

To: West Valley Citizen Task Force
From: Bill Logue, Citizen Task Force Facilitator
Date: April 21, 2021
Subject: **Summary of the March 24, 2021 Meeting**

Next Meeting

Date & Time: **April 28, 2021 at 6:30 PM**
Location: Zoom

CTF Members and Alternates Attending

Deb Aumick, Clyde Drake, John Hood, Lee James, Kathy McGoldrick, Tony Memmo, Joe Patti, John Pfeffer, Mary Reid, Pat Townsend, Ray Vaughan, Eric Wohlers. Facilitator: Loraine Della Porta.

Agency Participants and Observers

Department of Energy (DOE): Stephen Bousquet, Bryan Bower, Bethany MacNeill, Moira Maloney, Jamie Prowse, Audrey Seeley, Daniel Sullivan.

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

CH2M HILL BWXT West Valley, LLC. (CHBWV): Darren Boone, Tom Dogal, Joe Pillittere, Dave Klenk, Peggy Loop, Elizabeth Lowes, John Rendall, Alison Steiner, Robert Steiner, Ken Whitham, Kelly Wooley.

New York State Department of Environmental Conservation: Pat Concannon, Lynn Winterberger.

Nuclear Regulatory Commission (NRC): Marlayna Doell.

Neptune and Company: Sean McCandless.

Public: Wayne Barber, Marissa Bell, Charles Bowman, Diane D'Arrigo, Rosalind Ground, Lisa Maybee, Rick Miller, Charlotte Salmon, Shannon Seneca, Kelsey Shank, Jayde Stevens, Judie Talbot, William Townsend, Barbara Warren. (Other dial-in only callers not identified.)

Introductions, Announcements, Administrative Business

Bill Logue welcomed all present and reviewed the meeting agenda and materials¹. Bryan Bower of DOE informed the group that David Turk was confirmed as Deputy Secretary of Energy and William "Ike" White will continue as the Acting Assistant Secretary for the Office of Environmental Management. Mr. Turk previously served in the Obama administration. The West Valley Central School Board has appointed Charlie Davis as its representative on the Citizen Task Force (CTF).

NYSERDA Part 50 License Amendment

Paul Bembia of NYSERDA reminded the group of the context for the Part 50 License Amendment filed by NYSERDA with the NRC. The license applies to the retained premises of the Western New York Nuclear Service Center (WNYNSC) that NYSERDA is responsible for and applies to all parts of the site except the area of the West Valley Demonstration Project (WVDP). The purpose of the amendment request is to bring clarity to NYSERDA's responsibility and authority to perform work on such things as fence repair, clearing brush and trees and occasional utility work. As part of the amendment process the Radiation Protection Program will be updated. The request was submitted to NRC earlier in the year and is under review. NRC issued a Federal Register Notice and there is a 30-day comment period.

Later in the meeting Janice Dean of NYSERDA stated that, from a legal perspective the amendment was needed because of ambiguity in the license authority for health and safety for radiation work under the license. The amendment will enhance public protections.

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

Mr. Bembia then introduced Marlayna Doell of NRC who has assumed responsibility for West Valley from Amy Snyder.

Ms. Doell noted that modernization of the Radiation Protection Plan pursuant to 10 CFR Part 20 will be beneficial for the NYSERDA site activities. The plan has not been updated in about 60 years. The steps for the amendment process start with an acceptance review. Once the amendment request is found complete the NRC issues a notice for comment. Comments are accepted for 30 days and a hearing must be requested within 60 days. NRC may issue Requests for Additional Information (RAI) to NYSERDA and this is likely to occur in the coming weeks. Following that the NRC conducts a detailed Technical Review. All the documentation related to this review will be publicly available in the NRC ADAMS document system.

A CTF member asked how the new plan would interact with a hypothetical contamination plume resulting from the demolition of the Main Plant Process Building (MPPB). Ms. Doell stated that for the WVDP area DOE radiological controls and plans for that would apply and if there was an impact on the retained premises of the WNYNSC there would be controls and monitoring in place as part of the NYSERDA responsibilities as would apply to any existing or new contamination. The updated plan will require maintaining knowledge of radiological conditions through monitoring and any radiation work plans would include review of any changed conditions. Mr. Bembia stated that from a routine work perspective NYSERDA will ensure that proper surveys are conducted and that the program is protective of workers.

CHBWV Project Update

Kelly Wooley of CHBWV presented a project update.

