

WEST VALLEY CITIZEN TASK FORCE

December 22, 2006

Dale E. Klein, Chairman
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Dear Commissioner Klein:

The West Valley Citizen Task Force (CTF) is very concerned about the continued spread of the radioactive plume of Strontium 90 (Sr-90) across the North Plateau of the West Valley site and the lack of any Federal initiative to actively address the source of the plume. Recent data shows that the groundwater contamination is now escaping to the surface in ever greater concentrations. This will eventually result in migration offsite. For their part, the U.S. Department of Energy (DOE) passively monitors the migration and has expressed no intent or plan to remediate the source of the plume, nor are they considering any new measures whatsoever to check the further spread and escape of the plume. Since there is no agreement between DOE and the New York State Energy Research and Development Authority (NYSERDA) over responsibility for the plume, the result is continued inaction, much to our dismay.

As we understand it, the U.S. Nuclear Regulatory Commission (NRC) is responsible for the health and safety of the populace regarding radiological matters. Even though you normally exercise this duty in the context of licenses, we believe you have a broader, more general national duty to protect citizens from radiological exposure.

According to NRC monitoring reports, the radioactive plume of Sr-90 in the groundwater was discovered at the site in 1989. The most recent NRC monitoring report notes that the leak occurred in 1967 and mentions two mitigation efforts by DOE to slow the progress of the plume, including a groundwater recovery "pump and treat" system (1995) and a pilot permeable treatment wall (1999). Although the wells have recovered some minor quantities of Sr-90, parts of the plume have gone around the wells while the permeable treatment wall was entirely ineffective. Meanwhile, contaminated water is still daily spreading to previously uncontaminated media, migrating and expanding in the sand and gravel of the North Plateau. The underground portion is moving steadily beyond the West Valley Demonstration Project premises controlled by DOE into the uncontaminated buffer area of the Western New York Nuclear Service Center, and contaminated groundwater now seeps unchecked into surface ditches, thence into Frank's Creek, and ultimately into Lake Erie.

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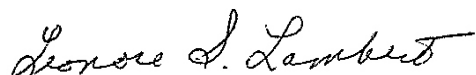
NRC's April, 2006 monitoring report states that "... the current (emphasis added) configuration of the groundwater plume does not pose a risk to the health and safety of the public," and " at this time (emphasis added) the Sr-90 groundwater plume does not pose an immediate risk to the health and safety of the public." These statements beg the question of what levels of risk will be posed in the not-so-distant future if the plume's spread is allowed to continue. Why should we be content that there is no "immediate" risk when it seems inevitable that further unchecked spread of the plume will eventually result in a measurable risk to the health and safety of the public? Should not NRC's responsibility to protect the health and safety of the populace allow room for some sort of action to compel a Federal agency to actively address a known radiological contamination source?

Why is the NRC content to merely monitor this migration of this radioactive groundwater plume into previously uncontaminated areas? Why is nobody other than EPA suggesting any initiative to address the source of the plume and a path toward clean closure of the North Plateau?

Although remediation of the plume's source must be addressed in the West Valley Decommissioning Environmental Impact Statement (EIS) and Record of Decision, we urge NRC to take steps to compel DOE to immediately begin development of a plan to remediate the source of the plume. This is especially urgent because DOE continues to delay the EIS process begun almost twenty years ago. We further request that future NRC monitoring visits consider/acknowledge the inevitability of human health risks associated with further unchecked spread of the plume and the increasing release of radioactivity to the surface environment, not only the immediate condition.

We are grateful for the Commission's consideration of these requests and we look forward to the day when someone will be assigned responsibility for proactively addressing this contamination source.

Respectfully submitted,



Leonore S. Lambert
On Behalf of the West Valley Citizen Task Force

cc: U.S. NRC Commissioner Edward McGaffigan, Jr.
U.S. NRC Commissioner Jeffrey S. Merrifield
U.S. NRC Commissioner Gregory B. Jackzco
U.S. NRC Commissioner Peter B. Lyons
U.S. Senator Hillary R. Clinton
U.S. Senator Charles Schumer
U.S. Representative Brian M. Higgins

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U.S. Representative John R. Kuhl, Jr.
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Catharine M. Young, New York State Senate
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Tim Rice, New York State Department of Environmental Conservation
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