

*Center for Health, Environment & Justice   Citizens' Environmental Coalition  
Coalition on West Valley Nuclear Wastes   Nuclear Information & Resource Service  
Amherst Conservation, Recreation, & Parks Foundation   Cheektowaga Citizens'  
Coalition   Citizens For A Clean Environment   Clean Air Coalition   Community  
Health & Environment Coalition   Concerned Citizens of Cattaraugus County  
Environmental Advocates of NYS   For A Clean Tonawanda Site, Inc.   Finger Lakes  
Citizens for the Environment   Great Lakes United   Hopewell Junction Citizens for  
Clean Water   Lakeshore Environmental Action   Learning Disabilities Association of  
NYS   New York Public Interest Research Group   Residents Organized for Lewiston-  
Porter's Environment   Toxic Waste/Lupus Coalition   Utica/Central New York Citizens  
in Action   WNY Council on Occupational Safety & Health   WNY Peace Center*

Senator Mary Lou Rath  
Legislative Office Building  
Albany, New York 12247

December 5, 2005

Dear Senator Rath:

We are writing about a priority environmental problem in your, Senator Volker's and Senator Young's districts to ask for your help and support. We are at a critical juncture in the clean up of the leaking West Valley nuclear waste site. The final remediation decision will impact Western NY communities in the Great Lakes Basin Area for generations to come.

We would appreciate the opportunity to have a conference call with you in the next two weeks to discuss an important proposal on West Valley in depth. We would greatly appreciate your consideration of our request for a Western NY region budget member item of approximately \$70,000 to hire and assist experts to conduct an independent Full Cost Accounting study on the various clean up options at the site. (Please see attached proposal for the Full Cost Accounting contract details.) We are already meeting with Senator Young and are arranging a call with Senator Volker. It would provide a tremendous service to the Western NY region if you would all consider jointly sponsoring a regional member budget item, as the highly radioactive waste at this large site will impact the entire Western NY Great Lakes Basin Area in the future.

In the next year, the interested public, organizations and agencies will assess the Department of Energy's proposed final cleanup plans and the Department will then make a decision. It is important that our constituencies have all the relevant information during this critical decision-making process to ensure we select the most protective and effective cleanup plan. A Full-Cost Accounting Study (FCA) would fill a substantial void in the process and provide vital information. If funding is obtained, the FCA study could

be released in Fall 2006 when the DOE plans to release their draft final closure remediation proposal for public comment. It would add a wealth of information to this essential procedure.

A Full Cost Accounting Study fully assesses all the environmental, health, labor and other costs for each cleanup option to present relevant information to adequately evaluate and select the most effective solution. Full cost accounting is usually not included in traditional government Environmental Impact Statements. For instance, this study would reveal the estimated costs of monitoring buried waste for its entire hazardous life. This was *not* done in the DOE's Draft Environmental Impact Statement (DEIS) of 1996. An FCA study would analyze the DEIS and other relevant subsequent documents to investigate whether all the activities for each proposed remedial option are included and to fully assess and estimate the true costs to society. Specifically, it would disclose the realistic costs of each option—exhumation and long-term management to isolate the waste from the environment vs. long-term monitoring and maintenance of leaking buried waste at West Valley.

Two experts could conduct the FCA study—Professor Frank Ackerman of Tufts University and Synapse Energy Economics. Professor Ackerman is a national leader in applying full cost accounting to a range of environmental issues. He is director of the Research and Policy program at Tufts' Global Development & Environmental Institute and is the author of many environmental economic studies and reports. Bruce Biewald and William Steinhurst of Synapse Energy Economics have extensive experience in conducting site assessments and economic studies. Dr. Michael Wilson, Professor of Geosciences at SUNY Fredonia and the Center for Environmental Assessment, will provide expertise on geology, erosion, and erosion control. Attached for your review is a West Valley Full Cost Accounting Study Proposal by these experts along with the complete budget.

Our organizations represent residents in the region who seek a protective and effective cleanup of the site.

- The *Coalition on West Valley Nuclear Wastes* (CWVNW) is a community-based organization that has monitored the site for over 25 years. The Coalition successfully advocated for a federal remediation law and a statewide ban on using West Valley as a regional “low-level” radioactive waste dump.
- *Citizens' Environmental Coalition* (CEC) is a state-level environmental health organization with offices in Buffalo and Albany working to protect human health and the environment from toxic and radioactive pollution that has worked on West Valley issues for 20 years.
- *Nuclear Information & Resource Service* (NIRS) is a national organization working on nuclear issues, which provides technical and policy assistance to communities, and staff has worked on West Valley since 1979.
- The *Center for Health, Environment & Justice* (CHEJ), directed by Lois Gibbs who worked on Niagara Falls' Love Canal waste site, is a national organization providing assistance to communities, and staff have worked on West Valley since 1985.

