Quarterly Public Meeting[1]

Ashford Office Complex
9030 Route 219
West Valley, New York
Wednesday, February 26, 2014

Meeting

6:30 pm Welcome and Introductions ..... Bill Logue

6:35 pm Project Update ..... Dan Coyne, CHBWV

- High-Level Waste Canister Relocation
- Legacy Waste Operation
- Main Plant and Vitrification Facility Demolition
- Newly Generated Waste, Site Operations and Balance of Site Facilities

7:00 pm WVDP Decommissioning Status ..... Bryan Bower, DOE

Overview of the status of each of 10 Waste Management Areas including the facility current status and planned status at the end of Phase 1 Facility Disposition and at the end of Phase 1 Decommissioning.

7:45 pm DOE/NYSERDA Path Forward to Phase 2 Decommissioning Decisions.....

.....Bryan Bower, DOE and Paul Bembia, NYSERDA

8:15 pm Adjourn

Next Meeting Tentatively Scheduled
Wednesday, May 28, 2014
6:30 p.m.
Ashford Office Complex

[1] To view presentations from the meeting and participate via WebEx please email Bill@LogueGroup.com by 9:00 AM February 26, 2014 and an electronic meeting invitation will be sent to you. When possible please use the WebEx chat feature to post questions or comments. The facilitator will read these to all present.

GROUND RULES

For Quarterly Public Meetings

West Valley Demonstration Project (WVDP) and
Western New York Nuclear Service Center (WNYNSC)

- *Please turn cell phones off, or to vibrate.*
- *Please respect the time limitations of the meeting.*
- *One person will speak at a time.*
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- *Meeting notes will be taken; meeting summaries will be prepared and posted on the website following review and approval by DOE/NYSERDA. The meeting summaries will include a general summary of questions and responses, but will not include individual comments and responses.*

DOE/NYSERDA Path Forward to Phase 2 Decommissioning Decisions

for the West Valley Demonstration Project and the Western New York Nuclear Service Center

February 26, 2014

Phased Decisionmaking

- **Phased Decisionmaking ROD**
- **Phase 1 Decommissioning Plan**

- **Final Decommissioning ROD**
- **Phase 2 Decommissioning Plan**

Phase 1 Decommissioning
(Complete by 2020*)

Phase 1 Facility Disposition
- Relocate 275 HLW Canisters to new dry cask storage facility
- Demolish Vitrification Facility (Vit) and Main Plant Process Building (MPPB)
- Remove ancillary facilities
- Ship legacy Low-Level Waste

Phase 1 Soil Remediation
- Remove Below-Grade Portion of MPPB (including source area of plume), Vit, 01-14
- Remove Lagoons and Liquid Waste Treatment Facility
- Ship Legacy TRU Waste
- Remove Remote Handled Waste Facility and remaining ancillary facilities
- Remediate all WMA 1 & 2 Soil

* Based on funding at $75 M/yr

Phase 2 Decommissioning
(Decisions made by 2020)

Phase 2 Decisions
- HLW Canister Shipment (permanent disposal decision)
- Closure decision for Waste Tank Farm
- Closure decisions for NRC-Licensed Disposal Area and State-Licensed Disposal Area (SDA)

Path Forward to Phase 2 Decommissioning Decisions

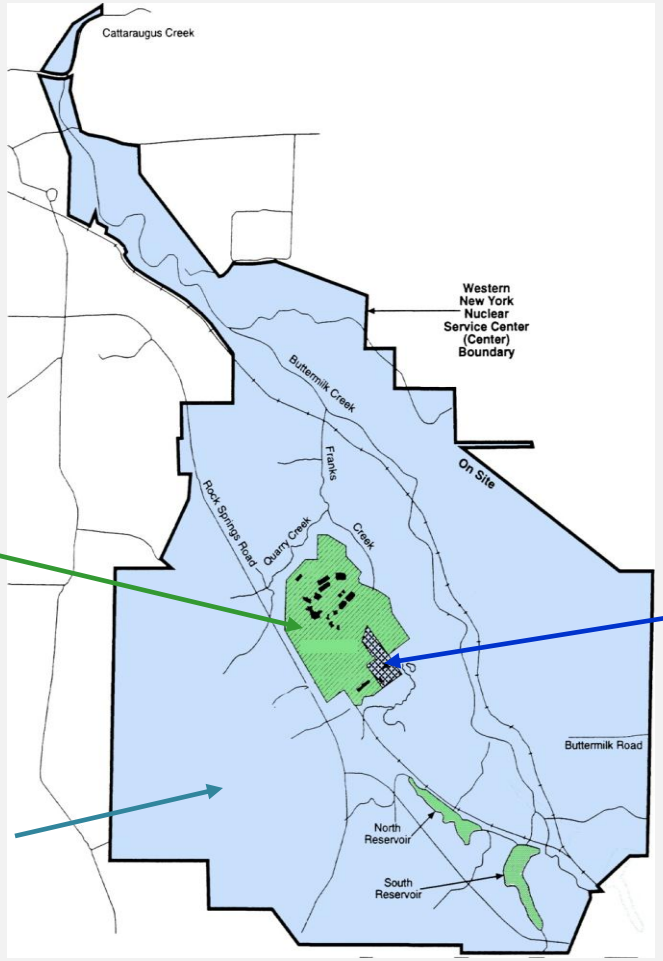
DOE and NYSERDA have developed an integrated approach for making Phase 2 decisions for the West Valley Demonstration Project (WVDP) and the Western New York Nuclear Service Center (Center).

<u>This approach includes:</u>

- Framework for analyzing the entire Center
- Addressing uncertainty in the Phase 2 analysis
- Decisions for all facilities
- Supplemental EIS

Path Forward to Phase 2 Decommissioning Decisions

Framework for Analyzing the Entire Center



West Valley Demonstration Project

State-Licensed Disposal Area

Balance of the NRC-Licensed Site

Path Forward to Phase 2 Decommissioning Decisions

Framework for Analyzing the Entire Center

- U.S. Nuclear Regulatory Commission's (NRC) Final Policy Statement applies to the WVDP and the NRC-Licensed portion of the Western New York Nuclear Service Center (Center).
- NRC's Policy Statement does not apply to the State-Licensed Disposal Area (SDA), however the NRC supports a coordinated approach for the entire NRC-Licensed site and the SDA.
- DOE and NYSERDA have agreed to use the NRC's License Termination Rule criteria as prescribed in the NRC's West Valley Policy Statement as the framework to evaluate all facilities at the WVDP and Center, including the SDA.
- This integrated approach will provide a consistent and equal analysis for all facilities at the Center.

Path Forward to Phase 2 Decommissioning Decisions

Addressing uncertainty in the Phase 2 analysis

- Uncertainty in the long-term analysis was at the heart of many of the technical issues raised with respect to the 2010 FEIS.
- Phase 1 Studies are underway to address specific technical issues. Other data collection activities will also help to identify and reduce uncertainty.
- Approach will build upon the 2010 FEIS deterministic performance assessment and incorporate probabilistic analytical methods.
- Deterministic and probabilistic sensitivity studies will be used to identify key uncertainties and provide focus for data collection and model development efforts.
- A probabilistic performance assessment will be prepared to evaluate uncertainty and to provide an estimate of the uncertainty in the long-term site analysis.

