

October 23, 2002

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

Dear Ms. Williams:

I am writing in response to the U.S. Department of Energy (DOE) October 15, 2002, letter inviting the U.S. Nuclear Regulatory Commission (NRC) to continue as a cooperating agency for the DOE/New York State Energy Research and Development Authority (NYSERDA) Decommissioning and/or Long-Term Stewardship Environmental Impact Statement (DOE/NYSERDA EIS). The letter requests that NRC: 1) document its intent to act as a cooperating agency; 2) identify working contacts for EIS scoping; and, 3) confirm its ability to support the projected development time frame for issuing a Record of Decision (ROD) in 2005.

As you know, the Commission issued its Final Policy Statement on Decommissioning Criteria for the West Valley Demonstration Project on February 1, 2002. The policy statement states that "NRC, in view of its responsibilities under the West Valley Demonstration Project Act, is considered a cooperating agency for this EIS and is participating in the development of the DOE/NYSERDA EIS." The policy statement documents the Commission's intent to act as a cooperating agency and provide the necessary resources to support this function.

NRC supports DOE's goal of issuing a ROD for the DOE/NYSERDA EIS in 2005. In NRC's view, the development of a ROD in this time frame is an ambitious goal. NRC's ability to support this goal will depend on DOE's ability to: 1) provide a final EIS schedule for NRC review and approval; and, 2) submit EIS information for NRC review in a manner that allows NRC to complete its review in accordance with DOE's EIS schedule. As DOE's letter requests, NRC will review the performance assessment and related information to determine whether the preferred alternative meets the requirements of the License Termination Rule. In addition, NRC intends to review the DOE/NYSERDA EIS to determine whether it is adequate to satisfy NRC's National Environmental Policy Act obligations and support possible future adoption of the EIS.

A. Williams

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Finally, in regard to NRC West Valley contacts, Anna Bradford (301-415-5228) is NRC's contact for EIS activities, and Chad Glenn (301-415-6722) is NRC's contact for overall West Valley Project Management activities.

If you have any questions, please feel free to contact me at (301) 415-7855.

Sincerely,

/RA/

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

cc: Paul Giardina, EPA
Paul Merges, NYSDEC
Paul Piciulo, NYSERDA
Adela Salame-Alfie, NYSDOH
Cyrus Schindler, Seneca Nation of Indians

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