

February 28, 2013

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6M-23 (2012)
LANCASTER TOWN BOARD: “Copy of Resolution Concerning Hydrofracking”
(6-0)
 - b. INTRO 9-2 (2012)
LORIGO, MILLS & RATH: “Opposing Anti-Farming Regulations Being Proposed by the Department of Labor”
(6-0)
 - c. COMM. 3E-10 (2013)
GRANT: “Letter to Legislator McCracken Concerning Interviews for Position of Commissioner of the ECWA”
(6-0)
 - d. COMM. 3M-6 (2013)
CHRISTOPHER J. O'BRIEN: “Letter to Chair of Legislature Concerning Appointment to the ECWA”
(6-0)
 - e. COMM. 3M-11 (2013)
HAROLD (BILL) RICE, JR.: “Letter to Chair of Legislature Concerning Appointment to the ECWA”
(6-0)
 - f. COMM. 3M-12 (2013)
PETER C. GROLLITSCH: “Letter to Chair of Legislature Concerning Appointment to the ECWA”
(6-0)

2. COMM. 4E-8 (2013)

COUNTY EXECUTIVE

WHEREAS, the West Valley Demonstration Project (WVDP) is a federal high level radioactive waste cleanup project located 35 miles south of the City of Buffalo, on the border with Erie County, within the Great Lakes watershed and upstream of fresh water intakes for Erie County residents; and

WHEREAS, WVDP is one of the largest federal projects and a significant employer in the Western New York region; and

WHEREAS, the President’s 2013 budget request included only \$50 million for the WVDP; and

WHEREAS, the House Appropriations Committee Energy and Water Appropriations Bill for fiscal year 2013 also provides only \$50 million for WVDP; and

WHEREAS, the \$50 million budgeted amount represents a reduction of one third in funding for the WVDP from fiscal year 2012; and

WHEREAS, an annual cost of \$20 million is required at a minimum to maintain the facility to insure safety and protect the public from exposure; and

WHEREAS, if the WVDP receives an annual appropriation of only \$50 million, it will take approximately 20 years to complete Phase 1 decommissioning activities, twice as long as stated in the US DOE Record of Decision; and

WHEREAS, the extension of Phase 1 decommissioning work from 10 to 20 years add an additional \$200 million maintenance cost to the project; and

WHEREAS, the DOE must provide adequate funding to meet its stated ROD timeframe and obligations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby requests the DOE to restore WVDP funding to the \$75 million level that was anticipated when the Final Environmental Impact Statement and Record of Decision were issued in 2010; and be it further

RESOLVED, that the Erie County Legislature hereby requests that this level of funding be maintained during the 10-year period specified in the Phased Decisionmaking alternative selected by the DOE in their Record of Decision; and be it further

RESOLVED, that certified copies of this resolution be prepared and sent to U.S. Secretary of Energy Dr. Steven Chu; Senators Charles Schumer and Kirsten Gillibrand; Congressmen Brian Higgins and Christopher Collins; Governor Andrew Cuomo; USDOE Director of WVDP Bryan Bower; and Paul Bembia, NYSERDA Director of West Valley Site Management Program; and be it further

RESOLVED, that certified copies of this resolution shall also be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Maria Whyte, Commissioner of Environment and Planning; Thomas Hersey, Deputy Commissioner of Environment and Planning; and Paul Kranz, P.E., Associate Engineer.

(6-0)

TERRENCE D. McCRACKEN
CHAIR