

February 1, 2002

Ms. Alice C. Williams
West Valley Demonstration Project
U.S. Department of Energy
10282 Rock Springs Road
West Valley, NY 14171-9799

Dear Ms. Williams:

The U.S. Nuclear Regulatory Commission (NRC) intends to publish the enclosed Final Policy Statement that will provide decommissioning criteria for the U.S. Department of Energy (DOE) West Valley Demonstration Project (WVDP) at the West Valley site.

NRC's prescription of decommissioning criteria for the WVDP is authorized by the West Valley Demonstration Project Act (Public Law 96-368). The Act authorizes DOE to carry out a high-level radioactive waste management demonstration project at the State of New York's Western New York Service Center in West Valley, New York.

NRC's license for the site is in abeyance for the duration of the project. However, one of the requirements of DOE, under the Act, is to decontaminate and decommission, in accordance with requirements prescribed by NRC, certain facilities, equipment, materials, and hardware used in connection with the project.

On December 3, 1999, the NRC issued, for public comment, a draft policy statement that would approve the application of the NRC's License Termination Rule (10 CFR Part 20, Subpart E), as the decommissioning criteria for the WVDP and the West Valley site. NRC staff held a public meeting, on January 5, 2000, to solicit public comment on the draft. This final policy statement was developed after considering public comments on the draft, and continues to apply the License Termination Rule as the criteria for the WVDP at the West Valley site. However, the NRC recognizes that health and safety and cost-benefit considerations may justify the evaluation of alternatives that do not fully comply with the License Termination Rule criteria. The NRC is prepared to provide flexibility to assure cleanup to the maximum extent technically and economically feasible provided protection of public health and the environment can be maintained.

If you have any questions, please contact Chad Glenn, of my staff, at 301-415-6722.

Sincerely,

/RA/ S. Moore for

Larry Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
And Safeguards

Enclosure: Federal Register Notice

cc: P. Piciulo, NYSERDA
P. Merges, NYSDEC
P. Giardina, USEPA Region 2
C. Schindler, The Seneca Nation of Indians
West Valley Citizens Task Force,
c/o T. Attridge, NYSERDA
R. Vaughan, Coalition on
West Valley Nuclear Wastes

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OFFICE	DCB		DCB		DCB	
NAME	C. Glenn		C. Craig		L. Camper	
DATE	1/31/2002		1/ 31 /2002		2/1/2002	

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