

From: Lee M. Gordon

Sent: Friday, October 12, 2012 1:20 PM

To: 'Diane D'Arrigo'; Moira Maloney

Cc: Barbara Warren; J Hameister; Kathy McGoldrick; Lynda Schneekloth; Barry Miller;

[REDACTED] Anne Rabe; [REDACTED] Kathy Duwe; Patricia Shelly;
[REDACTED]; Alita M. Dueringer; Paul J. Bembia; 'Krentz, Martin'; 'Zadins, Zintars';
'Bryan C. Bower'; David A. Munro

Subject: RE: Growing Concerns with West Valley Phase 1

Dear Ms. D'Arrigo,

On June 26, 2012, we received your email memo (dated July 27, 2012) that identified concerns with the Phase 1 Studies planning and public participation processes as well as the technical study areas.

With respect to your concerns regarding the public participation process, both agencies are committed to meaningful stakeholder input throughout the Phase 1 Studies process, as detailed in our response (dated July 20, 2011) to your letter of March 24, 2011. The Phase 1 Studies process affords numerous opportunities for public interaction with all of the expert groups including study area subject matter experts (SME) and the Independent Scientific Panel (ISP). Recently, at the August 22, 2012 Quarterly Public Meeting, the Erosion SME presented their recommendations and engaged public stakeholders in discussion. Public interaction with the ISP and SME will generally be limited to discussion of technical issues, as the SME and ISP are not tasked to evaluate policies or processes that have been developed by the agencies. DOE and NYSERDA retain the authority and responsibility for decisionmaking at West Valley.

Your memo raised several questions or concerns pertaining to the Phase 1 Studies process, including the relationship of the Characterization Sampling and Analysis Plan (CSAP) to the study process and the interrelationships among the Phase 1 Study areas themselves. We reiterate that the (CSAP) is a supporting document to the *Phase 1 Decommissioning Plan for the West Valley Demonstration Project* (DP), which is currently being implemented, and is not part of the Phase 1 Studies process. The CSAP describes radiological environmental data collection activities that will specifically support the implementation of the Phase 1 decommissioning actions which are described in the DP. The Phase 1 Studies are intended to facilitate interagency consensus

concerning post -Phase 1 decommissioning, and the DP (including CSAP) requirements will have to be met as the starting point for the final decommissioning decisions. We will, however, add discussion of the current status of the CSAP implementation to the Project Update portion of the November 14, 2012 Quarterly Public Meeting.

With respect to the interrelationships among the various study areas, we recognize that relationships may exist which may necessitate information exchange between the various Potential Areas of Study (PAS). In such instances, informational and data needs could be shared amongst the various PAS having considered input from the agencies and stakeholders. With respect to your comments on climate change, the Erosion SME are aware of climate change issues and stakeholder interest in these issues. Further recommendations for analyzing climate change as it pertains to the Phase 1 Studies will be drafted by the group of scientists who participated in the Climate Change Workshop on August 2, 2012.

Your letter also mentioned conclusions reached by what is referred to as the Full Cost Accounting (FCA) Study. Please note that the report documenting the FCA Study has been provided to the ISP and will continue to be made available to SME groups as they are commissioned.

Finally, your letter made suggestions for "expanded and redirected scopes" for the Exhumation and Engineered Barriers Working Groups. We thank you for these suggestions; they have been provided to the appropriate SME groups for their consideration. Recommendations for studies are forthcoming from these Working Groups and will be briefed in upcoming QPMs. The QPMs will provide opportunities for the public to interface directly with the SME groups and request any necessary clarification with regard to questions or input provided in these areas.

We wish to thank both you and the other signatories of the June 27, 2012 memo for your dedication to the successful completion of the West Valley Demonstration Project and look forward to your continued involvement as we move forward with the Phase 1 Studies.

Sincerely,

Moira Maloney
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