Safety. Mr. Wooley reviewed safety information noting that the last lost time case was in March 2019. A recordable injury occurred on January 5 raising the Total Recordable Case rate to 0.40. The injury was a shoulder strain resulting in physical therapy. As of February 28, there have been 711 days without a lost time accident or illness.

President Biden's Executive Order. Mr. Wooley reviewed the impacts of Executive Order 13991 concerning COVID-19 safety protocols. Supplementary masking requirements were put in place and implementation of a 25% occupancy goal. Other safety measures were continued including maximizing telework, crew rotations, pausing close contact work, providing additional trailer space, plexiglass barriers and new personal protective equipment (PPE). The Cattaraugus County Health Department performed rapid testing twice onsite.

Western New York is in a high spread area, therefore some of the remaining work on the MPPB deactivation that requires workers to be close together has been suspended due to COVID safety protocols. Paused work includes: Product Purification Cell South (PPC-S) Nitrocision®, General Purpose Cell (GPC), Vent Wash Room, Chemical Process Cell/Chemical Operating Aisle. During discussion, Mr. Wooley noted that the hooding system for the Nitrocision® could not reach the last 3-4' into corners. The vacuum and shroud hood prevent escape of scabble into the room. In addition, the room is ventilated using high efficiency filters and air monitoring occurs inside and outside. He listed the work remaining in each of the paused areas. CHBWV and DOE are determining when paused work can safely resume. One indicator being tracked is the total number of new daily positive cases/100K population (rolling 7 day average) over a 14 day period. Using this metric, a new daily case rate exceeding 200/100k (rolling 7 day average) over 14 days for a given geography is an indication there may be a high potential for COVID-19 spread.

Deactivation and Demolition Progress. Mr. Wooley showed graphics of MPPB work completed and planned. The deactivation of the Fuel Receiving and Storage Facility is complete. The MPPB will begin demolition in 2021 and the Load In/Load Out Facility will be demolished in 2023.

Mr. Wooley reviewed ongoing work under Performance Based Incentive (PBI) #1 being performed within safety protocols and the Executive Order. The work includes:

- Installation of new long-reach arm on the 1250 excavator to increase reach to 86 feet and modifications to the excavator to allow the cab to tilt for the operator to view the arm during demolition of high areas.
- Training in operation of the Reachstacker forklift and Rail King railcar mover.
- The oil in the shield windows of the Equipment Decontamination Room was drained, packaged and shipped for disposal.

- Modifications to the 10-plex office space for radiation control monitoring, locker rooms and respirator issue room. This will enhance the process of moving people in and out of the safety zone. Workers can go directly into the showers and then the locker rooms to change.

Balance of Site Facilities (BOSF). Forty-four of 46 BOSF have been removed and areas restored with few changes. Upgrades continue in preparation for water management during MPPB demolition. Site drainage and road work continues. Drum Cell modification are being made to support MPPB waste shipment. Upcoming work includes completion of gravel removal and restoration of CPC-Waste Storage Area and removal of the Schoolhouse septic tank and well followed by restoration of the area.

At the May 24 Quarterly Public Meeting details will be provided on MPPB demolition water management and the offsite air monitoring.

In response to questions, Mr. Wooley noted that the MPPB characterization modeling included conservative estimates for areas where work is ongoing. Once the deactivation is complete a final characterization of those areas will be performed and compared against the models. Manned or remote entry to compile data has been done in all rooms. Ms. Lowes stated that CHBWV will soon be submitting three reports to DOE for eventual submittal to the NRC, one of which is a report providing radionuclide inventory information for the MPPB, with the other two providing air modeling/emission estimates based on the inventory data. Ms. Lowes indicated that the inventory is based on characterization data for all areas where deactivation is complete, and an inventory estimate for the PPC-S, based on a conservative estimate of what is anticipated to remain following completion of Nitrocision® (currently paused as Mr. Wooley had described in his briefing). DOE committed in a December 15, 2020 letter to NRC to provide the three reports when available. Peggy Loop clarified that removed material that is disposed of is not included as part of the inventory.

The Town of Ashford requested a community meeting. Mr. Wooley responded that they were hoping to do an in-person meeting where townspeople could meet with experts and workers. They are hoping this can take place in the next several months.

In response to a request for real-time video of demolition of thick concrete walls, CHBWV is addressing technical issues with the access and transfer of the video files. This may be available for the May QPM. In response to another question Mr. Wooley stated that they did not have information on how many employees have been vaccinated.

