National Environmental Achievement Track

Resubmittal of Application Form

for

United States Department of Energy at the
West Valley Demonstration Project (WVDP)

Name of facility

United States Department of Energy and
West Valley Nuclear Services Company (WVNS)*

** Contractor to the U.S. Department of Energy at the West Valley Demonstration Project*

Name of parent company (if any) (submitters)

10282 Rock Springs Road

Street address

West Valley, New York 14171

City/State/Zip code

Give us information about your contact person for the National Achievement Track Program.

Names Jack Gerber (WVNS) / Moira Maloney (DOE)

Title Manager, Environmental Affairs / Environmental Scientist

Phone (716) 942-4885 / (716) 942-4255

Fax (716) 942-4651 / (716) 942-4703

E-mail gerberj@wv.doe.gov / moira.n.maloney@wv.doe.gov

Section A

Tell us about your facility.

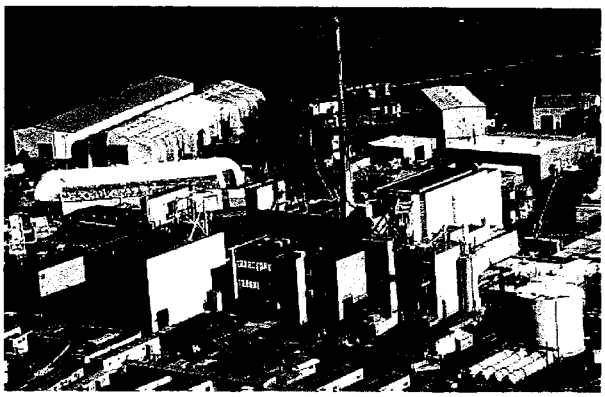
Why do we need this information?

EPA needs background information on your facility to evaluate your application.

What do you need to do?

- Provide background information on your facility.
- Identify your environmental requirements.

1 What do you do or make at your facility?



The West Valley Demonstration Project is a DOE-sponsored nuclear waste cleanup effort located on New York State-owned property.

The Western New York Nuclear Service Center is the site of a former commercial nuclear fuel reprocessing plant, which generated approximately 600,000 gallons of liquid high-level radioactive waste during its operation from 1966 to 1972. In 1980, Congress enacted the West Valley Demonstration Project (WVDP) Act (the Act), for the purpose of demonstrating solidification techniques used for preparing the high level radioactive waste for disposal. Under the Act, the U.S. Department of Energy is required to carry out a set of defined activities which include:

- Solidification of the high level radioactive waste in a form suitable for transport;
- As soon as feasible, transport the solidified waste to a Federal repository for permanent storage;
- Disposal of low level radioactive waste and transuranic waste produced by the solidification of the high level radioactive waste; and
- Radiological decontamination and decommissioning of the high level radioactive waste tanks, facilities, and materials and hardware used in connection with the project.

The Act defines the DOE role and mission at the Project; it does not prescribe ***how*** the DOE shall accomplish its mission. Therefore, it must noted that the environmental aspects described in Section C of this application are not specifically mandated by the Act. (The Act is attached as Appendix A)

printed on recycled paper

Section B

Tell us about your EMS.

Why do we need this information?

Facilities must have an operating Environmental Management System (EMS) that meets certain requirements.

What do you need to do?

- Confirm that your EMS meets the Achievement Track requirements.
- Tell us if you have completed a self-assessment or have had a third-party assessment of your EMS.

1 Check yes if your EMS meets the requirements for each element below as defined in the instructions.

a.	Environmental policy	X Yes
b.	Planning	X Yes
c.	Implementation and operation	X Yes X Yes
d.	Checking and corrective action	X Yes
e.	Management review	X Yes

2 Have you completed at least one EMS cycle (plan-do-check-act)? X Yes

3 Did this cycle include both an EMS and a compliance audit? X Yes

4 Have you completed an objective self-assessment or third-party assessment of your EMS? X Yes

If yes, what method of EMS assessment did you use?

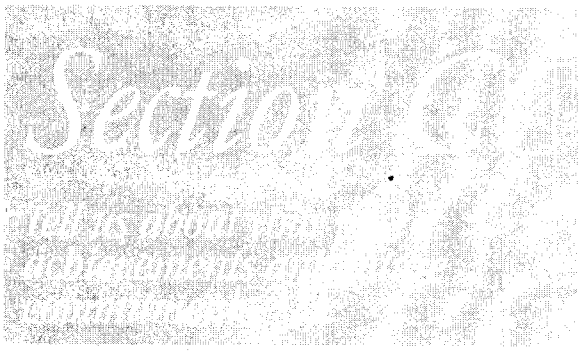
X Self-assessment

- GEMI
- X CEMP
- Other _____

X Third-party assessment

- ISO 14001 Certification
- X Other ISO 14001 Third-Party Assessment to validate self-assessment

printed on recycled paper



Why do we need this information?

