

November 21, 2013

Mr. Bryan C. Bower, Director
West Valley Demonstration Project
10282 Rock Springs Road
West Valley, NY 14171-9799

SUBJECT: REVIEW OF U.S. DEPARTMENT OF ENERGY RESPONSE TO U.S. NUCLEAR REGULATORY COMMISSION COMMENTS ON QP-450-01 – MANAGEMENT OF ENVIRONMENTAL MEDIA – PHASE I DECOMMISSIONING OF THE WEST VALLEY DEMONSTRATION PROJECT

Dear Mr. Bower:

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the U.S. Department of Energy (DOE) West Valley Demonstration Projects (WVDP) October 22, 2013, response (ML13297A053) to NRC's comments on *QP-450-01 – Management of Environmental Media – Phase I Decommissioning of the West Valley Demonstration Project* (Media Policy). The Media Policy establishes DOE-WVDP requirements for the management of environmental media (soil, sediments, groundwater, vegetation, and animal remains) that may be generated by its contractors during the implementation of Phase I decommissioning activities at the WVDP. The staff found DOE's responses acceptable and has no further comments at this time.

The NRC staff understands, as noted in the DOE comment response, that DOE will be making decisions concerning the management of surface soils outside of the proposed Waste Management Area 1 and Waste Management Area 2 excavations during Phase I decommissioning based on soil characterization data collected during the implementation of soil characterization activities. DOE may decide to remediate certain surface soils within Phase I areas during Phase I decommissioning and these remediated areas will undergo final status surveys (FSSs) in accordance with the May 2011 Phase 1 Final Status Survey Plan for the WVDP to ensure the clean-up goals have been achieved, along with any confirmatory surveys to be performed by NRC or its contractor. When DOE decides to remediate surface soil and conduct an FSS, DOE should notify NRC at least 60 days before performing an FSS consistent with the notification commitments in the DOE/WVDP Phase 1 Decommissioning Plan (ML100040393).

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

B. Bower

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If you have any questions or would like to discuss this subject further, please do not hesitate to contact me or Chad Glenn of my staff at 301-415-6722

Sincerely,

/RA/

Andrew Persinko, 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

cc:

M. Maloney, DOE-WVDP

P. Bembia, NYSERDA

B. Bower

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