



**Department of Energy**  
Ohio Field Office  
West Valley Demonstration Project  
10282 Rock Springs Road  
West Valley, NY 14171-9799

March 29, 2002

50-201

Mr. Martin J. Virgilio, Director  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**SUBJECT:** U.S. Department of Energy Environmental Monitoring and Access Control  
Programs at the West Valley Demonstration Project

**REFERENCE:** Letter (82131), M. J. Virgilio to E. M. Crotty, "Response to Concerns on  
Decommissioning of the West Valley Facility," dated March 7, 2002

Dear Mr. Virgilio:

In the referenced letter, the U.S. Nuclear Regulatory Commission (NRC) has clarified their jurisdiction with respect to the New York State Energy Research and Development Authority's 10 CFR Part 50 license. The purpose of this letter is to provide NRC with a discussion of U.S. Department of Energy's (DOE) activities at the West Valley Demonstration Project (WVDP), specifically with regard to site access control and the environmental monitoring program, such that NRC can continue to effectively evaluate activities with respect to the remainder of the 10 CFR Part 50 licensed area.

As part of the WVDP, DOE maintains an access control program. This program does not address non-Project areas. DOE controls access to the Project premises, but does not control access to the 3,300-acre Western New York Nuclear Services Center (Center). Any surveillance performed outside the Project premises, but within the 3,300-acre Center is performed for the purpose of ensuring the safety and security of Project personnel and property. Such surveillance is limited to the Bulk Storage Warehouse and the surface water reservoirs that provide a water source for the Project. DOE's security and emergency preparedness and response programs only address Project and New York State Licensed Disposal Area (SDA) emergencies or events.

Similarly, as part of the WVDP, DOE maintains an environmental monitoring program in accordance with DOE Orders 5400.1 and 5400.5. The WVDP environmental monitoring program was established to provide the monitoring necessary to ensure that Project activities within the approximately 200-acre Project premises were not adversely impacting the public or the environment. As part of the environmental monitoring program, DOE performs both on-site

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(within the Project premises) and off-site (outside the Project premises, but within the 3,300-acre Center, as well as outside both the Project premises and the 3,300-acre Center) sampling. DOE's Environmental Monitoring Program is designed to monitor potential impacts of Project activities only. It is not designed to monitor non-Project activities or any associated potential contamination within the 3,300-acre Center. However, as you point out in your March 7, 2002, response to New York State Department of Environmental Conservation (NYSDEC) Commissioner Crotty, DOE's Project monitoring can, and has in the past, detected contamination resulting from non-Project 10 CFR Part 50 licensed activities.

If you should have any questions regarding any of the above, please do not hesitate to contact me at (716) 942-4312.

Sincerely,



Alice C. Williams, Director  
West Valley Demonstration Project

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