

To: West Valley Citizen Task Force
From: Melinda Holland, Task Force Facilitator
Subject: Summary of the January 14, 2004, Meeting
Date: February 9, 2004

Next Meeting

The next Citizen Task Force meeting will be held as follows:

Date: Wednesday, February 18, 2004
Time: 7:00 - 9:30 p.m.
Location: West Valley Demonstration Project Site
10282 Rock Springs Road
West Valley, NY

NOTE: All participants must bring photo identification to enter the site.

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (828) 894-5963, or Tom Attridge at (716) 942-2453.

CTF Attendees

Attending were: Tim Siepel, Pete Scherer, Bill Kay, Paul Piciulo, T. J. Jackson, Mark Mitskovski (for Larry Rubin), Ray Vaughan, Joe Patti, Mike Hutchinson, Eric Wohlers and John Pfeffer.

CTF Members not attending (nor represented by an alternate) were: Gayla Gray (for Lana Redeye), John Allan, Lee Lambert, Ron Buczak, Warren Schmidt, Bill King, and Nevella McNeil.

Other Attendees (via telephone)

Scott Sroka and Moira Campion of Senator Charles Schumer's Office.

Meeting Highlights

- ▶ Planning the February CTF visit to the WNY Congressional delegation in Washington, DC;
- ▶ Status report on Southern Tier West's redevelopment study efforts;
- ▶ CTF Annual meeting evaluation and discussion; and
- ▶ Review of draft 2004 CTF Work Plan, and next steps.

Meeting Summary

Tom Attridge, NYSERDA, reviewed the documents distributed at this meeting, then Melinda Holland reviewed the agenda.

Congressional Visit

Scott Sroka and Moira Campion of Senator Charles Schumer's Office joined the meeting via conference call. CTF members explained that the topics¹ for a proposed meeting between members of the Task Force and the WNY Congressional delegation include:

¹ These topics were developed during CTF conference calls.

- ▶ Maintaining the WVDP budget at adequate levels;
- ▶ Preventing or addressing the negative economic impact on the local and regional community when the site has 50 or less employees (which is anticipated by DOE to occur after 2008; those employees will perform monitoring and maintenance until the high-level waste (HLW) canisters can be shipped to the federal repository);
- ▶ Explaining the CTF's disagreement with DOE's and NYSERDA's proposals on how the site will be decommissioned and its eventual end state;
- ▶ Preventing passage of DOE's proposed legislation to change the definition of some HLW to "Waste Incidental to Reprocessing;" and
- ▶ Resolving the legal issues which have resulted in the impasse between NYSERDA and DOE over the scope of site cleanup, the HLW fee, and responsibility for long-term stewardship.

Ms. Campion noted that these topics seemed relevant for the meeting and are the major issues of concern regarding West Valley. She recommended that the meeting between the CTF and the delegation be set for sometime in the second half of February to allow time to observe what happens in early February with the Energy Bill and the President's budget. She encouraged the CTF to invite NYSERDA and DOE representatives to attend the meeting to discuss the issues. A Task Force member mentioned that he has been unable to reach Bob VanWicklin, who is in China with Representative Amo Houghton. CTF members asked Ms. Campion if she would help schedule the meeting to which she agreed. Melinda Holland agreed to be the point person to help facilitate communications between Ms. Campion and the CTF.

In response to a question, Ms. Campion explained that the West Valley language was taken out of the Energy Bill based on a letter from New York Governor Pataki requesting its removal. CTF members stated that they preferred the earlier House and Senate Bills which would have transferred title to the waste, instead of preparing a study to transfer title to the entire West Valley site (as found in the Energy Bill). When asked about the changes that occurred during the 2003 Congressional term to proposed legislative language regarding the West Valley site, Ms. Campion explained that the study language that was placed in the Energy Bill was a compromise developed during negotiations of the bill.

A Task Force member requested that if NYSERDA develops draft legislative language, that they share it with the CTF. A NYSERDA representative stated that he would investigate whether any draft language would be available before the CTF trip to Washington, DC.

When asked about strategies for getting legislation related to the West Valley site passed, Ms. Campion responded that the ability to move a Bill will depend on its contents. She stated that it is much easier to attach language to a larger bill such as the Energy and Water Appropriations Bill which goes through once a year. She also stated that it's important to watch what happens during the first two weeks of the Congressional session, which starts on January 20, before assessing the likely chances of West Valley legislation succeeding. Task Force members agreed that the target for a meeting between CTF members and the Congressional delegation would be the last two weeks of February. Ray Vaughan asked the Task Force for feedback on whether they thought it would be beneficial to have the Coalition's attorney, Bob Knoer, and Natural Resources Defense Council (NRDC) attorney, Jeff Fettus, attend the CTF meeting with the Congressional delegation.

