

# The Coalition Crier

May, 2000

## We Need Your Help

Enclosed is a one page flyer explaining the situation. What we would like you to do is read it and, if you agree with the message, copy it, share it with some people you think might be interested.

We feel that the situation is ripe now to start letting people know that then Department of Energy (DOE) may just bury the waste and walk away. A broad base of support when the Draft EIS on closure of the site is issued will give some hope of keeping this from happening.

We have been fairly quiet for a long time, laying groundwork. Now we need your help. Now it is time to move.

## The NRC Draft Policy

The Nuclear Regulatory Commission (NRC) is responsible for setting clean up criteria for the West Valley site. In December of 1999 it issued a draft policy statement, inviting comments before finalizing the criteria. Many of us submitted comments by the April 1 deadline and we are all waiting for the decision from the NRC Commissioners. (The substance of the draft proposal is laid out below.)

When the criteria are finalized the Department of Energy (DOE) can go ahead and present their draft Supplemental Environmental Impact Study (DEIS)

which will include various options for closure of the site and indicate its preferred alternative.

The proposal in the NRC draft was to apply the generic License Termination Rule (LTR) to West Valley, the same rule which applies to the rest of the country. The NRC license could be terminated and the site released for unrestricted use if it could be shown that the dose limit would not be more than 25 mrem per year (to the average member of the critical population).

The West Valley site will likely never be able to meet this criteria.

A restricted site, which would be one under institutional control, would be allowed a 100 mrem exposure and it would have to be shown that there would be no more than a 500 mrem exposure in the event of failure of the institutional control.

The Coalition supported the application of the License Termination Rule to West Valley with certain reservations.

We opposed reliance on long term institutional control for managing the site, reclassification of the residual high level wastes and use of the alternate criteria proposed in the draft.

We asked that the length of time over which doses would be calculated be extended beyond 1000 years since DOE analyses have shown significant impact for a longer period. We noted that exposure from the entire site, including the NY licensed burial ground must be included.

## What is an EIS ?

By federal law any action which could have a major effect on the environment must go through an environmental review process, the details of which are laid out in the law. More serious actions require a more thorough review. The most rigorous of the possible review procedures is called an Environmental Impact Study (EIS). It must look at all reasonable alternatives for dealing with the problem and specify a preferred alternative.

Before it is written, an EIS must have public input at a public scoping hearing. Both written and oral suggestions on the proposed content of the study are

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received. When the study is finished it must be distributed, as a draft, (a DEIS) to all who request a copy. Comments are received, both written and oral, at a public hearing. After the comments are received the final choice of alternatives is made and a Record of Decision (ROD) is issued.

## The EIS on West Valley

The EIS on the closure of the West Valley site was issued in 1996. Two things about it were different from the usual DEIS.

The comment period, instead of the usual 30 days was six months. This was granted in the settlement of a lawsuit brought against the DOE by the Coalition on West Valley Nuclear Wastes in 1986. We asked for this because we knew the question of site closure was going to be difficult to agree on and that is exactly what has happened.

The other difference was the lack of a stated preferred alternative. Because this is required by law, DOE agreed to issue a Supplemental EIS and receive additional comments. We are waiting now for the Supplemental DEIS to come out. When it does, we expect the preferred alternative to be something we are not willing to accept. It will probably be very much like an alternative which has been described at various public meetings during the last year. See *Nuclear Waste at West Valley ... will it go or will it stay?*

## A Worrisome Proposal

To our minds the purpose of criteria is to set what levels of exposure are acceptable and then it is the job of DOE to show that with such and such a plan they can meet those criteria. We think the dose criteria should be chosen by what is safe not by what is achievable

NRC seems to favor a two step approach which would prescribe the generic License Termination Rule and then, after DOE provides site-specific data, adjust the criteria for West Valley.

The DOE wants to submit the analyses and data which will be contained in the Supplemental DEIS to the NRC before the NRC sets criteria.



## On Your Mark and Get Set

Now is the time for you to be boning up on this issue so that when the Supplemental DEIS is ready you will know what it is all about and be ready to comment.

