

**APPENDIX A**  
**SUMMARY OF COMMENTS RECEIVED ON THE 1996**  
**DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR**  
**COMPLETION OF THE WEST VALLEY DEMONSTRATION**  
**PROJECT AND CLOSURE OR LONG-TERM MANAGEMENT**  
**OF FACILITIES AT THE WESTERN NEW YORK NUCLEAR**  
**SERVICE CENTER**

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**ENVIRONMENTAL IMPACT STATEMENT FOR COMPLETION OF THE**  
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**A.1 Background**

In March 1996, the U.S. Department of Energy (DOE) published the *Draft Environmental Impact Statement for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of Facilities at the Western New York Nuclear Service Center* (hereafter referred to as *Cleanup and Closure Draft EIS*) (DOE/EIS-0226-D) (DOE 1996a). In accordance with the provisions of the National Environmental Policy Act (NEPA) (42 *United States Code* [U.S.C.] 4321 et seq.) and the related Council on Environmental Quality (CEQ) implementation regulations (40 *Code of Federal Regulations* [CFR] 1500 through 1508), DOE and the New York State Energy Research and Development Authority (NYSERDA) and the U.S. Environmental Protection Agency (EPA) announced the availability of the document in *Federal Register* (FR) notices (61 FR 11620 [DOE 1996b] and 61 FR 11836 [EPA 1996]) and invited interested parties to provide comments. NYSERDA issued a notice of completion for the 1996 *Cleanup and Closure Draft EIS* in the New York State Environmental Notice Bulletin, pursuant to the regulations implementing the New York State Environmental Quality Review Act (SEQR).

**A.2 The Public Comment Process**

The 1996 *Cleanup and Closure Draft EIS* was distributed to interested individuals and organizations, including appropriate state clearinghouses, regulatory agencies, and American Indian Tribes. NEPA regulations mandate a minimum 45-day comment period after the publication of the EPA's Notice of Availability of a draft environmental impact statement (EIS) to provide an opportunity for the public to comment. The comment period on the Draft EIS was 6 months long and began on March 21, 1996. During the public comment period, four information sessions were held in late April during which DOE and NYSERDA were available to explain and discuss topics and issues that pertained to the Draft EIS. Sessions were held in Hamburg and Ashford, New York for the public, and similar sessions were held in Irving and Salamanca, New York expressly for members of the Seneca Nation of Indians. During the 6-month comment period, DOE received 113 letters from individuals and organizations. Further, there were three public meetings held in August 1996 in the West Valley area to receive oral comments, which were transcribed by a registered stenographer. Approximately 1,170 comments were identified in the letters and transcripts.

Over a decade has passed since the comments were received, during which actions have been taken either in response to the public comments on the *Cleanup and Closure Draft EIS* or, while not directly in response to the comments, to help answer some of the issues raised by them. These activities included the development of additional waste characterization information; clarification of some of the regulatory requirements, most notably, the issuance of the U.S. Nuclear Regulatory Commission's (NRC's) *Decommissioning Criteria for the West Valley Demonstration Project (WVDP) at the West Valley Site: Final Policy Statement* (hereinafter referred to as the WVDP Policy Statement) and the New York State Part 373/RCRA regulations as they apply to units on the site; issuance of Records of Decision (RODs) by DOE related to disposal options for various classes of DOE radioactive waste; revision of decommissioning and long-term stewardship EIS alternatives; and revision of analytical methods and models. A Citizen Task Force was established to provide input to DOE and NYSERDA regarding the Preferred Alternative. The *West Valley Citizen Task Force Final Report*

(CTF 1998) was issued July 28, 1998. In July 2000 DOE and the Seneca Nation of Indians signed a Memorandum of Agreement concerning the shipment of high-level radioactive waste and spent nuclear fuel across their lands (Seneca Nation 2000). Since the 1996 *Cleanup and Closure Draft EIS* was published, there has been ongoing interaction with the local population surrounding the site.

In March 2003, DOE and NYSERDA issued Notices in the *Federal Register* and the New York State Environmental Notice Bulletin, respectively of their intent to prepare this *Revised Draft Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center* (DOE/EIS-0226-D) (Revised) (hereafter referred to as the *Decommissioning and/or Long-Term Stewardship EIS*), which would revise the 1996 *Cleanup and Closure Draft EIS* (DOE 2003).

Following the 2003 NOI and scoping meetings, DOE, with input from NYSERDA and the cooperating agencies (EPA, NRC, and New York State Department of Environmental Conservation [NYSDEC]), refined the definition of five alternatives and prepared a preliminary internal Draft EIS in September 2005 that analyzed the environmental impacts of the five alternatives. This preliminary Draft EIS did not present a Preferred Alternative and did not address the issue of who is responsible for what portions of the site. This preliminary Draft EIS was reviewed by the co-lead (DOE and NYSERDA) and cooperating agencies, and their comments revealed different expectations about the purpose and content of the EIS. To resolve differences about alternatives to be analyzed and the type of analysis, and to help identify a Preferred Alternative, DOE established a core team comprised of the co-lead and cooperating agencies to discuss and, where practical, resolve the issues raised by the review of the September 2005 preliminary Draft EIS. This *Decommissioning and/or Long-Term Stewardship EIS* reflects discussions with the core team regarding alternatives to be analyzed, the nature of the analysis, and the nature of the Preferred Alternative.

The *Decommissioning and/or Long-Term Stewardship EIS* has revised alternatives, including a Preferred Alternative, and builds upon a clearer understanding of the major regulatory requirements, including criteria applied by NRC for decommissioning of the WVDP and for license termination, along with Resource Conservation and Recovery Act (RCRA) regulations as they apply to units on the site. The *Decommissioning and/or Long-Term Stewardship EIS* utilizes updated long-term performance assessment models for groundwater and erosion releases, and analyzes updated closure designs that include waste isolation barriers. It analyzes short-term and long-term impacts, local impacts, and impacts associated with transportation. The analysis is intended to provide the decisionmakers and the public with a fuller understanding of the environmental impacts of each alternative.

Comments received during the public comment period on the *Decommissioning and/or Long-Term Stewardship EIS* will be addressed and considered in preparation of the Final EIS. The Final EIS will identify specific changes made in response to public comments.

This Appendix summarizes the oral and written comments that were received on the 1996 *Cleanup and Closure Draft EIS*. For the comments that relate to the scope and analysis of this *Decommissioning and/or Long-Term Stewardship EIS*, this Appendix summarizes how the EIS has been changed relative to the comments and, where practical, identifies where the relevant information is presented in the document.

### **A.3 Categorization of Issues Raised During the 1996 Public Comment Period**

All of the documents received during the public comment period on the *Cleanup and Closure Draft EIS*, as well as the transcripts from the formal hearings, were reviewed, and specific comments were delineated and organized into 13 major categories:

1. Inadequate or inaccurate characterization of the site, waste, contamination or presentation of data in the EIS
2. Reasonableness of alternatives
3. Design or operational details
4. Near-term impact analysis issues
5. Long-term erosion analysis issues
6. Long-term hydrologic transport analysis issues
7. Erosion control strategies
8. Long-term performance assessment issues
9. Preferences for or against a particular alternative
10. Specific recommendations for the Preferred Alternative
11. Regulatory compliance
12. Understanding the purpose and content of the EIS and its relationship to decisionmaking and agency involvement
13. Out of scope comments

The following sections of this Appendix summarize how these categories of comments and responses have been considered in the development of the *Decommissioning and/or Long-Term Stewardship EIS*. For each category, examples or a summary of the comments received are provided and then a response is provided to that category of comments. For the out of scope comments, an explanation is provided as to why they were placed in that category.