Path Forward to Phase 2 Decommissioning Decisions

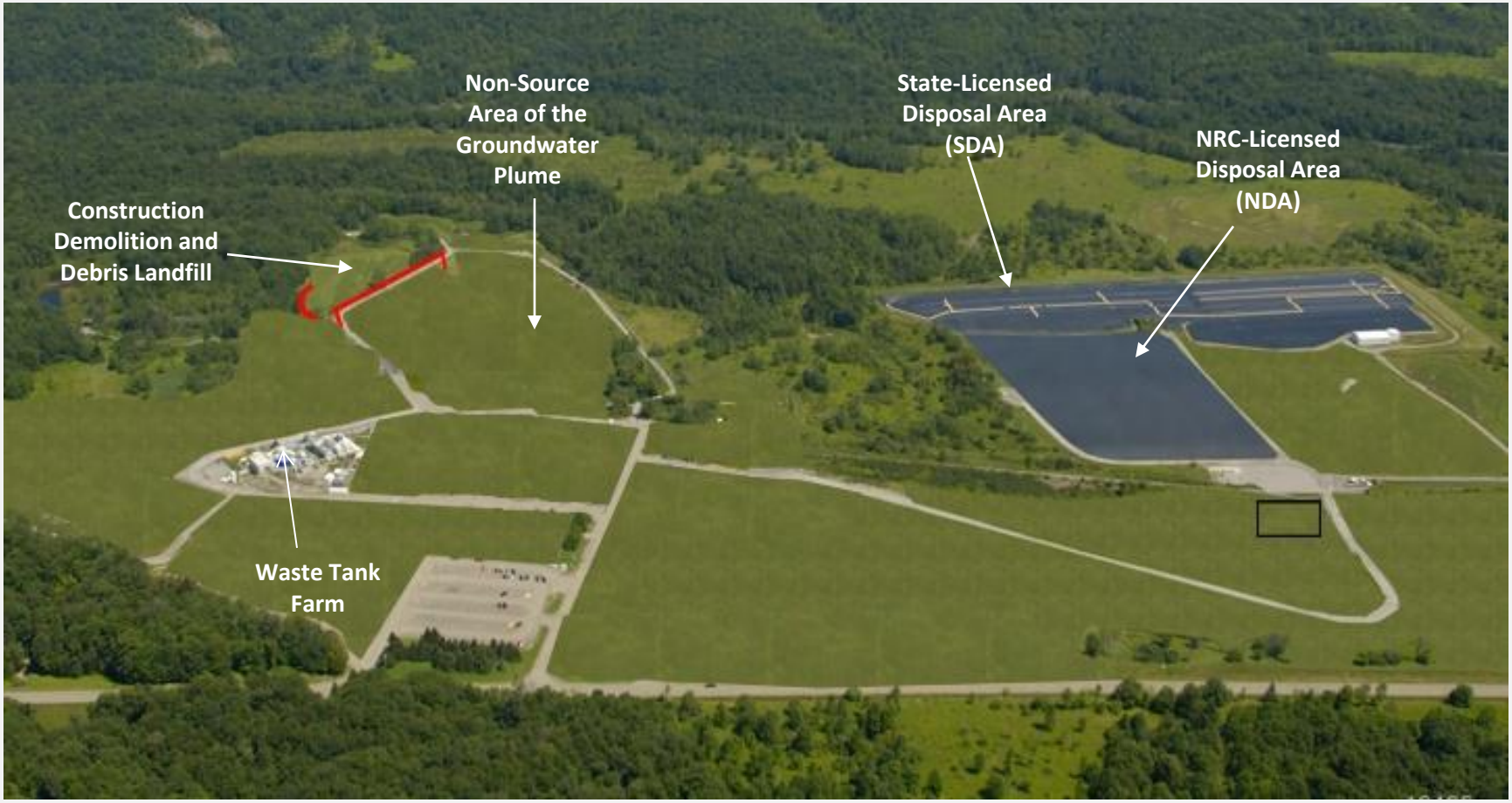
Decisions for all facilities

The integrated approach will support making Phase 2 decisions for all remaining WVDP and Center facilities, including:

- High Level Waste Tanks
- NRC-Licensed Disposal Area
- State-Licensed Disposal Area
- Construction Demolition and Debris Landfill
- Non-Source Area of the Plume
- Surface water streams
- Cesium Prong
- Balance of the Center Property

Path Forward to Phase 2 Decommissioning Decisions

Decisions for all facilities



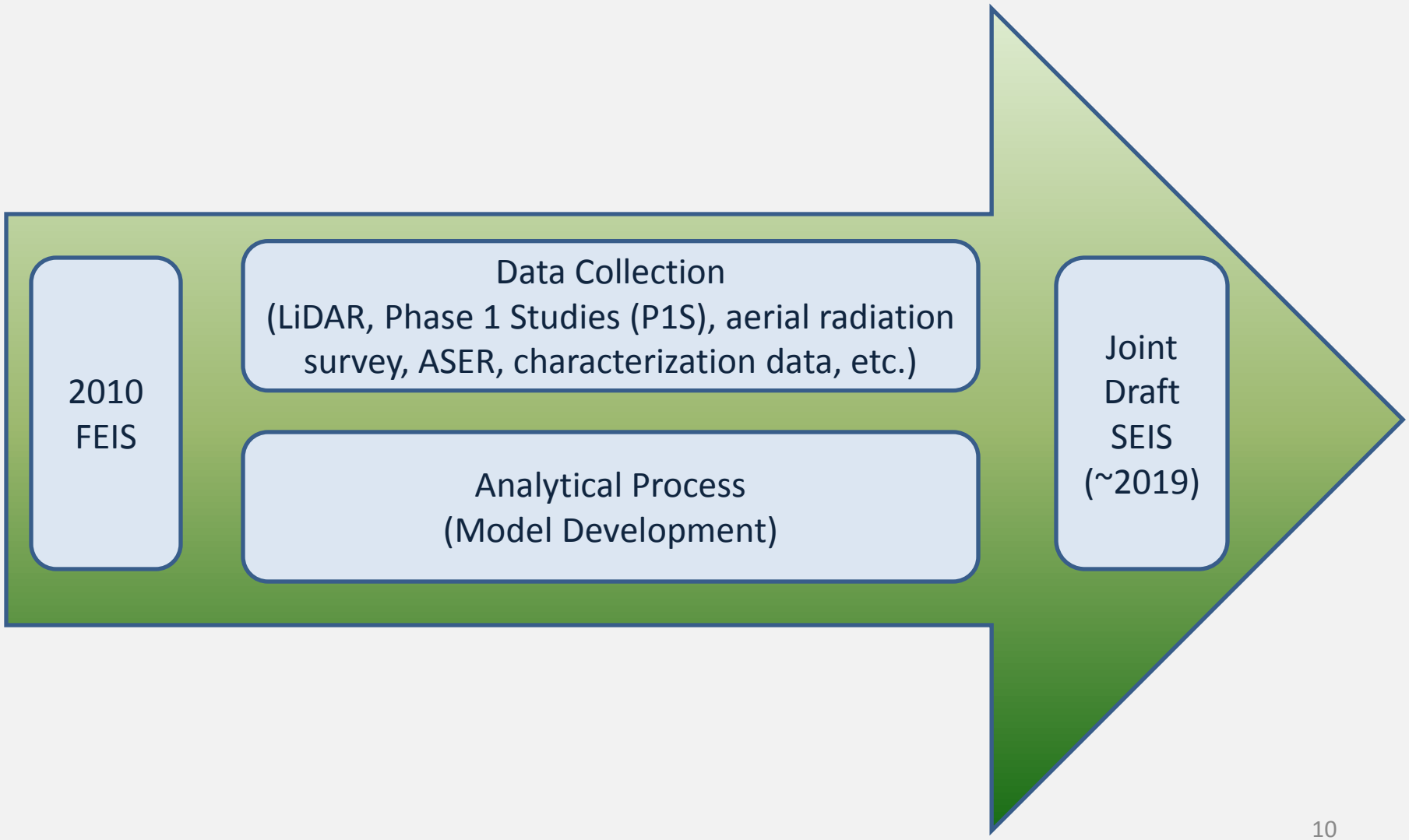
Path Forward to Phase 2 Decommissioning Decisions

