

To: West Valley Citizen Task Force  
From: Melinda Holland  
Subject: Summary of December 4, 2001, Task Force Meeting  
Date: December 21, 2001

### **Next Meeting**

The next Citizen Task Force (CTF) meeting is scheduled as follows:

**Date:** Tuesday, January 8, 2002  
**Time:** 7:00 p.m. - 9:30 p.m.  
**Location:** Ashford Office Complex  
9030 Route 219, West Valley, NY

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (864) 457-4202, or Tom Attridge at (716) 942-2453.

### **CTF Attendees**

*Attending were:* Lana Redeye; Bill King, Lee Lambert, Nevella McNeil, John Pfeffer, Paul Bembia (for Paul Piciulo), Pete Scherer, Paul Piciulo, Mark Mitskovski (for Larry Rubin), Ray Vaughan, Alice Williams, Joe Patti, Bridget Wilson, Eric Wohlers, John Beltz (for Pete Cooney), and Warren Schmidt.

*CTF Members not attending were:* Pete Cooney, Tim Siepel, and Larry Rubin.

### **Agency Attendees**

*Attending in person:* Jack Krajewski, NYS Department of Environmental Conservation

*Attending by video conference:* Chad Glenn, U.S. Nuclear Regulatory Commission (NRC)

### **Meeting Highlights**

- NRC Policy Statement may be issued in final form by year end; public meeting in West Valley may follow.
- Report from High Level Waste Tank Closure Workshop held in November.
- NYSERDA - DOE negotiations update.
- Explanation of an on-site release of cesium contamination.
- Michelle Enser appointed to fill the Task Force vacancy.
- Report from the Future Site Use Work Group.

### **Meeting Summary**

Tom Attridge opened the meeting by briefly describing the written materials that were disseminated at the meeting. Melinda Holland then reviewed the agenda.

***NRC Policy Statement*** - Chad Glenn, NRC Project Manager for West Valley, stated that NRC management anticipates receiving the Final Policy Statement for the Decommissioning of the West Valley site from the NRC Commissioners before the end of the year. Once it is finished, NRC will publish a Federal Register Notice, issue the Policy Statement, then hold a public meeting to provide information on the Policy Statement and answer questions. In answer to CTF member questions, Chad explained that NRC management expects the Policy Statement to be issued in final form. NRC wants

other federal and state agencies to participate in the public meeting to explain their role in the decommissioning of the site. The CTF will be notified of the public meeting.

**HLW Tank Closure Workshop** - Pete Scherer gave a report on the HLW Tank Workshop which he attended in November. He shared a document which describes DOE's top-to-bottom review process. In response to a question, DOE representatives stated that DOE's Secretary Abraham, Undersecretary Card, and Assistant Deputy Secretary Jessie Roberson will make decisions regarding reorganization of Environmental Management (EM-1), noting that the President has stated he wants to change the way the United States conducts environmental management. Pete remarked that at the HLW Tank Closure Workshop, there was much more discussion about grouting tanks in place and very little discussion about digging them up. The decisions to grout in place are primarily based on cost-effectiveness. There was also a lot of talk about land use controls and institutional controls, but not much discussion of long-term stewardship. A CTF member stated that the Task Force's recommendations do not allow for long-term institutional controls, thus those recommendations would need to be revised if the CTF wants to accept closing the tanks in place. In response to a question, Pete and a DOE representative stated that the Savannah River Site (SRS) is currently using a vitrification process for solidifying HLW, Hanford is planning to vitrify, but Idaho has changed its mind due to high costs.

**DOE - NYSERDA Negotiations** - NYSERDA and DOE stated that while the talks have resumed, the issues remain the same and are just as difficult as they were last year. Jim Fiore is DOE's lead negotiator, with Elizabeth Lowes representing the DOE-WVDP, and Rick Ahearn acting as their negotiating attorney. NYSERDA's team is comprised of President Bill Flynn, Hal Brodie (Attorney), and Paul Piciulo (Site Director). CTF members expressed their concern over Congress' decision to reduce DOE's 2003-04 West Valley budget to \$43 million if the negotiations do not succeed by September 30, 2002. [The Congressional language states... "*funding for the West Valley Demonstration Project shall be reduced in subsequent fiscal years to the minimum necessary to maintain the project in a safe and stable condition.*"] In response to a question, a DOE representative stated that West Valley was the only site where Congress tied future budget cuts to resolution of an issue such as the negotiations. This budget cut would result in job losses and have a negative impact on the area's economy and site cleanup. Task Force members discussed options including writing additional letters or visiting political officials, working with the news media, and requesting that the agencies enter into binding arbitration. If no progress is made in the next two to three months, the CTF agreed on the need to take action. CTF members suggested that a new legal solution such as an act of Congress may be needed to resolve the impasse, and that the Task Force can play a role in pushing for new legislation. It was noted that the recently released General Accounting Office (GAO) report on West Valley suggested that Congress may need to provide clarification of the issues. A Task Force member asked whether the issuance of the NRC Policy Statement would affect the negotiations. DOE responded that it may clarify the decommissioning standards which DOE must meet under the West Valley Demonstration Project Act, which could help clarify some of the issues in the negotiations. Another CTF member suggested that the CTF form another Work Group to develop recommended action items to help move the negotiations forward, though no action was taken on this idea.