**Please talk to you friends.** If we are to get an adequate clean up of the West Valley site we are going to need a lot of voices. We are hoping that even people who have been silent before will speak up now. That is what it will take: a lot of voices.

If we are successful, this will be the last time we have to do this.

Naturally, we will have to monitor compliance to the law and keep an eye on the process. But this could be our last big regulatory push and our last big EIS.

Now isn't that a thought?

## Want More Information?

Feel free to call:

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e-mail: [mongerson107@earthlink.net](mailto:mongerson107@earthlink.net)

Ray Vaughan (716) 648-5861

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**Or come to our meetings** on the first and third Thursday nights of each month at the HSBC Bank on North Buffalo in Springville. 7:30 PM

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# Nuclear Waste at West Valley-- will it go or will it stay?

Coalition on West Valley Nuclear Wastes MAY, 2000

## Time is Running Out

The Department of Energy is moving closer every day to a decision about how it will leave the West Valley nuclear site and we have every reason to expect the decision will not be acceptable to concerned citizens. How do we know this? We've been listening to DOE.

More than once the DOE has stated in public its "vision" of how to close the site. Essentially, this is it:

- The old reprocessing plant will have its lower floors filled with concrete and the upper levels will be rubble-ized and capped with a concrete cover.
- The high level waste tanks will be filled with grout.
- The underground plume will be captured underground in zeolite clay walls. Then it will be left there.
- The burial grounds will be grouted and left in place.

When this work is done the DOE will consider the site closed and go back to Washington, leaving an unspecified institution in control for an indefinite length of time.

This "vision" is not yet written in stone. The official preferred alternative will be laid out in the Supplemental Environmental Impact Statement to be issued at some point in the future. But there is little doubt that the official version of the vision will be similar to the above plan. This was described at a quarterly public meeting (Dan Sullivan, June 22, 1999) and a Citizen Task Force meeting (Jim Turi, March 17, 1999).

## Our Version of the Vision

So, what do we—citizens who have been following these issues for 26 years—think would be the best thing to do with the waste? It can't stay here; West Valley is not a suitable place; erosion will eventually wash it away. But we recognize that it may have to be temporarily stored here until a permanent national repository is found. So we see this happening in two steps: first get it packaged and stored then ship it later.

Another problem: protection of people in the future should not depend on open-ended "institutional control." How many governments do you know which have lasted a thousand years? And if a government, or other institution, should last that long, would we have any confidence that it would still be willing to put up the money to keep an eye on the site for a thousand years? Or even remember?

We have no such faith. Some of us are irreverent enough to laugh at the plain foolishness of counting on an institution to protect public health and safety for that long.

**So we need some kind of plan which will not rely on government. The trouble is no one can think of one. Even our plan relies on institutional control.**

## Easy to Forget and Hard to Remove

Under DOE's vision, the wastes would be left underground in concrete or grout or left above ground under concrete caps. It will be easy to forget and hard to remove.

## Hard to Forget and Easy to Remove

In our vision, the wastes would be kept above ground in retrievable, monitored storage and the decision will be reversible. Yes, the wastes would have to be watched and that would take a government, but they would be a lot harder to forget. A lot harder for an inadvertent accident. A lot harder to avoid spending money to monitor and maintain it.

**Above Ground** So our grandchildren can't forget it.

**Retrievable** So we can do something if it starts to leak.

**Monitored** So we'll know when the packaging deteriorates and it starts to leak.

**Reversible** So it will be possible to change the way the waste is managed if, in the future, people discover a better way.

## How Do We Prevent a Wrong Decision?

We can make sure everyone knows what is being decided. It will be easy to be lulled by assurances that the experts know what they are doing. After all they have done a good job of solidifying the liquid waste into glass logs. But these decisions are ours to make and they do not require a knowledge of nuclear engineering, just common sense.

## Coalition on West Valley Nuclear Wastes

is a 26 year old citizen watchdog group. You are welcome to call us or join us.

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