



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

MAR 18 1981



81-0190

Ms. Marilyn Metzler  
Special Energy Project  
Cattaraugus Community Action, Inc.  
200 Erie Street  
Little Valley, New York 14755

Dear Ms. Metzler:

This is in response to your letter, dated February 18, 1981, to the Nuclear Regulatory Commission (NRC) requesting information on the nuclear wastes at West Valley. In the discussion below, each of your specific requests is taken in turn:

1) "Current legal status of NFS site as it applies to NRC (licensing, etc.)"

The Western New York Nuclear Fuel Services Center facility near West Valley, New York, presently in a shutdown condition, is licensed under 10 CFR 50 as a nuclear fuel reprocessing plant. The New York State Energy Research and Development Authority (NYSERDA) is the owner of the site, assuming the long term responsibility for the site, and co-licensee with the site operator, Nuclear Fuel Services, Inc. (NFS), a subsidiary of the Getty Oil Company. In 1976, after having previously applied for a new construction permit and full term operating license for plant safety improvements and increased capacity, NFS announced its withdrawal from commercial reprocessing. At that time, NFS agreed that it was appropriate for the NRC staff to cease its review of their application to modify the plant.

You are probably aware of recent NFS/NYSERDA litigation concerning their Lease and Waste Storage agreement and their respective responsibilities for the site. The NRC is not a party to their litigation. The NRC's licensing requirements are independent of and in addition to any lease or other contractual arrangements between the two co-licensees. Thus, the terms and conditions of the license remain in effect, as applicable to each of the co-licensees, until any request for modification is approved by the NRC.

2) "Information about DOE solidification project including finances, EIS, proposal timetables and plans."

Regarding the high-level waste solidification project plans, the U.S. Department of Energy (DOE) is the agency delegated by Congress with this responsibility. I suggest you contact the West Valley Demonstration Project Program Office, Mail Station B-107, NE:323, U.S. Department of Energy, Washington, DC 20545 for this information.

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3) "Information about status and future plans of waste burial grounds"

I am enclosing a copy of a description of the waste burial grounds (present status) from the DOE Study on West Valley (TID-28905-3), which may be of interest to you. There is ongoing research by U.S. Geological Survey/New York State Geological Survey to examine the long term performance of these burial grounds; this research is being funded by NRC.

There are two burial grounds; one is a New York State-licensed waste burial area and the other an NRC-licensed waste burial area. The State-licensed waste burial area was used for disposal of low-level radioactive solid waste from medical facilities, nuclear reactors and some wastes from the NFS reprocessing plant until it was shut down in 1975. We are not aware of any plans to reopen the State-licensed burial ground.

The NRC-licensed burial area has been used for disposal of certain plant solid wastes from the West Valley facility. This burial ground is part of the facilities that will be taken over by DOE for conduct of the high level liquid waste solidification project. We do not yet know of future plans by DOE for any use of this burial ground.

4) "The discussion and possibilities of NFS as an AFR"

We are aware that DOE previously has identified West Valley as a candidate site for AFR spent fuel storage because of the existing storage pool. However, because of the waste solidification project, we understand that it is not likely that DOE would propose to Congress use of West Valley for AFR storage. Any further information on this topic should be obtained from DOE.

5) "Health information relating to nuclear wastes, including permissible levels of environmental pollution and known effects of the various wastes being released into the environment."

I am enclosing a copy of Battelle study document on "Preliminary Environmental Implications of Alternatives for Decommissioning and Future Use of the Western New York Nuclear Fuel Services Center" (BMI-X698). A discussion of the environmental and health aspects of current conditions at West Valley can be found in section 3.2 of the document.

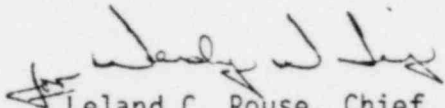
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- 6) "Notification of all NRC planned meetings about West Valley regionally, state and federally as they apply to information needed by residents of this county"
- 7) "To be placed on NRC's mailing list"

As per your request, we have placed your organization on NRC's mailing list, Docket No. 50-201. Through it, you will find the announcements of NRC planned meetings concerning West Valley.

Also, you can find a number of other references on the West Valley facility in the local Public Document Room in the Town of Concord Public Library, Springville, New York.

Sincerely,

  
Leland C. Rouse, Chief  
Advanced Fuel and Spent Fuel  
Licensing Branch  
Division of Fuel Cycle and  
Material Safety

Enclosures:

1. TID-29805-3 Description
2. BMI-X698 (Rev.)