



U.S. DEPARTMENT OF **ENERGY**

WEST VALLEY DEMONSTRATION PROJECT, WEST VALLEY, NEW YORK 14171-9799

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New York State and Department of Energy Reach Agreement on Cost Allocation for Cleanup of West Valley Demonstration Project and Western New York Nuclear Service Center

West Valley, NY – The Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) have reached agreement on the allocation of costs for cleanup of the West Valley Demonstration Project (WVDP) and the Western New York Nuclear Service Center. On Tuesday, August 17, the U. S. District Court, Western District of New York, signed a Consent Decree that formalized the agreement.

“The Department of Energy is committed to partnering with our stakeholders as we fulfill our cleanup requirements,” said Dr. Ines Triay, Assistant Secretary for the Office of Environmental Management. “This Consent Decree is the result of substantial and continuing dialogue between the Department of Energy and the State of New York. We are pleased to have reached an agreement, and we look forward to continued partnership with the State of New York and our stakeholders as we continue cleanup efforts at West Valley.”

“This settlement agreement ensures the cleanup at West Valley will continue unimpeded by cost uncertainties for both the Federal and State governments,” said Francis J. Murray, President and CEO of NYSERDA. “We can now continue the cleanup as partners, working together to protect the health and safety of the community and region, our site workers and the environment.”

The issues of cost allocation for various aspects of the site cleanup have been unresolved since the Department of Energy was directed by Congress to conduct a demonstration project at the site in 1980 under the West Valley Demonstration Project Act. In 2006, the State of New York litigated this matter, which resulted in this Consent Decree.

The Consent Decree addresses the cost allocation between the Federal Government and the State government, not the scope of the cleanup or site end-state decisions. Cleanup decisions were part of a Record of Decision issued by DOE under the National Environmental Policy Act, and a Finding Statement issued by NYSERDA under the State Environmental Quality Review Act.

Earlier this year, DOE and NYSERDA selected Phase Decisionmaking as the cleanup approach. Under this two-phased approach, many contaminated facilities would be removed from the site during the first phase. As part of Phase 1 activities, DOE and NYSERDA will undertake additional studies that may better inform decisions about future cleanup and additional decommissioning of remaining facilities.

Located about 35 miles south of Buffalo, the WVDP is a DOE environmental cleanup and waste management project that is conducted in cooperation with NYSERDA. West Valley Environmental Services (WVES) manages and operates the WVDP under contract to DOE. The WVES team is comprised of URS Washington Division, Jacobs Engineering, Environmental Chemical Corporation, and Parallax. NYSERDA manages the State Licensed Disposal Area under New York State regulations.

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