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MAR 25 '94 14:34 TOWN OF TONAWANDA 716-677-8800

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Kenmore, New York 14217 • 11 municipal building • 377-8300

Office of the Supervisor
CARL CALABRESE

Att: GL/SL

March 24, 1994

Secretary
United States Department of Energy
1000 Independence Avenue, Southwest
Washington, DC 20585

Dear Secretary:

We are writing you as members of CANIT (Coalition Against Nuclear Waste in Tonawanda), a group formed in 1988 to deal with the nuclear waste left in our town from the Manhattan Project.

As a designated FUSRAP site, a team of DOE officials has been studying the best method of disposing of this waste for a number of years. When the process began we were told that a number of disposal options would be fully and objectively considered, and that no single option was "preferred."

When this study was completed, the DOE preferred recommendation was to permanently store this waste in a cell to be constructed in the Town of Tonawanda. Unfortunately, a number of events took place during the study period which has led us to conclude that this was never really an objective study at all, but rather a process with a predetermined result.

Throughout the FUSRAP study, it became more and more difficult to get the DOE to examine all of the alternatives available to deal with this waste. For example, we were consistently told that the only federal site that could take this type of material was in Hanford, Washington but it was under court order not to accept any additional material. It was our own consultant that made us aware of Envirocare, in Clive, Utah, as a site that was capable to permanently storing the 233,000 cubic yards of contaminated soil.

We were told that community and state acceptance of a DOE recommendation would be needed if any of the material was to be left in the Town of Tonawanda. Numerous public hearings made it quite clear that the community did not want a permanent storage cell for low level nuclear waste constructed in the Town of Tonawanda. After reviewing the options available to DOE, the New York State Department of Environmental Conservation also concurred that permanent storage next to the Niagara River - one of this nation's largest sources of fresh water - was unacceptable and that off-site storage should be pursued.

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Secretary [REDACTED]
United States Department of Energy
March 24, 1994
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An analysis of DOE's calculations for on-site vs. off-site storage has revealed numerous flaws. Consistently we find costs of on-site storage are understated and cost of off-site storage are overstated.

Despite all of our comments, analysis and concerns, local DOE officials, lead by project manager, [REDACTED], continue to act as though permanent storage in Tonawanda is the only option. Recently brochures were mailed out to residents of our town explaining and justifying the on-site storage option and methods. [REDACTED] continues to speak at local service clubs and organizations stating that "no substantive comments have been received" to change the recommendation for on-site storage. Substantive comments have been received that make sound scientific and economic arguments against permanent storage in Tonawanda. The New York State Department of Environmental Conservation (DEC) has reviewed [REDACTED] findings and has concluded, in a detailed point by point analysis, that permanent storage in the Town of Tonawanda is unacceptable to New York State. The DEC has called on DOE to remove Manhattan Project waste.

Residents of the Town of Tonawanda, City of Tonawanda, Village of Kenmore, and Town of Grand Island have expressed serious concerns over the idea of a low level nuclear waste site in our town. In two public hearings held on this topic, every single speaker has expressed total opposition to permanent storage in Tonawanda. Given DOE's own requirement that state and community acceptance to a proposed site be present, it is hard to see how Mr. Kirk's initial finding could be accepted by the DOE.

It has become very apparent that [REDACTED] should be replaced as project manager for this DOE project. After observing [REDACTED]'s actions, it is our opinion that he has ceased being an objective analyst of fact and rather has become a salesman for DOE's preferred choice.



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Secretary [REDACTED]
United States Department of Energy
March 24, 1994
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In conclusion, it appears to us that a decision has already been reached by DOE on this issue, in direct violation of the rules that govern the decision making process. If the DOE sincerely desires to reach an objective decision, it is a direct conflict of interest for their representative to be promoting, in public forums and through mailed literature, one specific option prior to the ROD. If the current situation remains unchanged, we will be forced to begin our own campaign to promote other options and to highlight the flaws in the DOE's decision making process. In our opinion, the ultimate question is: Will DOE's adhere to its own mandated review process and impartiality recommend a decision based on the facts?

We await you reply and thank you for your consideration.

Sincerely,

[REDACTED SIGNATURE]

Town of Tonawanda

Erie County Legislator, 10th

C77:CKS:chm

cc: Congressman LaFalce
Congressman Paxon
Congressman Quinn
Senator D'Amato
Senator Moynihan

