

To: West Valley Citizen Task Force  
From: Bill Logue, Citizen Task Force Facilitator  
Date: April 15, 2014  
Subject: **Summary of the March 26, 2014 Meeting**

## Next Meeting

The next Citizen Task Force Meeting will be: April 23, 2014

Time & Date: **6:30 – 9:00 PM**

Location: Ashford Office Complex  
9030 Route 219  
West Valley, NY

**Note:** Participants must be U.S. citizens and have photo identification. Please contact Bill Logue (860-521-9122, [Bill@LogueGroup.com](mailto:Bill@LogueGroup.com)) with questions or comments concerning this summary or future meetings.

## CTF Members and Alternates Attending

Rob Dallas, Judy Einach, Mike Hutchinson, Lee James\*, Deb John, Paul Kranz\*, Lee Lambert, Mary Reid, Ray Vaughan, Eric Wohlers. Alternate: Deleen White.

## Agency Participants and Observers

*Department of Energy (DOE):* Bryan Bower.

*New York State Energy Research and Development Authority (NYSERDA):* Paul Bembia, Elizabeth Lowes, Andrea Mellon, Allyson Zipp\*.

*CH2M Hill B&W West Valley, LLC. (CHBWV):* Lynette Bennett, Charles Biedermann, Dan Coyne, Cindy Dayton, Heatherly Dukes, John Rendall.

*New York State Department of Environmental Conservation:* Patrick Concannon, Martin Doster, Ken Martin.

*Observers:* Diane D'Arrigo\*, Paul Siepierski.

## INTRODUCTIONS AND ANNOUNCEMENTS

Bill Logue welcomed all present and reviewed the meeting agenda and materials<sup>1</sup>. Deb John, representative from the Seneca Nation of Indians, introduced Deleen White, Seneca Nation Environmental Technician, as her alternate. Bill Logue informed the CTF that Bill Snyder was likely to become an alternate and be replaced by Clyde Drake.

## CHBWV PROJECT OVERVIEW

Heatherly Dukes and Dan Coyne of CHBWV presented an update of current work activities.

**Milestone 1: High-Level Waste (HLW) Relocation Project.** Ms. Dukes reviewed the Milestone 1 Project Scope for the HLW canister relocation. The HLW pad and apron are complete. The pad is 3-feet thick using 133 tons of reinforcing steel and 1,800 yds<sup>3</sup> of concrete, the approach pad is 18-inches thick. Eight vertical storage casks are complete and 8 more have been ordered. The flow path within the building and to the pad for the canister move is being prepared. Core borings in the Equipment Decontamination Room revealed some soil subsidence under the floor which will be grouted. In the Chemical Process Cell (CPC) the load-lowering device designed to safely move the canisters into the casks was tested and 17 HLW canisters were moved for the first time since 2002. This allowed for decontamination testing of the canister tops using vacuum and wipe processes. Results will be available shortly. The Load-In/Load-Out Facility is being prepared. The HLW Overpack Welding System will be delivered in April. Eight HLW Overpacks will be delivered in June. Each HLW Overpack will hold 5 canisters and be made of 3/8" stainless steel with a 4" lid and 2" bottom. Test welds to qualify the system will take place in May. The low profile rail cart, to

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<sup>1</sup> Each is listed at the end of this summary and may be found at [www.westvalleyctf.org](http://www.westvalleyctf.org) under 2014 Meeting Materials.

\*Participated by telephone.

move the Storage Casks from the CPC, and the TL220 Transporter and Vertical Cask Transporter are being manufactured. The Haul Road from the Main Process Plant to the storage pad is being upgraded.

The CTF was advised that the goal is to decontaminate the HLW canisters to the DOE Environmental Management Waste Acceptance Criteria of 2,200 DPM/100 cm<sup>2</sup> for alpha emissions and 22,000 DPM/100 cm<sup>2</sup> for Beta and Gamma. . Of the seventeen canisters tested, three did not meet this goal. However, DOE is working with Headquarters to have the HLW Overpack certified, in which case the HLW Overpacks, not the HLW canisters themselves, would have to meet the criteria. Ms. Dukes noted this was an innovative and very cost effective solution. Mr. Bower of DOE reminded the CTF that because there is not a national repository the Department was attempting to maintain flexibility in its approach. The storage casks have a 50-year design life. NRC is expected to issue a Certificate of Compliance for the shipping casks in November 2014.

