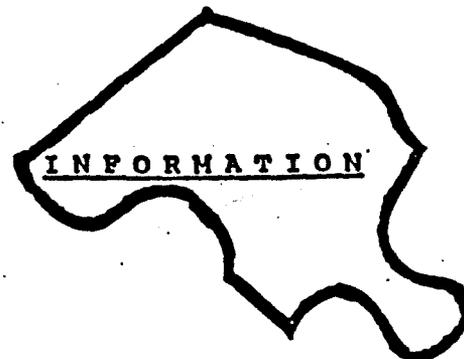
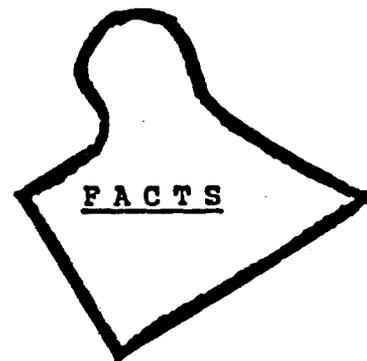


F. A. C. T. S.

(FOR A CLEAN TONAWANDA SITE)



PUTTING
THE
PIECES
TOGETHER



F.A.C.T.S.
(For A Clean Tonawanda Site)

Mailing Address: Box 566 Kenmore, NY 14217-0566 Phone: (716) 876-9552
Staff Members: Don Finch, Ralph Krieger, James Rauch

Purpose: To disseminate in a timely, manner factual information relating to the cleanup of the Tonawanda nuclear waste site. Also, to serve as a resource to help interested citizens obtain relevant site-related materials. FACTS supports the complete removal of Tonawanda's radioactive waste to a dry, secure site, much more suitable for the long-term management of these wastes

FACTS MEETING NOTICE!!!

In the November, 1994 issue of the FACTS Newsletter, we mentioned we would be looking for a meeting place. The TONNEWANTA VETERANS CLUB (better known as the Brounshidle Memorial Hall) has offered us a meeting room for our first informational meeting. Details follow:

BROUNSHIDLE MEMORIAL HALL

3354 DELAWARE AVENUE, KENMORE, N.Y.

(6 BLOCKS SOUTH OF SHERIDAN DRIVE)

TUESDAY MARCH 21, 1995 AT 7:00 PM

(Enter by side entrance off of parking lot - north side of building)

The purpose of this meeting will be to get acquainted with each other and discuss Tonawanda Site issues in preparation for a short letter writing workshop. Set aside this time now, and help make a difference in our quality of life.

**SUMMARY OF DOE REMEDY SELECTION MEETING:
"COMMUNITY VALUES"**

Over 80 concerned citizens attended the 1-31-95 meeting at Holmes Elementary School. As at the last meeting in October, the Department Of Energy (DOE) employed a facilitator, Daryl Armstrong, to lead the meeting. The agenda included 1) an update by DOE and a question and answer period and 2) a working session to identify community values, i.e. why it is essential to remove the nuclear waste from Tonawanda.

The meeting opened with a demand by George Melrose of the Horizons Waterfront Commission for the preliminary results of the soil treatability testing being conducted by 3 different laboratories on 8 five kilogram soil samples which were collected last July (2 samples from each of the 4 sites). As outlined at the treatability meeting on 9-19-84, this first step of the treatability study (to determine the feasibility of volume reduction methods for Tonawanda's contaminated soils) was to take 5-6 weeks, and the results "should be available this fall". DOE Site Manager Ron Kirk responded that 2 of the 3 labs had not had not yet reported their results, *and he didn't expect the results of this first phase of testing to be made public until April.*

(continued page 2)

Mr. Melrose, and several others, complained bitterly about this 3-4 month delay (actually a 5-6 month delay, since these screening results should have been ready by the end of October, 1994). *No explanation for the delay was given by Mr. Kirk.* In response to requests for the available results from the one lab (Bureau of Mines), Mr. Kirk said that would have to wait until April.

