



Department of Energy
West Valley Demonstration Project
10282 Rock Springs Road
West Valley, NY 14171-9799

June 27, 2011

Ms. Lynn M. Winterberger, P.E.
New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau E, RCRA Permitting Section
625 Broadway, 12th Floor
Albany, NY 12233-7017

SUBJECT: Public Notice Proof of Publications for the Resource Conservation and Recovery Act (RCRA) Closure Plan for the Hazardous Waste Storage Lockers (West Valley Demonstration Project [WVDP] EPA ID#NYD980779540)

REFERENCE: Letter (105965), L. M. Winterberger to M. N. Maloney, "West Valley Demonstration Project (WVDP) EPA ID No. NYD980779540; Public Notice of RCRA Closure Plans for Hazardous Waste Storage Lockers (HWSLs) #1 - #4," dated May 12, 2011

Dear Ms. Winterberger:

The U.S. Department of Energy West Valley Demonstration Project (DOE-WVDP) is providing the original "Proof of Publications" for the Public Notice of the HWSLs RCRA Closure Plan. These public notices were published in the Buffalo Evening News, the Olean Times Herald, and the Springville Journal on May 19, 2011.

If you have any questions, please contact Moira N. Maloney of my staff at (716) 942-4255.

Sincerely,

A handwritten signature in black ink, appearing to read "B.C.B.", written over a horizontal line.

Bryan C. Bower, Director
West Valley Demonstration Project

- Enclosures:
1. Attachment A Public Notice and Proof of Publication for the Buffalo Evening News
 2. Attachment B Public Notice and Proof of Publication for the Olean Times Herald
 3. Attachment C Public Notice and the Proof of Publication for the Springville Journal

cc: See Page 2

JMD:106121 - 452.3



cc: M. P. Krentz, DOE-WVDP, AC-DOE, w/enc.
M. N. Maloney, DOE-WVDP, AC-DOE, w/enc.
J. Eng, EPA, Region 2, w/enc.
A. S. Everett, EPA, Region 2, w/enc.
P. A. Giardina, EPA, Region 2, w/enc.
A. Y. Park, EPA, Region 2, w/enc.
K. I. McConnell, NRC, w/enc.
M. J. Cruden, NYSDEC, Central Office, w/enc.
T. J. Killeen, NYSDEC, Central Office, w/enc.
P. W. Concannon, NYSDEC, Region 9, w/enc.
D. Weiss, NYSDEC, Region 9, w/enc.
J. Collins, NYSDOH, w/enc.
P. J. Bembia, NYSERDA, AC-NYS, w/enc.
A. L. Mellon, NYSERDA, AC-NYS, w/enc.
D. M. Ruszczyk, WSMS, AC-URS, w/o enc.
C. A. Biedermann, WVES, AC-EA, w/enc.
J. A. Blankenhorn, WVES, AC-PRES, w/o enc.
D. P. Klenk, WVES, AC-EA, w/o enc.

JMD:106121 - 452.3

Attachment A

Public Notice and Proof of Publication for the Buffalo Evening News

THE BUFFALO NEWS

-Affidavit-

Lisa Stephan-Kozlowski of the City of Buffalo, New York, being duly sworn, deposes and says that he/she is Principal Clerk of THE BUFFALO NEWS INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein 1 times, the first insertion being on 05/19/2011 and the last insertion being on 05/19/2011

Lisa Stephan-Kozlowski

Dates Ad Ran:

Buffalo News (P1) 05/19/11

Sworn to before me this 24th day of, May 2011

Shukriyyah Hawkins
Notary Public, Erie County, New York

SHUKRIYYAH HAWKINS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 9/30/13

STATE OF NEW YORK
NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL
CONSERVATION
Division of
Environmental
Remediation
625 Broadway, Albany,
New York 12233-7017
Phone: (518) 402-9614
Fax: (518) 402-9619

