



September 26, 2011

Mr. Dale Desnoyers, Director  
Division of Environmental Remediation  
New York State Department of Environmental Conservation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, New York 12233-7011

Dear Mr. Desnoyers:

**SUBJECT:** NYSDEC's 04-29-2011 Response to Comments on the *Guidance for Identifying and Conducting Potential Phase 1 Studies on the Decommissioning and/or Long-Term Stewardship of the West Valley Demonstration Project and Western New York Nuclear Service Center* (Referred to as "Guidance" or "Guidance Document"), dated January 13, 2011

On April 29, 2011, we received the Department's letter that provided additional comments on the Phase 1 Studies process and supporting documents. Both the U.S. Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) appreciate the comments we received. In an attempt to resolve these comments, informal discussions with the Department's technical staff have been ongoing. These discussions have provided an opportunity for our staffs to air many of the concerns that had been identified. As a result, DOE and NYSERDA anticipate provisions in our Part 373 Permits (which are currently under review) for routine status meetings at a frequency to be determined by the Department as well as permit conditions implementing specific requirements during the Phase 1 period. We also anticipate providing updates on the Phase 1 Studies during our routinely scheduled regulatory roundtable meetings. Both DOE and NYSERDA believe that these updates will provide all agencies with the opportunity to discuss the studies, the results of the studies and the progress being made toward Phase 2 decisions.

We look forward to more detailed discussions on the specific permit condition language and the Phase 1 Studies process as well as providing responses to the Department's comments.

If you have any questions regarding this letter, please contact Ms. Moira Maloney at (716) 942-4255 or Ms. Andrea Mellon at (716) 942-9960, extension 4054.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Bembia".

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

A handwritten signature in black ink that reads "Bryan C. Bower".

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

ALM/MNM/amd

Messr. Dale Desnoyers

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cc: L. M. Gordon, NYSERDA-WV  
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