

Springville Journal, Thursday, May 28, 2009

By:Press Release

**Help save the Great Lakes from nuclear contamination
West Valley site media event**

The federal and state governments are proposing to leave vast amounts of nuclear waste at the West Valley site for up to 30 years and probably longer. Leaking nuclear waste from the site can pollute Lakes Erie and Ontario and harm public health and the economy in the U.S. and Canada.

Join with hundreds of New Yorkers in supporting a full waste excavation cleanup of the site. It is the only way we can protect our precious Great Lakes.

Come to the “Protect Our Great Lakes with a West Valley Site Full Cleanup” Media Event and Boat Flotilla on Saturday, May 30. Boaters gather at 10 a.m., the news conference is at 11 a.m. at the Erie Basin Marina, (north of The Hatch Restaurant), in Buffalo.

Invited Speakers include Senators Catharine Young; Brian Smith, CCE; Diane D’Arrigo, NIRS; Art Klein, SC; and Father Greg Dobson.

For more information, call Art Klein, SC, 716-693-1082 or e-mail Diane D’Arrigo, NIRS, at dianed@nirs.org.

Ashford supports DOE/NYSERDA's preferred alternative of Phased Decision-making at WVDP

By RENEE HANLEY
Journal Correspondent

Representatives from NYSERDA (New York State Energy Research and Development Authority) and the DOE (Department of Energy) attended the Ashford Town Board's monthly public meeting on May 13.

DOE employee Catherine Bohan, EIS (Environmental Impact Statement) document manager, presented an overview of the plans under consideration for handling the nuclear waste and contamination on the Western New York Nuclear Service Center site located within the town of Ashford. Another DOE agent, Bryan Bower, was also in attendance.

A required No-Action alternative would entail continuous maintenance and monitoring of the site. The cost of this plan would be approximately \$12.6 million annually and would require about 75 employees. Action plans under consideration in the draft EIS are site-wide removal of all waste, which would allow eventual unrestricted use of the land. Estimated cost of site-wide removal could reach \$9.7 billion over a period of 64 years and involve 260 employees. The site-wide close-in-place plan, where contamination would be managed at the current location, could take seven years and involve 360 employees with a cost of \$1.1 billion during the implementation stage. Portions of the site could one day be released for unrestricted use.

The third action alternative, Phased Decision-making, is preferred by the DOE and NYSERDA. During Phase 1 of this plan, steps would be taken to remove, reduce or eliminate potential human health impacts. The initial implementation process could cost \$1.2 billion dollars and involve 230 employees over a period of eight years. Simultaneously, Phase 2 of the plan would be an assessment period of up to 30 years

for studying the best methods to eliminate remaining waste. The reasons for the agencies support of the Phased Decision-making alternative are because decontamination would continue to progress at the site while additional analyses and informed decisions could be made for the long term. Hopefully within the 30-year time frame, there would also be a resolution of disposal locations for "orphan" waste (contamination for which there is presently no disposal site). The public comment period concerning the draft EIS closes on June 8. A Record Decision will be formalized in December of this year and issued in the Federal Register.

Paul Bembia, NYSERDA program director, along with Andrea Mellon, senior project manager, were also on hand to support the Phased Decision-making alternative. Bembia pointed out that NYSERDA has effectively managed this site for 25 years in a safe and compliant manner and feels they could do so for another 30 years.

"There are significant uncertainties with in-place closure or exhumation," said Bembia. NYSERDA, along with nationally recognized scientists and engineers, have performed an independent review of the draft EIS and concluded that more

studies and data would be needed to reduce the uncertainties for Phase 2. There would also be public involvement during Phase 2.

"NYSERDA is committed to making sound decisions now and in the future," stated Bembia. The board agreed to support the DOE/NYSERDA preferred alternative by way of a resolution and/or comments to be submitted to the draft EIS. They will finalize a statement during the work session later this month.

"We all want to work together to clean this thing up," summarized town supervisor Christopher Gerwitz.

In other town news:

- Ashford received \$91,487 for the first quarter sales tax payment from Cattaraugus County.

- D.O.T.'s Consolidated Local Street Highway Improvement Program (CHIPS) has reinstated its funding and Ashford is eligible for \$104,900.

- The town board received a letter with 29 signatures from concerned citizens regarding junk cars on a piece of private property. The board is looking into ways to remedy this situation.

- The board passed a resolution to request a traffic study and possible speed reduction on County Road 77 (Henrietta Road).

- Approximately \$7,900 is needed to for signposts and hardware to complete the address sign project.

- The town would like to invite Daniel Martonis, County GIS (Geographic Information Systems) coordinator, to do a future presentation for the board.

- The next town of Ashford regular board meeting will be on Wednesday, June 10, at 7:30 p.m. in the Community Center at West Valley.

Newsday.com

Push is on for full cleanup of NY nuclear site

By CAROLYN THOMPSON

Associated Press Writer

May 29, 2009

BUFFALO, N.Y.

With a little more than a week left to be heard in the decades-old debate over how to clean up a western New York nuclear site, supporters of complete decontamination say anything less would jeopardize the health of the Great Lakes and its vital freshwater.

State and federal energy officials in November recommended a two-phase plan that would have them spend \$1 billion to remove contaminated buildings and soil from the West Valley site over the next several years, while deferring for up to 30 years the larger question of whether to leave some radioactive waste forever buried.

The public comment period on the governments' Draft Environmental Impact Statement ends June 8.

The 3,300-acre site 30 miles south of Buffalo housed the nation's first commercial nuclear reprocessing facility from 1966 to 1972.

Environmentalists and others say removing all traces of high- and low-level waste is the only way, given the erosion-prone geology, to ensure that it will not eventually seep into nearby creeks, make its way into Lakes Erie and Ontario and contaminate drinking water supplies.

"Common sense dictates we make a decision now to protect the Great Lakes and protect the water," Diane D'Arrigo of the Nuclear Information & Resource Service said Friday. A group of recreational boaters and fishermen planned to anchor at the Erie Basin Marina in Buffalo on Saturday to underscore the point.

Cleanup has been ongoing since Congress passed the 1980 West Valley Demonstration Project Act, directing the Department of Energy to use the site to demonstrate a method for solidifying high-level liquid waste, and to decontaminate and decommission facilities used in the effort. The law made New York state responsible for 10 percent of the costs and the DOE responsible for the rest.

With the solidification of more than 600,000 gallons of radioactive waste completed in 2002, the state and federal governments have been trying to decide how to wrap up the project.

The "phased decision making" approach favored by the DOE and New York State Energy Research and Development Authority commits to eight to 12 years' worth of work that the agencies agree should be done, and allows time to further study whether the site should be completely decontaminated or if buried waste should be enclosed and the site monitored for generations to come.

