

April 1, 2009

Dr. Keith I. McConnell, Deputy Director  
Decommissioning and Uranium Recovery Licensing Directorate  
Division of Waste Management and Environmental Protection  
Office of Federal and State Materials and Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Dr. McConnell:

**SUBJECT:** NYSERDA Comments on the *Phase 1 Decommissioning Plan for the West Valley Demonstration Project*, dated December 3, 2008.

The New York State Energy Research and Development Authority (NYSERDA) is providing the enclosed comments on the Department of Energy's (DOE) *Phase 1 Decommissioning Plan for the West Valley Demonstration Project*, Rev. 0 (Phase 1 DP), dated December 3, 2008. Appendix D, Rev. 1, dated March 2009 was also reviewed.

NYSERDA engaged an Independent Expert Review Team (IERT) to supplement staff review of the Phase 1 DP. As a result, NYSERDA comments are presented in two separate documents:

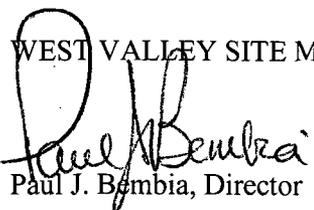
- "NYSERDA Comments on the *Phase 1 Decommissioning Plan for the West Valley Demonstration Project* to the U.S. Nuclear Regulatory Commission and the U.S. Department of Energy" (Enclosure 1)
- *Independent Review of the Phase 1 Decommissioning Plan for the West Valley Demonstration Project*, March 25, 2009 (Enclosure 2)

NYSERDA respectfully requests that NRC provide a written response describing how NYSERDA's individual comments and the concerns raised by the IERT were considered in NRC's review of the DP.

Any questions regarding the attached comment packages should be directed to Paul L. Piciulo, Ph.D. at (716) 942-9960 extension 4378.

Sincerely,

WEST VALLEY SITE MANAGEMENT PROGRAM

  
Paul J. Bomba, Director

PJB/09amd015.plp

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Enclosures:

1. "NYSERDA Comments on the *Phase 1 Decommissioning Plan for the West Valley Demonstration Project* to the U.S. Nuclear Regulatory Commission and the U.S. Department of Energy"
2. *Independent Review of the Phase 1 Decommissioning Plan for the West Valley Demonstration Project*, March 25, 2009

cc: L. W. Camper, USNRC (w/Encs. 1&2)  
C. J. Glen, USNRC (w/Encs. 1 & 2)  
R. Tadesse, USNRC (w/Encs. 1 & 2)  
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