

From: <clg@nyserda.org>
To: <CJG1@NRC.gov>
Date: 12/10/04 4:46PM
Subject: CTF Request for Clarification Re: NRC License

Chad,

Please see the attached notes from a recent meeting of the CTF's legislative work group on 12/1/04. During this meeting, the CTF made a request of NYSERDA and the NRC. The CTF request is quoted below.

"Work Group members asked NYSERDA to request a clarification from NRC on what lands are subject to the NRC license and what legal or regulatory authority is the basis for NRC's answer to this question."

We would appreciate NRC's preparation of a response to this question.

In addition to or as a component of this response, it may be useful for NRC to provide guidance to NYSERDA and the CTF regarding the process that would be used or followed to release a portion of the WNYNSC property that was not impacted by licensed activities.

Thanks.

Colleen

CC: <plp@nyserda.org>, <hb1@nyserda.org>, <pjb@nyserda.org>, <tha@nyserda.org>

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To: West Valley Citizen Task Force
From: Melinda Holland
Subject: Summary of the December 1, 2004 Legislative Work Group Conference Call
Date: December 1, 2004

If you have questions or comments regarding the upcoming meeting or about this summary, please contact Melinda Holland at (828) 894-5963, or Tom Attridge at (716) 942-2453.

Attendees

Attending were: Ray Vaughan, Lee Lambert, Bill King, Gayla Gray, Tom Attridge and Melinda Holland.

Meeting Highlights

Work Group members discussed their key concerns/reservations with the revised draft legislation. Those concerns include:

- ▶ Removal of the language “decommissioning and closure” throughout the bill, this is viewed as less protective than the existing West Valley Demonstration Project Act, which requires decommissioning;
- ▶ The burial grounds are not adequately addressed, and there is no provision to force action on the burial grounds or to require that they be subject to the License Termination Rule’s requirements; and
- ▶ The bill does not prevent DOE from continuing to stall regarding cleanup and completion of the Environmental Impact Statement.

Hal Brodie of NYSERDA was unable to participate on the call due to illness. A follow-up call with him will be scheduled for next week to discuss these concerns in more detail.

Specific suggestions were made by a Work Group member for changes to some of the provisions of the draft legislation:

- ▶ Section 9 (a) - add after “Act” the following phrase: “, and effectuate the use of, or transfer of title of, any unrestricted land.”;
- ▶ Section 11 (b) - add new sentence after sentence ending in “...would normally receive in taxes.” The new sentence should read “After the remediation of the Center is complete, there are authorized to be appropriated each fiscal year thereafter, three million dollars to be paid to the same local entities in the same manner.”

Work Group members asked NYSERDA to request a clarification from NRC on what lands are subject to the NRC license and what legal or regulatory authority is the basis for NRC’s answer to this question.