A report funded by the New York Legislature estimated the cost of complete excavation at \$9.9 billion, and put the expense of maintaining the site over the next 1,000 years at \$13 billion to \$27 billion _ more if waste leaks.

"The phased approach does not preclude the full cleanup option that those organizations are interested in seeing pursued," said Bryan Bower, DOE's West Valley Demonstration project director. "It does keep the project moving with the work we can do right now."

U.S. Reps. Brian Higgins and Eric Massa, both New York Democrats, support a full cleanup and said they would ask Energy Secretary Steven Chu for a 90-day extension of the public comment period that began in November.

Among others weighing in to support a full cleanup have been the Presbytery of Western New York, which passed a resolution citing its "Christian commitment to caring for creation," Catholic Charities and the Western New York Council on Occupational Safety & Health.

Buffalo News, May 31, 2009



05/31/09 06:37 AM

Speakers urge full cleanup of West Valley waste site

By Jake May NEWS STAFF REPORTER

With only eight days left for public comment and no final repository decided upon for the most dangerous radioactive wastes at the West Valley Demonstration Project, a coalition of environmental groups is trying to steer the decades-old debate over how to clean up the former nuclear fuels processing center.

State and federal environmental officials in November recommended a \$1 billion, two-phase plan that would remove contaminated buildings and soil from the West Valley site over the next several years, while deferring for up to 30 years the larger question of whether to leave some radioactive waste forever buried.

But according to Brian Smith, western New York program director of Citizens' Campaign for the Environment, a full cleanup of the waste site is the only "responsible option to protect our Great Lakes, health and economy."

Smith was one of five speakers at the Erie Basin Marina Saturday, urging people to make their opinions on the issue heard.

The speakers urged state residents to tell the Department of Energy and the State Energy Research and Development Authority to fully excavate and clean the 3,300-acre site 30 miles south of Buffalo.

“Anything less is nothing more than ignoring a serious threat and passing along problems to future generations,” Smith said. “The Great Lakes really mean everything to us. It would be catastrophic not to do anything.

“We can’t repeat that mistake, and now we have the opportunity to implement what needs to be done.”

About 35 people gathered at the marina to listen to the broad-based coalition of representatives from environmental, fishing, labor and religious groups call for the full cleanup.

Environmentalists and others say that removing every trace of high-and low-level waste is the only way — given erosion-prone geology — to ensure that it will not eventually seep into nearby creeks, make its way into lakes Erie and Ontario and contaminate drinking water supplies.

“Now is our chance to protect our drinking water from intensely radioactive nuclear power and weapons waste buried upstream decades ago but still able to cause large numbers of cancers now and in decades to come,” said Diane D’Arrigo, radioactive waste project director at Nuclear Information and Resource Service.

“The [DOE] and [state] won’t commit to dig it all up before it leaks further unless every one of us tells them they must,” she said.

The “phased decision-making” approach favored by the federal government and the state commits to eight to 12 years’ worth of work that the agencies agree should be done, and allows time to further study whether the site should be completely decontaminated or if buried waste should be enclosed and the site monitored for generations.

A report funded by the state legislature estimated the cost of complete excavation at \$9.9 billion, and put the expense of maintaining the site over the next 1,000 years at \$13 billion to \$27 billion — more if there is waste leakage.

Rep. Brian Higgins, D-Buffalo, supports a full cleanup, and he, along with Rep. Eric Massa, D-Corning, will ask Energy Secretary Steven Chu for a 90-day extension of the public comment period that began in November.

“The fight is just beginning. Sometimes the fight is over quick. Sometimes the fight takes a long time,” Higgins said, encouraging community leaders to stay heavily involved in the issue. “It’s going to be a fight. Let’s join together and speak with one voice. This is a grass-roots effort, and we have to try and force them to do what they ought to be doing.”

The public comment period on the issue ends June 8, and environmental officials and the congressmen encourage New York residents to file comments and complaints about the West Valley site online at westvalleyeis.com.

jmay@buffnews.com

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Push is on for full cleanup of Cattaraugus nuclear site

POSTED: May 29, 2009

BUFFALO, N. Y. (AP) - The push is on for complete decontamination of the West Valley nuclear waste site in western New York.

A coalition of environmental, religious and political leaders has a little over a week left to make its case against a state and federal government plan to put off a final decision on the site for as long as 30 years.

Public comment on a Draft Environmental Impact Statement closes June 8.

On Saturday, supporters of a full cleanup will take to Lake Erie in boats to draw attention to the threat of radioactive contamination of the lake if nuclear waste is left at the Cattaraugus County site.

West Valley housed the nation's first commercial nuclear reprocessing facility in the late 1960s and early 70s.

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Springville Journal, June 4, 2009

Groups cites leaving buried waste poses threat to Great Lakes

Public can comment until June 8

CLEAN UP NOW — Congressman Brian Higgins, right of the podium, joined others who are concerned about the clean-up of WVDP during a recent media event held at the Erie Basin Marina.



A broad-based coalition of environmental, sports, labor and religious groups were joined by Representative Brian Higgins (NY-27) at a media event at the Erie Basin Marina. The federal and state governments are proposing to leave vast amounts of nuclear waste at the West Valley site for up to 30 years. Scientists found in a state-funded independent study that, over time, leaking nuclear waste from the site, located 30 miles south of Buffalo, can pollute Lakes Erie and Ontario and harm public health and the economy in the U.S. and Canada.

Comments about this can be sent by the public until June 8 via the DOE Web site at www.westvalleyeis.com. Congressmen Higgins and Massa are inviting the NYS Congressional delegation to join in their call for an immediate decision for full cleanup. The groups urged New Yorkers to comment in support of the Great Lakes-protective cleanup plan with full waste excavation for the dangerous, leaking West Valley site.

“Full clean-up of the West Valley site is the right thing to do ethically and environmentally and I will be working with my colleague Congressman Eric Massa to seek the government’s commitment toward this effort,” said Higgins, a member of the Congressional Great Lakes Caucus. Higgins noted the federal Recovery Act included an additional \$74 million for West Valley clean up, doubling the typical annual allocation.

Diane D’Arrigo, radioactive waste project director at Nuclear Information and Resource Service said, “Now is our chance to protect our drinking water from intensely radioactive nuclear power and weapons waste buried upstream decades ago but still able to cause large numbers of cancers now and in decades to come. The US Energy Department and NYS won’t commit to dig it all up before it leaks further unless every one of us tells them they must—Do it at www.westvalleyeis.com before June 8.”