### **A.4 Summary of, and Response to, Comments by Category**

#### **A.4.1 Inadequate or Inaccurate Characterization of the Site, Waste, Contamination, or Presentation of Data in the Environmental Impact Statement**

Specific aspects of characterization discussed in the comments include contamination levels for soils, sediments, vegetation and animals; characterization of facilities and buried waste; geologic characterization, including bedrock and till fractures; structural geology fault data and unresolved geology issues; seismic characterization; and understanding of hydrologic and erosion processes that could move contamination from its existing location to potential receptors. Some comments stated that full characterization and categorization of wastes was needed for a thorough analysis of regulatory compliance. Other comments questioned the accuracy or presentation of data in the EIS.

*Response: More than a decade of additional scientific study, environmental monitoring, and characterization of the environment and conditions at the Western New York Nuclear Service Center (WYNNSC) and the surrounding region have been taken into consideration in the Decommissioning and/or Long-Term Stewardship EIS, and have contributed to the understanding of the impacts of natural phenomena on the site area. Studies were performed to improve characterization of chemical and radiological contamination levels for soils, sediments, vegetation, and animals; to characterize facilities and buried waste; and to improve the understanding of hydrologic, hydrogeologic, and erosion processes capable of transporting contamination to potential receptors. Revised estimates of the radiological and hazardous chemical inventories for major facilities on the site were made. The West Valley Nuclear Services Company, Inc. (WVNS) Environmental Information Documents also provided more recent information that was added to this Draft EIS. Geologic characterization, including bedrock and till fracture data and more recent seismic characterization data, have been reviewed, analyzed, and added as appropriate. For example, the following reference documents were used to enhance geologic and seismologic characterization at the site: Jacobi and Fountain 2002; Gill 2005; Ouassaa and Forsyth 2002; Tuttle, Dyer-Williams, and Barstow 2002; USGS 2002; USGS 2008; URS 2002; URS 2004; and Fakundiny and Pomeroy 2002.*

*This Decommissioning and/or Long-Term Stewardship EIS includes a specific discussion of incomplete and unavailable information and its effect on the environmental impact analysis (see Chapter 4, Section 4.3). The state of characterization of the site, waste, and contamination would have to be considered by the co-lead agencies when they make their decisions, and would also have to be considered by the regulatory authorities prior to their approval of any actions.*

*The comments on the 1996 Draft that identified inconsistent, incomplete, or inaccurate presentation of data have been reviewed, and changes or clarifications have been made, as appropriate. These comments are reflected in revised descriptions of the affected environment in Chapter 3 and in the descriptions of impact methodologies in the various appendices associated with Chapter 4 of this EIS.*

#### **A.4.2 Reasonableness of Alternatives**

Some commentors did not consider the EIS alternatives to be reasonable, or questioned assumptions underlying alternatives. In particular, some felt the EIS did not offer any realistic alternative for the disposal of radioactive waste at the West Valley Site or that the proposed alternatives were overly simplistic and did not adequately protect the public and environment.

Some comments called for specific detail and/or description of the various alternatives, requesting clarification or additional information on how (or why) a particular alternative would be implemented in the manner described. In some instances, the comments suggested variations on the alternatives to make them more protective of people and the environment. Comments were received questioning or requesting clarification on the specific short-term actions proposed for the alternatives to manage the North Plateau Groundwater Plume. Other comments included the following:

1. Questioning why the reservoirs would be removed for Alternatives I (Removal) and II (Removal and Decay), which would destroy rose pink habitat.
2. Questioning why onsite permanent disposal as an option under Alternative II was not considered.
3. Suggesting the use of existing vitrification and cement solidification facilities for treatment of sludge and liquids generated during decontamination and decommissioning under Alternatives I and II, or for other identified wastes currently on site.

4. Suggesting that the description, design, and method of waste removal, storage and disposal needed clarification or updating to ensure protection of the population and environment.
5. Defining ownership of the wastes, and identification and timing of potential offsite disposal facilities for each identified waste type.
6. Questioning how the mitigation measures could be generally the same for all alternatives.
7. Questioning why the Draft EIS does not evaluate alternatives for the remediation of groundwater contamination on the North Plateau, as the present operating system does not adequately capture the contamination plume or efficiently remove radionuclides from the groundwater.
8. Questioning potential locations for new waste storage and treatment facilities in relation to floodplains and long-term erosion considerations.
9. Suggesting that waiting 100 years for decommissioning may be appropriate for some Waste Management Areas (WMAs), though the beta plume (North Plateau Strontium-90 Plume) should be remediated immediately.

*Response: Following the NOI and scoping meetings of early 2003, DOE, with input from NYSDERDA and the cooperating agencies identified differences among the agencies regarding their expectations about the purpose and content of the EIS. To resolve the differences about alternatives to be analyzed and the type of analysis, and to help identify a Preferred Alternative, DOE established a core team comprised of the co-lead and cooperating agencies to discuss and, where practical, resolve the issues. This Decommissioning and/or Long-Term Stewardship EIS reflects discussions with the core team regarding alternatives to be analyzed, the nature of the analysis, and the nature of the Preferred Alternative.*

*The alternatives evaluated in the Decommissioning and/or Long-Term Stewardship EIS include the Sitewide Removal Alternative that would allow unrestricted release of the entire WNYNSC; the Sitewide Close-In-Place Alternative, under which all existing facilities and contamination would be managed in their current locations, and engineered barriers would be used to control contamination in areas with higher levels of long-lived contamination; the Phased Decisionmaking Alternative, under which there would be initial (Phase 1) decommissioning actions for some facilities and a variety of activities intended to expand the information available to support later additional decommissioning decisionmaking (Phase 2) for those facilities/areas not addressed in Phase 1; and the No Action Alternative.*

*The comments on the 1996 Draft, which included comments from the public as well as the agencies involved in the core team discussions, have helped to inform the development and clarification of the approaches, analyses, and description of alternatives presented in the Decommissioning and/or Long-Term Stewardship EIS. For example, comments about long-term performance assessment were among the factors leading to the establishment of a Phased Decisionmaking Alternative. Potential short- and long-term impacts from implementation of the alternatives have been analyzed and results updated in the Decommissioning and/or Long-Term Stewardship EIS. For example, details on managing the North Plateau Groundwater Plume are provided in Appendix C of this EIS and technical reports for each of the alternatives. The description, proposed design, and method of waste removal, storage, and disposal for each alternative has been updated and revised for clarity. The alternatives presented and analyzed in this Decommissioning and/or Long-Term Stewardship EIS are considered to represent reasonable alternatives consistent with the guidance of NEPA and the State Environmental Quality Review Act (SEQR).*

### **A.4.3 Design or Operational Details**

Comments were submitted related to design or operational details of the proposed decommissioning actions. A commentor suggested the use of an existing facility rather than the construction of a new facility. Another comment questioned the basis for the cost estimate and the discussion of the cost differences, and another comment requested more information on how a specific alternative would be implemented. In other instances, comments asked for more information on the monitoring and maintenance activities that would occur if waste remains on site, or what the consequences of an accident during operations would be. Commentors called for site management, including visible markings, to ensure protection of humans and the environment.