Supplemental EIS

DOE and NYSERDA have agreed to prepare a Supplemental Environmental Impact Statement (SEIS) to support the Phase 2 decisions:

- The SEIS will be prepared under a jointly managed contract.
- The agencies will share the cost of the SEIS equally.
- The probabilistic performance assessment and estimate of uncertainty will be useful inputs to the SEIS analysis.

Path Forward to Phase 2 Decommissioning Decisions



Path Forward to Phase 2 Decommissioning Decisions

Next Steps

- Execute Probabilistic Modeling Contract (2014)
- Model Development (2014-2017)
- Continue ongoing data collection activities such as: LiDAR, aerial radiation survey, characterization work and P1S (2014-2017)
- Execute NEPA/SEQRA contract (2017)
- Issue Joint DOE/NYSERDA Draft SEIS for stakeholder review and comment (2019)
- Publish Joint DOE/NYSERDA Phase 2 Final SEIS (2020)
- Publish Phase 2 DOE ROD and NYSERDA Findings Statement (2020)

Path Forward to Phase 2 Decommissioning Decisions

Summary

- NYSERDA and DOE have agreed on a path forward for making Phase 2 decisions for the WVDP and Center.
- We will use an integrated, consistent approach to evaluate all of the facilities and contamination at the Center, including the SDA.
- Sensitivity studies will be used to focus data collection and modeling efforts and a probabilistic performance assessment will be used to help address uncertainty.
- The agencies will prepare a joint Supplemental EIS for the Phase 2 decisions.
- This approach presents a path forward for making the Phase 2 decisions and allows the agencies to continue to move forward in a cooperative manner.

West Valley Demonstration Project
Summary of Quarterly Public Meeting – February 26, 2014

Members of the Public and Others Present
Deb Aumick*, Rob Dallas, Diane D'Arrigo, Jim Day (WXXI), Judy Einach, Joanne Hameister, Lee James*, Eric Lawton, Rick Miller (Olean Times Herald), Kate O'Connell (WXXI), Joe Patti, Paul Siepierski, Ray Vaughan, Barbara Warren, Eric Wohlers*.

Agency and Contractor Participants
Department of Energy (DOE): Bryan Bower, Moira Maloney, Marty Krentz*, Ben Underwood, Zintars Zadins, Sandra Szalinski.
New York State Energy Research and Development Authority (NYSERDA): Paul Bembia, Lee Gordon, Elizabeth Lowes, Andrea Mellon, Allyson Zipp.
CH2M Hill B&W West Valley, Inc. (CHBWV): Lynette Bennett, Dan Coyne, John Rendall.
Enviro Compliance Solutions, Inc. (ECS): Dhananjay Rawal*.
New York State Department of Environmental Conservation (NYSDEC): Ken Martin.

INTRODUCTIONS AND ANNOUNCEMENTS
The facilitator, Bill Logue, welcomed all present and reviewed the meeting protocols and documents[1].

PHASE 1 DECOMMISSIONING UPDATE
Dan Coyne of CHBWV provided a project update for the four contract milestones.

Milestone 1 – High-Level Waste (HLW) Relocation Project. Status: The HLW pad and apron are complete. Eight storage casks have been fabricated and eight multi-purpose canisters (MPC) ordered. The canister haul path through the building to the storage pad is being evaluated. Design and specifications for the storage casks MPCs and haul path are under review by NRC for a Certificate of Compliance. Remote cleaning methods are being tested on HLW canister tops. The load-lowering device to move canisters into casks has been tested and workers trained.

Milestone 2 – Waste Operations. Status: Sixty transuranic (TRU) waste drums in the Interim HLW Storage Facility have been placed in overpacks and relocated. The 2013 Waste Processing Area processing of Legacy Waste containers is complete. The pre-decisional report evaluating options to manage TRU waste and non-HLW drums located in the CPC is complete. There is no permanent disposal facility for TRU at this time; however, the Greater-Than-Class C EIS could resolve this issue.

The Vitrification Melter, Concentrator Feed Make-up Tank and Makeup Feed Hold Tank grouting operations and technical review are complete and transport award recommendation has been submitted to procurement. The schedule and transportation plan to Waste Control Specialists in Texas is expected in mid-March. The vessel sizes will prevent use of the rail spur; therefore, a trailer will move them to a rail line; the transportation vendor is developing proposed transportation details.

The Nevada National Security Site (NNSS) completed the Annual Independent Self-Assessment with no findings reported.

Legacy waste shipment status: Low-Level Waste (LLW) 53% complete; Mixed LLW, Industrial and Hazardous waste shipment is complete.

Milestone 3 – Demolition and removal of the Main Plant Process Building (MPPB) and the Vitrification Facility. Status: MPPB preparation for demolition continues with facility characterization, asbestos removal and Liquid Waste Cell "tell-tailing" of piping and sampling. The Vit Facility equipment and debris removal is complete with preparations underway to vacuum the floor.

Milestone 4 – Complete all work described in the Performance Work Statement. Status: Completed waste load-out of the expanded Environmental Lab, completed backfill of new Cooling Tower and Counting Lab areas, and initiated demolition of sheds and old trailers. To-date: 141,561ft^3 of newly generated industrial debris has been shipped to

1 Meeting documents and materials may be found at www.wv.doe.gov in the public meetings pages. All are listed at the end of this summary.
* Attended by phone.

McKean, PA. Disposal costs depend on waste characterization. Clean industrial waste costs $500 to ship and $350 to dispose of. LLW waste costs $15,000 per truckload to ship to Nevada Test Site where there is no disposal fee. Mixed waste is shipped to Permafix in Oak Ridge TN, LLW to either EnviroCare or the Nevada Test Site.

WVDP Decommissioning Status

Bryan Bower of DOE presented an overview of the decommissioning status of each of the Waste Management Areas (WMAs). The presentation concerning the 10 WMAs is self-explanatory; please view it with the February 26, 2014 meeting materials at www.wv.doe.gov/.

Questions/Responses & Comments

The following provides a summary of questions, comments, and discussion following the presentation.