Regarding the "Proposed Tonawanda Work Plan", Mr. Kirk said the plan had not been finalized because the public "didn't want it." Nevertheless, a "Tonawanda Work Plan Outline" was handed out at the door. This outline lists the nine steps toward implementing a remedy that DOE had suggested in the draft "Proposed Tonawanda Work Plan, October 18, 1994": I. Values, II. Establishment of Common Criteria, III. Development of Options, IV. Analysis of Options, V. Comparison of Options, VI. Comments, VII. Optimization, VIII. Decision, IX Implementation.

Mr. Kirk repeated the DOE opinion, his and Admiral Guimond's, that complete removal and offsite disposal was "too expensive." The community objected vehemently to this assertion (see "What is 'Too Expensive'?", page 3).

In response to many complaints that the cost analysis given in the FS. was biased to support DOE's preferred alternative, *Mr. Kirk said that he stood by their contractor's (SAIC) documents and analysis and that "we're not going to do another study."* The public, especially CANIT members, whose own economic analysis and vendor numbers are much different from DOE's, were outraged at this and the meeting almost broke down.

We assume Mr. Kirk meant to say "except for the current treatability study". As we previously pointed out (page 3, January FACTS), all volume reduction methods, except vitrification, had been ruled out by SAIC from further consideration in their Feasibility Study (FS) one of the Environmental Impact Study (EIS) documents Mr. Kirk is so proud of. (Incidentally, vitrification - the only method not ruled out by SAIC - is apparently not being looked at in the current treatability study!

The point is this: DOE has determined that part of the draft EIS analysis may be incorrect and requires further study. We expect DOE to give the same serious consideration to the many valid criticisms of other parts of the draft EIS analysis.

Other key points made by the community were:

- *DOE is not listening to the community's wishes and concerns. Legislator Chuck Swanick called on DOE to stop delaying and to implement complete waste removal (Alternative 2) based on the overwhelming will of the community.*
- *The overriding concern of most persons present is protection of public health: that DOE's landfill proposal along the Niagara River would not protect health in the long run, that the Niagara River was a large and irreplaceable supply of fresh water for millions of people, including Canadians.*
- *Waterfront development plans will not be possible without complete removal of the waste. This will result in the loss of hundreds of millions of dollars in economic activity, as well as loss of waterfront aesthetic value.*
- *DOE has ignored requests that it address the shortcomings of the EIS documents, specifically the baseline risk analysis and the cost estimates used in the various remediation alternatives.*

(continued page 3)

During the second half of the meeting, these issues were restated (and recorded by DOE on flip charts) as community values. Additional values were added or rephrased, until a total of over 20 values were recorded.

They include:

- 1.) Get the waste out;
- 2.) One and only commitment to transport the waste to Utah;
- 3.) Value of Niagara River;
- 4.) Can't put a price tag on cleanup;
- 5.) Protection of human health, environment, waterfront development plans;
- 6.) Devaluation of property;
- 7.) Perspective not long enough in risk assessment, therefore the alternatives are not "equally protective";
- 8.) Perspective not long enough in evaluation of alternatives, therefore the alternatives are not "equally protective";
- 9.) Move Tonawanda from industry to waterfront development (residences, etc.);
- 10.) Hundreds of millions of dollars in lost economic activity;
- 11.) Protection of community health;
- 12.) Speed of remediation process;
- 13.) Waterfront redevelopment plans not possible without waste removal;
- 14.) Value of those who live next to the sites (health risks, property values);
- 15.) Procrastination - 30 years is too long to wait for cleanup;
- 16.) Tonawanda has good environmental record - Town is fully developed - needs redevelopment space;
- 17.) The longer we wait, the larger the bill;
- 18.) Credibility - the government's;
- 19.) Apply 'cradle to grave' philosophy;
- 20.) Survival of future generations affected;
- 21.) Concern of failed, insecure landfills;
- 22.) Spent for bombs? - why can't we spend on proper cleanup?