“A full clean up of the West Valley waste site is the only responsible option to protect our Great Lakes, health, and economy,” said Brian Smith, Citizens’ Campaign for the Environment WNY Program Director. “Anything less is nothing more than ignoring a serious threat and passing along our problems to future generations. Citizens Campaign for the Environment urges the public to tell the DOE and NYSERDA to support the safest, most cost effective solution- a full waste excavation clean up.”

To view the independent, state-funded study, *The Real Costs of Cleaning Up Nuclear Waste: A Full Cost Accounting of Cleanup Options for the West Valley Nuclear Waste*, visit www.nirs.org, www.cectoxic.org or www.besafenet.com

Buffalo News, Tuesday, June 9, 2009

06/09/09 07:01 AM


WEST VALLEY

Public comment period on cleanup extended

WASHINGTON—The U. S. Department of Energy has extended the public comment period for the proposed cleanup of the West Valley Demonstration Project, which had been scheduled to expire Monday.

A group of federal lawmakers, led by Reps. Brian Higgins, D-Buffalo, and Eric Massa, D-Corning, and New York's two U. S. senators, had pushed for the 90-day extension.

“Full cleanup of the West Valley site is important to Western New York and the health of our Great Lakes,” Higgins said. “This extension allows more time for residents and organizations to have their voices heard on this important matter.”

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06/10/09 06:22 AM

Nuclear illness session sought here

By Jerry Zremski

WASHINGTON BUREAU CHIEF

WASHINGTON — Western New York’s congressional delegation is asking that the panel overseeing federal compensation for former nuclear workers go to Buffalo to hear firsthand about how those employees suffered life-threatening illnesses decades after leaving their jobs at Bethlehem Steel Corp.

Such a public meeting in Buffalo is necessary “in order to ensure that the federal government treats these families with fairness,” said the letter, which was signed by New York’s two U. S. senators and Western New York’s four members of the House.

Hundreds of local Bethlehem Steel workers or their survivors have filed claims for compensation under the federal program for employees of the Department of Energy and its contractors, saying those workers developed debilitating or fatal diseases because of their exposure to radioactive material on the job.

But of the 804 claims that have been filed, 393 cases have been denied.

“Local residents are feeling let down by the country they worked so hard to protect,” said Rep. Brian Higgins, D-Buffalo. “Bethlehem Steel employees and their families deserve respect and the opportunity to be heard.”

Many of the claims were denied because the evidence simply didn’t exist to prove whether those workers got sick because of radiation exposure.

For that reason, the lawmakers have been pressing for establishment of a “special exposure cohort” that would make more of the workers and their survivors eligible for federal benefits.

“The former employees at Bethlehem Steel have been neglected for far too long and should not have to

scale a mountain of red tape or prove the unprovable before receiving the compensation they deserve,” said Sen. Kirsten E. Gillibrand, D-N. Y.

The panel that the lawmakers asked to go to Buffalo, the federal Advisory Board on Radiation and Worker Health, has in the past held meetings in locales near former nuclear work sites across the country, said Fred Blosser, a spokesman for the National Institute of Occupational Safety and Health.

“We would certainly take seriously any request made by a member of Congress,” Blosser said.

jzremski@buffnews.com .

Find this article at:

<http://www.buffalonews.com/cityregion/buffaloerie/story/698540.html>



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Spotlight on... Joanne Hameister

Love Canal had Lois Gibbs; Kerr-McGee had Karen Silkwood; and the West Valley Demonstration Project has Joanne Hameister.

"I've learned more about nuclear waste than I ever wanted to know about anything," said Joanne, an East Aurora resident involved with the Coalition on West Valley Nuclear Waste. She has volunteered countless hours fighting for the health and safety of the region during the U. S. Department of Energy's decades-long cleanup of the former nuclear reprocessing plant in West Valley.

"It's such a chemical stew down there," she said. "The Department of Energy just wants to walk away, because they don't know what to do with it. I think the people of Western New York deserve better than that."

Joanne's environmental activism started in the 1970s, when she was chairwoman of the East Aurora League of Women Voters' environmental project. "Helen Smythe, Fran Arcara and I spent our time running between Love Canal and West Valley," she said. "It was a lot of work."

Now 67, she's been fighting the environmental fight for 30 years. "I'm dealing with half-lives, and half my life has been involved with radioactive isotopes," she said with a laugh.



She and her husband Carl recently celebrated their 40th wedding anniversary. They've lived on Sweet Road for 39 years, in the home they bought on their first anniversary. Joanne is a Rochester native, and Carl is from Lancaster. She's a semi-retired information technology specialist, and Carl is retired from Quebecor and Arcada Graphics. They enjoy skiing and golf.

Politics is another interest of Joanne's. She ran for Aurora town supervisor and came close to beating Henry Hager, she recalled. "They impounded the machines and we didn't know who would win." She also ran twice for Town Board, but she won't be running again, although she enjoyed the experience immensely. "I walked the village, I rode my bike into town, I met so many people," she said. "It was incredible, absolutely incredible. I wore out two pairs of shoes."

In 1987 Joanne started a celiac disease support group when she was diagnosed with the condition, and she is equally passionate about her two pet causes.

"Two things I'll stop everything for: celiac disease and West Valley. My husband comes in there someplace," she joked.

Whom should we spotlight? If you know a nice neighbor, interesting person or former resident we should catch up with, email your spotlight nomination to the East Aurora Advertiser at eanews@eastaurorany.com, or mail it to 710 Main St., East Aurora, NY 14052.

Comment period extended for nuclear cleanup

By Rick Miller
Olean Times Herald

The Coalition on West Valley Nuclear Wastes received welcome news from the U.S. Department of Energy late last week that it would extend the comment period for three more months on the Draft Environmental Impact Statement (DEIS) of proposed cleanup activities at the West Valley Demonstration Project.

For Joanne Hameister of East Aurora, president of the coalition, the news could not have come at a better time. She was rewriting portions of the coalition's comments on the statement with members of the coalition's Steering Committee as Monday's deadline for comments approached.

"It was a midnight reprieve, Mrs. Hameister said in an interview Friday. "We were really scrambling."

In January, the Department of Energy announced a six-month comment period on its preferred alternative to clean up much of the site in the town of Ashford, while leaving radioactive wastes buried in two landfills and two huge underground tanks that held highly radioactive liquid wastes. Decisions about removing the tanks and excavating the material from the landfills would be deferred for as many as 30 years.

The Coalition on West Valley Nuclear Wastes has been a local watchdog for the nuclear cleanup for more than 30 years.

"The coalition has always been for monitored retrievable storage," Mrs. Hameister said. A federal lawsuit members filed three years ago seeks to have the Department of Energy's process ruled illegal, she added.