Some commentors called for additional information on the institutional controls that would be in place if waste remained on site, including identification of mechanisms for implementing long-term controls and monitoring plans. Some questioned the effectiveness of and reliance on long-term institutional controls. Others questioned whether long-term institutional controls could be guaranteed, especially in light of past failures to prevent releases of radioactive materials into the environment. Some commentors called for modification or restructuring of the environmental monitoring plan. Others stated an opinion on how a particular portion of the site, such as the North Plateau Groundwater Plume, should be managed or maintained. In particular, some questioned the strategy that relies on dilution to bring contamination to within acceptable limits.

*Response: Comments on the 1996 Draft related to the proposed design elements and operational aspects associated with implementation of the alternatives were reviewed and considered in the development and clarification of the approaches, analyses, and description of design and operational details presented in the 2008 Draft EIS, including environmental monitoring programs in technical reports for each of the alternatives, potential accidents during operations, and the design and effectiveness of long-term institutional controls.*

*The purpose of the engineering documents that support the Decommissioning and/or Long-Term Stewardship EIS (i.e., technical reports) is to provide a basis to estimate environmental impacts, which includes providing a preliminary estimate of the cost for monitoring systems. The engineering data contained in them is preliminary. After an alternative is selected, more detailed engineering would be performed, and detailed monitoring plans would be developed after interactions with the various regulators. The technical reports explain the need for the construction of new facilities, particularly if there is an existing facility that does or could perform the same service. The technical reports also have a more extensive discussion and characterization of the monitoring and maintenance activities than is contained in the Draft EIS, and have an expanded discussion of the implementation actions, particularly if the information is relevant to the environmental impact analysis. The technical reports also provide the basis for the cost estimates presented in the Draft EIS. They are available in public reading rooms, on the DOE West Valley Website, and upon request.*

### **A.4.4 Near-term Impact Analysis Issues**

Some comments requested additional explanation of the assumptions, assessment methods, models, and parameters used for the near-term impact analysis. Specific comments were made on the transportation analysis, including the concern that the impact analysis (e.g., accident risk models, radiation exposure pathways, latent and acute cancer fatalities) was much more conservative than the nontransportation radiological impact analysis. Other comments questioned the adequacy of the socioeconomic impact analysis or the environmental justice analysis, or requested a more detailed assessment of airborne emissions. Still other commentors recommended different measures of consequences, requested a discussion of impacts on fish and wildlife resources or their habitats, and an evaluation in an Ecological Risk Assessment. Comments were also made on the evaluation of radiological doses and their associated health effects.

*Response: The near-term impact analysis in the Decommissioning and/or Long-Term Stewardship EIS is based on the revised description of the proposed project and alternatives, new data, and standard NEPA analytical tools and methods. Assumptions, assessment methods, and models used for analysis of near-term impacts are presented in Chapter 4 and applicable appendices of the EIS. Section 4.3 contains a discussion of incomplete and unavailable information and its relevance to the evaluation of transportation and environmental impacts. The current version of the transportation impact analysis code, RADTRAN 5, was used. The impacts of air emissions, both radiological and nonradiological, were analyzed. Both the methods and results of these analyses are discussed in the EIS body, as well as appropriate appendices. The socioeconomic impact analysis has been updated to reflect current data from the Department of Commerce about economic multipliers and the location of low-income and minority populations. The dose to the public and workers for each of the four alternatives analyzed is included in Chapter 4, Section 4.1.9, of this EIS. The level of detail for presentation of impacts in the Decommissioning and/or Long-Term Stewardship EIS is consistent with CEQ and DOE guidance to discuss impacts “in proportion to their significance,” focusing attention on significant environmental issues.*

#### **A.4.5 Long-term Erosion Analysis Issues**

Comments called for the erosion analysis to recognize the uncertainty in such analysis. Other comments called for the EIS to identify specific erosion processes, such as gully advancement and the potential for stream capture, and the inclusion of Buttermilk Creek erosion issues. Several commentors called for analysis of the impacts of erosion on downstream populations. Still other comments called for a specific duration of the long-term performance assessment in the context of erosion, or questioned the timeframe used in the analysis. Some comments questioned the appropriateness of the use of average precipitation rates in the development of erosion predictions. One comment offered a Monte-Carlo-based erosion model. Multiple comments expressed concern regarding impacts from the erosion collapse scenario or the reasonableness of the erosion assumptions, estimates, and modeling efforts.

*Response: This Decommissioning and/or Long-Term Stewardship EIS uses different erosion models. The SIBERIA and CHILD models are landscape evolution models recognized by geomorphology professionals. The models were calibrated using longer-term data consistent with recommendations from erosion experts. The landscape evolution models are supplemented by gully advancement models that are used for the long-term performance assessment. The erosion models are discussed in Appendix F of this EIS. The dose consequences of long-term erosion predictions (erosional collapse) are presented in Chapter 4, Section 4.1.10 and Appendix H. This long-term analysis estimates timing and magnitude of peak annual dose commitment for various receptors including downstream populations. The EIS acknowledges the uncertainty in the long-term dose estimates in a discussion of incomplete or unavailable information (see Chapter 4, Section 4.3), consistent with NEPA and SEQR requirements. This discussion also lists the factors that contribute to the conservatism in the long-term dose estimate.*

#### **A.4.6 Long-term Hydrologic Transport Analysis Issues**

Specific comments raised concerns about the effects of till fractures and bedrock hydrology on the hydrology of contaminant transport. Comments also pointed out the potential for sediment transport to be an element of hydrologic contaminant transport. Some comments called for consideration of the “bathtub” scenario, as occurred in the past. Other comments requested a mass balance as part of the hydrologic analysis.

*Response: The Decommissioning and/or Long-Term Stewardship EIS uses groundwater models (numerical and analytical) both for flow and transport analyses. The revised analysis makes use of available hydrologic and contaminant transport information. A description of the updated groundwater modeling effort is provided in Appendix E of this Draft EIS. Water balances were performed as part the modeling and comparisons made*

to existing data. Sensitivity analyses were conducted in order to provide insight into the uncertainty in the long-term impact estimates. Geohydrological analysis of a bathtub scenario was not specifically performed, but in the long-term performance assessment, lateral transport through a weathered Lavery till saturated zone was modeled using groundwater velocities estimated in the geohydrological modeling.

#### **A.4.7 Erosion Control Strategies**

Several comments questioned the erosion control strategies, and some viewed the global erosion strategy, which was intended to be maintenance free, as not being practical and potentially harmful. Comments stated that erosion control measures should be justified, and there should be backup systems to prevent the possible release of contaminants.