Mr. Kirk indicated that the list of values could be updated or added to during subsequent meetings.

WHAT IS 'TOO EXPENSIVE' ?

On 1-31-95 DOE Site Manager Ron Kirk again told us that it's 'too expensive' to properly clean up the Tonawanda Site's radioactive waste.

Excuse us Ron, but this is not your decision to make. Nor is it Admiral Guimond's. It's not even Secretary O'Leary's. It's the public's decision.

Lest we forget, no matter how big and confusing the layers of bureaucracy have become, our government works for us - taxpaying citizens. In fact, government exists solely to carry out our goals and follow our instructions which we relay through our elected representatives.

On 1-31-95 the assembled community and our local representatives once again told DOE in no uncertain terms that they were wrong, that they had it backwards. That what is 'too expensive' is to leave the nuclear waste in a landfill along the Niagara River. 'Too expensive' in terms of cancers, birth defects, and inheritable genetic disorders; 'too expensive' in terms of lost waterfront development, economic activity, and aesthetic appreciation.

(continued page 4)

One resident summed up 'the bottom line' by saying that a price tag can't be put on clean land, clean water, and clean air. Others were quick to identify the price tag that President Clinton had just put on a loan to Mexico to prop up the peso/dollar exchange rate and bail out wealthy investors and large American multinational corporations who exported American jobs after the passage of the North American Free Trade Act [NAFTA] - 20 billion dollars. A price tag more than 100 times DOE's estimated cost for complete removal of Tonawanda's waste to a dry, secure site that is much more suitable for the long-term storage of this 500,000 year hazard.

Our local politicians are united and working hard on this crucial issue. We now need to make it understood by our U.S. Senators and Representatives that this is an issue of paramount importance to the Niagara Frontier - an issue we believe should take precedence over loans to Mexico. Or increased defense spending.

We need to make it clear to Congress that the poisonous leftovers of the Manhattan Project and the atomic weapons complex must be properly taken care of before we give any consideration to resurrecting 'Star Wars' or any other new defense project. And we must hold Congress accountable on this point.

As Ralph Krieger - President of Local 8-215 OCAW International Union - said at the close of the meeting, the Tonawanda community contributed a key role in World War II's atomic bomb effort. But, the war is not yet over for us. It won't be over until the federal government ends its mismanagement of these wastes in Tonawanda. Only then will we be taken off the casualty list.

Jim Rauch

WRITE OR CALL

Please make your views on this crucial issue known to our Congressmen.
Their Washington addresses and phone numbers are:

Representative John LaFalce
1310 Rayburn Building
Washington, D.C. 20515
(202) 225-3231

Representative Bill Paxon
2436 Rayburn Building
Washington, D.C. 20515
(202) 225-5265

Representative Jack Quinn
31 Cannon Building
Washington, D.C. 20515
(202) 225-3306

Senator Alphonse D'Amato
520 Hart Building
Washington, D.C. 20510
(202) 224-6542

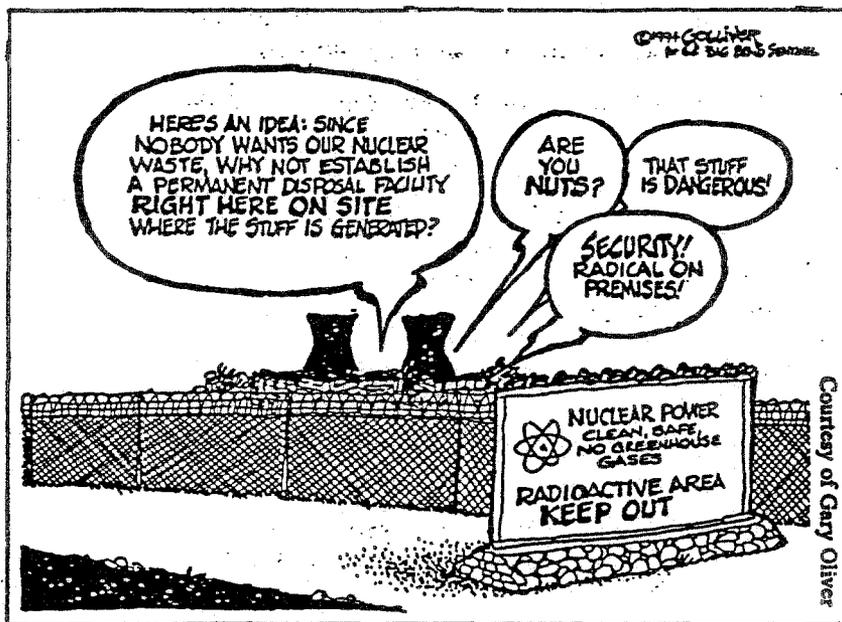
Senator Patrick Moynihan
464 Russell Building
Washington, D.C. 20510
(202) 224-4451