"They've manipulated the process," Mrs. Hameister said of the Department of Energy. The department sought to split the cleanup study into two parts after the 1996 impact statement stalled. Mrs. Hameister sees a parallel with the latest preferred alternative, which would defer a decision on the tanks and landfills for as many as 30 years.

"The short-lived (radioactive) stuff is gone," Mrs. Hameister said. The wastes have been at the site since the late 1960s when Nuclear Fuel Services reprocessed spent nuclear fuel rods. The plant closed in 1972 and was taken over by the state and federal governments, which began a cleanup in 1980 after passage of the West Valley Demonstration Project Act.

"The rest of the (radioactive) stuff is dangerous" for 10,000 years or more, she said.

Mrs. Hameister said many people had not commented because of the technical nature of the radioactive clean-up.

"It's legitimate for someone to say they want it fully cleaned up because they are afraid of the consequences," which include radioactive contamination in Lake Erie since the nearby Cattaraugus

Creek empties into it. It is a source of drinking water for millions of people.

Mrs. Hameister thinks the Department of Energy should continue the pilot project work it started nearly 30 years ago with the aim to convert 600,000 gallons of highly radioactive liquid wastes into glass logs.

“This is the perfect place to develop new technology to safely excavate the trenches and remove the tanks,” she said.

“This is the perfect place to develop new technology to safely excavate the trenches and remove the tanks,” she said.

She said she plans to use the extra three months to seek resolutions from more area municipalities calling for the full cleanup of the West Valley site, which is projected to cost nearly \$10 billion, or five times the cost of the initial cleanup proposed by department officials and backed by the New York State Energy Research and Development Authority.

The Cattaraugus County Legislature, Erie County Legislature and Niagara County Legislature all adopted resolutions in the past three months calling on the department to perform a total cleanup of the nuclear site. Mrs. Hameister also made presentations to the East Aurora Village Board and Planning Board, which also endorsed the full cleanup option at West Valley.

“People are starting to get scared about it (radioactivity) getting into the water supply,” she said, adding legislators were quick to vote for a total cleanup after she showed them old photographs of cardboard boxes containing nuclear wastes in the landfill in the 1970s.

OLEAN - Eric Wohlers, the Cattaraugus County environmental health director, has been a member of the West Valley Citizens Task Force for more than 10 years.

Last month, the Task Force completed its review and comments on the proposed cleanup at the West Valley Demonstration Project. It joined the Cattaraugus County Legislature, Seneca Nation of Indians and the Coalition of West Valley Nuclear Wastes in calling for a full site cleanup.

The Task Force had reportedly wavered between demanding a total cleanup at the site - including buildings, underground contamination, tanks and landfills - and the preferred alternative proposed by the U.S. Department of Energy, which would have split the cleanup into two parts.

According to Mr. Wohlers, the Task Force was uncomfortable with the department’s proposal to perform much of the cleanup within seven years at a cost of a little more than \$1.2 billion, while leaving the underground tanks and radioactive wastes buried in the state and federal landfills for as many as 30 years before a decision on what to do with them is made.

Mr. Wohlers said the Task Force:

- supports the proposed work in phase 1, which includes removal of buildings - including the Main Process Building - and addressing groundwater contamination.
- supports the full site cleanup.
- wants a Supplemental Environmental Impact Statement to be mandatory if the phased decision-making alternative the Department of Energy favors is selected.

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

Jamestown Post-Journal, 06-15-2009

More Time Given For West Valley Cleanup

The U.S. Department of Energy has granted a request for an extension of the public comment period on the cleanup of the West Valley site.

"Full clean up of the West Valley site is important to Western New York and the health of our Great Lakes," said U.S. Brian Higgins, D-South Buffalo, a member of the Congressional Great Lakes Task Force. "This extension allows more time for residents and organizations to have their voices heard on this important matter."

In response to a letter sent to the Department of Energy on June 5, initiated by Higgins and U.S. Rep. Eric Massa and signed by U.S. Senators Charles Schumer and Kristen Gillibrand, the DOE agreed to extend the public comment period for 90 days for the revised Draft Environmental Impact Statement for decommissioning and/or long-term stewardship at the West Valley Demonstration Project.

In 1980, Congress passed the West Valley Demonstration Project Act directing the Department of Energy to enter into an agreement with New York state for clean-up of the Western New York Nuclear Service Center established in the 1960s in response to a federal call for efforts to commercialize the reprocessing of spent nuclear fuel from power reactors. New York state is responsible for 10 percent of the Project costs and the federal government pays 90 percent. The federal Recovery Act included an additional \$74 million for West Valley clean up, doubling the annual allocation.

Comments on West Valley clean-up can be submitted via the Department of Energy Web site at www.westvalleyeis.com.

Springville Journal, Thursday, June 18, 2009

WV claimants' support group member receives compensation

Husband worked for WVDP for 18 years

Although another member of the West Valley Nuclear Compensation Support Group (WVNCSG) recently received payment from the federal government for the death of her husband who worked at the West Valley Demonstration Project (WVDP) is cause for celebration, it is very sad that only three people out of approximately 20 who have made claims from the group have received this compensation for illnesses directly related to radiation exposure. The group estimates that there are probably 1,000 to 1,300 potential claimants.

Not wishing to be named, the spouse recently received \$150,000 to compensate her for the death of her husband who died at age 54 after working for 18 years in the warehouse at WVDP. What seems strange is that other people who worked in the same warehouse have had their claims denied by the National Institute for Occupational Safety and Health (NIOSH) on the grounds that less than 50 percent of their cancer was caused by exposure to radiation. This particular claim was paid on the basis of NIOSH stating that 95 percent of her husband's cancer was due to radiation exposure.

On the other hand, another survivor claimant has just received notification from NIOSH that she will receive compensation for her husband's death from colon and prostate cancer because 52 percent of his illness was attributable to the same exposure. He also worked in the very same warehouse for many years.

Yet another survivor claimant, whose husband also worked in the warehouse 21 years, has been denied her claim more than once. "Every time I got a denial, I would start crying," she says. However, she remains hopeful and optimistic that eventually she will receive compensation for her husband's early and untimely death from lung cancer.

With such anomalies, most members of the group are very suspicious of the methods by which claims are approved or denied by NIOSH.

Benefits under the Employee Occupational Illness Compensation Program Act (EOICPA) fall into two categories: Part B and Part E. Part B covers current or former workers or qualified survivors who have been diagnosed with certain cancers or diseases caused by exposure to radiation, beryllium or silica while working directly for the Department of Energy as employees or subcontractors. This benefit includes, among other things, up to a \$150,000 lump sum payment and medical care for covered illnesses. Part E provides coverage for any occupational illness "as least as likely as not caused by exposure to a toxic substance." Part E also includes, among other things, compensation based on permanent impairment and years of lost wages.