**On-Site Contamination Event Briefing** - John Chamberlain (WVNS) gave a presentation explaining a recent on-site release of cesium contamination. On November 13, a small amount of Cesium-137 was discovered on the ground between the Vitrification Facility and the HLW Tank Farm. The contamination was discovered during surveillance of a particular task (moving HLW sludge into the Vitrification Facility), not as part of routine monitoring. Upon this discovery, a comprehensive investigation ensued. Mr. Chamberlain stated that they have estimated that about 1/1000th of a curie of cesium was released and was deposited around the Main Plant in about 700 tiny spots of contamination. Mr. Chamberlain stated that no contamination was identified off-site, and that the evaluation and cleanup are ongoing.

The following summarizes the discussion which resulted from Task Force member's questions. The source is strongly believed to be the off-gas from the tank farm ventilation system, which under unique atmospheric and equipment conditions allowed moist air, carrying soluble cesium, up the stack. Upon reaching the outside air, the warm moist off-gas condensed and fell as drops in the immediate area. The radiation levels were low enough that the radiation alarms located in the stack did not detect enough radioactivity to sound. Under normal conditions, airborne cesium from the tanks would be caught by the filters, but the fact that cesium is highly soluble in water likely led to this event. It is believed that two separate releases, each lasting about one hour, occurred in October and again in November. Operational changes were recently made to the ventilation system installed in the 1960's, which may have resulted in the releases. Specialists from the Savannah River Site are coming to evaluate the event. General area radiation surveys were conducted at the site in June 2001, and no contamination was identified in the affected areas. The HEPA filters are replaced routinely based on either increasing radiation levels or changes in pressure resistance. The site is now using a new filter off-gas system to prevent future releases. This system has mist eliminators and heaters followed by multiple filters. Mr. Chamberlain stated that they have a very high level of confidence that this type of release will not happen again. A CTF member expressed concern that the possible budget cut in 2003 could result in less surveillance and maintenance thus making releases like this more likely. WVNS personnel acknowledged that if funding were severely curtailed, prioritizing site activities would become very important. When questioned about increase in frequency of routine monitoring since the terrorist attacks of September 11, a DOE representative stated that many things have changed regarding surveillance but it would be inappropriate to discuss specifics.

**New Task Force Member** - Melinda Holland, Task Force facilitator, presented her recommendation for a new Task Force member to fill the vacancy left by Larry Smith's resignation. Ms. Holland recommended and the Task Force appointed Michelle Enser, a life-long West Valley resident who teaches first grade at the West Valley Central School. Mrs. Enser requested that Chuck Rinaldi, Superintendent of the WV Central School, be her alternate.

The Task Force asked that a letter be sent to Murray Regan thanking him for his service on the CTF and that Mark Steffan, the new Supervisor for the Town of Concord, be invited to join the CTF.

**Future Site Use Work Group Report** - Work group members summarized progress to date and answered questions. The CTF concluded that work group members do not need to be officially appointed. While NYSERDA has no set future use in mind for the 3,000 + acres it owns, it is interested in working with the work group and CTF to discuss future site use options. The CTF needs to provide direction for this process. No formal response has been received in response to the recent letter the work group sent to the University of Buffalo (UB). However, a CTF member who has been in communication with University officials stated that he is confident they will be willing to meet with work group members. Alfred University representatives are visiting the site next week and may be interested in using the mini-melter. At the December 10 work group meeting, Erie and Cattaraugus County development agency representatives will be present and the group hopes to begin development of a scope of work for a reuse study. A CTF member suggested contacting the U.S. EPA's Superfund Redevelopment Initiative to see if they can help.

In response to a CTF member question, work group members stated that the purpose of the work group is to investigate options for the beneficial reuse of the site to help offset the economic and intellectual void which will result from the loss of the 700 + jobs and associated contract dollars upon site closure.

The focus of the December 10 Future Site Use Work Group meeting will include discussion of:

- Southern Tier West's draft proposal for a redevelopment plan;
- potential funding sources for a reuse study;
- report on developments with UB;
- explanation of the Hall Amendment;
- defining the contents of a scope of work for a reuse study;
- listing site assets; and
- Energy Communities Alliance membership.

The next Task Force meeting was set for Tuesday, January 8, and will serve as the CTF's annual meeting. The agenda will include the usual updates as well as development of a CTF work plan for 2002 and an evaluation of membership issues.

#### **Next Steps**

- ▶ At the January 8 meeting, revisit the need to form a separate work group to develop recommended action items to help move the DOE/NYSERDA negotiations forward.

#### **Observer Comments**

There were no observer comments.