\$900,000 SET ASIDE FOR PUBLIC RELATIONS CAMPAIGN TO SELL RESIDENTS ON THE IDEA THAT LOW-LEVEL NUCLEAR WASTE FACILITIES ARE NOT HARMFUL

The following material is excerpted from Rachel's HAZARDOUS WASTE NEWS #261 dated November 27, 1991:

"A leading public relations industry "insider's" publication called JACK O'DWYER'S NEWSLETTER on September 4, 1991, revealed that New York state's Low-Level Radioactive Waste Siting Commission earmarked \$900,000 for a public relations blitz in 1991 "to convince New York State residents that low-level nuclear waste facilities are not harmful." The Commission actually issued an RFP (request for proposals) and 22 public relation firms have submitted written responses, detailing how they would conduct a 3-to-5-year, multi-million-dollar PR campaign to sell a low-level waste dump to New York residents."

Although this information is not new, it does show the means that those in the nuclear industry will use in seeking to reach their goals.



THE FERNALD, (OHIO) STORY: A Grim Surprise

In 1984, the people of Fernald, a town about eighteen miles outside Cincinnati, Ohio, were both puzzled and shocked to learn that their local animal feed plant was releasing uranium dust into the atmosphere. Puzzled over why a feed plant was using uranium, they were shocked to learn that the plant was not producing feed at all, and had not done so in the more than thirty years since it opened in 1951.

Operating under the innocent name, Feed Materials Production Center, it was actually a top-secret defense plant that refined uranium to be used in the manufacture of warheads for intercontinental ballistic missiles (ICBMs) and other nuclear weapons. Though owned by the government, the plant was run by a company called National Lead of Ohio.

Fernald's shock turned to ugly fear when the people learned that their "feed" plant had been leaking uranium dust into the air since its opening and that the released amounts added up to thousands of pounds. During a 1988 congressional investigation of the plant, Dr. Richard Shank, director of Ohio's Environmental Protection Agency, testified that the plant had discharged about 298,000 pounds of uranium into the air over the years. Another 167,000 pounds had been discharged into the nearby Great Miami River.

Health officials said that uranium dust emitted a low-level radiation that was not dangerous outside the body. It could be lethal, however, if inhaled; it could penetrate the cells around the lungs, upset the body's biochemical processes, and possibly cause cancer. It could do the same harm in drinking water.

Then came the frightening disclosure that the plant also maintained one of the most dangerous nuclear waste dumps in the United States. The storage pits at the dump were described as old and leaky. Waste water had seeped from them and had channeled into Fernald's underground water supply and drinking water wells. It had entered the Great Miami River, often pouring in when rains caused the pits to overflow. According to Dr. Shank's later congressional testimony, more than 12.5 million pounds of uranium had been stored in the pits since the plant's opening.

(continued page 6)

During an interview conducted in 1987 on the American Broadcasting Company's news program, "20/20," an official of the Sierra Club, a national environmental organization, charged that some 11 million pounds of the waste water were filtering deep into the ground and leaking into the Grant-Miami aquifer, the largest source of underground water in the Midwest.

