April 28, 2005

Dear Honorable Senators and Representatives:

Our local, state and national organizations continue to strongly oppose the proposed bill by the New York State Energy Research & Development Authority (NYSERDA) regarding the West Valley nuclear waste site. We respectfully request your consideration of our legislative critique, as well as alternative options.
Local, state and federal agencies and government officials, impacted communities and concerned community, religious and environmental organizations all seek a solution to the West Valley contamination problem. Options that could provide a much better process to achieve essential remediation at the site include the following.

- Legal action to ensure full implementation of the 1980 West Valley Demonstration Project Act, 1987 Stipulation Agreement and all federal and state environmental laws, including RCRA. We are conducting legal research with experts on various issues and will provide an update on the viability of this option in the future.

- Address a long-neglected aspect of the remedial process by conducting an exhumation study of West Valley and a full-cost accounting evaluation of exhumation versus monitoring/remedial maintenance of eroding buried waste. We have enclosed a memorandum on this recommendation. Our organizations are extremely concerned that the agencies are moving towards making final site closure decisions to leave the buried waste at the site, yet they are not seriously pursuing consideration of exhumation of all the long-lasting nuclear waste buried throughout the leaking site or done a full-cost accounting in their Draft Environmental Impact Statement which has been on hold since 1996.

Highly radioactive waste at the site will be extremely hazardous for over ten thousand years, but the waste is buried in glacial till which can erode into the Great Lakes Basin Area in hundreds of years. Freeze-thaw cycles promote cracking and erosion at the burial site. Which remedial option would best prevent harm and protect drinking water supplies in this critically important Great Lakes watershed—buried waste sites or precautionary exhumation of the wastes? Neither the impacted communities nor government can answer this question without an investigation and cost comparison analysis. Full-cost accounting will provide a meaningful comparison of remedial options at the site—allowing the impacted communities, local, state and federal government and interested organizations to make an informed decision. We would welcome your comments on the alternatives outlined above and consideration of support.

We urge you to oppose the NYSERDA legislative proposal. We hope we can work together on the alternatives outlined above to seek adequate federal funding for complete remediation of the West Valley nuclear waste site. Thank you for your attention on this important issue. We look forward to hearing your opinions on these issues.

Sincerely,

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NYSERDA
West Valley Citizens Task Force