Facilities must show that they are committed to improving their environmental performance. This means that you can describe past achievements and will make future commitments.

What do you need to do?

Refer to the Environmental Performance Table in the instructions to answer questions 1 and 2.

Describe your past achievements for at least two environmental aspects. If you need more space than is provided, attach copies of this page.

Note to small facilities: If you qualify as a small facility as defined in the instruction, you are required to report past achievement for at least one environmental aspect.

Note: The following aspects are not required to maintain or reach compliance with environmental rules, nor are these aspects required to be met to fulfill the project mission as defined in the WVDP Act.

First aspect you've selected Category: Waste

What aspect have you selected?	What was the previous level (2 years ago)?		What is the current level ?	
	Quantity	Units	Quantity	Units
Hazardous Solid Waste	**158,463**	**Pounds**	**89,511**	**Pounds**

i. How is the current level an improvement over the previous level?

Over the past two years, 68,952 pounds of hazardous chemicals have been shipped off-site to be recycled and reused at another DOE Facility. This achievement represents a 56% reduction in the chemicals at the WVDP. Absent having recycled these chemicals for reuse, they would have been declared waste.

ii. How did you achieve this improvement?

This achievement is unique in that it represents a government-to-government (DOE) transfer of chemicals. As the WVDP is completing its high-level waste operations, it is actively undertaking a recycling effort of chemicals which are deemed to be reusable. With the assistance of the original vendors, the WVDP's chemicals were retested, characterized, repackaged and shipped to another DOE facility for future use. This resulted in reduced chemical management to the WVDP and a regulatory compliant cost savings to both DOE facilities through the use of recycled chemicals.

Second aspect you've selected Category: Waste

What aspect have you selected?	What was the previous level (2 years ago)?		What is the current level ?	
	Quantity	Units	Quantity	Units
Total Solid Waste	**93**	**tons**	**0**	**tons**

i. How is the current level an improvement over the previous level?

The current level is a 100% reduction in excess structural steel and tent fabric. This achievement represents a major recycling effort of an entire structure.

ii. How did you achieve this improvement?

Recycling achievement of 93 tons of structural steel and 30,000 square feet of canvas-like material was achieved by selling it to recycling vendors.

Third aspect you've selected Category: Materials Use

What aspect have you selected?	What was the previous level (2 years ago)?		What is the current level ?	
	Quantity	Units	Quantity	Units
Excess Lead Shielding	**39,900**	**pounds**	**1420**	**pounds**

i. How is the current level an improvement over the previous level?

This represents a reduction of more than 96% excess lead shielding in inventory.

ii. How did you achieve this improvement?

WVNS has an active Waste Minimization and Pollution Prevention Program to reduce the quantities of waste generated from site activities. One component of the program includes a concerted effort to reduce/reuse/recycle. The recycling of lead shielding releasable over the past two years resulted in almost 20 tons of excess lead being sold to a recycling vendor for future use. While the Act requires DOE to Decontamination & Decommissioning materials and hardware used in the connection with DOE Project, it does not prescribe ***how*** the DOE shall accomplish its mission. Therefore, this environmental aspect is not mandated by the Act.

