

To: West Valley Citizen Task Force
From: Bill Logue, Citizen Task Force Facilitator
Date: March 11, 2020
Subject: **Summary of the January 22, 2020 Meeting**

Next Meeting

Date & Time: **March 25, 2020 at 6:30 PM**
Location: Ashford Office Complex
9030 Route 219
West Valley, NY

CTF Members and Alternates Attending

Clyde Drake, Heidi Hartley*, John Hood, Lee James, Eric Lawton, Kathy McGoldrick, John Pfeffer, Pat Townsend, Ray Vaughan, Eric Wohlers. Facilitator: Loraine Della Porta*.

Agency Participants and Observers

Department of Energy (DOE): Martin Krentz, Moira Maloney, Craig Rieman, Audrey Seeley.

New York State Energy Research and Development Authority (NYSERDA): Paul Bembia, Janice Dean*, Brad Frank, Lee Gordon, Andrea Mellon.

CH2M HILL BWXT West Valley, LLC. (CHBWV): Scott Anderson, Joe Pillittere.

New York State Department of Environmental Conservation: Ken Martin.

Neptune and Company: Sean McCandless*.

Government Accountability Office: Daniel Will

Public: Diane D'Arrigo*, Wayne Barber*, Kelsey Shank*, William Townsend, Barbara Warren*.

Introductions, Announcements, Administrative Business

Bill Logue welcomed all present and reviewed the meeting agenda and materials¹.

CHBWV Project Update

Scott Anderson of CHBWV presented a project update on contract Milestones 3 and 4.

Safety. The 12-month average for Total Recordable Cases (TRC) is now 1.07. Days Away, Restrictions, Transfers is now at 0.71. Mr. Anderson reminded the group that these are 12 month rolling averages. There are approximately 300 staff on site and the rates are calculated per 100 workers, therefore a rate of 1.0 would be 3 injuries/year. Back strains and ACL injuries are examples of the cases. A confined space rescue training was held in anticipation of the planned Fire Water Storage Tank inspection. Mr. Anderson pointed out safety message drawings from the 6-10 year old children and relatives of the workers. A calendar was created from selected images and distributed to the workers and others.

2019 Accomplishments. Accomplishments include: Vitrification Facility demolition and cover placement of the slab; completion of high-hazard Main Plant Process Building (MPPB) activities, including removal of 56,000 pounds of asbestos containing material (ACM); demolition of four ancillary support structures to the MPPB; demolition of 15 additional Balance of Site Facilities; and installation of a new natural gas distribution system and connection to new electrical feed line.

Deactivation Progress Under Milestone 3. MPPB deactivation is 98% complete. Some of the most difficult work remains. Work under the new additions to scope for the MPPB continues. The General Purpose Cell (GPC)/General Purpose Crane Room (GCR)/General Operating Aisle (GOA) floor debris sweeping and scraping and loadout of waste containers is being done remotely due to dose concentrations. The Product Purification Cell-South (PPC-S) aggressive decontamination started in early January with interferences and

¹ Each is listed at the end of this summary and may be found at www.westvalleyctf.org

* Participated by telephone.

obstructions being removed, reconfiguration of the roller conveyor and construction of a waste load-out tent. The Nitrocision® process has started. The process uses liquid nitrogen to ablate the surface. An area of about 4'x5' is worked on at a time and removes 1/16-1/8" of the concrete surface and reduces the contamination by 4-5 orders of magnitude. The space is 5'x10'x30'tall. In the Fuel Receiving and Storage (FRS) Facility ACM removal is complete with some ongoing post cleaning and sampling occurring.

Between mid-October 2019 and early January 2020 the MPPB Office Building was demolished. Previously, a pause on open air demolition of any radiological areas was put in place while lessons from events at the Hanford and SPRU complexes were assessed. This allowed staff to be transitioned to the GPC work.

Five of 7 ancillary support structures have been removed under Milestone 3. These include the Contact-Size Reduction Facility, Manipulator Repair Shop, Laundry Facility and Utility Room Extension, and MPPB Office Building. Waste disposition on the office building continues. The Utility Room demolition will start in February and will take about two months, followed by size reduction and shipment. The Load-In demolition is delayed until 2022 so that the structure can be used during MPPB demolition for climate-controlled equipment storage.