- The Liquid Waste Treatment Plant can be removed because a smaller facility will suffice as the capping of the NDA reduced the volume of water needing treatment by 90%.
- In response to being informed that the Administrative Building was 50 years old and scheduled for removal because it is past its useful life, a stakeholder suggested that this could be said of the HLW tanks. Mr. Bower noted that offices could be moved to the Remote Handled Waste Facility.
- A number of questions were raised about the North Plateau Groundwater Plume (NPGP).
    - The Permeable Treatment Wall (PTW) was located inside the leading edge of the plume to capture 99% of the curies. Placing beyond the leading edge would have been inefficient, as zeolite binds with other materials besides Strontium 90 and its usefulness can be decreased. The expected design life is 20 years. The Phase 2 decision will address what will happen with the wall material.
    - The pump and treat system, a previous attempt to remove contamination, was marginally effective and not cost effective when funds are needed for high risk area waste cleanup and shipment.
- A member of the public questioned what existing site infrastructure could be needed for Phase 2

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).

Framework for Analyzing the Center: The agencies have agreed to use the NRC License Termination Rule (LTR) to analyze *all* site facilities, including the SDA, to provide a consistent integrated approach.

Addressing uncertainty in the Phase 2 Analysis: Uncertainty in the long-term analysis was at the heart of many of the technical issues raised with respect to the 2010 FEIS. 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.

In response to a question regarding probabilistic and deterministic methods, 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, for example a dose limit. In response to a question, DOE indicated that the 2010 FEIS Long-Term Performance Assessment results can be found in Appendix H of the document.

A member of the public suggested a qualitative analysis be considered and cautioned about moving quickly to a quantitative analysis. Another commented that very low probability but high consequence events might not be sufficiently accounted for in the studies. Mr. Bembia stated that the probabilistic analysis, by looking at ranges, should address this. A third stated that deterministic analyses rely on historical data that can limit the analysis. They

added that a deterministic analysis may be the only option at times, but all should be aware of the limitations of model assumptions.

Mr. Bembia reviewed and showed a graphic of the facilities subject to the Phase 2 decision: the HLW Tanks, NDA, SDA, CDDL, NPGP non-source area, surface water streams, cesium prong and balance of the Center property. He noted that the cesium prong was the result of a release through the air stacks in the 1960's.

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. Those present expressed their appreciation to the agencies for reaching the decision to conduct a Supplemental EIS.

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.

QUESTIONS/RESPONSES & COMMENTS

In response to a question about how a final decision could be made in light of future technologies and lack of a national repository, Mr. Bembia stated that wastes could be stored on an interim basis. In response to a question regarding the potential need to verify that a closure approach is effective, Elizabeth Lowes of NYSERDA offered that the LTR requires a review be performed every five years for those sites that cannot demonstrate that they meet the 100 mrem/year dose criterion upon loss of institutional controls.

A question was asked about the contract for probabilistic modeling and how it would address the relationship of uncertainty and LTR dose limit criteria for different types of closure. Mr. Bembia stated that further discussions would be needed with the regulators on several issues, including how the alternatives would be structured and how a probabilistic analysis would be compared to deterministic regulation. The person responded that the public's goal was to have wastes removed rather than meeting release criteria with conditions.

Mr. Bower stated that study budgets had not been set, adding that risks need to be balanced such as the environmental risk of having wastes in place with the risk to workers and others in removing and transporting wastes. A member of the public noted risk minimization should be considered. Another person noted their concern was for future generations through the potential loss of institutional controls.

A person suggested that public input in the selection of contractor would create sensitivity to public concerns. While expressing appreciation about the SEIS decision, another person expressed concern about the work delay of three years and studies not yet underway. They questioned whether there will be enough information from the studies for the SEIS. Mr. Bembia stated that the sensitivity analysis will help the agencies focus on the important studies and that they believed they would complete the SEIS process by 2020.

A member of the public thanked the agencies for reaching agreement on the SEIS process and the probabilistic analysis methods. This person suggested another study group be put together to determine what existing facilities may be needed for Phase 2 so that these facilities are not unnecessarily removed in Phase 1.

Topics for Next and Future QPM(s)

Before concluding the meeting, Mr. Logue mentioned the various topics for coming QPMs that had surfaced throughout the meeting:

- Presentation of path sequence for relocating HLW multipurpose canisters to the pad
- Presentation of the schedule and transportation plan for the melter, CFMT and MHFT to Texas
- Revisit presentation on location of the Permeable Treatment Wall (PTW), location and contamination concentrations in the plume
- Presentation by NRC regarding Final Policy Statement and LTR

The next Quarterly Public Meeting will be held on May 28, 2014.

DOCUMENTS DISTRIBUTED

Document Description	Generated by; Date
Meeting Agenda	2/26/2014
WVDP Project Update	CHBWV; 2/26/2014
WVDP Decommissioning Status	DOE; 2/26/2014
Phase 2 Decision Process	NYSERDA & DOE; 2/26/2014

NOTE:
Following the meeting, the Coalition on West Valley Nuclear Wastes informed the agencies that the archived materials of the Coalition on the site in the library of the State University New York at Fredonia are now accessible to the public. There are handling and access restrictions to preserve the collection; people may contact Joanne Hameister of the Coalition with questions. (jhameister@roadrunner.com)

Quarterly Public Meeting[1]

Ashford Office Complex
9030 Route 219
West Valley, New York
Wednesday, May 28, 2014

Meeting

6:30 pm Welcome and Introductions ..... Bill Logue

6:35 pm Project Update ..... Dan Coyne, CHBWV

- Milestone 1: High-Level Waste Canister Relocation, including moving process for Multipurpose Canisters to Storage Pad
- Milestone 2: Waste Operations: Legacy Waste Operation & Newly Generated Waste
- Milestone 3: Main Plant and Vitrification Facility Demolition
- Milestone 4: Other Work, Site Operations and Balance of Site Facilities
- Brief Overview of Permeable Treatment Wall Location and Location of North Plateau Groundwater Plume

7:05 pm Phase 1 Studies Update ..... Lee Gordon, NYSERDA

7:15 pm Performance Assessment Contracting Update .....
.....Bryan Bower, DOE and Paul Bembia, NYSERDA

7:25 License Termination Rule ..... Robert Johnson, NRC
West Valley Final Policy Statement .....Chad Glenn & others, NRC (via WebEx)

8:15 pm Adjourn

Next Quarterly Public Meeting Tentatively Scheduled
Wednesday, August 27, 2014
6:30 p.m.
Ashford Office Complex

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Agency and Contractor Participants
Department of Energy (DOE): Bryan Bower, Marty Krentz*, Moira Maloney, Sandra Szalinski, Ben Underwood, Zintars Zadins.
New York State Energy Research and Development Authority (NYSERDA): Paul Bembia, Leanne Brechtel, Lee Gordon, Elizabeth Lowes, Andrea Mellon.
CH2M Hill B&W West Valley, Inc. (CHBWV): Lynette Bennett, Dan Coyne, John Rendall, Robert Steiner.
New York State Department of Environmental Conservation (NYSDEC): Patrick Concannon, Ken Martin.
U.S. Nuclear Regulatory Commission (NRC): Chad Glenn*, Michael Norato*, Mark Roberts*, Robert L. Johnson*.

INTRODUCTIONS AND ANNOUNCEMENTS
The facilitator Bill Logue welcomed all present and reviewed the meeting protocols and documents[1].

PHASE 1 DECOMMISSIONING UPDATE
Dan Coyne of CHBWV provided a project update for the four contract milestones.

