

January 28, 2010

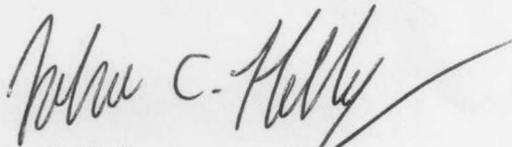
Good Day:

You are receiving this mailing because you are on a list of individuals or organizations that requested a copy of the West Valley Decommissioning Final Environmental Impact Statement from the U.S. Department of Energy, or your name/organization was identified by the Department of Environmental Conservation, Bureau of Permits, as requiring a copy of the attached notice.

The New York State Energy Research and Development Authority is a joint lead agency with the U.S. Department of Energy on the West Valley Environmental Impact Statement, and as such, we are required under New York State law to provide you with a copy of the attached Notice of Completion for the Final Environmental Impact Statement.

Sincerely,

WEST VALLEY SITE MANAGEMENT PROGRAM



John C. Kelly, Program Manager

West Valley Demonstration Project and End-State Planning

JCK/amd

Attachment:

1. Notice of Completion for the Final Environmental Impact Statement

JCK/10amd007.amd

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West Valley Site**Management Program**

10282 Rock Springs Road
West Valley, NY 14171-9799
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New York City

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Buffalo

Larkin at Exchange Building
726 Exchange Street, Suite 821
Buffalo, New York 14210
Phone: (716) 842-1522
Fax: (716) 842-0156

State Environmental Quality Review
Notice of Completion of Draft / Final EIS

Project Number _____

Date: January 27, 2010

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft or Final (check one) Environmental Impact Statement has been completed and accepted by the New York State Energy Research and Development Authority as lead agency, for the proposed action described below.

If a Draft EIS: Comments on the Draft EIS are requested and will be accepted by the contact person until _____

Name of Action:

Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center.

Description of Action:

The action subject to this Final Environmental Impact Statement (Final EIS) is the completion of the West Valley Demonstration Project (WVDP), and the decommissioning and/or long-term stewardship of the Western New York Nuclear Service Center. This includes the decontamination and decommissioning of the waste storage tanks and facilities used in the solidification of high-level radioactive waste, and any material and hardware used in connection with the WVDP. The U.S. Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) are joint lead agencies for this Final EIS. DOE needs to determine the manner in which facilities, materials, and hardware for which DOE is responsible will be managed or decommissioned in accordance with applicable Federal and State requirements. NYSERDA needs to determine what, if any, material or structures for which it is responsible will remain on site, and what, if any, institutional controls, engineered barriers, or stewardship provisions would be needed. Four alternatives are presented in the Final EIS, including:

Sitewide Removal: Under this alternative, all site facilities would be removed; all environmental media would be decontaminated or shipped off-site; and all radioactive, hazardous, and mixed waste would be characterized, packaged as necessary, and eventually shipped off site for disposal. Completion of these activities would allow unrestricted use of the site (i.e., the site could be made available for any public or private use). The Sitewide Removal Alternative includes temporary on-site storage of vitrified high-level radioactive waste canisters while waiting for a Federal waste depository to open.

Sitewide Close-In-Place: Under this alternative, most facilities would be closed-in-place. Residual radioactivity in facilities with larger inventories of long-lived radionuclides would be isolated by specially designed closure structures and engineered barriers. Under this Alternative, major facilities and sources of contamination, such as the Waste Tank Farm and disposal areas, would be managed at their current locations. This would allow large areas of the site to be released for unrestricted use. The license for remaining portions of the WNYNSC could be terminated under restricted conditions, or those portions could remain under long-term NRC license or permit. Facilities that are closed-in-place, and any buffer area around them, would require long-term stewardship.

Phased Decisionmaking: Under this alternative, decommissioning would be completed in two phases. Phase 1 would include removal of the Main Plant Process Building, the source of the North Plateau Groundwater Plume and the water treatment lagoons as well as removal of a number of support facilities. No decommissioning or long-term management activities would be conducted for the Waste Tank Farm and its support facilities, the Construction and Demolition Debris Landfill, the non-source area of the North Plateau Groundwater Plume or the NRC-Licensed Disposal Area. The State-Licensed Disposal Area (SDA) would continue under active management, consistent with its permit and license requirements for up to 10 years. Phase 1 activities would make use of proven technologies and available waste disposal sites to reduce the potential near-term health and safety risks from residual radioactivity and hazardous contaminants at the site. Phase 1 would also include an ongoing assessment period during which DOE and NYSERDA would conduct additional studies, evaluations and characterization of site contamination. The studies and evaluations would be conducted to clarify and possibly reduce technical uncertainties related to the Phase 2 decision on decommissioning and long-term management of the remaining facilities at the site, particularly uncertainties associated with the long-term performance models, the performance of engineered barriers and other technologies for in-place containment, the viability and cost of technology for exhuming buried waste and the availability of waste disposal sites. In consultation with NYSERDA and the cooperating and involved agencies on this Final EIS, DOE would determine whether the new information warrants preparation of a supplemental EIS. NYSERDA would assess the results of site-specific studies and other information acquired during Phase 1 to inform future decisions on the SDA. Under the Phased Decisionmaking Alternative, the Phase 2 decision would be made within 10 years.