According to the NIOSH program statistics Web site, as of May, 23 applications have been filed of which only 31 have been approved for payment.

The survivor claimant who recently received compensation is not giving up on the other members of the group. "I'm going to continue working on this until everybody has been paid," she says.

WVNCSG is still looking for individuals or widows or widowers of individuals who worked at the site from the 1960s to 2002. The group can be contacted by e-mail at wvnscg@yahoo.com.

Springville Journal, Thursday, June 18, 2009

Wind energy discussed at Ashford board meeting

Horizon Wind Energy explains proposals

Wind energy was the main topic of discussion at the June 10 Ashford Town Board meeting. Gary Davidson from Horizon Wind Energy was on hand to clarify concerns from the council members.

Davidson noted that Horizon's proposed project would be a 20 megawatt development consisting of between nine and 13 turbines located in the Dutch Hill ridge area, which would tie in to the transmission line on Ashford Hollow Road.

He continued to explain that if the proposal were to move forward, noise level studies, visual impacts, road use, infrastructure information and the interconnection process would be estimated for public dissemination.

Roads would be bonded against heavy equipment damage and the community could also require bonds in the event that the project was one day decommissioned.

Davidson also added that the anticipated lifespan of the GE turbines which Horizon uses is 25-30 years.

In response to an inquiry about potential lightening strikes to the wind towers, Davidson remarked that preventative measures such as grounding, breakers, and proper installation normally inhibit power surges or other damage.

He noted that electricity produced by area turbines connected to mid-level voltage stations would be consumed locally via demand.

Members of START (Southern Tier Advocates for Renewable Technologies) were also in attendance at the town board meeting.

Ashford's planning board has been working on a wind law for the past two years and members have visited and investigated other wind farms in western New York. Town Supervisor Christopher Gerwitz advised residents to research and educate themselves on wind energy, and visit and tour other facilities.

Meteorological towers for gathering wind data have been operating in the Ashford area since 2004.

A public forum regarding proposed local wind energy ordinances will be held on Tuesday, June 30 at 7:30 p.m. at the Community Center in West Valley.

Other items discussed during the evening's meeting:

- West Valley resident Tim Klahn addressed the board regarding Continental 1, an organization which promotes a continuous, four-lane highway system from Miami to Toronto, including the Route 219 extension. Klahn feels that this proposition is costly and detrimental to New York state as well as the local area.

Councilmen John Pfeffer and Charlie Davis attended a town hall meeting in Ischua featuring Congressman Eric Massa earlier this month. They were able to discuss NYSERDA's PILOT money and the water issue with him.

"He's very interested in that [water project]. He wants to come here and see it personally," Pfeffer informed the board.

- The board unanimously passed the filing of the SEQR (State Environmental Quality Review) Negative Declaration form, with the absence of Councilman Bill Heim. The Full Environmental Assessment Form allows a proposed adoption of a local law regulating wind energy projects and installations.
- The comment period for the Draft Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project has been extended for three more months.
- Highway Supervisor Tim Engels advised board members that the highway crew is preparing to seal and chip town roads.
- Pfeffer would like to hold regular office hours (to be determined) in order to be more accessible to town residents.

The next Ashford Town Board meeting is scheduled for Wednesday, July 8 at 7:30 p.m. at the Community Center in West Valley.

Buffalo News, Thursday, June 18, 2009

WEST VALLEY

Citizen group urges agency to order full cleanup of radioactive waste

By Kathy Kellogg

CATTARAUGUS CORRESPONDENT

ASHFORD — The West Valley Citizen Task Force called for a full cleanup of radioactive waste at the West Valley Demonstration Project and the former Western New York nuclear fuel reprocessing center.

But at the same time, the group urged authorities to pursue additional environmental impact studies and continue public involvement if a phased decision-making approach is chosen instead.

The task force, made up of representatives from the surrounding community, has been meeting since 1997 to advise the federal and state governments on a preferred cleanup method of the 3,300-acre site. The task force sent the 12-page letter and attachments to the Department of Energy, which announced a three-month extension of the decision deadline, through Sept. 8.

About 200 acres of the site hold high-level radioactive wastes and other dangerous wastes left over from reprocessing operations in the 1960s. The task force document supports a 64-year, \$9.7 billion removal of all waste from the site. At the same time, it advocates speedy completion of tasks in the initial portion of the state and federal governments' preferred phased decision-making alternative — work that would cost \$1.2 billion over eight years.

If the phased decision-making alternative is chosen, work under Phase I would remove the Main Plant Process Building, the Vitrification Facility and another building considered the source of an underground plume of strontium and cesium. This phase also would see completion of additional studies and development of technology needed for work under the second phase.

The second phase would carry out the difficult removal of other highly radioactive facilities, including a tank farm holding high-level liquid wastes, a construction and demolition debris landfill and the source of the strontium plume. The methods for that step would be charted only after further study and technological development.

Two other options are considered unlikely due to long-range safety issues: the site-wide close-in-place option costing about \$1.1 billion over seven years, and a do-nothing alternative requiring perpetual monitoring, maintenance and funding.

In its comments, the task force notes the site should be cleared for unrestricted future use because it doesn't meet Nuclear Regulatory Commission licensing criteria. Storing or disposal of waste for a long period of time could create unknown risks of erosion, radiation exposure and the potential for release of material into surrounding streams and the Great Lakes, the task force said.

The DOE will incorporate comments from the task force and others in a final environmental impact study that could be released in late 2009 or early 2010. Within 30 days afterward, the selected alternative will be announced.



WESTERN NEW YORK CATHOLIC

May 2009

Inside

Restructured parish blooms in Niagara Falls

One year ago, five Niagara Falls parishes merged to form what has become a thriving, growing family. Despite a declining population in the city, Divine Mercy Parish, estimated at 600 families and growing, has become a community with outreach groups and organizations. Parishioners have repented in an example of Christian service to help the poor in the area.

Page 4

Teens go bowling for Catholic Charities

Young people from throughout the diocese took part in Bowling for Hope and raised money for Catholic Charities. Teenagers canvased neighborhoods to get pledges for bowling and also to raise awareness of Catholic Charities programs.

Page 10

Franciscan friar inspires Bona students

A Franciscan Friar has provided guidance, and has inspired countless students at St. Bonaventure University. Father Dan Riley, OFM, has been involved in campus ministry and was instrumental in beginning a retreat center which is estimated to get more than 2,000 visits each year from students seeking an evening or a weekend of spiritual renewal.

