



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 11, 2000

Dr. Paul L. Piciulo, Program Director
New York State Energy Research and Development Authority
West Valley Site Management Program
10282 Rock Springs Road
West Valley, NY 14171-9799

SUBJECT: NRC GUIDELINES FOR WEST VALLEY STAKEHOLDER INTERACTIONS
AND ANNOUNCEMENT OF NEW PROJECT MANAGER

Dear Dr. Piciulo:


We have developed guidelines for our staff to follow with regards to future West Valley stakeholder interactions. These guidelines are attached for your information and become effective immediately.

We have also sent a copy of our guidelines to the U.S. Department of Energy, West Valley Area Office (DOE West Valley) and the New York State Department of Environmental Conservation (NYSDEC). We want to schedule a conference call with your organization, DOE West Valley and NYSDEC to answer any questions on our guidelines. If you wish to discuss the guidelines in a separate conference call with us, please let us know.

We will be presenting our guidelines to the public after we have reviewed our guidelines with your organization, DOE West Valley and NYSDEC. The purpose of this presentation is to review our guidelines with the public and to answer any related questions. Please send a copy of our guidelines to the West Valley Citizen Task Force so that its members will be familiar with them before we present the stakeholder guidelines publically.

We would also like to take this opportunity to announce that the new NRC project manager for West Valley is Amy Snyder. Ms. Snyder's telephone number is 301-415-7644. Her e-mail address is ams3@nrc.gov. To get acquainted, she will be contacting you some time during the week of October 23 to make arrangements to meet NYSERDA management and staff. If you have any questions on the stakeholder guidelines or any West Valley related business, please contact Ms. Amy Snyder.

Sincerely,


Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Attachment: NRC Guidelines for Future
Stakeholder Interactions
on West Valley

Attachment

NRC Guidelines for Future Stakeholder Interactions on West Valley

The staff's guidelines for NRC's future stakeholder interactions on West Valley are:

- 1) For NRC's West Valley activities under the Atomic Energy Act, the policy of NRC's Management Directive 3.5 will be used for any meetings between NRC staff and one or more outside persons on the subject of NRC's license at West Valley. Likewise, the policy of NRC's Management Directive 3.4 will be used for the release of documents related to the NRC's licensing of the site.
- 2) For the NRC's West Valley activities under the WVDP Act, any meetings¹ between the NRC staff and one or more outside persons on subjects covered under NRC's WVDP Act review and consultative responsibility will be publically noticed under the criteria for holding public meetings in Management Directive 3.5. It is recognized that DOE is not an applicant or a licensee with respect to West Valley under the WVDP Act, and that, as a Federal Agency, Management Directive 3.5 does not normally apply to DOE. As a result, Management Directive 3.5 does not include procedures for addressing the sensitivities of federal agencies for release of preliminary or draft documents that may occur during a completely open series of meetings. Therefore, if upon receiving these guidelines for stakeholder interaction, DOE believes that under the WVDP Act it would like to hold closed meetings that would not specifically be provided for by Management Directive 3.5, NRC will request DOE to provide alternative criteria for holding closed meetings with the NRC. In evaluating DOE's criteria, NRC will consider comments from other agencies and interested persons. The staff believes that the NRC decommissioning criteria for DOE under the WVDP Act should be developed through an open process. NRC thus specifically intends that all meetings concerning the prescription of decommissioning criteria should be open to public observation.

The exchange of documents between NRC and DOE, related to all of NRC's WVDP Act activities, will be made available for public inspection as stipulated in the NRC-DOE Memorandum of Understanding on West Valley, Section 3(A)(2).

- 3) For NRC's West Valley activities under National Environmental Policy Act, meetings between NRC staff and the staff of the other agencies involved in the West Valley EIS (DOE and NYSERDA) on subjects covered under NRC's responsibility as a cooperating agency will not be open to public observation consistent with the approach generally used with cooperating agencies. Likewise, predecisional documents or presentation materials submitted by DOE and NYSERDA for NRC review will not be made available to the public, to the extent allowed by law, at the request of the submitting agency. While neither the Council on Environmental Quality's (CEQ) nor NRC's regulations address public participation in the drafting or review of preliminary or predecisional National Environmental Policy Act documents, it should be noted that the public had the opportunity to comment on the draft EIS and will have the opportunity to comment on any draft supplemental EIS documents.

¹The term "meetings" as used here is intended to have the same meaning as in Management Directive 3.5.

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Sincerely,
Original signed by:
Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Attachment: NRC Guidelines for Future
Stakeholder Interactions
on West Valley

AN: ML0037XXX

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