printed on recycled paper

Fourth aspect you've selected Category: Air Emissions

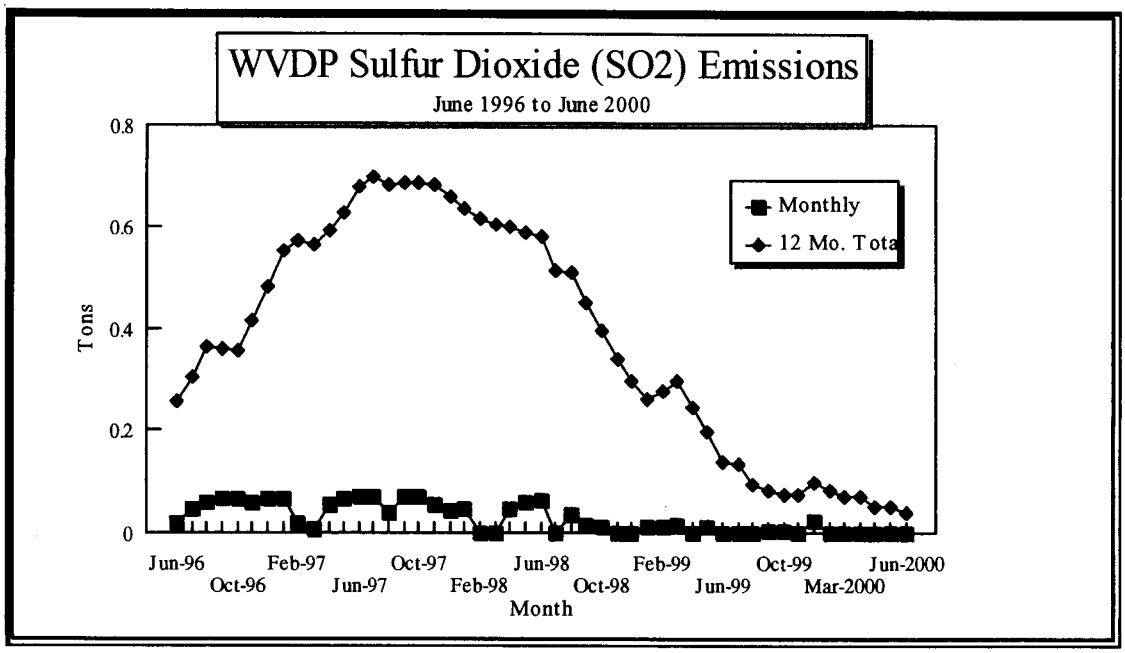
What aspect have you selected?	What was the previous level (2 years ago)?		What is the current level ?	
	Quantity	Units	Quantity	Units
Annual Emissions of Sulfur Dioxide (SO_2)	**1400**	**pounds**	**<200**	**pounds**

i. How is the current level an improvement over the previous level?

The current level represents a sevenfold reduction achieved over the past three years.

ii. How did you achieve this improvement?

While existing boilers could have served the Project until closure, the WVDP determined that the existing boilers were not energy efficient and were a substantial source of NO_x, SO_2 and particulate emissions. Therefore, the WVDP proactively installed two new boilers for steam production in 1998. The new boilers operate primarily on natural gas and only operate on number 2 diesel fuel as a backup. These equipment and process changes have reduced our emissions of NO_x, SO_2 and particulate.



Fifth aspect you've selected Category: Air Emissions

What aspect have you selected?	What was the previous level (2 years ago)? Quantity	Units	What is the current level ? Quantity	Units
Annual Emissions of Nitrogen Oxides (NO_x) from Vitrification Operations	**13 (permitted)**	**tons**	**7 (actual)**	**tons**

i. How is the current level an improvement over the previous level?

Maximum actual NO_x emissions from the melter are 54% of the original 13 ton permit limit determined by the New York State Department of Environmental Conservation (NYSDEC).

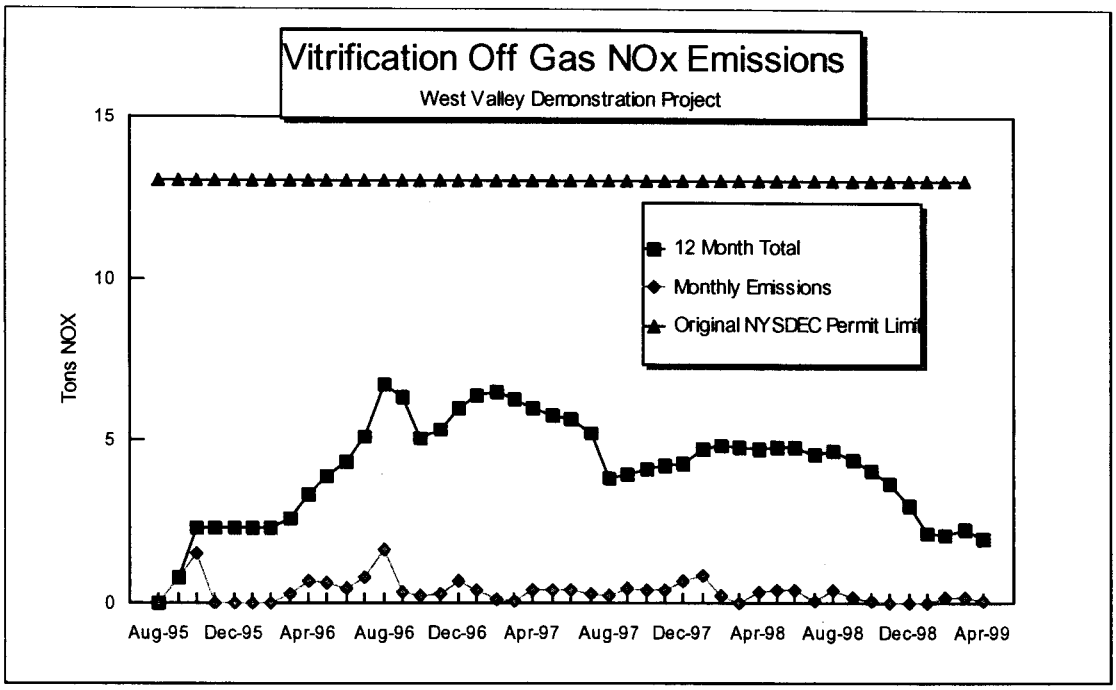
ii. How did you achieve this improvement?

