

Proposal on nuclear waste splits experts

(Continued from page 1A)

the Niagara Falls Storage Site, near Fletcher and Latta roads. "As far as I know, it's there forever."

He thinks the energy department has done a "hang-on" job of containing the waste and residues.

"They did tell us that it would be a thing like a cemetery — perpetual care. They're going to watch it until year X," Jackson said.

Timothy Henderson would agree with the cemetery comparison, but for a different reason. When Lewiston unknowingly became the host community for radioactive wastes from the Manhattan Project in 1944, "I think that was one act that sounded the death knell for this area," he said.

Henderson is the president of the Residents Organized for the Lewiston-Porter Environment group.

"It's probably Lewiston's best-kept secret," he said of the Niagara Falls Storage Site, formerly known as the Lake Ontario Ordnance Works.

"It's not surprising that people are somewhat unaware of it and that they don't necessarily understand it," said R. Nils Olsen Jr., attorney for the ROLE group.

Symbol is gone

It's been known since 1948 that the U.S. government stored Manhattan Project waste there. But not much has been heard about the site since a clay cap was placed on the Interior Waste Containment Facility at the site in 1986, after a five-year cleanup that cost more than \$30 million.

That may be in part because "they took the visible evidence away," said Bill Reiss, who was a Lewiston councilman from 1978 until 1982. A 166-foot concrete silo once stood at the site, looking against the horizon beyond Lewiston Bill.

The silo contained the highest-level radioactive waste at the site. 1,000 cubic yards of uranium ore residue, code-named K-65 residue.

The residue was dumped from the silo into a storage area at the site and the silo was demolished in 1985. The debris was also buried in the 255,000 cubic yards of radioactive waste at the site.

"When you see that site, you never forget it and kept on fighting," against long-term storage of the waste in the site, said John Gipp, a former Lewiston councilwoman. "Now, out of sight, out of mind."

How long is enough?

"Even with a permanent cap, there is no such thing as a secure landfill.... only time separates those that are leaking from those that are not," Mrs. Gipp said.

The cap that was placed on the waste there seven years ago is good for up to 50 years, the energy department says. Now it wants to "upgrade" the cap so that it will be good for containing the waste for 200 to 1,000 years.

But containing the waste for 1,000 years isn't good enough, the Environmental Protection Agency, state Department of Health and state Department of Environmental Conservation agree.

The standard used at the site is OK to contain the radioactive waste there, but too low to contain the higher-level radioactive residues there, the EPA says. A standard that would make sure the residues are contained for 10,000 is the appropriate one to use, the agency says.

But that standard can't be met at the Niagara Falls Storage Site, the EPA says. The only solution is to excavate the residue and transport it to a high-level radioactive waste repository, it says. The problem is, there currently are none in the United States.

A matter of money

"I don't think it's realistic to even consider moving (the residues) because of the dollars and cents involved," Jackson said.

Money is also a big reason why the energy department opts for leaving the waste and residue in place. "Excavation, shipment and disposal in a geologic repository is estimated to be a \$100 million resource drain," stated the energy department, in a Sept. 28, 1993, briefing to the state Health Department on the installation of a long-term cap at the storage site.

The residue was dumped from the silo into a storage area at the site and the silo was demolished in 1985. The debris was also buried in the 255,000 cubic yards of radioactive waste at the site.

Meanwhile, installing the long-term cap instead would cost only \$15 million, the energy department estimates. And the money appears to be available "in the near term" for the installation, the energy department wrote to the EPA.

"The only sure way we have of knowing it's not going to leak and cause future problems is to move it. Damn the cost. Consider the risks. All it works out is the government gets the benefit and we take the risk," Henderson said.

"It's not a cost-benefit analysis here," agreed R. Nils Olsen Jr., ROLE attorney.

A letter and a response

The dialogue sparked among concerned parties — hearing for the first time of the plan to install a final cap at the site — has been going on among federal and state government agencies since the energy department first announced its intent. That was in a May 10 letter to the EPA, signed by William M. Serry, who was at the time acting director of the former sites restoration division.

The EPA responded with its own in a June 24, 1993, letter to the energy department, from William J. Mazzarolli, acting regional administrator of EPA Region II in New York City.

If OR is most of the 255,000 cubic yards of lower-level radioactive waste at the site remains, the EPA said. What it's concerned about are the 15,000 cubic yards referred to as residues, from the processing of uranium ore, which are higher-level radioactive waste.

In particular, 4,000 cubic yards of these are K-65 residues. The K-65 residues have a half-life of 1,600 years. That means half of its radioactivity will be gone after 1,600 years, but it will still remain radioactive for a period of up to 16,000 years, said William Condon, chief of the environmental radiation section of the state Department of Health in Albany.

The lower standard of containment at the site now is not sufficient for K-65 residues, because they are 100 to 1,000 times more

concentrated in radioactivity than the type of waste usually dealt with using that lower standard, the EPA and Condon said.

The EPA letter says that if, hypothetically, such residues escaped into the environment, the dosage to people would be so high that it would result in a risk of one in two people developing cancer.

Condon hastily adds that this is only a hypothetical, worst-case scenario. That's why the EPA says a higher level standard is appropriate at the site, which will ensure the residues will not migrate for 10,000 years. And the only way to do that is to put the waste in a high-level radioactive waste repository deep in the ground, the EPA says.

But none are available now in the United States.

How will it be resolved?

The whole issue of long-term, in-place storage is still up in the air.

"What has happened here is basically you have a number of federal agencies with different regulations," but no one has clear authority over the other, Condon said. And the radioactive material they are talking about does not legally fall under any existing regulations.

"That's why you have this confusion, why one agency in good faith may say this applies, and another agency says a different regulation applies," Condon said. "They're all doing the best that they can with what they've got."

But they may not be able to come up with a solution amongst themselves, Condon said. "This happens to be the type of issue that needs to be resolved at very high levels in the federal government." That means that if a resolution can't be made at the agency headquarters level, Congress or the president may have to step in, Condon said.

But the State of New York appears to have the most authority in this case, under Section 120 of the Superfund law, said Robert W. Hargrove, chief of the environmental impacts branch at EPA Region II in New York City.

The voice of the people

"This is the kind of thing that we would certainly involve the public in, in an informational sense as a minimum," Price said. "Frankly, we weren't close enough to taking the action."

"Disposed is a permanent remedy.... We do not believe it's an adequate disposal site, that there could be impacts to the environment and human health if it were to be implemented as the final alternative," Hargrove said.

In that case, additional public participation would be required under the National Environmental Policy Act, Hargrove said.

"It's such an significant decision that to do this without having an extensive EIS (Environmental Impact Statement) is just totally inappropriate," Olsen said, "and also to do it without the public process that accompanies NEPA (National Environmental Policy Act)."

If the energy department does not involve the public, "they might expect some legal challenges," according to ROLE or from Lewiston and Porter, Olsen said.

"Sneaking off in the night is not appropriate. They must make a full report to the public, to the towns and county as to what they're doing and why they're doing it," Olsen said.

FUSRAP Niagara Falls Storage Site,
Niagara Falls, New York,
Niagara Gazette,
Date 12/19/93 Page 3A