Page 20

www.wnycatholic.org

Sharing Christ behind bars

By Kristyn Million
Staff Reporter

Tall, ominous brick buildings sit far back from the road. Guard towers loom over the property, contained within a cage-like perimeter fence and loops of razor wire. It's a cloudy, gloomy day – seemingly appropriate for a visit to Gowanda Correctional Facility. After being cleared through the metal detectors and allowed through the electronically-controlled gates leading to the prison yard, the deacon leads the way along the sidewalk toward the building, the one with the felons.

There's a certain anxiety that goes along with being locked inside a prison facility with no real way out aside from a guard letting you out. From that perspective, even when you're fully aware that in a couple of hours, you'll be back out on the freedom side of the fence, it still seems like a frightening place.

But then the deacon casually tells a joke, and mentions how beautiful the grounds are when the flowers are in bloom.

His perspective is different.

Deacon Timothy Maloney, a permanent deacon, married with five children, (Prison ministry continued on page 7)



Photo by Patrick McPartland/Staff Photographer

Deacon Timothy Maloney has been working in prison ministry for 11 years. His duties include counseling inmates, running programs and contacting families of those incarcerated.

Social justice includes monitoring nuclear waste clean-up

By Mark Ciemioch
Staff Reporter



Photo by Patrick McPartland/Staff Photographer

Leonore Lambert has been a close observer of the West Valley Demonstration Project in Cattaraugus County.

Followers of the Catholic Church have used its teachings to advocate and defend many of its beliefs to change public policy. Catholics have used moral guidance to discuss issues important to them, like right-to-life, heterosexual marriage ... and nuclear waste clean-up?

The latter is a topic that seems more suited to the halls of justice than the house of Christ. But as the green movement gains momentum, many environmental advocates are framing their arguments in religious terms to broaden their message.

"We certainly care about social justice," said Leonore Lambert, an East Aurora resident and environmental activist.

(Social justice continued on page 6)

Monitoring nuclear waste clean-up *(continued from page 1)*

“We care about fairness to the next generation. We care about creation, but God created this wonderful world for us, and what are we doing to it?”

Sister Sharon Goodremote, FSSJ, who has advocated environmental and social justice issues for Catholic Charities, explained that part of the change is because people are becoming more aware of the green movement and are applying the issue to their own moral, ethical and faith beliefs.

“You must realize how awesome God must be if He can create the earth,” said Sister Sharon, who leads the Care for Creation Committee (see story below). “They realize it’s not just a political issue, but a moral one, so they go to their faith for support.”

Lambert practices what she preaches, as she participates on a citizen’s task force formed to advocate ways to clean up the radioactive West Valley Reprocessing Plant, which contained more than a half-million gallons in nuclear waste buried underground.

With the radioactive waste



The West Valley nuclear waste site has been the center of controversy for years.

remaining in liquid form, conservationists are concerned about leaks contaminating the local soil and water supply.

The West Valley Reprocessing Plant was decommissioned in 1972, but the 660,000 gallons of nuclear waste stored in an underground tank remained. In 1980, the West Valley Demonstration Project Act was signed, directing the United States Department of Energy to solidify the

nuclear waste.

The DOE is currently considering four options for West Valley; site-wide removal of all contaminants and facilities, close-in-place to isolate long-lived radionuclides and burial grounds, a phased decision-making plan for some clean up and more research over a 30-year period, and no action at all. Although the public comment period is open until June 8, the DOE is leaning toward the phased decision-making alternative.

“It’s a band-aid solution that would temporarily do some of the clean up, but the danger is they’re calling it phased decision-making so you don’t have any guarantee that the full commitment to clean up will be given,” said Lambert, who would rather see a full-site cleanup. “To even think about leaving things in the ground there is a sin.”

“That’s making a decision for the next generation; cleaning it up now instead of waiting for 30 years and for more contamination,” Sister Sharon said.

Lambert’s love of the environment and creation grew from her child-

hood, as she spent many afternoons at the Buffalo Museum of Science. She grew to become a committed advocate, serving not only on the citizen task force but also with the League of Women Voters.

Lambert said her faith compels her to stay active in the fight.

“We come and pray, but then we must go and do,” Lambert quoted Father John Mergenhagen. “This has helped me stay focused on what I can do, should do and must do, both as a citizen and as a Christian. We are not to look around and complain and criticize, but to get out there and help make it better.”

Sister Sharon explained that many relationships are based in faith, including the one humankind has with its environment.

“It’s a home we’re passing on to other generations, so we have to care for it,” she said. “If we’re going to take care of creation, we’re going to have to have a conversion of heart, to consume less, reuse things better and become more simple. It’s a huge change for people, so that’s why they’re falling back on the idea of their faith.”

Environmental advocates change to Care for Creation

By Mark Ciemcioch
Staff Reporter

With a new name, the Diocesan Care for Creation Committee hopes its outreach to schools and parishes throughout Western New York will bring attention to their advocacy for a more environmentally-friendly climate, both scientifically and politically.

The group was originally known as the Global Climate Change Committee, named after a grant from the United States Conference of Catholic Bishops that helped fund their activities. Sister Sharon Goodremote, FSSJ, of Catholic Charities guides the committee.

“We felt (the name change) was much more able to look at the Catholic social teaching principle of the care of creation,” she said. “People would understand what we were trying to do; more and more would see this as a moral issue.”

As part of their outreach, the committee is offering the “Catholic Climate Covenant: St. Francis Partnership to Protect Creation and the Poor,” a campaign launched by the national Catholic Coalition on Climate Change to help Catholic individuals,



Photo by Patrick McPartland/Staff Photographer

Sister Sharron Goodremote (left), FSSJ, of the Diocesan Care for Creation Committee, talks to Dr. Rosemary Henry, superintendent of Catholic Schools, about Catholic schools getting involved in selling energy efficient bulbs.

organizations and institutions examine their practices to make them more environmentally-friendly. The covenant is dedicated to St. Francis of Assisi, patron saint of the environment.

The covenant asks Catholics to consider a five-step process to protecting the environment, including prayer, education, self-assessment, action and advocacy.

“The bishops are asking Catholics to take (the covenant) to pray for inspiration on how to make those choices and learn about the issues,” Sister Sharon said.

The Care for Creation Committee reached out to Dr. Rosemary Henry, diocesan superintendent of Catholic Schools, to bring the covenant into the classroom. The April roll-out campaign was designed to coincide with Earth Day on April 22.

“I really want our schools to be involved in this important issue,” Henry said. “It is so important that children learn it is their responsibility to protect God’s creation.”

Although it is too early to track results, Henry noted ways in which schools are contributing to the


campaign by using cloth bags instead of plastic, using both sides of a sheet of paper, cleaning up litter around property and planting trees. Science, religion and social studies classes are also grappling with the climate change problem through their own lenses.