Balance of Site Facilities – Milestone 4. Forty-seven facilities have been demolished with the final RCRA closure filing for the Chemical Process Cell-Waste Storage Area awaiting action. Mr. Anderson showed images of the demolition of Vitrification Storage Vault, Liquid Pretreatment System and Waste Tank Farm Shelter.

2019 Community Support. Mr. Anderson provided highlights of community support efforts during the year. The West Valley Fire District received \$80,000, Bertrand Chaffee Hospital \$5,000 and Mercy Flight \$5,000. Donations to a variety of community organizations totaled approximately \$12,000. The annual food drive collected 111,000 lbs. of food which was delivered to local food pantries by volunteers. United Way donations totaled \$22,865.

2020 Goals. FY 2020 Goals include:

- Perform all work safely and compliantly.
- Complete demolition and disposition of the remaining ancillary support buildings (Main Plant Office Building and Utility Room).
- Complete demolition, disposition, and restoration of the remaining Balance of Site Facilities.
- Complete deactivation activities in the General Purpose Cell, Product Purification Cell, and Fuel Receiving and Storage facility and complete disposition of the waste.
- Begin demolition of the Main Plant Process Building.
- Re-establish the capability to execute rail shipments from WVDP.

Response to Questions.

A CTF member asked if Greater Than Class-C Waste (GTCC) waste was generated during cleanup activities. Some of the waste being generated in PPC-S will likely be TRU waste. (The NRC's equivalent term is Greater Than Class-C Waste (GTCC) waste.) It is estimated that fifteen, 30-gallon drums of TRU waste will be generated from the PPS-S cleanup. Low-Level Waste will continue to be shipped for disposal and TRU waste will be placed into onsite storage. Paul Bembia commented that "GTCC-like" waste is not a term that is defined in legislation or regulation. He said that, while the term was recently used by DOE in an EIS and an EA, and by NRC in a recent regulatory basis document, the West Valley waste has been identified by DOE as TRU for the last 35 years, and he is unaware that there has been any change to the classification of this waste.

West Valley Demonstration Project Reauthorization Act

Lee James, Congressman Reed's district director and representative on the CTF, gave a recap of the WVDP Reauthorization Act (Reauthorization Act). The Reauthorization Act was introduced in 2019, made its way through the House and Senate with bi-partisan support and was signed on January 20 by the President. The Reauthorization Act amends the WVDP Act at section 3(a) authorizing appropriations for the project not more than \$75 million for each of the fiscal years 2020 through 2026. The CTF will write a letter of appreciation to Congressman Reed.

Budget Update

Craig Rieman of DOE gave a budget update. The FY2019 Non-Defense Appropriation was \$75 million plus

\$3.133 million in Safeguards and Security. The Enacted FY2020 appropriation in \$75.415 million in Non-Defense and \$4.196 million in Safeguards and Security. The additional Defense funding of \$1 million will be used primarily for protective forces and cybersecurity. The contracts with the sheriff's office are being reviewed as part of the decision making.

Part 50 License Amendment for Updating the Radiation Protection Program for the Retained Premises

Janice Dean of NYSERDA provided an update on the Nuclear Regulator Commission (NRC) Part 50 License Amendment. She started by noting that the CTF received an update on the proposed amendment process about a year and a half ago. The Western New York Nuclear Service Center (WNYNSC) is still operating under the original NRC license and that an ambiguity in the license raised questions about NYSERDA's ability to perform basic site maintenance like brush removal and debris clearing. The State sought clarification from NRC and a public meeting was held in August of 2018 during which NYSERDA presented a narrow amendment option as well as a more comprehensive update to the license. Based on feedback from NRC and the public, there was not support for a broad amendment, and NYSERDA is proceeding with a narrower amendment adding one clause to the license and updating the affiliated Radiation Protection Plan. She stated that this approach would benefit the public, neighbors and local government. It will reduce delays in basic maintenance. She is not aware of any negative consequences. The final edits are being completed and the amendment will be posted on the NYSERDA website and will be presented in the Federal Register by NRC for review and comment. Mr. Bembia noted that the draft filing of the License Amendment request is can be found at the link on the bottom of <https://www.nyserda.ny.gov/About/Publications/West-Valley-Reports>.

A CTF member asked if the amendment clarified the site boundaries that were not defined in the original license. Mr. Bembia confirmed that the boundaries in the license were a little unclear and that most who have looked at it conclude that the license applies to the entire WNYNSC (about 3,300 acres) less the State-Licensed Disposal Area (SDA).