EPA ID No:
NYD960779540
PUBLIC NOTICE OF
CLOSURE PLAN

The United States Department of Energy (DOE) as operator of the West Valley Demonstration Project (WVDP) has notified the New York State Department of Environmental Conservation (Department) of its intention to commence final closure of Hazardous Waste Storage Lockers (HWSLs) #1 - #4 at the WVDP facility in West Valley, NY 14177-9799. The HWSLs are one of several hazardous waste management (HWM) units at the WVDP facility that require closure under Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 373. The DOE maintains a closure plan for each HWM unit as stipulated in §373-1.2(b) and §373-3.7. The HWSL closure plan (Doc ID Number WVDP-156, Rev. 13, dated 11/18/10) was revised in response to Department comments and resubmitted in November 2010 for Department review and approval. The Department has tentatively determined that the revised closure plan is consistent with the regulatory requirements for the decontamination and closure of hazardous waste container storage areas and, as such, can be approved. The intention of this public notice is to solicit comment from the public on these closure plans.

The revised HWSLs closure plan includes removal of all containers of hazardous waste, inspection of the floor of each locker, decontamination of the floors using a low volume, high pressure cleaning unit followed by characterization of the wash water and sampling of the rinseate from each floor. The decontamination residues and wash water would be collected, characterized and dispositioned as either hazardous or nonhazardous waste, as necessary. DOE has stated within their closure plan that no spills or releases of hazardous waste to the environment have occurred in this area.

State Environmental Quality Review (SEQR) status: Closure of the HWSLs will not result in significant changes to the surrounding areas of the WVDP facility. The closure activities will be performed entirely within the HWM units and will use only light equipment. This action will leave the HWM units clean and uncontaminated. The Department has determined that the closure of each of these HWM units is a Type I action which is not subject to SEQR.

State regulations require that the public be given thirty (30) days to provide written comments on the draft closure plan. The public comment period begins on 06/19/11 and will extend through 08/20/11. A copy of the closure plan is available for public review at NYSDEC Central and Regional Offices. Copies of the closure plan may be obtained by contacting either Mr. Patrick Concannon, Engineering Geologist, at NYSDEC, Region 9, Division of Environmental Remediation, 270 Michigan Ave., Buffalo, NY 14203 (Telephone Number: (716) 851-7220) or Miss Lynn M. Winterberger, Environmental Engineer, at NYSDEC, Central Office, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233-7017 (Telephone Number: (518) 402-9614). Comments on the closure plans must be sent no later than June 20, 2011.

Mrs. Lynn M. Winterberger, P.E.
New York State
Department of
Environmental
Conservation
Division of Environmental
Remediation
Regional Bureau 9
RCRA Permitting Section
625 Broadway
Albany, New York
12233-7017

All comments will be considered and evaluated in making the final determination for approving the closure plan. Prior to the approval of the closure plan the Department will respond to any comments submitted by the public. The Department will approve, modify or disapprove the draft closure plan based on the information received during the comment period and public hearing, if required. A notice of the final decision will be sent to each interested citizen or organization that submitted written comments or have requested such notice.

Attachment B

Public Notice and Proof of Publication for the Olean Times Herald

AFFIDAVIT

Advertiser:

West Valley Environmental Services LLC
Attn: Cynthia Dayton
10282 Rock Springs Road
West Valley, NY 14171-9799

County of Cattaraugus)

I, Cathy Powley, being duly sworn, deposes and says that she is Legal Clerk of Olean Times Herald, publishers of The Times Herald, a newspaper published in Olean, New York, having a general circulation in Cattaraugus and Allegany Counties, and that the attached advertisement was published 1 time(s) on 05/19/11.