No Action Alternative: Under the No Action Alternative, no actions toward decommissioning would be taken. The No Action Alternative would involve the continued management and oversight of all facilities located on the WNYNSC property as of the starting point of the EIS (estimated to be achieved in 2011). The analysis of the No Action Alternative is required under NEPA and SEQRA. **Preferred Alternative:** The Phased Decisionmaking Alternative is DOE's and NYSERDA's Preferred Alternative.

This Final EIS contains revisions to the Revised Draft EIS that was issued in December 2008. The EIS was revised in response to comments received during the public comment period, that ended on September 8, 2009. The EIS was also updated to reflect events that occurred, provide updated environmental information, clarify text and correct editorial errors.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

10282 Rock Springs Road
West Valley, New York 14171

The majority of the 3,300-acre Western New York Nuclear Service Center is in the town of Ashford in Cattaraugus County, New York. Approximately 15 acres of the facility are located in the town of Concord in Erie County, New York.

Potential Environmental Impacts:

Each of the decommissioning alternatives analyzed in the Final EIS involve closure or removal activities that would result in some level of environmental impact.

Impacts from removing facilities and contamination from the site include potential radiological and nonradiological releases to the atmosphere, and to local surface waters and groundwater during removal operations as well as potential worker exposure to contaminants during removal operations. Transportation of wastes generated through the removal of facilities and contamination introduces the possibility of contaminant releases during transportation accidents, potential for injuries due to motor vehicle accidents, and worker and public exposure to external radiation over the course of a routine shipment. The Sitewide Removal Alternative would also generate some waste that cannot currently be disposed of at off-site disposal facilities. This waste would have to be stored on site until an off-site disposal option became available. A positive result from removal activities is that portions of the site or even the entire site could be released for other uses. In addition, potential long-term impacts from releases from the site would be avoided.

Impacts from closing facilities and contamination in place include radiological and nonradiological contaminant releases to the atmosphere, and to local surface waters and groundwater during closure operations, and worker exposure to contaminants during closure operations. Under this alternative, large areas of the site could be released for unrestricted use. The license for the remaining portions of the WNYNSC could be terminated under restricted conditions, or portions could remain under long-term NRC license or other regulatory or institutional control. Facilities that are closed-in-place, and any buffer areas around them, would require long-term stewardship. In this event, contaminant releases, worker exposure, and worker injuries could occur during ongoing monitoring and maintenance activities that would be required over hundreds or thousands of years. There could also be contaminant releases and public exposure in the event that the site control is lost.

The Phased Decisionmaking Alternative includes a phased decommissioning approach where significant removal actions are taken during the first phase of decommissioning. These removal activities involve the potential for the environmental impacts identified above. If, during the second phase of decommissioning activities, it is decided to remove the remaining facilities or close facilities in place, this second phase of the alternative would also involve the types of impacts described above.

It should be noted that NYSERDA is not in agreement with certain aspects of the approach used in the Final EIS to analyze environmental and other impacts from the decommissioning alternatives. Most of NYSERDA's concerns relate to the analysis of long-term impacts from the in-place closure of facilities and contamination and the analysis of exhumation of facilities. NYSERDA's view on these Final EIS analyses and results are presented in the "Foreword" to the Final EIS.

A copy of the Draft / Final EIS may be obtained from:

Contact Person: John C. Kelly, Program Manager

Address: NYSERDA, 9030 Route 219, West Valley, New York 14171

Telephone Number: (716) 942-9960 ext. 4435

A copy of this notice must be sent to:

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Ashford, New York and Concord, New York

Any person who has requested a copy of the Draft / Final EIS

Any other involved agencies

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

Copies of the Draft/Final EIS must be distributed according to 6NYCRR 617.12(b).