



Department of Energy

Washington, DC 20585

April 17, 2007

Mr. Walter Mugdan
Director, Division of Environmental
Planning & Protection
United States Environmental
Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866

Dear Mr. Mugdan:

Thank you for your March 1, 2007, letter expressing your support for the Core Team proposal which the Department of Energy (DOE) intends to identify as the Preferred Alternative in the Draft Environmental Impact Statement (DEIS) for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center.

As all parties agreed at the Interagency Meeting on March 7, 2007, the Core Team will concentrate on the particulars within this proposal over the next several months and report back to the participants at the next Interagency Meeting in July 2007. Generally, however, the Preferred Alternative in the DEIS will include:

- removal of the Process Building, all structures (except the Waste Tank Farm (WTF)), and contaminated soils on the North Plateau consistent with the Nuclear Regulatory Commission Decommissioning Criteria for the West Valley Demonstration Project at the West Valley Site, Final Policy Statement. DOE will strive to achieve unrestricted release or release with restrictions to achieve 25 millirem/year; and
- management of the WTF and the NRC-Licensed Disposal Area (NDA), with periodic reviews (probably on a five-year cycle) to identify and implement long-term solution(s) that are technically feasible and economically viable (as with all Alternatives, this one would also include appropriate management of the New York State-licensed Disposal Area (SDA)).



Also, DOE will promptly initiate several near-term actions at the site, consistent with applicable environmental statutes and regulations (including the National Environmental Policy Act (NEPA)), and the availability of appropriations. Although the Core Team will address details, the objective of these activities will be:

- reducing, to the maximum extent practicable, any remaining liquid in the WTF tanks;
- taking actions to maintain and improve the continued containment of the WTF tank residues without jeopardizing the viability of potential future long-term solutions;
- minimizing the further spread of the Sr-90 contaminated groundwater plume;
- taking interim corrective actions, including but not limited to installing a cap, to prevent water infiltration into the NDA; and
- assessing removal of the Process Building and the soils beneath by relocating, as soon as practicable, the high level waste canisters to an alternate location on the West Valley site or elsewhere.

There are outstanding issues regarding financial responsibility for the above actions, and state and federal parties have scheduled a meeting in early April to explore means to resolve these differences. However, like you, we are encouraged by this approach and look forward to working with you in the Core Team process.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Marcinowski". The signature is fluid and cursive, with a large loop at the end.

Frank Marcinowski
Deputy Assistant Secretary for
Regulatory Compliance
Office of Environmental Management