*Response: The Decommissioning and/or Long-Term Stewardship EIS relies on a strategy consistent with what was termed local erosion control in the 1996 Cleanup and Closure Draft EIS. The Decommissioning and/or Long-Term Stewardship EIS considers only a local erosion control strategy and no longer proposes or evaluates the global erosion strategy that was discussed in the 1996 Cleanup and Closure Draft EIS. The revised erosion control features on the engineering covers that would be used for the Close-In-Place Alternative have been developed consistent with NRC guidance.*

#### **A.4.8 Long-term Performance Assessment Issues**

Some comments requested additional explanation of the assumptions, models, and parameters used for the long-term impact analysis. Comments called for the EIS to consider the impacts on all users of potentially contaminated surface drinking waters. Other comments stated that a 1,000-year analytical timeframe was too short, and a 10,000-year timeframe should be used. Comments also requested a discussion on long-term environmental and health and safety impacts should the institutional controls fail immediately. Several comments called for an analysis of the effects of erosion on downstream water users. Other comments called for the long-term performance assessment to analyze the impact of hazardous material releases. One comment discussed the sensitivity of the dose predictions to the solubility of radionuclides. Several comments questioned the groundwater and surface water flow paths and hydrologic properties. Other comments called for additional explanation of natural phenomena expected over the long term, such as loading due to high winds and earthquakes. Other comments raised concerns on the long-term structural performance analysis of selected reinforced concrete structures.

*Response: The Decommissioning and/or Long-Term Stewardship EIS has an updated long-term performance assessment. The analysis examines the effect of short-term and long-term releases on a spectrum of downstream water users including Lake Erie and Niagara River water users. The analysis also identifies the year of peak annual exposure for each receptor regardless of whether that peak occurs in the early years or more than 10,000 years in the future. The Decommissioning and/or Long-Term Stewardship EIS also includes an analysis of the impacts from the release of hazardous materials. An assessment of high winds and earthquakes is presented in the Decommissioning and/or Long-Term Stewardship EIS. With respect to the long-term performance assessment, high winds are not expected to have a significant role, while the influence of earthquakes on erosional processes is implicitly addressed in the revised calibration of the erosion model covering the entire post-glacial period. Also, given the revised alternatives, the long-term structural performance of reinforced concrete structures is no longer an issue. The level of presentation for the impacts in the Decommissioning and/or Long-Term Stewardship EIS is consistent with CEQ and DOE instructions to discuss impacts “in proportion to their significance.”*

*All available data were reviewed, including the identification of potential contaminant flow paths and path properties. In addition, DOE and NYSERDA solicited the technical assistance of the cooperating agencies in*

*the review of the long-term performance assessment methods and results. DOE and NYSERDA also solicited input from independent technical experts who assessed several other aspects of the EIS. The long-term human health impacts are presented in Chapter 4, Section 4.1.10, and the methods, models, and results of this assessment are discussed in detail in Appendixes D, E, F, G, and H of this Draft EIS. As discussed above, the Decommissioning and/or Long-Term Stewardship EIS involves the use of revised models and includes long-term performance assessment of the alternatives where residual radioactivity remains on site. The long-term performance assessment estimates impacts out to year of peak impact for both radioactive and hazardous constituents. A number of different scenarios were analyzed for different offsite receptors, possible intruders, and the general population.*

#### **A.4.9 Preference For or Against a Particular Alternative**

In some instances, a preference was expressed for a specific alternative analyzed in the 1996 *Cleanup and Closure Draft EIS*. A number of comments expressed a preference for either the Removal or the On-Premises Storage Alternative. In other instances, the comments stated an opposition to the Sitewide Close-In-Place Alternative or the No Action Alternative. Some stated in general terms that the Preferred Alternative could involve a “combination” alternative that treated different portions of the site differently. Many comments were received expressing a preference for, or opposition to, one or more of the alternatives.

A number of commentors supported Alternative I (Removal) over Alternative II (On-Premises Storage), while some expressed support for a combination of the two alternatives to address the responsibility of stewardship and to avoid the risk of transporting wastes off site into somebody else’s backyard. Some favored safely exhuming and packaging all radioactive and mixed waste and storing it so that it can be easily retrieved and monitored, while others just wanted the wastes properly packaged and transported off site as soon as possible to a less populated and more geologically stable location. Other cited reasons for favoring initial on-premises storage were to provide protection of the surrounding communities, allow time for the radioactive wastes to further decay, and use the time to further explore technology that would eventually solve the contamination problem. There was also a preference for Alternative IV (No Action), as it was believed by some to afford the highest level of protection. A number of comments specifically opposed Alternative III (In-Place Stabilization), while others supported either Alternative I or II. Many were opposed to the idea of backfilling contaminated facilities and leaving radioactive wastes buried. The most frequently cited reasons for opposition included concerns about:

1. Human health risks posed by the radioactive waste left in the ground without the option of retrieval and exacerbated by long-term erosion, loss of institutional control, and seismic activity;
2. Long-term consequences for downstream communities and the risk to drinking water;
3. Cost being the primary factor in selecting a Preferred Alternative; and
4. Unacceptable, adverse, and irreversible effects on the environment.

Other commentors voiced opposition to Alternative IV (No Action) because of unacceptable risks to the health and safety of present and future generations. Many others opposed Alternative V (Discontinue Operations), citing that it was not considered a viable alternative by DOE or NYSERDA.

*Response: The comments on the 1996 Draft, which included comments from the public as well as the agencies involved in the core team discussions, have helped to inform the development and clarification of the approaches, analyses, and description of alternatives presented in the Decommissioning and/or Long-Term Stewardship EIS. For example, comments about long-term performance assessment were among the factors*

leading to the establishment of a Phased Decisionmaking Alternative. Potential short- and long-term impacts from implementation of the alternatives have been analyzed and the results updated in the Decommissioning and/or Long-Term Stewardship EIS. For example, detail on managing the North Plateau Groundwater Plume is provided in Appendix C and technical reports for each of the alternatives. The description, proposed design, and method of waste removal, storage, and disposal for each alternative has been updated and revised for clarity. The alternatives presented and analyzed in this EIS are considered to represent reasonable alternatives consistent with the guidance of NEPA and SEQR.

#### **A.4.10 Preferred Alternative**

Some comments called for more than one Preferred Alternative. Many commentors believe a Preferred Alternative should be presented in the *Decommissioning and/or Long-Term Stewardship EIS* in order to give interested parties ample opportunity to review and comment on the methodology and data used to determine it. A commentor stated that New York State law and regulations require description of the Proposed Action, and identification of the Preferred Alternative is needed prior to issuance of the ROD and SEQR findings.

*Response: At the time the 1996 Cleanup and Closure Draft EIS was written, the Preferred Alternative had not been determined by the lead agencies. Since then the lead agencies have reviewed the various comments, suggestions, and recommendations on what actions should be taken at the West Valley Site, including recommendations of the Citizen Task Force. This information was considered as they developed the alternatives that are analyzed in this Decommissioning and/or Long-Term Stewardship EIS. To resolve the differences about alternatives to be analyzed and the type of analysis, and to help identify a Preferred Alternative, DOE established a core team comprised of the co-lead and cooperating agencies to discuss and, where practical, resolve these issues. The Preferred Alternative is described (see Chapter 2, Section 2.4) and analyzed in the Decommissioning and/or Long-Term Stewardship EIS.*

#### **A.4.11 Regulatory Compliance**

Several commentors made statements about whether a specific alternative complied with the regulations based on the information in the 1996 *Cleanup and Closure Draft EIS* and the commentor's assertion of applicable regulations. Other commentors asked for clarification on how specific alternatives would comply with RCRA regulations, while others still pointed out the uncertainty of compliance given lack of West Valley decommissioning criteria as called for in the WVDP Act. Many commentors used information in the EIS to support a position about how a specific alternative complied with regulations that they thought were applicable. Two of the regulations frequently discussed were 10 CFR Part 60 (NRC requirements for disposal of high-level radioactive waste) and 10 CFR Part 61 (NRC requirements for disposal of low-level radioactive waste). Comments were made on State-licensed Disposal Area (SDA) and NRC-licensed Disposal Area (NDA) issues and meeting existing NRC regulations regarding site suitability requirements for land disposal of radioactive material. Other commentors based their assessment of acceptability on RCRA regulations or the 15 millirem per year standard in the proposed NRC Decontamination and Decommissioning Rule that was available at the time of the 1996 *Cleanup and Closure Draft EIS*. Others pointed out that some of the alternatives may not comply with all applicable guidance, laws, regulations, and settlements, including the WVDP Act (Public Law 96-368), Safe Drinking Water Act, and New York standards for fresh groundwater, while others were concerned that not all applicable Federal and State regulatory and permit requirements were identified.