In addition, other organizations are co-signers of this letter and our coalition continues to grow as we work with the Seneca Nation, Cattaraugus Creek Watershed, League of Women Voters, Environmental Advocates, NYPIRG and others, including members of the West Valley Citizens Task Force.

The communities of West Valley and surrounding Springville and Ashford, New York have unfairly suffered the burden of this country's high-level radioactive waste for far too long. While the site was promised as an economic engine for the area, it has become a suffocating force. The 3300-acre site remains untaxed and unusable by area residents. Currently, an underground plume of Strontium 90 is slowly moving through the water table off site. While the federal government denies responsibility and the state claims it is unauthorized to do anything about it, it continues to move downstream from the site toward these communities and the Seneca Nation of Indians Cattaraugus Reservation.

In the 1960's, Nuclear Fuel Services, a Getty Oil subsidiary, began dumping radioactive waste and reprocessing nuclear fuel at the West Valley site in a small New York farming community 30 miles south of Buffalo. Due to accidents and leaks, the reprocessing operation was shut down. Since then, the federal and state governments have been conducting a coordinated remediation of the leaking site under the 1980 West Valley Demonstration Project Act, with the Department of Energy (DOE) providing 90% of the funding and the NYS Energy Research & Development Authority (NYSERDA) providing 10%. Wastes at the site will be radioactive for *tens of thousands* of years, yet according to the government's own estimates, the waste from nuclear power and weapons is buried in a region that will erode into the Great Lakes within a *thousand* years. Freeze-thaw cracking and erosion plague the site.

At the West Valley site much of the work—making the high-level liquid reprocessed waste into a solid—is done. What remains is significant: cleaning up underground radioactive sludge and tanks; burial grounds; and disposal of wastes generated by the solidification process. Full cost-accounting is an important assessment tool for remedial decisions. This study would substantially enhance the public participation process on final remedy selection by providing an independent assessment of critical economic and environmental issues.

Unfortunately, neither DOE nor the NYS Energy & Research Development Authority has investigated all the long-term costs of the various remedial options at West Valley. And, even if the agencies made assurances that they would do so at some point in the future, it is still imperative that the public has an independent analysis of the key aspects of the remedial assessment process.

For instance, the 1996 DEIS did not look at the costs of maintaining highly radioactive buried waste at the site, which will be extremely hazardous for over ten thousand years. An artificial timeframe of 1,000 years was used. However, the real maintenance time for the buried waste's hazardous life is more than 10,000 years. In fact, the DEIS states that "*The relevant time period over which this limitation – an EPA*

*residual radioactivity standard – exists is 10,000 years after the remedial action.” (D-117). It also states “the post-implementation phase evaluated for environmental impacts...is 1,000 years, although calculations for the long-term performance assessment were carried out as far as 10,000 years to establish the potential contributions of long-lived, relatively mobile radionuclides.”* However, some dangerous wastes at the site have longer hazardous lives, such as plutonium 239 with a hazardous life of 240 to 480 thousand years.

An FCA study would provide a realistic cost comparison. Using the DEIS estimates, we took a very preliminary look and found when using a 10,000 year timetable, the exhumation option is estimated to cost \$8.3 billion and the buried waste option is estimated to cost over \$110 billion.

Other costs were also largely excluded from the DEIS. How much would it cost if institutional controls failed at the site and waste moved off-site? How much would it cost to remediate highly radioactive pollution in the Great Lakes watershed, including drinking water wells, municipal wells and groundwater? These costs were largely not included in the DEIS. The analysis of exhumation also did not factor in the benefits of having the land available for reuse, and the resulting jobs from development at the remediated site. The site was promised as an economic engine for the area, yet the site remains unusable by residents. Leaving the buried waste at the site would make this a permanent problem and burden for these communities. A full cleanup could revitalize the area and provide opportunities for property development and jobs. An FCA study would look at the economic benefits of reclaiming the land and include estimates on how many jobs would be created based on various kinds of development.

We would greatly appreciate the opportunity to have a conference call with you in the next two weeks to discuss this proposal. Would you please let us know if this can be arranged by contacting Bobbi Chase Wilding of Citizens' Environmental Coalition at 518-462-5527. Thank you so much for considering our request.

Sincerely,

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