Milestone 1 - High-Level Waste (HLW) Relocation Project. Status: The HLW storage pad and apron are complete. Projects in progress are: hydro-seeding, installing cameras and other security features, installing storm water pollution prevention controls, and closure packages (4 out of 14 are complete). Eight concrete Vertical Storage Casks (VSCs) have been fabricated on-site, and eight more will be fabricated this year. Eight stainless steel HWL multi-purpose canister overpacks have been ordered. The Vertical Cask Transporter is complete; load testing and delivery is expected by the end of June. The TL220 (which places lid on the casks) and the low profile rail cart will be delivered later in the year. The Tugger to move the VSCs to the pad is on-site. The Overpack welder is complete and weld testing and qualification are scheduled for June/July. For the Equipment Decontamination Room (EDR), the subsurface grouting plan to reinforce the floor has been received and peer review initiated. The upgrades of the Haul Path to the pad (road widening, asphalt overlay and plating) are underway.

Milestone 2 – Waste Operations. Status: Of the ~140,000 ft³ of Legacy Waste in storage at the start of the CHBWV contract, ~77,000 ft³ have been processed and shipped for disposal. LLW processing and shipment is 53% complete, MLLW is 79% complete, industrial and hazardous waste are 100% complete; total of 84 shipments to date. Eighty transuranic (TRU) waste drums in the Interim HLW Storage Facility have been placed in overpacks and relocated to the CPC Waste Storage Area. In response to a question about locations of waste disposal, Mr. Coyne referred to a chart that can be found in the West Valley Citizen Task Force April 23, 2014 meeting summary.

Milestone 3 – Demolition and Removal of the Main Plant Process Building (MPPB) and the Vitrification Facility. Status: Deactivation and cleanout of the MPPB continues; asbestos removal is complete from the first and second floors. Raschig (borated glass) ring removal is complete from Tank 13D-8 and work has begun on Tank 13D-7. The Vitrification Facility is being cleaned out and floors vacuumed. In response to a question, Mr. Coyne stated that waste from clean out would be disposed of according to its characterization. Waste shipments are mostly transported by truck.

Milestone 4 – Balance of Site Facilities. Status: restoration is ongoing for areas where facilities have been removed - backfilling and seeding with top soil and native grasses. Deactivation of the Con-Ed Building is underway. Shipments

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[1] Documents and materials relating to the Phase 1 Studies are available at www.westvalleyphaseonestudies.org. Materials related to WVDP Updates may be found at www.wv.doe.gov with Quarterly Public Meeting information. All are listed at the end of this summary.

* Attended by phone

of newly generated waste continue. Removal of excess property through the Property Management System continues – thereby contributing to cost avoidance and DOE's Green Initiative. The installation of the first water well is complete. Tests of water quality were acceptable. Drilling for the second water well is complete and installation and water quality testing are ongoing. In response to a question, Mr. Coyne stated the purpose of the wells is to replace surface water with groundwater as the site's potable water source. [Note: following the meeting Mr. Coyne clarified that while groundwater meets potable water standards, bottled water is provided for drinking purposes.] In response to a question, Mr. Bower stated that the contaminated soil found during the excavation of the HLW pad was packaged. Its source unknown.

PERMEABLE TREATMENT WALL (PTW) UPDATE

Robert Steiner of CHBWV provided an update on the PTW.

The PTW is ~860 ft long. The purpose of the PTW is to passively treat groundwater to reduce levels of Sr-90 to As Low As Reasonably Achievable (ALARA) with a goal of <1,000pCi/L; to minimize expansion of the groundwater plume; and to make sure that technology used for containment does not preclude future strategies for site decommissioning. The Operations and Maintenance Plan stipulates monthly visual PTW inspections and quarterly well inspections, and groundwater elevation measurements, and groundwater sampling. Results are reported annually. The PTW was installed late 2010 and has been monitored for three years. The PTW is successful in containing and treating the plume concentrations (≥10,000 pCi/L). Mr. Steiner showed two depictions of plume delineation from January 2011 and October 2013, which illustrated that Sr-90 concentrations ≥10,000 pCi/L are no longer being detected beyond the PTW. The slides show the plume in the thick-bedded unit of the North Plateau. The next annual report will be released in June/July.

In response to questions, Mr. Steiner stated that the swamp ditch in the plume area is connected to Frank's Creek, and described the flow around the drainage highpoint into surrounding creeks. Sr-90 contamination has been at background or slightly above in the creeks at the edge of the Western New York Nuclear Service Center. The Construction Demolition Debris Landfill is down gradient of the PTW. The landfill was initially operated by Nuclear Fuel Services, Inc. (NSF), starting in the early 1960s during construction of the former spent fuel reprocessing plant. The landfill was closed in accordance with a NYSDEC-approved closure plan in 1986. Groundwater monitoring wells are located in the vicinity of the landfill and are being monitored. Radiological contamination has been detected; however, it is thought to be attributed to migration of the north plateau plume. Lastly, Mr. Steiner showed a chart of Sr-90 doses from natural and man-made sources compared to the dose of the WVDP outflow of water from 2012. The calculated doses show both natural and manmade sources at 310 mrem/year and WVDP source dose is at 0.019 mrem/year; similar results are expected for 2013.

PHASE 1 STUDIES UPDATE

Lee Gordon of NYSERDA provided a brief update on the three Potential Areas of Study (PAS).

The **Erosion Working Group** (EWG) was tasked with looking at the issue of uncertainty in erosion predictions and to make recommendations on how to reduce uncertainties and to prioritize the EWG's recommended studies. The Erosion Working Group (EWG) is now working on developing a study plan. The plan is almost complete. As soon as the study plan is finalized, it will be made available on the Phase 1 Studies website (wwwwestvalleyphaseonestudies.org).

The **Exhumation Working Group** (EXWG) was tasked with developing and executing studies that address key issues and related uncertainties associated with exhumation and removal of waste. The EWG recommended three studies which were presented at the November 2013 Quarterly Public Meeting: Waste Inventory Analysis; Evaluation of Methods to Reduce Uncertainty; and Review of Precedent Projects. The Independent Scientific Panel (ISP) is currently reviewing the EXWG's recommendations and input received from stakeholders on the recommendations. When the ISP's review is complete, it will be made available on the Phase 1 Studies Website.

The **Engineered Barriers Working Group** (EBWG) is on hold pending progress of the EWG and EXWG. Progress on the Exhumation and Erosion study areas will allow for more effective definition of objectives and approaches for Engineered Barriers study areas.

In response to questions, Mr. Gordon stated that all public input provided on the EWG and EXWG Recommendations had been sent to the ISP. All Subject Matter Expert (SME) groups review, consider and, as necessary, help the agencies respond to technical comments. The agencies are preparing a responses to outstanding letters. All stakeholder input and agency responses are posted on the Phase 1 Studies website, which is up and running.

PERFORMANCE ASSESSMENT CONTRACTING UPDATE

Mr. Bryan Bower of DOE provided a brief procurement update. In early May, the agencies issued a notice of Sources Sought in order to gauge industry interest and capabilities for the proposed sensitivity analysis and probabilistic modeling work. As the agencies are working through the procurement process, they are unable to comment on the responses they received to the Sources Sought notice. The Request for Proposals (RFP) for this work will be released in the next several months.

LICENSE TERMINATION RULE

Robert Johnson of the U.S. Nuclear Regulatory Commission (NRC) presented an overview of the License Termination Rule (LTR). (For citations to specific NRC regulations in the two NRC segments please view the presentation on the website.)