*Response: The NRC has issued decommissioning criteria for the WVDP since the 1996 Cleanup and Closure Draft EIS was issued. The NRC WVDP Policy Statement and the NRC License Termination Rule allow for several options for decommissioning and, if appropriate, license termination. Appendix L of this Decommissioning and/or Long-Term Stewardship EIS discusses compliance against the dose standards in the License Termination Rule, as prescribed in the WVDP Policy Statement. The NRC's assessment of*

compliance with the WVDP Policy Statement/License Termination Rule would occur only when the entire plan for completing the WVDP is established and the actions to implement that plan are documented in a Decommissioning Plan. Currently, a Decommissioning Plan is being written for Phase 1 of the Preferred Alternative identified in this EIS.

Appendix L also discusses compliance with RCRA. Official determination of compliance would occur through the regulatory review process, which would occur as part of the implementation of the selected alternative. It is possible that the regulatory review process would identify additional information needed to support regulatory determinations for the selected alternative. If this is the case, the additional information would be collected and provided to the regulatory authority.

#### **A.4.12 Understanding the Purpose and Content of the Environmental Impact Statement and Its Relationship to Decisionmaking**

A commentator asked who chose the five alternatives, and others say the EIS process should be slowed down, with more time for commenting. A commentator asked who would issue the Final EIS as well as the ROD and SEQR findings, and another expressed a concern that a decision had already been made. One commentator included requests for clarification of the responsibilities of DOE and NYSERDA as they relate to decisionmaking at the site and funding of the decommissioning work. A commentator suggested DOE should establish criteria to address the safe hand-off of responsibility for the site from DOE to NYSERDA. Another requested that DOE and NYSERDA work together to share in the cost and expertise required to effectively clean up the site. Commentors expressed concern about the criteria that the agencies would use in their decisionmaking. Concern was expressed that decisions would be made to minimize near-term cost or offset cost by accepting offsite wastes and would not adequately consider long-term hazards. Some wanted NRC's role in the decisionmaking process clearly stated. Others want to be involved or kept informed about actions and decisions concerning the site.

*Response: DOE, with input from NYSERDA and the cooperating agencies, has refined the definition of the alternatives. A sequence of steps is prescribed by NEPA and SEQR, including public involvement and comment periods that are of prescribed lengths (see Chapter 1, Figure 1-2). DOE and NYSERDA have agreed to a 6-month public comment period for the Decommissioning and/or Long-Term Stewardship EIS, which greatly exceeds the normal 45-day comment period provided for in CEQ regulations.*

*As the EIS process has progressed, the various agencies involved in EIS preparation have a clearer understanding of the major regulatory requirements, including the criteria prescribed by NRC for decommissioning of the WVDP and for license termination, along with RCRA regulations as they apply to the site. Chapter 1 of the Decommissioning and/or Long-Term Stewardship EIS contains information that clarifies the purpose of the EIS and the relationship between the Final EIS and agency decisionmaking.*

*The lead agencies have noted the concerns expressed in the comments, will keep the public informed through the EIS process, and will consider the comments expressed on impacts on the public, workers, and the environment in their decisionmaking.*

#### **A.4.13 Out of Scope Comments**

Comments on the 1996 Cleanup and Closure Draft EIS that were considered "out of scope" were not addressed specifically in the Decommissioning and/or Long-Term Stewardship EIS. The term "out of scope" refers to comments that do not directly affect or pertain to the alternatives, affected environment or analysis being performed as part of the preparation of the EIS. Comments related to the lead agencies' decision processes or the basis for selecting an alternative are considered out of scope of the EIS because they are

addressed in the decision documents (i.e., in the ROD or the Findings Statement) that follow the completion of the EIS. Comments relating to the funding or operation of the WNYNSC were also categorized as out of scope. The following comments were considered out of scope. Responses are provided.

1. Concerns were expressed about the criteria for decisionmaking and how alternatives could be evaluated or selected without fully understanding regulatory requirements and how the alternatives compared to the requirements.

*Response: The EIS is one of several factors used by decisionmakers when the ROD or Findings Statement is prepared. The basis for the decision would be explained in those documents. The EIS provides a preliminary discussion of compliance with regulations in Appendix L to assist the decisionmakers, but the official determination of regulatory compliance is made by the regulators after the lead agencies have selected an alternative to implement.*

2. Concerns were expressed about the availability of funding, about the Federal Government unfairly burdening the State of New York, and requests were made for financial assistance to local communities.

*Response: Funding decisions for activities at the WNYNSC are made through Federal and New York State budget processes. While the analyses and results in this EIS may be used by the agencies to support the budget processes, discussion of those processes is not within the purpose of an EIS, which is a document focused on identifying the environmental impacts associated with the Proposed Action and the alternatives for accomplishing that action.*

3. Request was made for funding for an unbiased technical consultant to serve on a citizen's committee.

*Response: While funding and technical assistance are not within the scope of the EIS analysis, both DOE and NYSERDA have involved independent technical experts in the development and review of the Decommissioning and/or Long-Term Stewardship EIS and have met routinely through the course of the development of this draft with the cooperating agencies, the Citizen Task Force and the general public in the vicinity of the WNYNSC.*

4. Request was made for a comprehensive operational plan and Program Evaluation Review Technique chart every 2 years.

*Response: A request for a periodically updated and published schedule of activities related to the implementation of the decision(s) coming out of the EIS process is not within the scope of the EIS analysis. As part of their ongoing site management responsibilities, DOE and NYSERDA will address mechanisms to involve and communicate with the public during implementation of the EIS decision(s).*

5. Request was made for DOE to analyze compliance with treaty rights of the Seneca Nation of Indians.

*Response: The site is not on Seneca Nation of Indians' land, so discussion of compliance with Seneca Nation of Indians treaty rights is not within the scope of this EIS. However, DOE does have a Memorandum of Agreement with the Seneca Nation of Indians regarding transportation of high-level radioactive waste and spent nuclear fuel across their land. In addition, letters were sent to the Seneca Nation of Indians regarding planning, issues, and concerns.*

6. Request was made for the Seneca Nation of Indians to be included in cultural resource and traditional use surveys and cultural resource planning.

*Response: The State Historic Preservation Office will be consulted concerning specific compliance requirements and cultural resource preservation planning. Consultation with the Advisory Council on Historic Preservation also may be required and extended to appropriate local historical organizations, interested individuals, and American Indian Tribes. This process is not a specific function of this EIS, however, the requirement for and status of such consultations is discussed in Chapter 5 of this EIS. Potential impacts on cultural resources from the proposed decommissioning alternatives are discussed in Chapter 4, Section 4.1.7, of this EIS.*

7. A commentator suggested that clean-up criteria for radiological contamination should be set at background radiation levels.