Several environmentalists and Fernald residents were interviewed on the program. They accused the plant of using old and faulty equipment. They also charged that, as early as 1960, plant officials knew that the dump pits might be leaking waste into the surrounding underground water supply but did nothing about the problem.

These charges pointed to the ignorance of earlier years and also provided examples of the kinds of carelessness that were seen later at a number of nuclear sites. One environmentalist quoted from reports that described the plant's equipment and technology as being poor even at the time of its construction. A former plant employee claimed that 50 percent of the installation's maintenance procedures had not been revised or reviewed since 1960.

The Fernald situation saw the Department of Energy accused of ignoring federal safety regulations for the operation of nuclear plants and disposal of their wastes. During the 1988 congressional investigation, DOE officials admitted that the federal government had long known of the plants deficiencies but had decided not to spend the money necessary to correct them. Estimates of the cost of renovating the plant's equipment and cleaning up the waste problem had run between \$450 million and \$600 million.

The DOE is presently working of a study, requested by Ohio Senator John Glenn, to determine whether the massive amounts of released uranium caused surrounding residents to be exposed to excessive radiation levels. Upon receiving the study results, the Center for Disease Control are to estimate the radiation dosages received by the residents and then decide whether they were high enough to require a health survey of the area

The above article was reprinted from NUCLEAR WASTE THE 10,000 YEAR CHALLENGE by Edward F. Dolan and Margaret M. Scariano. Copyright 1990 by Edward F. Dolan and Margaret M. Scariano. Permission to reprint granted by Grolier International, Inc. 02-23-95.

Update:

THE WALL STREET JOURNAL - THURSDAY, JULY 28, 1994 U.S. Will Pay Settlement In Factory-Radiation Suit

CINCINNATI (AP) - The government says it will pay for lifetime medical monitoring and provide \$15 million in damages to settle a lawsuit by workers who claim they were unwittingly exposed to radiation at the Fernald uranium plant.

The agreement effectively ends a 1990 action that sought \$500 million and could become a model for six similar suits pending against the Energy Department.

The suit by workers and subcontractors accused Fernald's previous operator, NLO Inc. and its parent company, **National Lead Industries, Inc.**, of intentionally subjecting them to radiation hazards and hiding the dangers. The workers claimed they suffer emotional distress from the fear of getting cancer or leukemia.

About 6,000 former workers and subcontractors will be covered in the class-action suit. About 4,500 are still living, said Stanley Chesley, the workers' lawyer.

(continued page 7)

The settlement includes a \$15 million fund to pay emotional distress claims and legal fees. At least another \$5 million was dedicated to medical monitoring.

The defendants said they did nothing wrong. They agreed to settle to avoid more costly litigation, NLO lawyer Kevin Van Wart said.

NLO, which began operating the plant in 1951, gave up its contract in 1985, and a Westinghouse Electric Corp. subsidiary took over.

SOME FERNALD WASTES FROM LINDE TO BE VITRIFIED!

In the 1940s, residues generated from the processing of high grade uranium ores (K-65 residue) were shipped from the Linde factory to the Lake Ontario Ordnance Works for storage. Later, some of this K-65 residue was shipped to Fernald, Ohio to be stored in large silos similar to that used at Lewiston. (see THE FEDERAL CONNECTION, a report by the New York State Assembly, 1981.)

In February of 1994, DOE released its final Environmental Impact Statement for management of the K-65 residues at Fernald, Ohio. The preferred alternative is to vitrify (incorporate in glass) these residues and ship them offsite presumably to a federal repository. (see PROPOSED PLAN FOR REMEDIAL ACTIONS AT OPERABLE UNIT 4 DOE/EIS-0195D, February, 1994.)

The K-65 residues remaining at Lewiston were removed from the silos and placed in a landfill on the site back in the mid-eighties. The DOE wants to put a 'final cap' on this landfill. The local community, led by Residents Organized for Lewiston-Porter's Environment (R.O.L.E.) is fighting to see that all residues are removed from this very poor physical storage site.