**Milestone 2: Waste Operations.** Sixty-eight of 80 transuranic (TRU) waste drums in the Interim HLW Storage Facility have been placed in TRO overpack boxes and relocated to safe storage on site. All Kistner boxes with TRU waste were moved to this area. The 2013 Waste Processing Area processing is complete. The transportation contract and disposal subcontract were awarded for the Vitrification Melter, Concentrator Feed Make-Up Tank and Makeup Feed Hold Tank. LLW is shipped to the Nevada Test Site or EnviroCare in Clive, Utah. Industrial waste is shipped to McKean, Pennsylvania. Legacy Waste disposition is LLW 53% complete, Mixed-LLW 97% complete and Industrial and Hazardous waste shipping is 100% complete. Newly generated waste shipped, contract-to-date, is: industrial 143,141 ft<sup>3</sup>, 112,000 LLW, and MLLW 737 ft<sup>3</sup>. When the Main Plant Processing Building (MPPB) is taken down the current plan is to ship the waste from the site by rail using the rail spur.

**Milestone 3: Facility Demolition.** The MPPB Upper Warm Aisle has been deactivated. Asbestos abatement is complete in the Plant Office Building 2<sup>nd</sup> and 3<sup>rd</sup> floors. Miscellaneous equipment, material and debris has been removed from the Vit Cell.

**Milestone 4: Balance of Site Facilities.** The E-Lab waste loadout is complete. Backfilling of the Cooling Tower and Counting Lab areas is complete and demolition of miscellaneous structures has been initiated.

## **WVDP BUDGET CYCLE AND FY 2014 STATUS**

Bryan Bower of DOE presented an overview of the budget cycle. He noted that DOE works on three years simultaneously – implementation of the current budget (FY '14), formulation on action on the next year's budget through the executive branch and congressional action (FY '15), and DOE formulation and work with Office of Management and Budget on the subsequent year budget (FY '16).

He reviewed the 2012 budget, 2013 sequester funding and 2014 Omnibus Spending Bill. The latter will fund WVDP at \$66.015 million. Of this, \$64 million is through the DOE Non-Defense Environmental Cleanup line item and \$2.015 million is through defense for Safeguards and Security. Mr. Bower noted the efforts in recent years made by Congressmen Reed and Higgins to ensure funding for the project through various amendments. DOE is now working with the Office of Management of the Budget to formulate the FY 2016 budget request.

Mr. Bower noted that the EIS had projected an annual budget of \$75 million for 10 years based on certain assumptions about the Project status on the contract turnover from WVES to CHBWV. Subsequent refining indicates there will costs above what was provided in the EIS. In response to a question regarding work performed under the previous Interim End State Contract, Mr. Bower indicated recent changes to the Phase 1 Decommissioning contract included \$80 million to address work not performed during the previous contract.

## **DOE/NYSERDA PATH FORWARD TO PHASE 2 DECOMMISSIONING DECISIONS**

Paul Bembia of NYSERDA presented DOE and NYSERDA's integrated approach for making the Phase 2 decision for the WVDP and the Western New York State Nuclear Service Center (Center). The approach includes:

- 1) Framework for analyzing the entire Center;
- 2) Addressing uncertainty in the Phase 2 analysis;
- 3) Decision for all facilities; and
- 4) Preparation of a Supplemental Environmental Impact Statement (SEIS).

Mr. Bembia noted that the WVDP is about 200 of the 3300 acres of the Center. The entire Center, with the exception of the State-Licensed Disposal Area (SDA), is under license from the U.S. Nuclear Regulatory Commission (NRC). The SDA is regulated by the New York Departments of Environmental Conservation and Health.

Framework for Analyzing the Center: The agencies have agreed to use the NRC License Termination Rule (LTR), as presented in the NRC West Valley Policy Statement as the framework to analyze *all* site facilities, including the SDA, to provide a consistent integrated approach. A CTF member expressed concern that the Final Policy Statement could be interpreted to be less prescriptive than the LTR, and that termination of NYSERDA's license should be done under the LTR, not a under a lesser standard. Mr. Bembia noted that some details remain open, and the agencies still need to work through the steps for the analysis structure with NRC and NYSDEC. As an example, Mr. Bembia said that under the LTR, the license could be terminated without controls if the less than 25 mRem standard were met; at higher doses controls would be required. A brief discussion ensued about the lack of New York State closure requirement on this issue because the SDA was built before there were state regulations for this type of facility. Patrick Concannon of NYSDEC stated that he believed his agency, other New York agencies and the NRC would be working together on both the dose criteria and process.

Addressing uncertainty in the Phase 2 Analysis: NYSERDA had concerns with the 2010 EIS analysis in regard to uncertainty in the long-term performance assessment. Uncertainty will be identified and reduced through the Phase 1 Studies on specific technical issues, as well as through other data collection efforts. These will build on the 2010 EIS deterministic performance assessment and incorporate probabilistic analytical methods. Sensitivity studies will be used to identify key uncertainties and provide focus for data collection and model development. A probabilistic performance assessment will evaluate uncertainty and estimate the uncertainty in the long-term site analysis.