*Response: The EIS does not set clean-up or decommissioning criteria. They are set by the responsible regulatory agencies. For example, dose criteria for decommissioning at West Valley are set by the NRC in the License Termination Rule (10 CFR 20, subpart E) and the WVDP Decommissioning Policy Statement. DOE is currently preparing a Decommissioning Plan for the Preferred Alternative that will be submitted to the NRC for review.*

8. A request was made for a low-income population representative to be added to a working group of agencies and be provided with technical assistance to participate.

*Response: While funding and technical assistance are not within the scope of the EIS analysis, both DOE and NYSERDA have involved independent technical experts in the development and review of the Decommissioning and/or Long-Term Stewardship EIS and have met routinely through the course of the development of this draft with the cooperating agencies, the Citizen Task Force and the general public in the vicinity of the WNYNSC. The NEPA process requires and incorporates public involvement through scoping and public meetings, and allows for comment submittal (both verbal and written) and consideration of those comments in preparing the Draft and Final EISs.*

9. It was suggested that disposition of radioactive wastes become a national program in which all appropriate state and Federal agencies work together as one organization to isolate nuclear waste as long as possible, and to eliminate duplication of effort and avoid spending money needlessly.

*Response: The focus of this EIS remains on the environmental impacts of decommissioning of the WVDP and the long-term management or stewardship of the WNYNSC. Suggestions for different approaches to the issue of radioactive waste disposition are best suited to local, state, or national political processes.*

10. It was suggested that after the site has been cleaned up that the land be developed into a tourist attraction with a national park and museum that focuses on the atomic age.

*Response: Future potential land uses for the site are being explored by NYSERDA.*

11. It was suggested that safe disposal is not possible, and we should stop making nuclear waste.

*Response: This question is beyond the scope of this EIS. National policies regarding nuclear waste are decided through national policy processes.*

12. A commentor suggested preparation of a supplement to the Draft EIS after the Preferred Alternative is selected, and then an Ecological Risk Assessment to address ecological impacts in more detail.

*Response: Since this Draft Decommissioning and/or Long-Term Stewardship EIS describes and analyzes a Preferred Alternative, there is no longer a question of or need to supplement the Draft EIS after the Preferred Alternative is identified. In addition, the description of the Preferred Alternative (see Chapter 2, Section 2.4), Phased Decisionmaking, specifically defines the circumstances under which the Final EIS may be supplemented if that Alternative was selected.*

13. It was suggested that DOE and NYSERDA identify any short-term activities which, if not performed, could significantly increase the difficulty of site closure. For example, immediate efforts needed to prevent the spread of contamination in the strontium-90 groundwater plume.

*Response: As reported at Citizen Task Force and Quarterly Public Meetings, DOE and NYSERDA are undertaking actions to contain the spread of the groundwater plume. Since the near-term activities are ongoing, near-term actions relating to the plume are not evaluated in this EIS.*

14. Transportation-related comments were made on: (1) when and how the first “test” shipment of low-level radioactive waste via truck is going to take place, what prior involvement local representatives are going to have, and what advance notification will be made; (2) the need for inclusion of design and safety detail on the high-level radioactive waste transportation containers; and (3) selection of a transportation method and route.

*Response: Transportation is covered in this EIS in Chapter 4, Section 4.1.12. As indicated in Chapter 1, Section 1.6, of this EIS, transportation of high-level radioactive waste containers has been addressed previously in the following NEPA documents: (1) Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (DOE/EIS-0250F), February 2002; (2) Final Supplemental Environmental Impact Statement for Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (DOE-0250F-S1) (Final Repository SEIS), June 2008; (3) Final Supplemental Environmental Impact Statement for Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada – Nevada Rail Transportation Corridor and Final Environmental Impact Statement for a Rail Alignment for the Construction and Operation of a Railroad in Nevada to a Geologic Repository at Yucca Mountain, Nye County, Nevada (DOE/EIS-0250F-S2 and DOE/EIS-0369) (Final Nevada Rail Corridor SEIS and Final Rail Alignment EIS), June 2008).*

15. Commentors requested that DOE make a commitment that the site will not become a dumping ground for other DOE, commercial, or imported radioactive or hazardous wastes. There were also inquiries about the availability of (and need for selection of) an offsite waste disposal area and removal of the WVNS (sic) from the Federal list of possible sites for a mixed waste repository.

*Response: From a DOE perspective, these concerns were addressed in the Final Waste Management Programmatic EIS (DOE/EIS-0200-F, May 1997). Table 1.6.1 of that document states that West Valley is designated as a waste site, but wastes from other sites will not be shipped to West Valley for treatment or disposal.*

16. A request was made for setting required timeframes for regular inspections of site storage and temporary weather structures over excavation areas.

*Response: Official determination of timeframes for compliance inspections will occur through the regulatory review process, which would occur as part of the implementation of the selected alternative.*

17. Commentors requested that DOE consider the special concerns and needs (including legal assistance, technical training, and managing potential problems related to waste) of the local communities.

*Response: Partially in response to these types of comments, NYSERDA established the Citizen Task Force, which has served both as a source of community input to the NEPA process and as a venue for DOE and NYSERDA to convey updated technical and status information related to the Draft EIS. DOE and NYSERDA continue to provide financial assistance to help the Task Force review and comment on the information provided.*

Some of these issues (e.g., clarification of responsibilities, considerations in decisionmaking, and review frequencies) may be addressed in the DOE ROD or the NYSERDA Findings Statement for the *Decommissioning and/or Long-Term Stewardship EIS*.

**Table A-1**, Index of Commentors, lists the comment documents that were received, including the hearing transcripts, and correlates them to the various summary categories.

