



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 20, 1996

Dr. Paul L. Piciulo, Program Director
West Valley Site Management Program
New York State Energy Research
and Development Authority
P.O. Box 191
West Valley, New York 14171-0191

SUBJECT: DECONTAMINATION AND DECOMMISSIONING CRITERIA FOR THE WESTERN NEW
YORK NUCLEAR SERVICE CENTER

Dear Dr. Piciulo:

I am responding to your letter to me dated August 14, 1996. In your letter, you request the U.S. Nuclear Regulatory Commission's guidance with regard to processes that could be followed to set a single set of decontamination and decommissioning (D&D) criteria for the West Valley Demonstration Project (WVDP) and the Part 50 licensed facilities at the Western New York Nuclear Service Center (Center). Your letter also requests NRC staff participation in a Citizen Task Force (CTF) that will discuss issues associated with completion of the WVDP and closure or long-term management of the facilities at the Center.

NRC is aware of the New York State Energy Research and Development Authority's (NYSERDA's) concerns that a single set of D&D criteria be established for both WVDP and the Center. NRC's normal practice is to require remediation of the site to established unrestricted release levels; however, in certain instances, the licensee may elect to present alternative criteria to NRC, usually in the form of a decommissioning plan. The licensee's presentation should clearly state the alternative criteria requested and include a detailed performance assessment of the potential impacts to the health and safety of the public and environment during both remediation and long-term care scenarios. The NRC staff will review this submittal and issue an environmental impact statement (EIS), in accordance with 10 CFR Part 51 and with proper public participation, before setting final D&D criteria and proposed decommissioning actions for the site in question.

Because of the unique situation established by Public Law 96-368 (WVDP Act), the U.S. Department of Energy (DOE) is required to decontaminate and decommission certain aspects covered by the Center's Part 50 license "in accordance with such requirements as the Commission may prescribe." The addition of this third party may require that alternative methods be considered to set D&D criteria. Because of the timing of your and DOE's joint draft EIS discussing closure alternatives for the WVDP and Center, we agree with your suggestion that NRC staff meet with appropriate NYSERDA and DOE representatives to formulate a coordinated process for establishing alternative D&D criteria. Please contact Mr. Gary Comfort (301-415-8106) of my staff to organize this meeting.

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Dr. Paul L. Piciulo

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As part of the effort to establish alternative criteria for the Center and the WVDP, NRC is willing to participate with the CTF. However, the availability of NRC staff participation will depend upon the schedules determined for CTF meetings. Again, please contact Mr. Comfort to make appropriate arrangements.

Sincerely,

ORIGINAL SIGNED BY:

Carl J. Paperiello

Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

cc: Mr. Thomas J. Rowland, Director
West Valley Demonstration Project
U.S. Department of Energy
P.O. Box 191
West Valley, New York 14171

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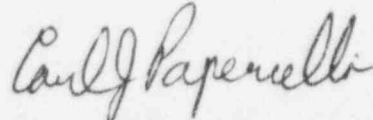
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Dr. Paul L. Piciulo

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Sincerely,

A handwritten signature in cursive script, reading "Carl J. Paperiello".

Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

cc: Mr. Thomas J. Rowland, Director
West Valley Demonstration Project
U.S. Department of Energy
P.O. Box 191
West Valley, New York 14171