“All those kinds of things are so important for our youth to understand,” Henry said. “It’s pretty new, (so) it would be something we would want to do and track if schools are deciding to do (the covenant). My hunch is that schools are already doing community service projects related to the earth, environment, conservation and preservation.”

Sister Sharon is also spreading the covenant to parishes. Through workshops and parish bulletins, she feels the word is getting out. St. Bernadette Parish in Orchard Park is offering fair trade coffee sales and meals served on heavy-duty recycled paper dishes and silverware made from sugar cane. Nativity of Our Lord of Orchard Park parishioners are using similar practices.

“People seem to be more attracted to the idea of care for creation,” Sister Sharon said. “It’s in tune with the Catholic tradition.”



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Energy Department targets Cold War-era nuclear weapons production sites for cleanup projects

By: **RICHARD LARDNER**

Associated Press

06/20/09 7:00 PM EDT

WASHINGTON — The Energy Department will spend \$6 billion as part of President Barack Obama's stimulus package to clean up nuclear weapons sites at Cold War-era facilities, with more than half the money going to sites in Washington and South Carolina, a senior official told Congress on Wednesday.

The government will focus on decontaminating and demolishing tainted facilities, removing radioactive waste and trying to restore soil and groundwater, Ines Triay, the department's acting assistant secretary for environmental management, told a Senate Armed Services panel.

More than \$1.9 billion will be spent on cleanup at the Hanford site, a former plutonium production complex on the Columbia River in southeastern Washington. The site produced plutonium used in the first nuclear bomb. The government said there are more than 53 million gallons of radioactive and chemically hazardous waste in 177 underground storage tanks there along with 2,300 tons of spent nuclear fuel and nine tons of plutonium.

In South Carolina, the government will spend more than \$1.6 billion at Savannah River Site to shut down nuclear reactors and ship more than 4,500 cubic meters of waste out of the state.

Triay told the Senate panel that cleanup projects have been delayed to pay for more urgent programs. She said the total cost estimate for necessary cleanup is \$14.3 billion.

Other states receiving parts of the \$6 billion in nuclear cleanup money include:

_Tennessee: \$755 million for the Oak Ridge National Laboratory to demolish and dispose of uranium enrichment plant buildings, buildings from the era of the Manhattan Project and highly contaminated uranium processing buildings; and restore soil to protect area groundwater.

_Idaho: \$468 million for the Idaho National Laboratory to demolish excess nuclear and radiological facilities.

_New Mexico: \$384 million for the Los Alamos National Laboratory and a waste site in Carlsbad. The money will be used to demolish buildings and for waste shipment work.

_New York: \$148 million for projects at facilities in Brookhaven, West Valley and Niskayuna.

_Ohio: \$138 million for demolition and remediation work at Miamisburg and Portsmouth.

_Utah: \$108 million for waste removal along Colorado River.

_Illinois: \$99 million for work at Argonne National Laboratory.

_Kentucky: \$79 million for work at a uranium facility in Paducah.

_California: \$62 million for work at the National Accelerator Laboratory at Stanford University and the Energy Technology Engineering Center west of San Fernando Valley.

_Nevada: \$44 million to install groundwater monitoring gear and demolish buildings at the Nevada Test Site.

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On the Net:

Energy Department: <http://www.em.doe.gov/emrecovery/EMRecovery.aspx>

Senate testimony: <http://armed-services.senate.gov/statemnt/2009/April/Triay%2004-22-09.pdf>

Find this article at:

<http://www.washingtonexaminer.com/economy/ap/48687307.html>

Making the NEPA Process Work Again at West Valley

by Cathy Bohan, NEPA Compliance Officer and Document Manager

Imagine facing the following situation as a new NEPA Compliance Officer (NCO) and EIS Document Manager at a field site:

Decisions on site decommissioning and/or long-term stewardship were urgently needed. To resolve a legal dispute with a local environmental coalition in the mid-1980s, DOE had agreed to begin preparation of an EIS for site decommissioning earlier than originally planned. A Draft of that EIS was issued in 1996 with no preferred alternative identified. No Final EIS was ever issued. Instead, a complex political, legal, and regulatory framework choked the NEPA process. DOE's attempt to restart the process in 2003 – with a State joint lead agency that owns the site property, the New York State Energy Research and Development Authority (NYSERDA), and the participation of four other Federal and state agencies – appeared to have failed. The other agencies were the U.S. Environmental Protection Agency (EPA), U.S. Nuclear Regulatory Commission (NRC), and New York State Department of Environmental Conservation (NYSDEC) (cooperating agencies); and the New York State Department of Health (NYSDOH), an involved agency under the State Environmental Quality Review Act.

Progress was stymied. Over 1,700 comments had been received from the five state and Federal agencies on

a new internal draft of the EIS, revealing different goals and expectations for the document. Tensions and mistrust of DOE ran high. The State joint lead agency for the document threatened to withdraw from the EIS process. This agency was already at odds with the Department over financial and long-term stewardship responsibilities. The citizens advisory group that was formed to help in the development of the preferred alternative had grown impatient and frustrated. Without site decommissioning decisions, site workers could run out of substantive work to do.

Your task? Ensure all comments are resolved, issue a revised Draft EIS for public comment, and then issue a Final EIS as soon as possible.

Such was the situation in early 2006 when I assumed the duties of NCO and Document Manager at the West Valley Demonstration Project. In December 2008, DOE issued the *Revised Draft Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center* (DOE/EIS-0226-D (Revised)) for public review and comment. The document contained a Preferred Alternative shared by both DOE and NYSERDA, the joint lead State agency. So, what happened in the intervening 2½ years to break the impasse?

(continued on next page)

Background:

The largest of the “Small Sites” in DOE’s Environmental Management Program, the West Valley Demonstration Project is located approximately 35 miles south of Buffalo, New York. The site is the location of the only commercial nuclear fuel reprocessing facility to have ever operated in the United States. Nuclear Fuel Services, Inc. (NFS) operated the site from 1966–1972, leasing the property from the State of New York, and under license from the Atomic Energy Commission. NFS shut down the plant for modifications and expansion in 1972, never to reopen due to increasing safety requirements that affected the ability of the plant to be profitable, later relinquishing responsibility for the site back to the State of New York. In 1980, Congress passed the West Valley Demonstration Project Act, which directed DOE to:

- Solidify the high-level radioactive waste at the Western New York Nuclear Service Center
- Develop containers suitable for permanent disposal of the waste
- Transport the solidified waste to a Federal repository for permanent disposal
- Dispose of low-level radioactive waste and transuranic waste generated by the solidification activities
- Decontaminate and decommission the underground high-level waste tanks, facilities, and the material and hardware used in connection with the Project

West Valley (continued from previous page)



No Action Alternative. No decommissioning actions would be taken; continued management and oversight of all facilities on the property would occur.