Other Regulatory Issue: Mr. Bembia noted that on January 15 NYSDEC renewed the radiation control permit for the SDA for a period of 5 years. The permit provides a framework for environmental monitoring.

Annual Organizational Meeting

The CTF reviewed the Summary of Activities for 2019 and the annual Survey. Mr. Bembia reminded the CTF that, to assist with community outreach, he and Mr. Bower were available to present to constituent groups to provide an overview of the project. Concerning membership, John Pfeffer noted that, as Ashford Supervisor, he had shifted in terms of the area of his representation and this raised the question of adding a representative for local residents which his former role had addressed. The facilitator reminded the group of the process for membership additions/replacements and noted that there were both categorical members (e.g., the counties and Seneca Nation) and others for types of stakeholder interests (e.g, environmental, public health/medical). The facilitator will consult with the agencies concerning membership.

GOA Report. (Background context: The Reauthorization Act directs the Comptroller General to submit a report on the volumes, origins and types of radioactive wastes at the WNYNSC, the options that have been identified for disposal with costs and time frames, the benefits and challenges according to DOE and NYSERDA, and the disposal costs, volumes and types of waste as of the date of the enactment of the Reauthorization Act.)

On January 15 a number of CTF members met informally with the team from the Government Accountability Office (GAO). Those members expressed appreciation for the opportunity and felt that the meeting was both helpful and wide-ranging in its dialogue. A member noted the valuable nature of GAO reports as good sources of information. Dan Will, leader of the GAO team, stated that he anticipated a draft report would be complete in less than 18 months, potentially by the end of 2020.

Correspondence. John Pfeffer committed to drafting letters of thanks and support for appropriations. Those will be circulated for comment and approval.

Future Meeting Topics. A number of topics were suggested for future meetings.

- Broad and graphic heavy presentation on the watershed given the connection of the site from Buttermilk Creek to the Great Lakes and as far as the St. Lawrence Seaway.

- Status update on the SEIS and the apparent slippage of the schedule. A question was raised about cost/benefit calculations to be included in the SEIS or by way of other reports/updates such as the Synapse report.
 - Mr. Krentz of DOE stated that the PPA team would provide SEIS schedule updates and noted that framing of the hybrid alternatives is behind schedule, in part due to the PPA work. Mr. Gordon of NYSERDA stated that the high volume of comments on the SEIS scoping process were taking time to address. NYSERDA, through the SEQRA process, is required to finalize the scope and this is being done now. Because DOE and NYSERDA are joint lead agencies and the DOE process differs at this stage, NYSERDA has to be careful not to overreach as it finalizes this stage of the SEQRA process. He stated that the agencies could make contractors available on the phone to the CTF for presentations and questions.
 - With respect to the cost/benefit analysis Mr. Gordon noted that the SEIS would address dose information to workers, in transportation, to other receptors and that the NRC License Termination Rule and NUREG 1757 have details of how these are to be calculated and monetized.
- A suggestion was made that the agencies provide a presentation in instances when a regulatory action will be taken relative to site operations. The recent public notice of the availability of the RCRA closure plan for the CPC-WSA was suggested as an example. A CTF member requested that the presentation address which facilities are part of the RCRA closure requirements.
- A presentation on the RCRA closure was suggested.

Other Discussion. A CTF member noted that a number of stakeholders had requested an electronic library of source material used in the SEIS process and modeling schemes. Mr. Gordon stated that these were being developed and would be released with the DSEIS. The member stated that this would be late in the process and is unacceptable. They also requested information on the PPA model be accessible to the public. In relation to this, a member asked for earlier access to information as contractor systems and information are not available after a period of time it can make it difficult to understand and question those during a later comment period. This might require extra time during the comment period.

Observer Comments

An observer suggested that additional monitoring be performed offsite during the demolition of the MPPB to ensure the public is protected. They also requested the timely availability of the electronic library.

Action Items

Action	Who; When
Draft Correspondence – letters of thanks for WVDP Reauthorization & Funding Requests	Pfeffer
Follow up on agenda items and membership questions	Logue & Agencies

Documents Distributed

Description	Generated by; Date
Meeting Agenda	Logue; 1/22/20
Project Update	CHBWV; 1/22/20
Budget Update	DOE; 1/22/20
Summary of 2019 Activities (To CTF only)	Logue; 1/22/20
Annual Survey (To CTF only)	Logue; 1/22/20
News Clippings Distributed at Meeting	NYSERDA; 1/22/20