The LTR is brief and is accompanied by a Statement of Considerations (SOC), which is a source of extensive information and rationale for LTR provisions and responses to comments. The LTR provides a set of multi-layered requirements. There are three license termination approaches available: unrestricted release, restricted release, and restricted release with alternate criteria. The NRC prefers unrestricted site release, but recognizes that this may not be possible in all cases (e.g., if cost prohibitive or risk of harm to people). There is flexibility within the LTR: it is constructed such that it can be applied to a variety of sites, and there are several ways to meet the dose criteria. Under the LTR, the licensee proposes a release approach for a site and decommissioning methods for meeting dose criteria. A licensee could propose both unrestricted and restricted release for different areas within a site.

The general provisions for unrestricted release sets the period for compliance as 1,000 years. The NRC highly recommends that the analysis for West Valley go beyond 1,000 years. For unrestricted release the dose criteria are 25 mrem/year and ALARA based on a cost-benefit analysis.

The general provisions for restricted release speak first to eligibility, which is not the same as approval. A site is *eligible* for restricted release only if further reductions in residual radioactivity for unrestricted release would result in public health or environmental harm. NRC orders and litigation regarding the Shieldalloy, NJ site clarify and confirm the NRC intent in the LTR. They clarify 10 CFR 20.1403(a) required analysis for restricted release is limited to further removal of residual activity and that it is not a comparison of individual doses of restricted and unrestricted release. Further, the cost-benefit analysis is addressed in NUREG-1757, Appendix N is addressed.

Under restricted release, Institutional Controls (ICs) must be created and are required to be legally enforceable and durable (for higher risk sites) to restrict future site use. These are reviewed every five-year. An independent third party/government entity must be identified as back-up in case the ICs fails. The NRC retains authority to take actions if ICs fail.

Engineered Barriers (EBs) are designed to mitigate human intrusion, adverse natural processes (e.g., erosion), and the release and transport of radionuclides. The LTR does not prescribe EB design as they should be tailored to each site to meet dose criteria. EBs are not considered ICs and are assumed to degrade over time, not instantaneously. The analysis must look at how the deterioration occurs and how to remedy it. Financial Assurance must be established so that an independent third party/government entity could assume and carry out responsibilities for controls and maintenance, if necessary.

Under restricted release, if ICs are in effect, the dose criteria are 25 mrem/year plus ALARA. If ICs are no longer in effect (sometimes referred to as “dose caps”), there is the assumption of immediate and total failure, in which case the dose criteria are ALARA, 100 mrem/year or 500 mrem/year. If ICs fail, NRC retains authority to take action. Under restricted release, the LTR provides alternate dose criteria of up to 100 mrem/year plus ALARA based on the intent to alleviate the need for exemptions for exceeding doses. The LTR provisions for restricted release require that advice be sought from affected third parties on specific questions listed in the regulations. A summary of discussions

as well as documentation of whether the advice was acted on or not must be entered into the publicly available decommissioning plan.

If no license termination is sought because the LTR requirements cannot be met a site would remain under license. The NRC addressed this circumstance in the West Valley Final Policy Statement (discussion below). NUREG 1757 provides that the license may be for "possession" only for long-term control as approved by the Commission and as a last resort, for example, if the independent third party requirement is not met.

In response to questions, Mr. Johnson stated that although not done before, it is possible that part of a site remain under license and the remainder could be released; he noted this is part of the flexibility provided in the LTR. There are not a prescribed number of segments to a site in this situation; however, the dose requirement is for the entire site at 25 mrem/year. Mr. Johnson stated that he could not compare the LTR and DOE release rules. A request was made that someone perform this. A member of the public made a cautionary note and stated that another site was released from license and that was premature given that weapons grade nuclear material was later found at the site.

A member of the public commented that because of the site sensitivity and complexity of the site whether it should be treated differently and as decisions are made about potential long-term storage, given erosion and that the waters flow into the Great Lakes, comment should be sought from Canada and other sovereign nations. Another member stated, in reference to engineered barriers and restricted release, that barriers not only degrade but could also fail immediately resulting in catastrophic release. He cited Fukishima as an example. In response, Mr. Johnson noted that the EIS process would record and answer many of the questions and that NRC guidance requires degradation study/analysis customized for the specific site, including a sensitivity analysis.

WEST VALLEY FINAL POLICY STATEMENT

Chad Glenn of NRC presented an overview of the Commission's Final Policy Statement (FPS) on the West Valley Demonstration Project (WVDP).

By way of background he reminded those present that in 1980, Congress passed the WVDP Act which directed the Commission to prescribe decommissioning criteria for WVDP. In January 1999 the Commission held a public meeting regarding proposed decommissioning criteria. NRC then published a draft Policy Statement for public comment in December 1999. In January 2000, NRC held a public meeting at West Valley to discuss the draft Policy Statement and hear from West Valley stakeholders. NRC received over 200 comments on the draft Policy Statement. In February 2002 the FPS was released.

The FPS applied the LTR as the decommissioning criterion for the WVDP, reflecting the fact that the applicable decommissioning goal for the entire NRC-licensed site is compliance with the requirements of the LTR. The LTR applies to the High-Level Waste (HLW) tanks, facilities used in the vitrification of waste, and materials and hardware used in connection with the Project. The FPS also provides criteria for incidental waste.

The FPS states that decommissioning of the West Valley site will present unique challenges, which may require unique solutions. Mr. Glenn referred to Section IV. "Summary of Public Comments and Responses to Comments" in the Federal Register Notice for the FPS, and comment response C.4 which states "…the approach to decommissioning at West Valley may include portions of the site being released for unrestricted use, and portions of the site being released for restricted use, as well as potions of the site remaining under license, because of a failure to meet the LTR." The response further states "…the Commission believes that for those portions of the site that are unable to demonstrate compliance with the LTR's restricted release requirements, the dose limits should be viewed as goals in order to ensure that cleanup continues to the maximum extent that is technically and economically feasible. The Commission also believes that after cleanup to the maximum extent technically and economically feasible is accomplished, alternatives to release under the LTR criteria may need to be contemplated. Specific examples of these alternatives are a perpetual license for some parts of the site or exemptions from the LTR." NRC expects these issues will be addressed in the DOE/NYSERDA EIS.

The application of the LTR to WVPD is a two-step process: the NRC prescribes the LTR and then the NRC evaluates if the preferred alternative satisfies the criteria after completion of the EIS.

The LTR applies to the NRC-License Disposal Area (NDA). The EIS will provide an analysis of impacts beyond 1,000 years. The FPS notes the State-License Disposal Area (SDA) is regulated by the State of New York and the NRC license does not apply to the SDA, however, a cooperative approach with the State should be utilized to apply the LTR criteria in a coordinated manner to the NRC-licensed site and the SDA. The LTR criteria apply to the termination of NYSERDA's license for the Western New York Nuclear Service Center. Any exemption or alternate criteria authorized for DOE would also apply to NYSERDA.

Early resolution of guidance criteria for incidental waste is important. The FPS incidental waste criteria state that waste should be processed to remove key radionuclides be removed to the maximum extent technically and economically practical and waste should be managed so that the safety requirements comparable to the performance objectives of part 61, subpart C are satisfied. The resulting calculated doses from incidental waste are to be integrated with all other calculated doses. The NRC expects the EIS to consider impacts of incidental waste.