**Table A-1 Index of Commentors**

| <i>Source</i>  | <i>Comment Document No.</i> | <i>Comment Categories</i>   |
|--|-----------------------------|---|
| <b>Federal Agencies</b>  |                             |   |
| U.S. Department of the Interior<br>Andrew L. Raddant   | 37                          | 4.4, 4.9, 4.10, 4.11, 4.13  |
| U.S. Environmental Protection Agency, Region 2<br>Robert W. Hargrove   | 106                         | 4.1, 4.2, 4.3, 4.4, 4.2(7), 4.9, 4.9(1)(4), 4.10, 4.11, 4.13(5)               |
| U.S. Nuclear Regulatory Commission<br>Gary C. Comfort, Jr.   | 113                         | 4.1, 4.2, 4.2(4)(8), 4.4, 4.5, 4.6, 4.8, 4.9, 4.10, 4.11                      |
| <b>State and Local Officials, State Agencies, Native American Tribal Governments, and Nongovernmental Organizations</b>  |                             |   |
| Allegany County Board of Health, Ronald Truax  | 40                          | 4.9   |
| Ashford Concerned Citizens, Machias, New York  | 72                          | 4.1, 4.2, 4.2(4), 4.2(5), 4.3, 4.5, 4.9, 4.11, 4.12, 4.13(2)(3)               |
| Biomedical Metatechnology, Inc., Irwin D. Bross  | 23                          | 4.1, 4.2, 4.8, 4.9  |
| Buffalo, New York, City Clerk's Office   | 38                          | 4.5, 4.9  |
| Cattaraugus County Legislature (New York)<br>Donald E. Furman & Messrs. Felton, Fitzpatrick,<br>Gowan, Haberer, Hall, Zimbardi, Ellis, Mack,<br>Williams, Anastasia, Eade; Mrs. McLaughlin,<br>Ms. Blake; and Ms. Ginter | 32                          | 4.9, 4.13(2)  |
| Cattaraugus County Legislature, Little Valley,<br>New York, D. John Zimbardi   | 107                         | 4.1, 4.2, 4.8, 4.9, 4.13  |
| Cattaraugus County Legislature, Little Valley,<br>New York, Richard E. Haberer   | 83                          | 4.9(3), 4.13(2)   |
| Chenango North Energy Awareness Group<br>(Chenango North) South Plymouth, New York,<br>Susan B. Griffin  | 44                          | 4.3, 4.9, 4.13  |
| Citizens Against Radioactive Dumping, Cincinnatus,<br>New York, Jim Weiss  | 91                          | 4.2, 4.3, 4.9   |
| Citizens' Environmental Coalition, Albany,<br>New York, Anne Rabe and Michael Purcell  | 64                          | 4.3, 4.9  |
| Coalition on West Valley Nuclear Wastes,<br>Raymond C. Vaughan, Carol Mongerson,<br>Betty J. Cooke, James L. Pickering   | 66                          | 4.9, 4.13(4)  |
| Coalition on West Valley Nuclear Wastes,<br>East Concord, New York, Carol Mongerson  | 78                          | 4.1, 4.2, 4.2(1) 4.3, 4.4, 4.6, 4.7, 4.9, 4.9(3), 4.11, 4.13(9)               |
| Coalition on West Valley Nuclear Wastes,<br>Raymond C. Vaughan   | 98                          | 4.1, 4.2, 4.4, 4.5, 4.6, 4.7, 4.8, 4.11                                       |
| Coalition on West Valley Nuclear Wastes,<br>Raymond Vaughan  | 8                           | 4.1, 4.5, 4.6, 4.9, 4.11, 4.12  |
| Coalition on West Valley Nuclear Wastes,<br>James Rauch  | 76                          | 4.1, 4.2, 4.4, 4.9, 4.9(3), 4.11, 4.13, 4.13(2)                               |
| Concerned Citizens of Clarence, Inc.,<br>Pat Melancon, Lois Bono, Robert McLean,<br>Aldine Tarbell, Calvin Tarbell   | 17                          | 4.9(1)(3)   |
| Environmental Coalition on Nuclear Power, State<br>College, PA   | 108                         | 4.2, 4.3, 4.9, 4.12, 4.13, 4.13(2)  |
| Great Lakes United, Margaret Wooster   | 42                          | 4.3, 4.8, 4.9, 4.13   |
| New York State Department of Environmental<br>Conservation   | 94                          | 4.1, 4.2, 4.2(4)(6)(7)(9), 4.3, 4.4, 4.5(4), 4.7, 4.8, 4.10, 4.11, 4.12, 4.13 |
| Niagara Swim League, Colin J. Adams  | 89                          | 4.9   |

Appendix A

*Summary of Comments Received on the 1996 Draft EIS for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of Facilities at the Western New York Nuclear Service Center*

| <i>Source</i>   | <i>Comment Document No.</i> | <i>Comment Categories</i>  |
|---|-----------------------------|--|
| Nuclear Awareness Project, Ontario, Canada, Irene Kock  | 22                          | 4.2, 4.3, 4.5, 4.13(4)   |
| Nuclear Information and Resource Service, Diane D'Arrigo  | 80                          | 4.3, 4.9, 4.9(1)(3), 4.13  |
| Presbyterian Women, Presbytery of Western New York, Ruby Sentman  | 82                          | 4.9  |
| Seneca Nation of Indians, Michael W. Schindler  | 109                         | 4.1, 4.2, 4.3, 4.4, 4.5, 4.7, 4.9, 4.9(1)(2), 4.10, 4.11, 4.12, 4.13, 4.13(2)(6) |
| Springville Youth, Inc., Springville, New York, E. Joseph Giroux, Jr.   | 68                          | 4.9  |
| Square Y Consultants, Lynn C. Yuan  | 67                          | 4.1, 4.4, 4.6  |
| State of New York Environmental Protection Bureau, William S. Helmer  | 99                          | 4.11, 4.12   |
| State of New York, Office of the Attorney General, William S. Helmer (with comments from the New York State Law Department)                                 | 112                         | 4.3, 4.11  |
| SUNY at Buffalo, Fred M. Snell  | 39                          | 4.3  |
| SUNY at Buffalo, New York, Department of Ecology, Robert Jacobi, John Fountain  | 93                          | 4.1, 4.4   |
| Town of Ashford, William King   | 75                          | 4.1, 4.12, 4.13(2)   |
| Town of Concord, Springville, New York  | 63                          | 4.9  |
| Town of Ellicottville, New York, John Widger  | 104                         | 4.9, 4.12, 4.13(2)   |
| Town of Ellicottville, New York, Rodney G. Sergel, Cathy Stokes   | 69                          | 4.9  |
| Village of Springville, New York, Deborah A. Murphy   | 31                          | 4.9  |
| <b>Individuals</b>  |                             |  |
| Betty J. Cooke  | 10                          | 4.9  |
| Betty Stephan   | 74                          | 4.9  |
| Beverly Horozko   | 19                          | 4.3, 4.9, 4.9(1)   |
| Beverly Spross  | 96                          | 4.2, 4.9   |
| Brenda Ticen Runk   | 25                          | 4.9  |
| Charles Couture   | 34                          | 4.13(2)  |
| Cynthia Dayton  | 79                          | 4.1, 4.2, 4.3, 4.9   |
| Delone Scharf   | 15                          | 4.9  |
| Dennis and Violet Dick  | 9                           | 4.9, 4.9(1)(2), 4.13   |
| Dennis and Violet Dick<br>Norbert and Gladys Kruse<br>Donald and Vivian Mosher<br>Jeff Dick<br>Sonya Vura<br>Norman Uliedeman<br>Robert Kruse<br>Susan Dick | 35                          | 4.9, 4.13  |
| Donna Ebel  | 30                          | 4.9  |
| Elizabeth A. Obad   | 29                          | 4.9  |
| Elizabeth and Dave Buckley  | 70                          | 4.2, 4.9, 4.11   |
| Elizabeth Kay Keffe   | 4                           | 4.9(4)   |
| Emil and Dorothy Lacs   | 14                          | 4.9  |