Cathy Powley
Legal Clerk

Subscribed and Sworn to before me this 19th day of May, 2011

Lesli L. Linderman

LESLI L. LINDERMAN
Notary Public, State of New York
Qualified in Cattaraugus County

My Commission Expires 5-24-20 11

Olean Times Herald, 639 Norton Drive, Olean, NY 14760 (716) 372-3121

The United States Department of Energy (DOE) as operator of the West Valley Demonstration Project (WVDP) has notified the New York State Department of Environmental Conservation (Department) of its intention to commence final closure of Hazardous Waste Storage Lockers (HWSLs) #1 - #4 at the WVDP facility in West Valley, NY 14171-9799. The HWSLs are one of several hazardous waste management (HMW) units at the WVDP facility that requires closure under Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 373. The DOE maintains a closure plan for each HMW unit as stipulated in §373-1.2(b) and §373-3.7. The HWSL closure plan (Doc. ID Number WVDP-158, Rev. 13, dated 11/18/10) was revised in response to Department comments and resubmitted in November 2010 for Department review and approval. The Department has tentatively determined that the revised closure plan is consistent with the regulatory requirements for the decontamination and closure of hazardous waste container storage areas and, as such, can be approved. The intention of this public notice is to solicit comment from the public on these closure plans. The revised HWSLs closure plan includes removal of all containers of hazardous waste, inspection of the floor of each

locker, decontamination of the floors using a low volume, high pressure cleaning unit followed by characterization of the wash water and sampling of the rinsate from each floor. The decontamination residues and wash water would be collected, characterized and dispositioned as either a hazardous or nonhazardous waste, as necessary. DOE has stated within their closure plan that no spills or releases of hazardous waste to the environment have occurred in this area. State Environmental Quality Review (SEQR) status: Closure of the HWSLs will not result in significant changes to the surrounding areas of the WVDP facility. The closure activities will be performed entirely within the HMW units and will use only light equipment. This action will leave the HMW units clean and uncontaminated. The Department has

determined that the closure of each of these HMW units is a Type II action which is not subject to SEQR. State regulation requires that the public be given thirty (30) days to provide written comments on the draft closure plan. The public comment period begins on 05/19/11 and will extend through 06/20/11. A copy of the closure plan is available for public review at NYSDEC Central and Regional Offices. Copies of the closure plan may be obtained by contacting either Mr. Patrick W. Conannon, Engineering Geologist, at NYSDEC Region 9, Division of Environmental Remediation, 270 Michigan Ave., Buffalo, NY 14203 [Telephone Number: (716) 851-7220] or Mrs. Lynn M. Winterberger, Environmental Engineer, at NYSDEC, Central Office, Division of Environmental Remediation, 625 Broadway, Albany NY

12233-7017

[Telephone Number: (518) 402-9814]. Comments on the closure plans must be sent no later than June 20, 2011 to:

Mrs. Lynn M. Winterberger, P.E.
New York State
Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau E
RCRA Permitting
Section
625 Broadway
Albany, New York
12233-7017

All comments will be considered and evaluated in making the final determination for approving the closure plan. Prior to the approval of the closure plan the Department will respond to any comments submitted by the public. The Department will approve, modify or disapprove the draft closure plan based on the information received during the comment period and public hearing, if required. A notice of

the final decision will be sent to each interested citizen or organization that submitted written comments or have requested such notice.

**STATE OF
NEW YORK
NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL
CONSERVATION**
Division of Environmental Remediation
625 Broadway,
Albany, New York
12233-7017
Phone:
(518) 402-9814
Fax: (518) 402-9819
EPA ID No:
NYD980779540
**PUBLIC NOTICE OF
CLOSURE PLAN**