With respect to previously authorized burials, including the NDA, the FPS indicates that the Commission would continue to require an analysis of site-specific impacts and costs in deciding whether or not exhumation of previous buried waste is necessary. The FPS notes that the general exemption provisions of 10 CFR part 20 are available to consider unique past burials on a case-by-case basis. NRC expects the EIS to evaluate the disposition of previous burials.

With respect to the Environmental Analysis, the LTR does not establish new requirements. The NRC licensed site at West Valley is already subject to the LTR, and the environmental impacts of applying the LTR to NRC licensees were evaluated in the LTR/GEIS. In promulgating the LTR, the Commission noted that that an independent environmental review will be conducted for each site-specific decommissioning decision where land use restrictions or institutional controls are relied upon or where alternative criteria are proposed. The environmental impacts from the application of the criteria will need to be evaluated for various alternatives considered. will be site-specific with alternatives evaluated. NRC expects the Decommissioning EIS to provide this information. Full or partial license termination will also require an environmental review.

Finally, Mr. Glenn addressed NRC's roles and responsibilities at West Valley under the Atomic Energy Act, the WVDP Act, and the National Environmental Policy Act, and its ongoing responsibility for interfacing with stakeholders in an open and collaborative manner

Mr. Glenn and other NRC staff then responded to questions and comments. In response to a question about how climate change would be considered given that the LTR was developed before the issue emerged. Mr. Glenn noted that the whole spectrum of environment and climate change should be addressed in the EIS. Another staff member stated that they were not aware of NRC insisting on climate change being part of a final decision but that the NEPA process for the EIS and the notice of availability for the Decommissioning Plan were times when the public could comment on climate change and other issues. DOE and NYSERDA are obligated to seek public comment on the EIS. NRC is not obligated to solicit public comment on the Decommissioning Plan because DOE is not a licensee. However, if the public submits comments, NRC will consider them in its review of the Decommissioning Plan. DOE and NYSERDA committed to making the public aware of the pending release of the draft Supplemental EIS and Decommissioning Plan through the Quarterly Public Meetings and traditional notification methods. In response to another question, DOE and NRC clarified that the incidental waste in the tanks has not be determined to be WIR. Mr. Glenn stated that he was not able to confirm at the moment how many states have stricter rules or criteria than NRC.

In response to a question about New York State requirements for decommissioning, Mr. Concannon of NYSDEC responded that, although some time ago a clean up guidance value had been issued, the State did not currently have specific decommissioning regulatory criteria. New York is developing the draft criteria in Part 384 and the draft will be issued for public comment at some date in the future. The draft criteria are likely to be similar to the LTR.

TOPICS FOR NEXT AND FUTURE QPM(S)

Before concluding the meeting, Mr. Logue asked for suggested topics for coming QPMs. None were raised. He asked that stakeholders try to provide as much advance notice as possible of suggested topics.

The next Quarterly Public Meeting will be held on August 27, 2014.

DOCUMENTS DISTRIBUTED

Document Description	Generated by; Date
Meeting Agenda	5/28/2014
WVDP Project Update	CHBWV; 5/28/2014
Permeable Treatment Wall Update	CHBWV; 5/28/2014
Overview of NRC's License Termination Rule	U.S. NRC; 5/28/2014
Commission's Final Policy Statement on WVDP	U.S. NRC; 5/28/2014

Quarterly Public Meeting[1]

Ashford Office Complex
9030 Route 219
West Valley, New York
Wednesday, August 27, 2014

Meeting

6:30 pm Welcome and Introductions ..... Bill Logue

6:35 pm Project Update..... Dan Coyne, CHBWV

- Milestone 1: High-Level Waste Relocation, including moving process for multipurpose canisters to storage pad (Heatherly Dukes, CHBWV)
- Milestone 2: Waste Operations: Legacy Waste Operation & Newly Generated Waste
- Milestone 3: Main Plant and Vitrification Facility Demolition
- Milestone 4: Other Work, Site Operations and Balance of Site Facilities

7:20 pm Phase 1 Studies Update..... Lee Gordon, NYSERDA

7:30 pm Upcoming Aerial Radiation Survey.....National Security Technologies

8:00 pm Adjourn

Submit Future Agenda Items to:
Lynette.Bennett@chbwv.com

Past presentations are available at:
http://www.chbwv.com/Quarterly_Public_Meetings.htm
And
http://www.wv.doe.gov

Next Quarterly Public Meeting Tentatively Scheduled
Wednesday, November 19, 2014
6:30 p.m.

[1] To view presentations from the meeting and participate via WebEx please email Bill@LogueGroup.com by 9:00 AM August 27, 2014 and an electronic meeting invitation will be sent to you. When possible please use the WebEx chat feature to post questions or comments. The facilitator will read these to all present.

Ashford Office Complex

GROUND RULES

For Quarterly Public Meetings

West Valley Demonstration Project (WVDP) and
Western New York Nuclear Service Center (WNYNSC)

- *Please turn cell phones off, or to vibrate.*
- *Please respect the time limitations of the meeting.*
- *One person will speak at a time.*
- *Please do not interrupt anyone who is speaking.*
- *Please avoid side conversations in the room.*
- *Please hold all questions and comments until the presentation is completed and the moderator begins the question/comment period.*
- *Please clearly state your name before asking a question or making a comment.*
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- *Stakeholders at the meeting will be recognized first.*
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- *Stakeholders on the telephone or participating in a web-based meeting will be recognized after all questions/comments from stakeholders at the meeting are processed.*
- *Stakeholders on the phone please place your telephones on mute unless you are recognized by the moderator to speak.*
- *Meeting notes will be taken; meeting summaries will be prepared and posted on the website following review and approval by DOE/NYSERDA. The meeting summaries will include a general summary of questions and responses, but will not include individual comments and responses.*

West Valley Demonstration Project
Summary of Quarterly Public Meeting – August 27, 2014

Members of the Public and Others Present

Deb Aumick*, Rob Dallas, Diane D'Arrigo, Chris Gerwitz, Andrew Goldstein, Deb John, Matt Kozak, Kathy McGoldrick, Barry Miller, Douglas Ruszczyk, Paul Siepierski, Ray Vaughan, John Walgus, Barbara Warren.

Agency and Contractor Participants

Department of Energy (DOE): Bryan Bower, Moira Maloney, Craig Rieman, Mell Roy.
New York State Energy Research and Development Authority (NYSERDA): Paul Bembia, Lee Gordon, Andrea Mellon.
CH2M Hill B&W West Valley, Inc. (CHBWV): Lynette Bennett, Heatherly Dukes, Ray Geimer, Bill Schaab.
US Nuclear Regulatory Commission (NRC): Mark Roberts
New York State Department of Environmental Conservation (NYSDEC): Mark Lowery*, Ken Martin.
National Security Technologies (NSTEC): William Beal, Alex Bric, Karen McCall, Maria Mukhopadhyany, Piotr Wasiolek.

INTRODUCTIONS AND ANNOUNCEMENTS

The facilitator, Bill Logue, welcomed all present and reviewed the meeting protocols and documents[1].

PROJECT UPDATE

Ray Geimer and Heatherly Dukes of CHBWV provided project updates for the four contract milestones.