The WVDP has shown environmentally responsible operation of the NO_x abatement system beyond that required by law and permit limitations. This was accomplished by maintaining the system at high efficiency during normal melter operations and by making operational adjustments to improve efficiency during glass former and acid transfers to mixing tanks.

The WVDP obtained a Permit to Construct from NYSDEC, requiring the installation of a NO_x abatement system subject to Reasonably Achievable Control Technology (RACT). The original NO_x limit was 13 tons per year. Small scale testing of the melter and abatement

printed on recycled paper

system prompted the WVDP to negotiate with NYSDEC to limit site wide NO_x emissions to under 100 tons per year, provided that an advanced and accurate analyzer system would be installed to verify compliance. This change exempted the WVDP from Title V permitting and RACT requirements. As a result of operational restrictions allowing for efficient use of the abatement system, NO_x emissions during peak melter operation never exceeded 7 tons per twelve month period, or 54% of the 13 ton emission limit allowed under the Permit to Construct. While the Act requires the DOE to solidify high level waste, it does not prescribe ***how*** the DOE will accomplish its mission. Therefore, this environmental aspect is not mandated by the Act.



printed on recycled paper

Sixth aspect you've selected Category: Discharges to water

What aspect have you selected?	What was the previous level (6 years ago)?		What is the current level?	
	Quantity	Units	Quantity	Units
5-Day Biological Oxygen Demand (BOD_5) Discharges to Water	**450**	**pounds**	**130**	**pounds**

i. How is the current level an improvement over the previous level?

The achievement represents a 70% reduction from 1994 levels attributable, in part, to the measures described below which were implemented between 1995 and 1997.

ii. How did you achieve this improvement?

This improvement was achieved through increased monitoring and aeration of the effluent holding lagoons; use of approved bag filtration; addition of hydrogen peroxide into the low-level waste water treatment process influent and effluent holdings lagoons; and changed filtration technology, which eliminated use of nitric acid previously needed to backflush filters.

printed on recycled paper

2 Select at least four environmental aspects (no more than two from any one category) from the Environmental Performance Table in the instructions and then tell us about your future commitments. If you need more space than is provided, attach copies of this section.

Note to small facilities: If you are a small facility, you are required to make commitments for at least two environmental aspects in two different categories.

Note: The following aspects are not required to maintain or reach compliance with environmental rules, nor are these aspects required to be met to fulfill the project mission as defined in the WVDP Act.

First aspect you've selected

Hazardous Solid Waste

a. What is the aspect?

b. Is this aspect identified as significant in your EMS?

[ ] Yes [X] No

c. What is the current level? You may choose to state this as an absolute value or in terms of units of production or output.

[X] Option A: Absolute value — 6,733 kg (Quantity/Units)

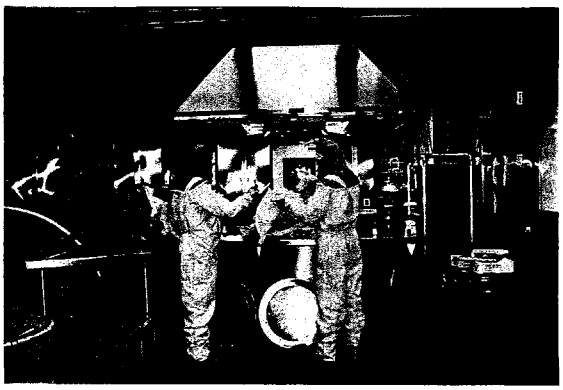
[ ] Option B: In terms of units of production or output — (Quantity/Units)

d. What is the improvement you are committing to over the next three years? You may choose to state this as an absolute value or in terms of units of production or output.