Attachment C

Public Notice and the Proof of Publication for the Springville Journal

STATE OF NEW YORK

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation

625 Broadway, Albany, New York 12233-7017

Phone: (518) 402-6814 Fax: (518) 402-6810

EPA ID No: NYD980779540. PUBLIC NOTICE OF CLOSURE PLAN

The United States Department of Energy (DOE) as operator of the West Valley Demonstration Project (WVDP) has notified the New York State Department of Environmental Conservation (Department) of its intention to commence final closure of Hazardous Waste Storage Lockers (HWSL) #1-14 at the WVDP facility in West Valley, NY 14171-9798. The HWSLs are one of several hazardous waste management (HWM) units at the WVDP facility and requires closure under Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 373. The DOE maintains a closure plan for each HWM unit as stipulated in §373-4.2(b) and §373-3.7. The HWSL closure plan (Doc. ID Number WVDP-156, Rev. 13, dated 11/18/10) was revised in response to Department comments and resubmitted in November 2010 for Department review and approval. The Department has tentatively determined that the revised closure plan is consistent with the regulatory requirements for the decontamination and closure of hazardous waste container storage areas and, as such, can be approved. The intention of this public notice is to solicit comment from the public on these closure plans.

...facility. The closure... requires that the... thirty (30) days... ten commencing... closure plan. This... period begins on 05/19/11 and will extend through 05/20/11. A copy of the closure plan is available for public review at NYSDEC Central and Regional Offices. Copies of the closure plan may be obtained by contacting either Mr. Patrick W. Conannon, Engineering Geologist, at NYSDEC Region 9, Division of Environmental Remediation, 270 Middlesex Ave., Buffalo, NY 14203 [Telephone Number: (716) 851-7220] or Mrs. Lynn M. Winkler, Environmental Engineer, at NYSDEC, Central Office, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233-7017 [Telephone Number: (518) 402-6814]. Comments on the closure plan must be sent no later than June 20, 2011 to:

requires that the... thirty (30) days... ten commencing... closure plan. This... period begins on 05/19/11 and will extend through 05/20/11. A copy of the closure plan is available for public review at NYSDEC Central and Regional Offices. Copies of the closure plan may be obtained by contacting either Mr. Patrick W. Conannon, Engineering Geologist, at NYSDEC Region 9, Division of Environmental Remediation, 270 Middlesex Ave., Buffalo, NY 14203 [Telephone Number: (716) 851-7220] or Mrs. Lynn M. Winkler, Environmental Engineer, at NYSDEC, Central Office, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233-7017 [Telephone Number: (518) 402-6814]. Comments on the closure plan must be sent no later than June 20, 2011 to:

AFFIDAVIT OF PUBLICATION

State of New York)) SS County of Erie)

The undersigned is the billing supervisor of The Springville Journal, a weekly newspaper published in the county of Erie, in the state of New York. A notice regarding EPA ID No. NYD980779540

was published in said newspaper commencing on: 5/19/11

and ending on: 5/19/11

The text of the notice as published in said newspaper is as set forth below, or in the annexed exhibit.

Linda Bridges

Sworn to before me on 24th day of May, 2011.

Mary E. Granger

MARY E. GRANGER Notary Public, State of New York Qualified in Erie County Commission Expires 14

End of column one

The revised LUSTS closure plan includes removal of all containers of hazardous waste, inspection of the floor of each locker, decontamination of the floors using a low volume high pressure cleaning unit followed by characterization of the wash water and sampling of the rinsate from each floor. The decontamination residue and wash water would be collected, characterized and disposed of as either a hazardous or non-hazardous waste, as necessary. DOE has stated within the closure plan that no spill or release of hazardous waste to the environment have occurred in this area.

State Environmental Quality Review (SEQRF) states: Closure of the LUSTS will not result in significant changes to the surrounding areas of the

End of column two

Mrs. Lynn M. Winterberg
New York State Department of
Environmental Conservation
Division of Environmental Remediation
Remedial Bureau EPCRA Per-
mitting Section
625 Broadway
Albany, New York 12233-7047

All comments will be considered and evaluated in making the final determination for approving the closure plan. Once the approval of the closure plan, the Department will respond to any comments submitted by the public. The Department will approve, modify or disapprove the draft closure plan based on the information received during the comment period and public hearing, if required. A notice of the final decision will be sent to each interested citizen or organization that submitted written comments or have requested such notice.