



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

January 22, 2009

Mr. Bill Logue
West Valley Citizen Task Force
The Logue Group

West Hartford, CT 06107

SUBJECT: Phase 1 Decommissioning Plan (DP) for the West Valley Demonstration Project (WVDP)

Dear Citizen Task Force Members:

Thank you for your letter dated November 19, 2008, regarding the West Valley Demonstration Project Decommissioning Plan (WVDP-DP). As you know from our monthly meetings with the Citizens Task Force (CTF), I always welcome and value the input of the CTF on ongoing and future activities at the WVDP. It appears from your letter that my comments during the CTF meetings on the DP were not clear. I believe that the DOE plan of providing the public with the DP concurrent with the issuance of the Draft Decommissioning Environmental Impact Statement (DEIS) enhances the public's ability to view key information in both documents.

Some of the confusion on this issue may have come from comments that DOE made at past CTF meetings and I apologize for any misunderstanding we might have created. As the DP does not rely on alternative criteria or exemption requests from the NRC License Termination Rule Criteria set by the U.S. Nuclear Regulatory Commission (NRC) in the NRC Policy Statement of West Valley, there are no formal NRC requirements for public comment. However, as I committed in the CTF meeting, DOE will address comments on the WVDP-DP. Please keep in mind that DOE is not asking for any deviation from the NRC License Termination Rule for the decommissioning identified in the DEIS Preferred Alternative. We have developed clean-up criteria in the DP that will meet unrestricted release for Phase 1 actions and will not preclude any Phase 2 decommissioning option.

Further, all of the meetings with NRC on the DP are open meetings where the public may view the discussions and make comments. For example, on May 19, 2008, an initial scoping meeting was held on the WVDP-DP. Subsequently, NRC hosted two additional scoping meetings on the WVDP-DP on July 24, 2008 and October 21, 2008. Each of these meetings was publically noticed and the public was invited to participate. As recorded in the minutes of past CTF meetings, CTF members were invited by DOE to participate in these meetings via the video conference capabilities at the WVDP offices. I am happy to report that a CTF representative accepted the offer and was an active participant. In addition, DOE plans to share with the public any NRC Requests for Additional Information (RAI) on the DP and any DOE responses as well. As discussed in previous CTF meeting, DOE will be meeting with the CTF numerous times between the issuance of the DEIS and the WVDP-DP and the scheduled issuance of the Final EIS and NRC's Technical Evaluation Report in

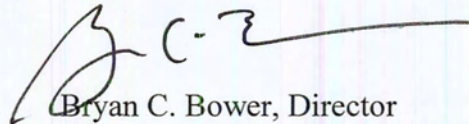


January 22, 2009

EIS and NRC's Technical Evaluation Report in December 2009. We will also provide support at future CTF meetings, if requested, to provide further clarification and understanding on both the DEIS and the DP.

Again, I would like to take this opportunity to state that DOE is committed to providing information to the CTF and the public on its decision-making process at West Valley. I apologize if I did not clearly convey this in the CTF meetings.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bryan C. Bower', with a long horizontal flourish extending to the right.

Bryan C. Bower, Director
West Valley Demonstration Project

cc: P. Giardina, EPA, Region 2
C. Glenn, NRC
K. McConnell, NRC
R. Tadessa, NRC
T. Rice, NYSDEC, Albany
E. E. Dassatti, NYSDEC, Albany
G. Baker, NYSDOH, Syracuse
P. J. Bembia, NYSERDA, AC-NYS

MNM:100343 - 144