Pathway: Reconcile the current West Valley Phase 1 decommissioning plan contract (dismantlement and removal of the highly contaminated Main Plant Processing Building, which currently holds the 275 vitrified HLW

canisters that need to be relocated to an engineered, above ground dry storage facility) with opportunities presented by the BRC to chart a new path for managing the nation's HLW.

- 2) Chart a New Path with West Valley as an Example of Full Clean-up: Classify the 275 HLW canisters and other potential HLW at West Valley (tanks, vitrification melter, material buried in two disposal areas) as a priority waste stream for removal to a consolidated interim waste facility and then to permanent disposal in a national deep geologic repository.

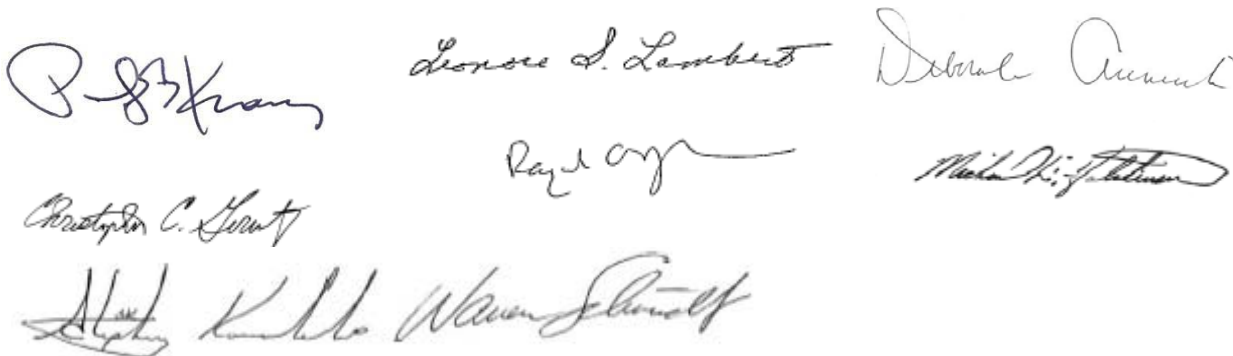
- 2) Do Not Segregate HLW by Origin: The priority for the process of siting a permanent HLW repository should be safety, and the protection of public health and the environment. The segregation of HLW according to origin, or any other criteria, will add cost and complication to an already expensive and difficult process. The CTF is against any redefinition of HLW, in particular with regards to the possible impact to the final disposition of commingled HLW currently stored at West Valley.

- 4) Learn from West Valley and Highlight the HLW Issue: Use the knowledge gained at West Valley to inform the Blue Ribbon Commission recommendations and to highlight some of the issues that arise at the back end of the nuclear fuel cycle. Consider the possibility that the Blue Ribbon Commission could and should advocate for full clean-up of the West Valley site. An inability to achieve full clean-up at this site would seem to cast doubt on the viability of the nuclear fuel cycle, particularly the resolution of issues that remain difficult at the back end of the cycle.

- 5) Advocate for Full Clean-up at West Valley: Fully fund the West Valley clean-up operations to support employment levels and activities necessary to complete the remaining work to enhance environmental protection and public safety.

Thank you for this opportunity to comment.

Sincerely,



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West Valley Citizen Task Force

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