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June 15, 1979

Freedom of Information Act Request

Joseph Felton

Director

Division of Rules and Records

United States Nuclear Regulatory Commission

Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-79-223

REC'd 6-20-79

Dear Mr. Felton:

In 1961, negotiations took place among the Atomic Energy Commission (AEC), the New York Atomic Research and Development Authority (NYARDA), and the Davison Chemical Company (now known as Nuclear Fuel Services, Inc. or NFS) for the development of a commercial nuclear fuel reprocessing facility. Such a plant was built in West Valley, New York under an agreement between NFS and NYARDA. The plant was granted an AEC license to operate in 1966 and operated through 1972. Seventy-five percent of the reprocessed fuel used by NFS at West Valley was supplied by the AEC.

Prior to construction, negotiations took place concerning nuclear waste management for the West Valley facility. In 1962, the AEC indicated that the storage of nuclear waste is a government responsibility because private corporations cannot be expected to undertake the responsibility in perpetuity. In order to confi costs of perpetual care of nuclear wastes at We , NYARDA requested Sidney M. Stoller Associates are an estimate of the fund that should be set r the perpetual care of radioactive wastes. The result the Stoller report concluded that a perpetual care fund of four million dollars would be sufficient for the perpetual care of each filled storage tank.

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The Attorney General of the State of New York, pursuant to the Freedom of Information Act (5 U.S.C.A. § 552 (a)(3) and 10 C.F.R. § 9.4), requests an accession list of documents on file that include all records, studies, memoranda, and correspondence your agency has from the period 1953-1966 concerning the projected cost of perpetual care for the West Valley facility and wastes as well as any such documents concerning perpetual care of nuclear wastes at other facilities or locations.

In accordance with 10 C.F.R. § 9.14(b)(5), the Attorney General is willing to pay whatever reasonable fees are prescribed by the Nuclear Regulatory Commission regulations for meeting this request.

Very truly yours,

ROBERT ABRAMS
Attorney General

By



JOHN F. SHEA, III
Assistant Attorney General

JFS:dg

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