



November 15, 2010

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

Dear Ms. Warren:

On September 13, we received your letter that raised concerns about the process that will be used to identify and conduct the Phase 1 Studies at West Valley. In particular, you raised concerns about the role of the Independent Scientific Panel in the Phase 1 Study process. After reading your letter, we believe that there may be a number of misperceptions regarding the process that is under development to conduct the studies.

First, NYSERDA and DOE will not transfer or delegate any responsibility for final decisions on the cleanup activities or the scientific studies to the Independent Scientific Panel. NYSERDA and DOE have the legal responsibility and authority to make these decisions, and we take that responsibility very seriously. The purpose of the Independent Scientific Panel is to provide NYSERDA and DOE with scientific and engineering *guidance* relative to the studies that will be recommended by subject-matter experts. We believe it is very important to have an independent evaluation of whether the proposed studies are scientifically sound and meaningful to the Phase 2 decision. This independent evaluation of the proposed studies is the primary task for the nationally and internationally recognized scientists and engineers that will serve on the Independent Scientific Panel.

In addition, the Independent Scientific Panel will not be a "barrier" or "another layer of government bureaucracy" between the public and DOE and NYSERDA. DOE and NYSERDA will continue to work and interact directly with our stakeholders, including members of the public, environmental and community groups, the regulators, elected officials, and any other interested person or organization in regard to the studies or the cleanup work at West Valley. We remain committed to an open dialog with the public, and none of our responsibilities will be delegated or assigned to the Independent Scientific Panel.

The letter also expresses concerns that the process for conducting the studies will serve to limit public participation. We wish to clearly state that we are committed to having regular and meaningful opportunities for public participation in the scientific studies. To that end, NYSERDA and DOE are developing a broad range of opportunities for the public to engage in this process, and the details of these opportunities will soon be discussed with the public. Your letter mentions that we will be doing "limited Phase 1 work" while we conduct the Phase 1 Studies. We wish to clarify that the Phase 1 decommissioning work, which will begin next summer, will include the removal and off-site disposal of the Main Plant Process Building; the Main Plant Office Building; the Vitrification

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Facility; the Fuel Receiving and Storage Building; the Spent Fuel Pool; the Load-In/Load-Out Facility; the 01-14 Building; the Utility Room; Lagoons 1, 2, 3, 4, and 5; the source area of the North Plateau Groundwater Plume; and other facilities and contamination. In addition to the facility removal, over two million cubic feet of contaminated soils will be removed from the site. This will represent the most significant removal of facilities, waste, and contamination ever undertaken in the history of the West Valley Demonstration Project.

We wish to thank you and the other signatories of your letter for your dedication to ensuring that the West Valley cleanup is conducted properly, and we look forward to your continued involvement as we move forward with the Phase 1 decommissioning work and the Phase 1 Studies.

Sincerely,

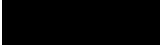
Paul J. Bembia, Director

Bryan C. Bower, Director

West Valley Site Management Program  
New York State Energy Research & Development  
Authority

U.S. Department of Energy  
West Valley Demonstration Project

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cc: Ms. Anne Rabe, Center for Health, Environment and Justice  
Mr. Brian Smith, Citizens Campaign for the Environment  
Ms. Joanne Hameister, Coalition on West Valley Nuclear Wastes  
Ms. Diane Hofner, Concerned Residents of Portland & People Like Us (Crop Plus)  
Ms. Diane D'Arrigo, Nuclear Information and Resource Service  
Mr. Robert Ciesielski, Sierra Club, Niagara Chapter  
Dr. Joseph A. Gardella, Jr., University of Buffalo, SUNY  
Ms. Lynda H. Schneekloth, Professor Emeritus, University of Buffalo, SUNY  
Senator Charles E. Schumer  
Senator Kirsten E. Gillibrand  
Representative Brian M. Higgins  
NYS Senator Catharine M. Young  
NYS Assemblyman Joseph M. Giglio  
Mr. Dale Desnoyers, Director, NYSDEC  
Mr. Keith I. McConnell, NRC  
Mr. Paul A. Giardina, EPA  
Mr. Jerry Collins, NYSDOH  
Mr. Mark A. Gilbertson, USDOE-HQ, 

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Ms. Cynthia V. Anderson, USDOE-HQ, [REDACTED]  
Mr. Richard J. Schassburger, USDOE-H [REDACTED]  
Ms. Moira Maloney, USDOE-WVDP  
Mr. P. Ben Underwood, USDOE-EMCBC  
Mr. David A. Munro, NYSERDA-Albany  
Mr. Lee M. Gordon, NYSERDA-WVDP

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bcc: Files: 21003-05, 60428-00