Southern Tier West Redevelopment Study

Tom Barnes of Southern Tier West (STW) was unable to attend the meeting but he sent a detailed e-mail explaining the project status which Eric Wohlers read to the CTF. Eric shared that STW will issue two

Requests for Proposals (RFP) very soon. One RFP will be seeking a consultant to perform a community strategic planning process for the region (excluding the WNYNSC site), while the other RFP will be seeking someone to help develop a strategic reuse plan for the 3,345 acre Western New York Nuclear Service Center site. CTF members asked Melinda Holland to contact Tom Barnes to request that a copy of both RFPs be sent to the Task Force as soon as possible. STW plans to make a decision on both consultants within a month of issuing the RFPs. CTF members discussed potential for reuse of buildings and infrastructure on the WVDP site, and noted that finding a way to ameliorate the loss of economic benefits which result from the site is key. A Task Force member noted that DOE recently stated that community recommendations on future use is included as part of the Risk-Based End States approach to deciding how much to clean up a site. A DOE representative noted that at other sites, DOE has worked with community stakeholders to try to achieve a level of cleanup which allows the communities desired future use to proceed. Task Force members commented that the level of cleanup needed might vary depending on the future use recommended, for example, an industrial plant vs. a day-care center.

STW also will be creating an Advisory Committee to follow these two planning processes. They requested that the CTF nominate a representative to the Advisory Committee. Mike Hutchinson and Ray Vaughan volunteered and agreed that one would sit as the CTF member on the Advisory Committee and one of them would serve as an alternate. STW also plans ten public meetings in the Ashford and Concord areas over the next six months.

Task Force Annual Meeting

Next, Ms. Holland reviewed the CTF's 2003 activities and accomplishments and congratulated the Task Force on having accomplished a great deal. The CTF then completed a year-end evaluation, the results from which will be compiled and distributed once all members have completed the form. Task Force members shared their observations on key CTF strengths, attributes, and ways to increase its effectiveness.

Ms. Holland reviewed the draft 2004 CTF Work Plan, noting that Bob Warther, DOE Ohio Field Office Manager, will participate in the February 18 meeting to explain and answer further questions about DOE's preferred alternative. Dave Geiser, DOE Headquarters, will attend the March 17 meeting to discuss Long-Term Stewardship and Risk Based End States. DOE representatives stated that the EIS schedule is not yet complete enough to predict which topics may be ripe for discussion in the second half of 2004, but they hope to be able to provide that information soon. The CTF will update the 2004 Work Plan once that information is available.

Technical Work Group

At a prior CTF meeting, the Technical Work Group of the CTF agreed to develop a draft comparison of DOE's preferred alternative and the CTF's Recommendations Report. Ray Vaughan distributed a copy of a first draft and asked for comments from the CTF. A Technical Work Group conference call will be scheduled to refine the draft. Technical Work Group members currently include Ray Vaughan, Gayla Gray, Mike Hutchinson, and Tim Siepel. Other CTF members are invited to participate, if interested.

Waste Management EIS

T. J. Jackson, DOE, announced that the Waste Management Final Environmental Impact Statement (FEIS) has been released and was mailed to CTF members. A CTF member noted that in his review of the comment response portion of the EIS, he did not see any reference to comments that DOE agreed with.

Next Steps

Future Task Force meeting dates:

February 18 - Site closure options and Q&A with Bob Warther, DOE Ohio Field Office

March 17 - Long-Term Stewardship
 April 21 - CTF discussion of the Preferred Alternative
 May 19 - Future Site Use Options
 June 16 - Use of Alternative Dispute Resolution to resolve the DOE - NYSERDA impasse
 July 21 - TBD

Observer Comments

There were no observer comments.

Action Items

Action	Assigned To	Due Date
Contact Tom Barnes to request that a copy of both RFPs be sent to the Task Force as soon as possible.	M. Holland	1/16/04
Schedule a CTF conference call to discuss Washington, DC trip.	M. Holland	2/10/04
Send the year-end evaluation form to CTF members not attending this meeting; compile results once all members have completed the form.	M. Holland	1/16/04
Schedule a Technical Work Group conference call to refine the draft comparison of DOE's preferred alternative and the CTF's recommendations.	R. Vaughan & Technical Work Group	1/26/04
Confirm Dave Geiser's (DOE Headquarters) participation in the March CTF meeting and request recent documents on LTS and RBES.	M. Holland	1/9/04
Contact Congressional delegation to set up a CTF meeting with the delegation in Washington, DC.	M. Champion/ M. Holland	1/9/04
Provide the CTF with an updated map showing Congressional districts and West Valley funding/jobs by district.	WVNSCO	2/18/04

Documents Distributed

Document Subject	Document Description	Generated by–Date (if applicable/known)
Agenda	Agenda	Holland; 1/14/04
CTF Meeting Summary	Summary	Holland; 1-6-04
Draft 2004 CTF Work Plan	Work Plan	Holland; 1/14/04
2003 CTF Accomplishments	List	Holland; 1/14/04
Seneca Nation letter to DOE	Letter	SNI; 12-31-03
Coalition on West Valley Nuclear Wastes letter to DOE	Letter	CWVNW; 12-29-03
CTF Letter to DOE	Letter	CTF; 12-31-03
Draft comparison between the CTF Recommendations Report and the DOE Preferred Alternative	Table	Vaughan; 1-14-04
Cover letter & Waste Management Final Environmental Impact Statement	Report	DOE; 12-03