Preferred Alternative. The Main Plant Process Building, Vitrification Facility, and several contaminant sources would be removed over an 8-year period.

Core Team Process Started

In June 2006, DOE convened an Interagency Roundtable with the five agencies participating in the EIS process. Senior officials and staff from each agency assembled in this forum to discuss the technical concerns with the internal Draft EIS that had generated so many comments, and the potential path forward. As a result of the Roundtable, DOE proposed to use the *Core Team Process* to address the issues in the EIS.

The *Core Team Process* is a consensus-building process that DOE and EPA had used successfully at several DOE sites to determine appropriate cleanup actions. This application at West Valley was the first time DOE has used the process in the NEPA context. After securing a contractor to serve as a facilitator, DOE invited each agency to participate in this process to resolve technical issues impeding progress on the EIS. Knowledgeable staff and managers with authority to represent their agency's positions and expertise would participate in monthly meetings. DOE also proposed periodic Interagency Roundtables with senior officials from each agency to report progress and receive authorization to continue.

Initially, only three of the other agencies (NRC, NYSDEC, and NYSDOH) participated. At monthly meetings, the agencies discussed site conditions, regulatory requirements, and technical and analytical challenges, as well as possible solutions. After only three months, the concept for a new alternative for the document was developed. It would represent a unique, phased approach to decommissioning that could allow important actions to proceed in the near-term to reduce real potential risks for certain portions of the site, while allowing time for development of technologies to support decisionmaking on the remaining portions and establishment of disposal facilities for "orphan" waste streams (waste streams without a clear path to disposal) that could be generated from those later activities. This new alternative was later identified as the Preferred Alternative.

Progress Accelerates

After a few more months of Core Team meetings and another Interagency Roundtable, NYSERDA and EPA agreed to participate in the monthly Core Team meetings. Within the year, production of new draft chapters and appendices began in earnest on a rolling production schedule for review by all of the agencies.

Through the *Core Team Process*, a number of key areas of disagreement that had impeded progress on the EIS were resolved, including:

- **Level of Detail** – The agencies agreed that the EIS should provide not only the environmental information required for an adequate EIS, but also should contain some additional detailed information to meet certain regulatory agency information needs. However, other complex regulatory documents, such as those required under the Resource Conservation and Recovery Act or to demonstrate detailed compliance with the NRC Decommissioning Criteria, would be tiered from the EIS, instead of being made a part of it.
- **Preferred Alternative** – The agencies jointly developed and identified a preferred alternative to be included in the document for the first time in the almost 20-year history of the EIS process.
- **Agreeing to Disagree** – Several areas of technical disagreement between DOE and NYSERDA were discussed regarding analytical methodology and the handling of incomplete and unavailable information. This open exchange ultimately led DOE and NYSERDA to agree to document their opposing points of view on certain elements of the analyses in a foreword to the document.

(continued on next page)

West Valley *(continued from previous page)*

Other Factors


Application of project management techniques and other factors were critical to accelerating issuance of the Draft EIS:

- Rolling production of 27 EIS chapters and supporting appendices on an aggressive schedule, followed by internal review by DOE and NYSEERDA, revision, review by the cooperating agencies, and resolution of comments was completed in eight months. This effort led to a new preliminary “concurrence draft” being distributed to all the agencies about one month prior to a planned one-week concurrence review meeting.
- All of the agencies participated collaboratively in the intensive one-week concurrence review, working effectively as a team. Senior officials and staff from each agency supported the meetings.
- The EIS schedule was coordinated with production of a separate Decommissioning Plan to be submitted to NRC concurrent with issuance of the Draft EIS, as well as with completion of an independent analysis being conducted by NYSEERDA for incorporation into the EIS.

- Through dedicated attention to project management, and a hefty desire to succeed, the document preparation team was able to forecast or overcome challenges, such as snags in modeling efforts, comments being received later than scheduled, and life events that affected the availability of key production team members.

Overall, the success of this effort was due to the dedication and support of senior officials and staff from each agency involved, the open exchange and cooperative spirit ultimately established through the *Core Team Process* to resolve technical concerns where possible, agreement to discuss opposing views clearly in the Draft EIS as necessary, and an intensive project management effort.

Next Steps

DOE plans to conduct three public hearings in late March and early April 2009. The six-month public comment period (required to comply with a settlement of a previous lawsuit) ends June 8, 2009. After 20 years, we expect to issue the Final EIS in 2009. For more information on the revised Draft EIS, please contact Cathy Bohan at catherine.m.bohan@wv.doe.gov or 716-942-4159. 

Cape Wind Review *(continued from page 16)*

on a smaller project (65 turbines), a condensed array of 130 turbines, and a phased development approach. MMS published its Draft EIS in January 2008 (*LLQR*, March 2008, page 14) and received more than 42,000 comments.

In preparing the Final EIS, MMS amended the Draft EIS based on comments received. The changes included the addition of a final bird and bat monitoring plan, a finding of adverse visual effect to historic properties, updated mitigation measures, and proposed new mitigation measures to ensure navigation safety in response to a 2008 U.S. Coast Guard report regarding shipboard radar. Although MMS concluded that providing this new information did not result in a significant change to the analysis in the Draft EIS, in its Notice of Availability for the Final EIS (74 FR 3635; January 21, 2009), MMS invited comments on these issues, which MMS will consider in preparing its Record of Decision (ROD). MMS will accept comments through its Public Connect online commenting system through March 21, 2009.

What's Next?

In its ROD, MMS will announce a decision whether to authorize the proposed project. Any lease, easement,

or right-of-way that MMS may issue to Cape Wind would be conditional on the applicant obtaining all necessary permits and meeting all other requirements of Federal and state agencies.

In January 2009, shortly after the Final EIS was issued, the Massachusetts Office of Coastal Zone Management determined that the project is consistent with all state policies. Other state permit approvals remain pending. Cape Wind has applied to the Massachusetts Energy Facilities Siting Board to issue a “Certificate of Environment Impact and Public Interest,” a composite permit that covers all necessary state and local permits. Other Federal approvals are also pending, including those from the Federal Aviation Administration and Coast Guard. Cape Wind officials stated on their website (www.capewind.org) that they expect to complete the entire permitting process by Spring 2009 and construction could begin in 2010.

Additional information on the Cape Wind Energy Project, including electronic copies of the Final EIS and related documents, are available at the MMS website or by contacting James F. Bennett, MMS Environmental Assessment Branch, at 703-787-1656. 