*Revised Draft EIS for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project  
and Western New York Nuclear Service Center*

| <i>Source</i>                        | <i>Comment Document No.</i> | <i>Comment Categories</i>                  |
|--------------------------------------|-----------------------------|--|
| Emil Zimmerman                       | 101                         | 4.8, 4.9                                   |
| Gail Hall                            | 5                           | 4.8, 4.9                                   |
| Gary R. And Sharon J. Mathe          | 71                          | 4.2, 4.9                                   |
| Gary W. Bauer                        | 2                           | 4.9, 4.9(1)                                |
| H. M. Gerwitz                        | 97                          | 4.3, 4.7, 4.9, 4.13(2)                     |
| Helen Feraldi                        | 28                          | 4.9, 4.13(11)                              |
| Ivan S. Fifield                      | 65                          | 4.9  |
| James L. Pickering                   | 62                          | 4.1, 4.2, 4.3, 4.4, 4.9, 4.11, 4.12, 4.13  |
| James R. Wolf                        | 18                          | 4.11, 4.12                                 |
| Janis J. Lathrop                     | 33                          | 4.9(3)                                     |
| Jenny Weide and Craig R. Wiede       | 26                          | 4.9(1)                                     |
| Jerry S. Helfer                      | 3                           | 4.9, 4.9(3)                                |
| Joanne E. Hameister                  | 85                          | 4.1, 4.9                                   |
| John A. Pfeffer                      | 84                          | 4.1, 4.2, 4.2(5), 4.9, 4.12, 4.13(2), 4.13 |
| John M. Burn                         | 24                          | 4.3  |
| John M. Cairns and Dorothy Cairns    | 61                          | 4.5, 4.9                                   |
| John T. Thompson                     | 20                          | 4.13                                       |
| John T. Thompson                     | 21                          | 4.13                                       |
| Kathleen Duwe                        | 105                         | 4.9  |
| Kathy Hussein                        | 27                          | 4.2, 4.9                                   |
| Kathy Kellogg                        | 81                          | 4.1, 4.13(8), 4.5, 4.9                     |
| Kim Labarbera                        | 59                          | 4.9  |
| Linda Spors                          | 60                          | 4.9  |
| M. John Winston                      | 92                          | 4.9  |
| Marianne Isbister and David Isbister | 110, 111                    | 4.9  |
| Mary Plonka                          | 43                          | 4.2, 4.9, 4.12                             |
| Maureen Kelley                       | 16                          | 4.9(3)                                     |
| Michael Kelly                        | 1                           | 4.3  |
| Michael P. Wilson                    | 95                          | 4.4, 4.5, 4.7, 4.9, 4.9(1)                 |
| Nancy E. Ryther                      | 13                          | 4.9, 4.9(1)(2)                             |
| Philip D. Feraldi                    | 41                          | 4.9  |
| Phyllis J. Hanson                    | 6                           | 4.9, 4.13(11)                              |
| Richard Steinberg                    | 11                          | 4.2, 4.9                                   |
| Robert C. Hurd                       | 102                         | 4.2, 4.3, 4.5, 4.8, 4.9, 4.9(1)(3)(4)      |
| Robert L. Potter                     | 73                          | 4.1, 4.9, 4.10, 4.12, 4.13(2)              |
| Robert W. and Barbara M. Engel       | 90                          | 4.9  |
| Ruth M. Stratton                     | 100                         | 4.9  |
| Sally Coleman and Sara B. Coleman    | 49                          | 4.9  |
| Sharon Myers                         | 36                          | 4.9  |
| Stephen Koscherak                    | 7                           | 4.9, 4.9(1)                                |
| Suzanne M. Pflieger                  | 12                          | 4.2, 4.9(1)(2)                             |
| The Dunbar Family                    | 114                         | 4.9  |

Appendix A

Summary of Comments Received on the 1996 Draft EIS for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of Facilities at the Western New York Nuclear Service Center

| <i>Source</i>                           | <i>Comment Document No.</i> | <i>Comment Categories</i>       |
|---|-----------------------------|---------------------------------|
| <b>Campaigns and Petitions</b>          |                             |                                 |
| <b>Strongly Oppose Alternative III</b>  |                             | 4.9, 4.9(1)                     |
| Margaret J. Leyonmark                   | 58                          |                                 |
| Glenda Leyonmark and Pete Leyonmark     | 46                          |                                 |
| Margaret E. Woolley                     | 47                          |                                 |
| Mary Stalskesky                         | 48                          |                                 |
| Elizabeth E. Winegar                    | 50                          |                                 |
| Gordon (last name illegible)            | 51                          |                                 |
| Marilyn Monckton                        | 52                          |                                 |
| Dorothy F. Harrington                   | 53                          |                                 |
| Kase D. Danforth                        | 54                          |                                 |
| Wayne F. Nolan                          | 56                          |                                 |
| Donald W. Robinson                      | 57                          |                                 |
| Timothy Miller                          | 45                          |                                 |
| <b>Support for Alternative I</b>        |                             | 4.9, 4.13(4)                    |
| Coalition on West Valley Nuclear Wastes |                             |                                 |
| Nelson W. Hegeman                       | 86                          |                                 |
| Thomas P. O'Conner                      | 87                          |                                 |
| Roberta Hegeman                         | 88                          |                                 |
| Sandra P. Galac                         | 103                         |                                 |
| <b>Public Hearings, August 6, 1996</b>  |                             |                                 |
| <b>10:00 Session</b>                    | 115                         |                                 |
| Bauer, Gary H.                          | 115                         | 4.9, 4.13(9)(15)                |
| Dibble, Bill                            | 115                         | 4.9, 4.13(10)                   |
| Margrey, Kenneth                        | 115                         | 4.9, 4.13, 4.13(15)             |
| Snell, Fred                             | 115                         | 4.3, 4.13(9)                    |
| <b>2:00 Session</b>                     | 116                         |                                 |
| Burlingham, Gilly                       | 116                         | 4.9                             |
| Gifford, Gladys                         | 116                         | 4.1, 4.11                       |
| Keil, Angelici                          | 116                         | 4.9                             |
| Kennedy, Elizabeth                      | 116                         | 4.9                             |
| Lambert, Leonore                        | 116                         | 4.9                             |
| Mongerson, Carol                        | 116                         | 4.1, 4.2, 4.2(1), 4.3, 4.7, 4.9 |
| <b>7:00 Session</b>                     | 117                         |                                 |
| Blake, Karen                            | 117                         | 4.9                             |
| Chisolm, Larry                          | 117                         | 4.9                             |
| Dibble, Bill                            | 117                         | 4.9, 4.13(14)                   |
| Gilpin, George                          | 117                         | 4.5, 4.6, 4.8, 4.9              |
| Goldstein, Andrew                       | 117                         | 4.13(11)                        |
| Kaiser, Sam                             | 117                         | 4.9                             |
| Lercher, Aaron                          | 117                         | 4.9                             |
| Mongerson, Carol                        | 117                         | 4.9                             |
| Pfleger, Sue                            | 117                         | 4.6, 4.9                        |
| Vaughan, Ray                            | 117                         | 4.1, 4.5, 4.7, 4.9, 4.13(1)     |
| Vaughan, Ray                            | 117                         | 4.9                             |
| Shelly, Patricia                        | 117                         | 4.9                             |

## A.5 References

CTF (West Valley Citizen Task Force), 1998, *West Valley Citizen Task Force Final Report*, West Hartford, Connecticut, July 29.

DOE (U.S. Department of Energy), 1996a, *Draft Environmental Impact Statement for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of Facilities at the Western New York Nuclear Service Center*, Volumes 1 and 2, DOE/EIS-0226-D, West Valley Area Office, West Valley, New York, January.

DOE (U.S. Department of Energy), 1996b, *Federal Register*, “Draft Environmental Impact Statement for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of Facilities at the Western New York Nuclear Service Center,” 61 FR 11620, Office of Waste Management, Washington, DC, March.

DOE (U.S. Department of Energy), 2003, *Federal Register*, “Notice of Intent to Prepare an Environmental Impact Statement for Decommissioning and/or Long Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center”, 68 FR 12044, West Valley Demonstration Project, West Valley, New York, March 13.

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