



October 15, 2012

Ms. Barbara Warren, Executive Director
Citizens' Environmental Coalition
33 Central Avenue, 3rd Floor
Albany, New York 12210

Dear Ms. Warren:

SUBJECT: May 2012 Quarterly Meeting Agenda

On May 4, 2012, we received your email that provided detailed recommendations for the May 2012 Quarterly Public meeting as well as additional questions and concerns regarding the Phase 1 Studies process. DOE and NYSERDA have prepared the attached matrix, which includes a response to each of the points raised in your memorandum.

Both agencies are committed to meaningful stakeholder input throughout the Phase 1 Studies process and wish to thank both you and the other signatories for the memorandum and subsequent recommendations, and for your dedication to the West Valley Demonstration Project.

We look forward to your continued involvement as we move forward with the Phase 1 Studies.

Sincerely,

A handwritten signature in black ink, appearing to read "B.C.B.", written over a horizontal line.

Bryan C. Bower, Director
U.S. Department of Energy
West Valley Demonstration Project

PJB/BB/amd

A handwritten signature in black ink, appearing to read "Paul J. Bembia", written over a horizontal line.

Paul J. Bembia, Director
West Valley Site Management Program
New York State Energy Research & Development
Authority

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Attachment:

1. *DOE and NYSERDA Responses to Barbara Warren's May 4, 2012 e-mail to Lee Gordon and Moira Maloney*, dated October 12, 2012

cc: Anne Rabe, Center for Health, Environment and Justice (w/att.)
Brian Smith, Citizens Campaign for the Environment (w/att.)
Joanne Hameister, Coalition on West Valley Nuclear Wastes (w/att.)
Kathy Boser, Concerned Citizens of Cattaraugus County (w/att.)
Diane D'Arrigo, Nuclear Information and Resource Service (w/att.)
Linda Schneekloth, Sierra Club Niagara Chapter
Moira N. Maloney, DOE-WVDP (w/att.)
Lee M. Gordon, Ph.D., NYSERDA-WV (w/att.)
Bill Logue, Logue Group (w/att.)
Lynette Bennett, CHBWV (w/att.)

**“DOE and NYSERDA Responses to Barbara Warren’s May 4, 2012 e-mail to Lee Gordon and Moira Maloney”
Dated October 12, 2012**

Comment	Response
Re: May 2012 Quarterly Meeting	
We recommend re-evaluating the length of quarterly meetings beginning with the May meeting.	DOE and NYSERDA are considering lengthening the duration of the Quarterly Public Meetings (QPM).
Unaddressed issues and questions have also accumulated since we began asking for more substantive meetings.	DOE and NYSERDA recognize that some correspondence has been inadvertently overlooked and not responded to. DOE and NYSERDA have implemented a correspondence tracking system to correct this.
At this time we are open to meeting during the day on May 23rd prior to the evening quarterly meeting to address more technical or complicated issues and clear them from the agenda, if this is feasible.	<p>Representatives from the DOE, NYSERDA, and ECS met with Barbara Warren, Joanne Hameister, and Diane D’Arrigo from 2:00 to 3:30PM to discuss various topics prior to the May 23, 2012 Quarterly Public Meeting. Topics included:</p> <ul style="list-style-type: none"> • Providing a 3 month WVDP project overview and timeline during the WVDP Project update. • Public input on Phase 1 Study topics. Written comments will be submitted to the appropriate SME working groups for their consideration. The public is also encouraged to ask questions of the SME and ISP at the QPM. • Environmental monitoring data collected as part of the WVDP environmental monitoring program and its reporting to the public. • Providing webcast capability during future QPMs. • Providing additional time for public questions of the SME and ISP during the QPM.
I Comprehensive Overview of Work for the next year	
The Public desperately needs a <u>Comprehensive Overview</u> of the Work that will be done over the next year- a bird's eye view if that describes it better. If the Agencies find it easier to discuss a different time period say 18 months or 2 years, that is OK also, but a year is the minimum time period we should hear about.	An overview of future near-term work to be performed at the WVDP is provided during the Project Update portion of the QPM. For work further out in time the public is encouraged to review the scope of work identified in the Phase 1 Decommissioning - Facility Disposition Contract awarded to CH2M Hill B&W West Valley (CHBWV).
We would like to know for example when the Interim End State will be finished and Phase I work actually will begin.	The Interim End State was completed with the completion of the West Valley Environmental Services (WVES) contract on August 28, 2011. Phase 1 decommissioning work officially began on

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	August 29, 2011 with CHBWV assuming responsibility as the site decommissioning contractor under the Phase 1 Decommissioning - Facility Disposition Contract.
The contractors contributing to each work area can also be identified.	Bryan Bower (DOE) presented a detailed overview of the West Valley Demonstration Project contractor’s roles and scopes at the February 22, 2012 QPM. This discussion included roles and responsibilities of CHBWV, the Phase 1 Decommissioning – Facility Disposition contractor; Safety and Ecology Corporation (SEC), the Environmental Characterization Services contractor; and Enviro-Compliance Solutions (ECS), the Phase 1 Studies contractor.
II Site Characterization under the Characterization, Sampling and Analysis Plan and Other Environmental Monitoring	
We need a thorough discussion of this and when this activity will begin. Some key issues need more public discussion.	<p>SEC began site characterization activities under the Characterization Sampling and Analysis Plan in June 2012. SEC performed gamma walkover surveys and collected surface and subsurface soil samples for analysis of radiological parameters in the:</p> <ul style="list-style-type: none"> • Proposed location of the High-level Waste Canister Interim Storage Area. • The excavations associated with the Maintenance Triangle Area and the Product Storage Area. • Two background reference areas. <p>SEC completed this work in August 2012.</p> <p>The WVDP environmental monitoring program is a requirement of DOE Order 450.1A, “Environmental Protection Program,” which requires DOE sites to implement an environmental effluent and surveillance monitoring program to identify potential impacts to the environment from DOE operations. Environmental monitoring data collected as part of the WVDP environmental monitoring program is reported to the public annually in the WVDP Annual Site Environmental Report in accordance with requirements in DOE Order 231.1A, "Environment, Safety, and</p>

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	Health Reporting."
III Public Recommendations	
Discussion of these recommendations	DOE and NYSERDA are open to having discussions with the public concerning additional Phase 1 studies and webinars.
IV Outstanding Questions & Issues	
The Need for More Time at Quarterly meetings to cover all the Needed Public Information	DOE and NYSERDA are considering lengthening the duration of the Quarterly Public Meetings (QPM).
Clarification regarding Issues Raised in CTF Meetings or Previous Quarterly Meetings	DOE and NYSERDA will attempt to clarify issues raised during QPM or CTF meetings.
March 28th Meeting could not be heard and Meeting Summary raised lots of Questions	DOE and NYSERDA have significantly improved the audio transmission quality at recent QPMs.
NESHAP from last Quarterly meeting needs more discussion	DOE is open to additional discussions concerning the NESHAP program at the WVDP.
Questions regarding contractor work	Bryan Bower presented a detailed overview of the West Valley Demonstration Project contractor’s roles and scopes at the February 22, 2012 QPM. This discussion included roles and responsibilities of CHBWV, the Phase 1 Decommissioning – Facility Disposition contractor; SEC, the Environmental Characterization Services contractor; and ECS, the Phase 1 Studies contractor.
Status of Planning for Climate Change Meeting	The public was updated on the status of the Climate Change Workshop during the May 23, 2012 QPM. The Climate Change Workshop was held at the Ashford Office Complex on August 2, 2012.