Mr. Bembia offered that a probabilistic analysis uses a range of parameter values and results in a range of outcomes and measure of likelihood of that range. A deterministic analysis uses one set of input values and produces a single value outcome. Mr. Bembia noted that a number of Phase 1 Studies would address the issue of levels of uncertainty over a range of space and time scales (e.g. those referenced by the Erosion Working Group's Recommended Phase 1 Erosion Studies and report on Uncertainty Considerations and Prioritization of Recommended Phase 1 Erosion Studies. With the probabilistic assessment one can better assess which parameters are most important. A CTF member noted that with this type of analysis there is greater transparency to the model assumptions.

Mr. Bembia reviewed and showed a graphic of the facilities subject to the Phase 2 decision: the HLW Tanks, NDA, SDA, CDDL, non-source area of North Plateau Groundwater Plume, surface water streams, cesium prong and balance of the Center property.

Supplemental EIS: DOE and NYSERDA will prepare an SEIS to support the Phase 2 decision under a jointly managed contract with costs equally shared. The SEIS analysis will incorporate a probabilistic performance assessment and estimate of uncertainty.

Timeline: Mr. Bembia reviewed the timeline: probabilistic modeling contract executed in 2014 with model development through 2017; simultaneous data collection efforts and Phase 1 Studies; execution of a SEQRA/NEPA contract in 2017; issuance of the draft SEIS for stakeholder review and comment in 2019 and Final SEIS, ROD and NYSERDA Findings Statement in 2020. The schedule is aggressive, but if funding is available, it is achievable.

In response to a question regarding whether there is a formal, written agreement, Mr. Bembia responded that there was not; noting that the agencies worked through the issues and agreed upon this path forward for Phase 2 decision

making. The agencies agreed to contact the Seneca Nation of Indians concerning the aerial radiation survey. An observer expressed concern about issuing of new contracts for modeling and other work and a lack of transparency. The agencies and several CTF members responded that the contract was necessary because it was a different expertise and that the probabilistic approach created transparency and limited incorporation of independent professional judgment.

## **CTF BUSINESS**

The CTF signed a letter to the House Appropriations Committee and Subcommittee leadership concerning funding. The CTF agreed that a delegation of volunteer members to advocate with Congress for 2015 funding and with DOE for 2016 funding was worth the effort. Bill Logue will solicit volunteers and work on scheduling.

NYSERDA funding of \$12.1 million being stricken as a line item in the New York Senate budget was raised. Paul Kranz stated that Erie County was reaching out on the issue. The CTF was reminded that Senator Young is also working on this issue and agreed to await further information before deciding whether to take action other than reaching out individually to their legislators. All agreed that it is best if the Program continues with line item. Judy Einach read the following communication from the Coalition on West Valley Nuclear Wastes to Senator Young:

Senator Young,

Coalition on West Valley Nuclear Wastes (CWVNW) have been grateful for your dedication to West Valley, to the point that we probably are taking it for granted without letting you know with our many thanks. The striking of the West Valley budget line from New York State's budget by the Senate is of great concern to us for these reasons:

- \$12.1 million is New York State's legal and negotiated obligation on behalf of NYSERDA to the Department of Energy (DOE) and United States and, therefore, should be honored without question with every state budget.
- DOE's budget for West Valley is an annual ordeal for the Coalition and now with the CTF. Moving this deleted budget line off-budget, essentially to a hidden item, could affect significantly the perception of New York State's dedication to the remediation of the site and, therefore, the implied importance at the federal level for significant and necessary funding.

We realize you have a loud, respected voice of reason, but you are only one vote. If there is anything the Coalition can do to help you, please let us know.

Sincerely,  
Joanne Hameister  
For the Steering Committee of CWVNW

## **OBSERVER COMMENTS**

There were no other comments.

## **ACTION ITEMS**

<b>Action</b>	<b>Who; Date</b>
Schedule Trip to Washington	Logue; TBD

## **DOCUMENTS DISTRIBUTED**

<b>Document Description</b>	<b>Generated by; Date</b>
Meeting Agenda	Logue; 3/26/2014
WVDP Project Update	CHBWV; 3/26/2014
WVDP Budget Cycle & FY 2014 Status	DOE; 3/26/2014
DOE/NYSERDA Path Forward to Phase 2 Decommissioning Decisions	DOE/NYSERDA; 3/26/2014
News Clippings Distributed at Meeting	NYSERDA; 3/26/2014