

**Congress of the United States**  
**Washington, DC 20515**

February 26, 2010

Honorable Steven Chu  
U.S. Department of Energy  
1000 Independence Avenue SW  
Washington, DC 20585

Dear Secretary Chu:

As the Department of Energy embarks upon its final decision on the West Valley nuclear site, we are writing to emphasize New York's support for a full cleanup of the State's largest nuclear waste facility. The DOE intends to release its Record of Decision in March, and on behalf of our constituents in New York State, we would like to see that this Record of Decision includes full removal of all radioactive and hazardous materials.

West Valley is a large, complex site with vast amounts of long-lasting radioactive and hazardous contamination and the potential for serious spreading. Any final decision made on the West Valley cleanup plan will have a major impact on the future of the Great Lakes and Western New York's environment, drinking water, public health, and economic vitality. We are deeply concerned that the preferred alternative expressed in the West Valley Final Environmental Impact Statement (FEIS) will not adequately protect our Great Lakes, people and economy.

New Yorkers remain frustrated by continual delays with the cleanup of this site that have occurred over the last two decades. While we appreciate that the FEIS reduced the phased decision-making (on whether to do a full cleanup of 99% of the radioactivity) from 30 years to 10 years, this does not go far enough. We continue to support the full sitewide removal alternative but it is clear that DOE intends to choose phased decision-making. If this is unalterably the case, DOE must, at a minimum, commit to a timetable which includes selection of the studies this year with a new DEIS on the final cleanup decision in 2 to 3 years at the most.

Questions have been raised about the validity of the scientific analysis on the long term impacts outlined in DOE's Final EIS. There are additional concerns that it does not guarantee full public input under the National Environmental Policy Act.

Studies that occur should be focused on *how* to clean up the entire site, not *if* it should be cleaned up. A full exhumation and sitewide removal provides a permanent solution, significantly lowers health risks, and prevents any catastrophic releases which could pollute the Great Lakes. It also provides the most cost-effective approach over the long-term according to the independent study by scientists and economists, funded by the state legislature. *The Real Costs of Cleaning Up Nuclear Waste: A Full Cost Accounting of Cleanup Options for the West Valley Nuclear Waste*

Site found that leaving buried waste on-site is both high risk and expensive, while a complete waste exhumation cleanup presents the least risk to a large population and the lowest cost. According to this report's analysis of options for long-term solutions, waste excavation would cost \$9.9 billion, while managing onsite buried waste would cost \$13 billion and \$27 billion if a catastrophic release occurred. Hence, site studies that are selected should explore the remedial options that would support full exhumation and sitewide removal.

We also share the concerns of many individuals, environmental and civic groups that adequate public participation is a high priority in the continued decision-making process. Determining the future of this site and protecting against the potential impacts of the radioactive materials here is too important an issue to shut out the public. Regardless of the alternative chosen, it is essential that formal NEPA process be fulfilled through all phases. We look forward to working with you to ensure that the NEPA process is followed with meaningful public participation opportunities.

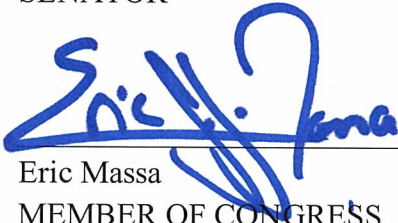
Thank you for your personal attention to this critical and increasingly urgent radioactive waste threat to the Great Lakes and the communities of New York.



Charles Schumer  
SENATOR



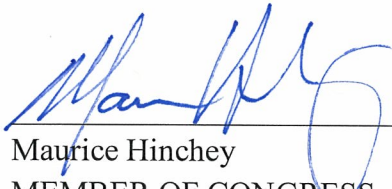
Kirsten Gillibrand  
SENATOR



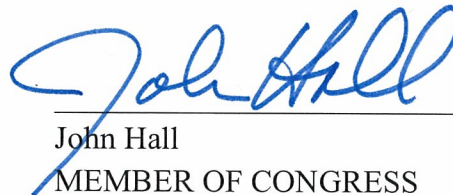
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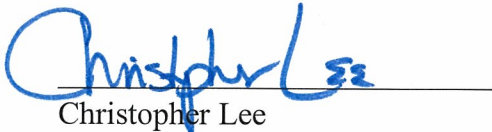
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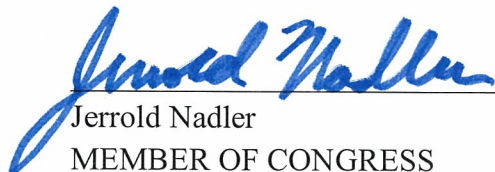
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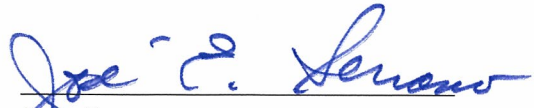
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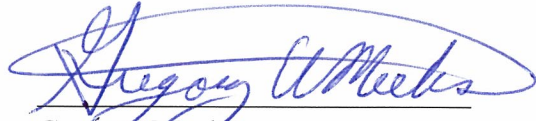
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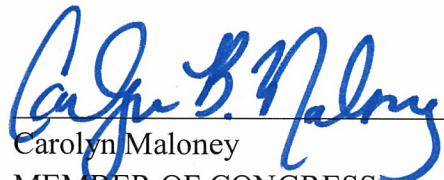
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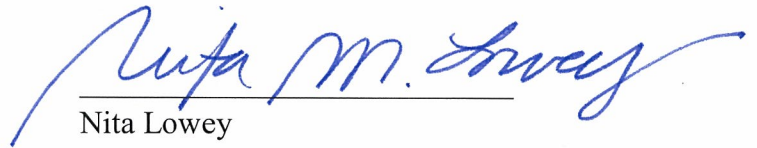
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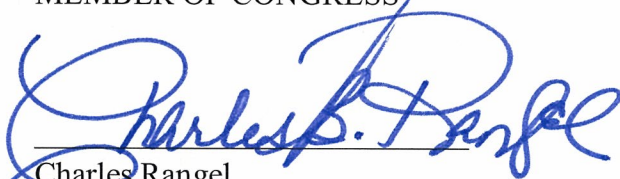
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Cc: Francis J. Murray, Jr., NYSERDA