



# NYSERDA

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October 13, 2016

Mr. Matthew R. Meyer, Acting Chief  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery, and Waste Programs  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Rockville, MD 20852

Dear Mr. Meyer:

As you are aware, the New York State Energy Research and Development Authority (NYSERDA) has deferred work activities in areas of the Western New York Nuclear Service Center (Center) Retained Premises that have or may have above-background concentrations of 10 CFR Part 50-regulated radioactive material due to an ongoing review of License CSF-1 and its supporting documents<sup>1</sup>. Issues have recently arisen, however, that require near-term attention in order to protect public health and safety. As requested in your June 14, 2016 Request for Additional Information Regarding Activities on the Western New York Nuclear Service Center Retained Premises, NYSERDA is providing you with a 30-day notice that we wish to undertake certain work activities to address these public health and safety issues.

The below three proposed activities this year are not contemplated to involve soil disturbance.

(1) Preparation Work for Cattaraugus County Culvert Replacement along Rock Springs Road - On August 9, 2016, the Cattaraugus County Department of Public Works informed NYSERDA that the County intends to replace four culverts along Rock Springs Road (see Attachment 1). Two of these culverts (Ashford #C8528116 and Ashford #22) are on Center property, and one of those two culverts (Ashford #22) is in the area of the Cesium Prong. According to Cattaraugus County representatives, the replacement of Culvert Ashford #22 is a \$1 million project that must be completed during next year's construction season to ensure that the road remains structurally sound and safe for public use.

In order to prepare the design documents for competing this work, the County would like to conduct topographic surveys and other non-soil disturbing activities this year. This area was surveyed and samples were collected in the fall of 2015 by NYSERDA's radiological support contractor (the survey was observed by NRC Region 1 staff). Based on the 2015 survey and soil samples, no radiological work controls will be required for topographic surveying or other pre-job work activities that do not involve soil disturbance.

<sup>1</sup> See NYSERDA's August 3, 2016 response to NRC's June 14, 2016 Request for Additional Information Regarding Activities on the Western New York Nuclear Service Center Retained Premises (ML16123A307).  
PJB/16amd028.pjb

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According to Cattaraugus County, if the culverts are not replaced next year, Rock Springs Road (the main road to the WVDP) will have to be shut down. The replacement of the culverts in 2017 will include significant soil disturbance, and NYSERDA will request further discussions with NRC later this year in regard as to how the County can proceed with this work during the 2017 construction season.

(2) Grass cutting and Brush Clearing to Improve Sight-Lines along Rock Springs Road - Tall grass and brush are encroaching upon Rock Springs Road from the main entrance of the West Valley Demonstration Project to the northern boundary of the Center Property along Rock Springs Road (see Attachment 1). Rock Springs Road in this area is a 55-mph roadway, and the encroaching grass and brush may prevent drivers from having adequate time to see deer approaching the roadway. This is particularly important this time of year, as deer are on the move and daylight hours are limited. While a portion of this area is in the on-site portion of the Cesium Prong, no soil disturbance will occur as part of this work. This area was surveyed and samples were collected in the fall of 2015 by NYSERDA's radiological support contractor (the survey was observed by NRC Region 1 staff).

No radiological work controls are required for this year's grass cutting and brush-clearing work activities. NYSERDA's maintenance contractor (Seven Springs West, LLC) will conduct this work in the same manner as is done for grass cutting and brush clearing on other areas of the Retained Premises.

(3) Barbed-Wire Fence Repair at the North End of the Center - The triple strand barbed-wire fence along the northern area of the Western New York Nuclear Service Center property along Cattaraugus and Buttermilk Creeks has been damaged by flood waters and is missing along parts of the Center boundary. The fence also requires repair along parts of Edies Road (see Attachment 1). In order to ensure that the Center property is properly secured and posted to prevent inadvertent intrusion by members of the public, NYSERDA must repair and replace damaged portions of the fence. This year's work will involve only the installation of new fence posts and stringing barbed-wire on the new posts. Because no soil disturbance will be conducted, no radiological monitoring or other radiological controls are required for this work.

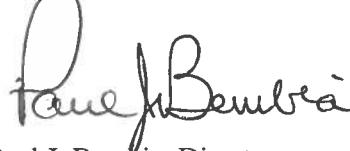
The radiological hazards associated with these non-soil disturbing work activities before the end of the year will be minimal.

Because of the time-critical nature of several of these work activities, NYSERDA would like to know, at your earliest possible convenience, whether NRC has any question or concerns in regard to NYSERDA proceeding with these time sensitive work activities.