Milestone 1 – High Level Waste (HLW) Canister Relocation & Storage System. Status: WVDP is relocating high-level waste from HLW interim storage in the Main Process Plant Building (MPPB) to a stand-alone dry cask storage system for storage of up to 50 years. Canisters containing HLW will be decontaminated in the Chemical Process Cell. Five canisters will be loaded into an overpack and then into the shielded cask. Both the overpack and the cask will have welded lids. Once sealed, the cask will be transferred to the HLW Cask Storage Pad. Transportation from the MPPB to the HLW Storage Pad is approximately a half-mile and preparations are being made to the haul road to widen and strengthen it for this task. Equipment needs, weld testing, and modifications made to the Load-in/Load-Out Facility and Chemical Process Cell were outlined. DOE has taken a unique approach where certification will be at the overpack level rather than the canister level. The Certificate of Compliance (COC) is scheduled to be completed in November. Facility modifications should be complete in January. The expected start of the transfers is March 2015, with an expected completion date (complete relocation of canisters) of March 2018, subject to appropriations.

Milestone 2 – Shipment of Legacy Waste. Status: At the start of CHBWV's contract, approximately 140,000 ft^3 of legacy waste was in storage, and as of July 2014 approximately 77,000 ft^3 has been processed and shipped. Of the waste shipped, all industrial and hazardous waste has been shipped, MLLW is 79 percent complete, and LLW is 53 percent complete. CHBWV continues to work with Savannah River Nuclear Solutions, Savannah River National Lab to prepare an NRC application for a special authorization for shipment of the Vitrification Melter, Concentrator Feed Make-up Tank (CFMT) and Makeup Feed Hold Tank (MFHT). CHBWV is also working with DOT on the correct categorization of the CFMT and MFHT containers. The focus will now shift from legacy waste to HLW relocation, and decontamination and demolition of the MPPB.

Milestone 3 – Demolition and removal of the Main Plant Processing Building (MPPB) and the Vitrification Facility.

[1] Documents and materials relating to the Phase 1 Studies are available at www.westvalleyphaseonestudies.org and are listed at the end of this summary. Documents related to West Valley Demonstration Project updates are available in the public meetings section of www.wv.doe.gov.
* Participated by telephone.

Status: MPPB deactivation continues and is shifting focus to prepare the Extraction Cell, which will be removed semi-remotely. Cleaning of the Vitrification Facility will be completed in the next year, but will have to wait to be demolished with the MPPB as it is structurally attached.

Milestone 4 – Complete all work described in the Performance Work Statement. Status: The area where the Environmental Lab (E-Lab) stood has been restored. Balance of Site Facility work has been completed for the next three years. Newly generated waste shipments through July 2014 total 150,546 ft^3 industrial waste, 472 ft^3 hazardous waste, 114,933 ft^3 LLW, and 991 ft^3 MLLW. Repair work was also initiated on the Lake 1 spillway to fix eroded areas.

Mr. Geimer also announced that the workers on the site had just achieved one million safe work hours, which represents more than 20 months of safe work.

PHASE 1 STUDIES UPDATE

Lee Gordon of NYSERDA presented an update on the Phase 1 Studies. The Erosion Working Group (EWG) is working to develop implementation plans for early work collecting samples out in the field and measurements of current erosion processes. The implementation plan will include the nuts and bolts of the working process. Dr. Wilson and Dr. Young are scouting for sites for study one (age dating and paleoclimate), Dr. Bennett is working on erosion processes and measuring streams for study two, and the group is working on data quality objectives and various modeling approaches for study three.

The Exhumation Working Group (EXWG) recommended studies were submitted to the ISP for review, which has now been completed and ISP feedback provided to the agencies. The next step will be developing study plans, where they will tell the agencies how they plan to implement the recommended studies. The Engineered Barriers Working Group (EBWG) is on hold right now as the work of the other groups might help to better scope this group's work. Mr. Gordon also noted that several responses were received to the agencies issued Sources Sought relative to the work to be done on the probabilistic performance assessment. The next step is for the agencies to develop a Request for Proposals to conduct the assessment.

AERIAL SURVEY TO MEASURE RADIATION

Craig Rieman from DOE presented information regarding the upcoming aerial radiation survey via helicopter to measure radiation on the Western New York Nuclear Service Center (Center) and a portion of Cattaraugus Creek from the boundary of the Center to Lake Erie. This will provide an update of information for the decommissioning of facilities and property at the Center. The survey will be conducted over the entire Center (5.2 miles) and portions of the Creek including portions of the villages of Gowanda and Silver Creek, the Cattaraugus Territories of the Seneca Nation of Indians, and several townships in Cattaraugus, Chautauqua, and Erie Counties. This survey is being conducted as part of the characterization work, to provide a new baseline for on-site and off-site radiation levels. This is an economical way of gathering a lot of data. It also allows for getting to areas not easily accessible due to heavy vegetation. The plan is to start September 23, 2014, weather permitting, and will take eleven days to complete. Notification letters have been sent to municipalities and law enforcement to notify them of the fly-over. A report of the data is expected early in 2015.

Aerial Measuring System

National Security Technologies (NSTEC) was introduced as the contractor for the aerial survey. William Beal of NSTEC presented information regarding the Aerial Measuring System (AMS) and plans for the survey. AMS is under the DOE Office of Emergency Response, but outside of emergency situations, they utilize capabilities to conduct surveys and have aided numerous Federal, state and local agencies and municipalities conducting over 500 surveys.

The helicopter involved in this survey uses three sodium iodide gamma ray detectors to map gamma radiation at the surface level. The software used is Advanced Visualization and Integration of Data (AVID). For the purposes of this survey, the helicopter will fly at an altitude of 150 feet, speed of 70 knots and utilize 300 foot line spacing to get full coverage of the area. An eight-person crew will be a part of this operation, including mission scientist, data scientist,

data technician, electronic technician (2), helicopter pilot (2) and helicopter mechanic. The data to be delivered will produce a contour map based on the grid flight pattern with exposure rate at 1 meter. NSTEC will compare data from the new survey and the last survey conducted in 1984.

TOPICS FOR NEXT QPM

Before the conclusion of the meeting, Mr. Logue asked that suggestions of topics for future QPMs to be submitted to Lynette Bennett at Lynette.Bennett@chbwv.com.

Documents Distributed

Document Description	Generated by; Date
Meeting Agenda	ECS; 8/27/14
CHBWV Presentation – Project Update	CHBWV; 8/27/14
DOE/NYSERDA Presentation – Aerial Survey to Measure Radiation	DOE/NYSERDA; 8/27/14
NSTEC Presentation – Aerial Radiation Survey	NSTEC; 8/27/14

Quarterly Public Meeting

Ashford Office Complex
9030 Route 219
West Valley, New York
Wednesday, November 19, 2014

Meeting

6:30 pm	Welcome and Introductions	Lynette Bennett
6:40 pm	Project Update	Dan Coyne, CHBWV
7:10 pm	Permeable Treatment Wall Status	Bob Steiner, CHBWV
7:30 pm	Phase 1 Studies Update	Lee Gordon, NYSERDA
7:40 pm	Adjourn	

Teleconference Number:
1 (866) 203-7023
Participant Code:
638.279.2328

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Lynette.Bennett@chbwv.com

Past presentations are available at:
http://www.chbwv.com/Quarterly_Public_Meetings.htm
And
http://www.wv.doe.gov

Next Quarterly Public Meeting Tentatively Scheduled
Wednesday, February 26, 2015
6:30 p.m.
Ashford Office Complex

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