

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.

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-

<u>Lisa Stephan-Kozlowski</u> 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**

Dates Ad Ran:

Buffalo News (P1) 05/19/11

Sworn to before me this 24th day of, May 201

Notary Public, Edid County, New York

SHUKRIYYAH HAWKINS Notary Public, State of New York Qualified in Erie County My Commission Expires STATE OF NEW YORK-NEW YORK STATE: DEPARTMENT OF ENVIRONMENT AL CONSERVATION Division of Environmental Remediation 625 Broadway, Albany, New York 12233-7037 Phone: (518) 402-9814 Fax: (518) 402-9819

EPA ID No: NYD980779640 PUBLIC NOTICE OF CLOSURE PLAN

The United Status Department of Energy (DOE) as operator of the West Valley Denombration Project (WOP) has notified the New York State Department of Environmentalic Conservation (Department of Its Intention to commence final closure of Hazardous Waste Stotage Lockers (HWSLs), at 44 at the WVDP facility in West Valley, NY 14171-9799. The HWSLs are one of seweral hazardous waster management (HMW) units at the WVDP facility that requires (Course under Title 6 of the New York Code of Fluies and Fluies and Fluies in Fluies and Fluies in Fluies and resubmitted in November 2010 for Department review and approved. The Intension of the decontamination and closure of hazardous waste container storage, arets and, as such, can be approved. The Intension of the public on these closure plans.

sure plans.

The revised HWSLs closure plan includes rismoval of all containers of hazardous wasts, inspection of the floor description of the floor description of the floorsusing a low volume, high pressure cleaning unit followed by characterization of the wasts and sampling of the masts from each floor. The decontamination residues and west, water would be collected characterized and dispositioned as either a hazardous or nonhazardous wasts; as necessary. DOE has stated within their closure plan that his spille or release of frazardous waste to the environment have occurred in this area.

State Environmental Quality Review (SEQRI) status: Closure of the HWSLs will not result in significant changes to the wurounding 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 if action which is not subject to SEQR.

State regulation requires that free public be given; many follows be given; many follows by the control of of days to provide the control of office of the control of the c

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New York Steel
Department of
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All Comments will be considered and evaluated in maliting the time users in malitim to capprovise diseased out the considered and the considered out the comment will approve the chart cobsured out to be considered out the comment person the comment person and public hearing. If required it is not the comment person and public hearing. If required it is not the comment person and public hearing. If required it is not the comment person and public hearing are to each interested citizen or considered written continued that such that continued the comment person and considered out the comment person and considered out the continued ou

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 Poli Legal *(*Clerk

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

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

My Commission Expires 5-24-20 _______

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 commerice; 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 haz-! ardous waste management (HMW) units at the WVDP facility that requires closure un 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 comment and resubmitted in No vember 2010 for Department review and approval: The Department has tentatively determined that the revised closure plan is consistent with the regulatory requirements for the decentamination 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.

determined that the baker, decontaminaclosure of each of for of the floors using these HWM units is a a low volume, high pressure cleaning unit Type If action which is followed by characterinot subject to SEQR State regulation re-quires that the public zation of the wash water and sampling of be given thirty (30) the rinsate from each days to provide written floor. The decontamicomments on the draft nation residues and closure plan. The pubsh water would be lic comment period beected, character zed and dispositioned gins on 05/19/11 and will extend through either a hazardous r nonhazardous vaste; as necessary. 06/20/11. A copy of the closure plan is available for public review DOE has stated within ir closure plan that at NYSDEC Central e spills or releases of and Regional Offices. Copies of the closure hazardous waste to plan may be obtained the environment have by contacting either courred in this area. State Environmental Mr. Patrick W. Concannon, Engineering Ge-Quality Review ologist, at NYSDEC (SEQR) status: Clo-Region 9, Division of re of the HWSLs will Environmental Remen**e**t result in significant diation, 270 Michigan changes to the sur-rounding areas of the Ave., Buffalo, NY DP facility. The clo-14203 activities will be Telephone Number: (716) 851-7220] or ormed entirely Mrs. Lynn M. Winter iffin the HWM units berger, Environmental nd will use only light Engineer, at NYSDEC, pment. This action will leave the HWM Central Office, Division unts clean and unconof Environmental Reininated. The De mediation, 625 Broadway, Albany NY ment has

12233-7017 Melephone 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 evalu ated 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 The revised HWSLs Fax: (518) 402-9819 closure plan include removal of all contain-EPA ID No: NYD980779540 ers of hazardous PUBLIC NOTICE OF waste, inspection of **CLOSURE PLAN** the floor of each

Attachment C

Public Notice and the Proof of Publication for the Springville Journal

STATE OF MEN YOUR

NEW YORKSTATE DEPARTS MENT OF ENDRONMENT CONSERVATION Division of Environmental Page medialiòb 625 Broadway Albany Nine York 1223347317 Phone: (518) 452 9834 Fax (518) 402-9819

EPA ID No: NYD980779540. PUBLIC NOTICE OF **CLOSURE PLAN**

Department of Energy (DOE) will entend through 08/2011. A as operator of the West Vallage copy of the closes of the lawyall-Demonstration Project (NOVDP) at the for public revises out RYShas notified the New York State DEC Contrat and Ringfords Of-Department of Environmental fices. Copies of this classes plan Conservations (Department) of the may be obtained by contacting intention to commence final clo-either Mr. Patriok VR. Concansubs of Palzantons Waster Ster non, Engineering Chicocolor, at age Lockers (HWSLE) - Her NYSDEC Region 9, Division of the WVDP acting in 1982 Valley. Environmental NY 14171-9795. THE HEISTE 270 MRANGE Ave., Buffelo, are one of several hazardous. NY 14203 [Telephone Mumber: waste management (FIMIN): (716) 851-7220) or Mrs. Lynn units at the WOOF legals due: M. Windlooger, Editormental requires closure under Rife 6 Engineer, at 1875020, Central of the New York Codes of Rules. Office, Division of Elieforth manufall and Regulations (& INVCHA) Remediation, 625 Broadway, Al-Part 373. The DOE maintains a bany WX 12233-7097 Edephone closure plan-for each HWM unit | Number: (518) 402-9814]. Comse stipulated in §3734.2(b) and, intentscoption descriptions must \$373-327. The HWSL closure be sent no later than plan. (Doc. 10 Number WYDP June 20, 2011 to: 156, Rev. 18, dated PR/18/10) was revised in response to Department continents and resulmitted in November 2010 for Depertment review and approval. The Department has tentatively determitted that the revises 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.

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AFFIDAVIT OF PURLICATION

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 Brillage
Sworn to before me on 24th day of May , 2011.
Mary E. Misrger

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