Please contact me at (716) 942-9960 ext. 4900 if you have questions or wish to discuss these work activities directly.

Sincerely,

WEST VALLEY SITE MANAGEMENT PROGRAM



Paul J. Bembia, Director  
West Valley Site Management Program

PJB/amd  
Attachment:

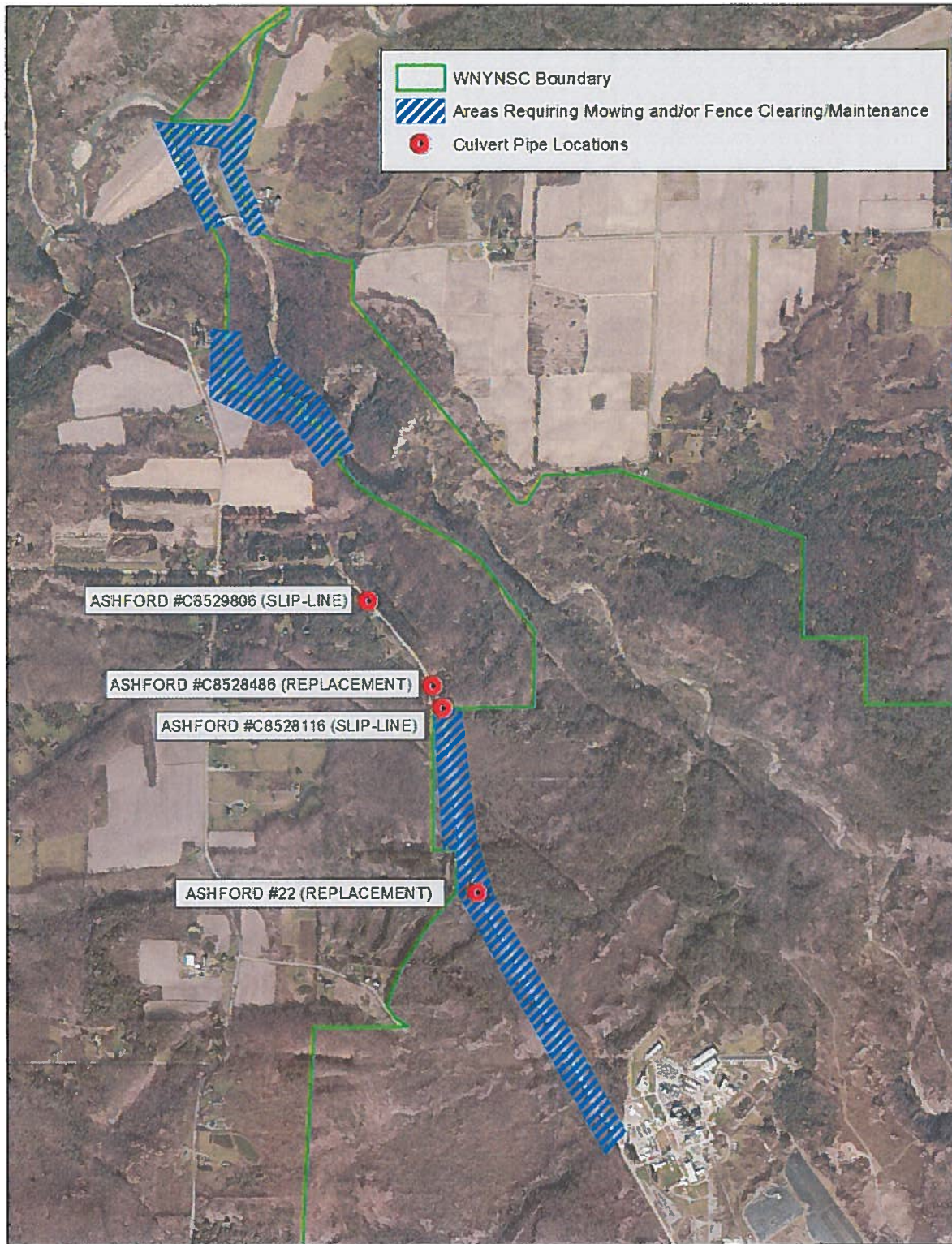
1. Map of the Time-Critical Work Activities in the Areas of the Western New York Nuclear Service Center (Center) Retained Premises

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File #: 30004-0201 (w/att.)



Map of the Time-Critical Work Activities in the Areas of the Western New York Nuclear Service Center (Center) Retained Premises