An observer asked about use of a mass balance equation as part of the characterization. Mr. Bower stated that as part of characterization the radionuclides are identified by type and area and there will be an overall facility number. He did not feel this would be called a “mass balance” which is a term that he believes was used during commercial operation of the facility. Mr. Bembia stated he would consult with his team and look into the question.

CTF Discussion of 1998 Final Report and Government Accountability Office Report

CTF Final Report. The facilitator briefly reviewed the formation of the CTF and process of developing the Final Report that was released in July of 1998 which included CTF Policies and Priorities and Guidelines for a Preferred Alternative. He noted that four original CTF members continue to serve - Joe Patti, John Pfeffer, Ray Vaughan and Eric Wohlers. They reviewed the Final Report and discussed its conclusions and lessons from the process in 1997-1998.

John Pfeffer stated that the conclusions reached in 1998 still held for him – in essence to maintain institutional controls and remove all contamination as safely as possible. Mr. Pfeffer noted that to develop the report the group received educational presentations for almost a year with several meetings per month and the group generated multiple drafts. If the CTF were to write another report he recommended a similar educational and drafting process. The other original members concurred. Joe Patti noted that the CTF was in full consensus in 1998 and expressed concern that the group needed to review the 1998 report in detail and reach consensus with a clear vision for a desired end-state to be communicated to DOE and NYSERDA. Eric Wohlers noted the long-term unsuitability of the site because of rain events and erosion. During its existence a number of CTF members have visited several other sites and gained insight from meetings of the Energy Communities Alliance meetings.

A member suggested that the group identify gaps in knowledge and understanding to identify topics for educational presentations and that another site visit would be helpful. Another member expressed appreciation for the work involved in producing the 1998 Report and said that it should be respected and honored by current members. Ray Vaughan suggested reconvening a Technical Work Group. The CTF agreed to review the Final Report in detail at an upcoming meeting in April or June.

GAO Report (Nuclear Waste – Congressional Action Needed to Clarify a Disposal Option at West Valley Site in New York GAO-21-115). The CTF held a brief discussion of the GOA report. Pat Townsend suggested that the CTF engage in advocacy with Congress to address the need for a location to dispose of transuranic waste (TRU) which is being stored at the site pending approval of a permanent disposal facility. She noted that there had been a leak from a TRU waste container when it was moved. She referred to a fire at the Waste Isolation Pilot Plant due to the use of an organic litter rather than zeolite as an example of the types of incidents that can occur due to legacy waste in storage or being managed.

In response to questions about the April 2019 TRU waste container breach, Peggy Loop of CHBWV stated that two TRU containers were moved. The containers were surveyed for radiation as part of the move preparation. During the move a leak was discovered and safety protocols implemented. The leak was likely the result of rain infiltration into the empty degrading container. Cleanup was performed and the container placed in a pan and tarped to prevent future water infiltration.

In response to another question, Elizabeth Lowes provided additional information regarding environmental monitoring done in surface water drainage from the site, which demonstrated that there were no offsite impacts (all discharges were below release standards, or “Derived Concentration Standards”). In addition, monitoring within Cattaraugus Creek near Felton Bridge, at the first point of public access continues to show levels that are indistinguishable from background. She suggested that the 2019 Annual Site Environmental Report Chapter 2 provides additional data and information in this regard. Ray Vaughan asked if background locations included Great Valley and Ms. Lowes responded that there is a background location within Cattaraugus Creek, upgradient of the site, but not in Great Valley.

Other Discussion and Comment

An ad hoc group was formed to advocate for continued funding for the site. The following members volunteered: Ray Vaughan, Kathy McGoldrick, John Pfeffer, Mary Reid and Eric Wohlers.

The group discussed how to hold future meetings in person. Joe Patti suggested the Fireman’s Banquet Hall. The facilitator committed to coordinating with the agencies about when they felt that protocols would allow for this and the logistical and technical issues involved.

Observer Comments

Observer questions have been addressed in the above summary.

Action Items

Action	Who; When
Convene ad hoc advocacy work group	Logue

Meeting Documents Available on the CTF Website

Description	Generated by; Date
Meeting Agenda	Logue; 3/24/21
CHBWV Project Update	CHBWV; 3/24/21
News Clippings Since the Last Meeting	NYSERDA; 3/24/21