AS WE WENT TO PRESS

- *The Bliss and Laughlin Steel plant at 110 Hopkins Street in Buffalo, which was designated a FUSRAP site in 1992, will be cleaned up this year.* According to Ron Kirk, a "negative declaration" was issued by DOE for the Bliss and Laughlin site. This means that no environmental review, neither an environmental assessment (EA) nor an environmental impact study (EIS), will be performed before the cleanup begins this fall at Bliss and Laughlin. *Why not? Because DOE plans to remove all radioactive contamination from the site, largely the contaminated concrete floor, and ship it to Clive, Utah (Envirocare).*
- FACTS has just learned that Congress has approved a "supplementary" Defense Department appropriation of 3.2 billion dollars to cover the additional expense of the questionable U.S. military operations being conducted in Somalia and Haiti. Compared to their total budget, this "supplementary appropriation" is mere pocket change for the Defense Department. *However, had this amount been applied to the FUSRAP program, it would have completely funded the best available waste management alternatives at all 48 FUSRAP sites, including complete excavation and removal of Tonawanda's wastes.* Remember this when you write to our Congressmen.

THE FORGOTTEN ONES

It was pointed out by Ron Kirk at the last two DOE meetings that over 3,000 notices had been mailed out for each of the meetings. Yet, only about 83 persons attended the January 31, 1995 meeting.

If 83 persons attended, this is only 2.5% of the total of invitations sent. At the September 19, 1994 meeting there were only 23 signatures on the sign-in sheets (.7%); at the October 18, 1994 meeting there were 40 signatures - and not all those who signed were residents of the Town.

Being a resident of the Town of Tonawanda all of my life (except for about 4 years), I am very familiar with the progressive nature of the Town of Tonawanda. It has been and still is among the most progressive in the state.

How most of the residents of this community can be so apathetic concerning the health and welfare of not only themselves but also their children and future generations is beyond my comprehension. Perhaps it's the "it's not in my driveway, so why should I worry?" syndrome.

Although I belong to two environmental groups, I am not speaking at this moment as an environmentalist but rather as a concerned resident of the Town of Tonawanda.

Ron Kirk admits that DOE hierarchy know full well that the 'repository' (for the radioactive waste) that they plan on building near the shore of the Niagara River is located in a high risk earthquake area. Just because we haven't had an earthquake in the recent past is no reason to feel complacent that the 'repository' will be safe.

I wonder how our neighbors that live downstream from the site feel about the potential disaster that would be inherent in this foolish 'remedy'? To say nothing of the feelings of our Canadian brothers and sisters who also share this natural waterway.

As mentioned many times, it appears that the problem here in the Town is about the same as the old, forgotten recluse living out in the middle of the woods. The fact that the uranium processing took place here 50 years ago, not as recently as at many of the other processing facilities during the Cold War era - makes us the "forgotten ones".

Don Finch

REMEMBER !!

When dealing with the government or big business, it's not what they tell you that can harm you, but rather what they don't tell you that can harm you. (One of the main reasons for the FACTS newsletter.)

BACK ISSUES

Since many of the subsequent issues make reference to articles contained in prior issues, we are making back issues available. Mail your request to Box 566 Kenmore, NY 14217-0566. Please indicate which issue/issues you are requesting.

ADDRESS CORRECTION REQUESTED

F.A.C.T.S.
P.O. Box 566
Kenmore, NY 14217-0566

The U.S. Department of Energy (DOE) has scheduled a
Tonawanda Site - Criteria Working Session

Tuesday February 28, 1995

7:00 to 9:00 p.m.
Holmes Elementary School Cafeteria

365 Dupont Avenue
Tonawanda, New York

We urge you to attend this meeting and express your views concerning the future proposed alternatives for cleaning up the site. Please see articles on page 1, SUMMARY OF DOE REMEDY SELECTION MEETING: "COMMUNITY VALUES" and WHAT IS 'TOO EXPENSIVE' ?, page 3.