[X] Option A: Absolute value — 2,545 kg (Quantity/Units)

[ ] Option B: In terms of units of production or output — (Quantity/Units)

e. How will you achieve this improvement?



We plan to achieve at least 62% reduction in the quantity of hazardous waste generated in the three year period (FY2000 through FY2002), using FY1999 as the baseline year. This waste is independent of vitrification operations. This achievement will be accomplished by minimizing the purchase of excessive quantities of chemicals, recycling and reusing expired and excess reagents in on-site treatment processes, implementing state-of-the-art technologies to eliminate problem waste streams, and effectively segregating nonhazardous materials from hazardous materials.

printed on recycled paper

Second aspect you've selected

a. What is the aspect?

Total Solid Waste

b. Is this aspect identified as significant in your EMS?

X Yes No

c. What is the current level? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value — 1600 gal/year (Quantity/Units)

Option B: In terms of units of production or output — (Quantity/Units)

d. What is the improvement you are committing to over the next three years? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value — <100 gal/year (Quantity/Units)

Option B: In terms of units of production or output — (Quantity/Units)

e. How will you achieve this improvement?

Using a 1998 baseline of 1600 gal/year, the reduction to <100 gal/year will be achieved through process modification, i.e. piping design changes. These design changes that have been identified will enable a clean running utility air compressor to pick up the load of a large subsystem compressor that generates a continuous stream of oily condensate. The oily condensate is managed (containerized and shipped off-site) as an industrial waste. The subsystem compressors will be placed in a backup mode, operating only in an abnormal situation, virtually eliminating the oily condensate waste stream.

printed on recycled paper

Third aspect you've selected

a. What is the aspect? Total Energy Use: Natural Gas Utilities

b. Is this aspect identified as significant in your EMS? X Yes ☐ No

c. What is the current level? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value — 909,000 CCF (Quantity/Units)

☐ Option B: In terms of units of production or output — (Quantity/Units)

d. What is the improvement you are committing to over the next three years? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value — 800,000 CCF (Quantity/Units)

☐ Option B: In terms of units of production or output — (Quantity/Units)

e. How will you achieve this improvement?

1. Cycle the use of applicable equipment, eg: HVAC for 73-79F (Cooling) and 68-64F (Heating), and for occupied and non-occupied modes respectively.

2. Reduce heat and cooling losses by providing weather protection.

3. Reduce total number of trailers used by optimizing a higher occupancy of trailers/office areas.

4. Educate employees on energy conservation through incentive programs and educational literatures/workshops.

Third aspect (con't) you've selected

a. What is the aspect? Total Energy Use: Electrical Utilities

b. Is this aspect identified as significant in your EMS? X Yes No

c. What is the current level? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value 2,008,679 kWhr (Quantity/Units)

Option B: In terms of units of production or output _____ (Quantity/Units)

d. What is the improvement you are committing to over the next three years? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value 1,800,000 kWhr (Quantity/Units)

Option B: In terms of units of production or output _____ (Quantity/Units)

e. How will you achieve this improvement?

1. Purchase high efficiency equipment, fixtures, devices and use natural gas for heating in lieu of electricity where practical.

2. Reduce number of bulbs in each fixture where practical and still meet the required illumination levels.

3. Provide automatic timers, photo electric and motion detection, where practical.

4. Reduce heat and cooling losses by providing weather protection, and reduce the number of portable electric heaters used during the winter or summer.

5. Cycle the use of applicable equipment, eg: HVAC for 73-79F (Cooling) and 68-64F (Heating), and for occupied and non-occupied modes respectively.

6. Reduce total number of trailers used by optimizing a higher occupancy of trailers/office areas.

7. Educate employees on energy conservation through incentive programs and educational literature/workshops.

printed on recycled paper

Fourth aspect you've selected

a. What is the aspect? Vulnerability and Potential for Releases (Asbestos)

b. Is this aspect identified as significant in your EMS? X Yes ☐ No

c. What is the current level? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value — 9,000 ft. (Quantity/Units)

☐ Option B: In terms of units of production or output — (Quantity/Units)

d. What is the improvement you are committing to over the next three years? You may choose to state this as an absolute value or in terms of units of production or output.

X Option A: Absolute value — 7,000 ft. (Quantity/Units)

☐ Option B: In terms of units of production or output — (Quantity/Units)

e. How will you achieve this improvement? Through the implementation of a comprehensive WVDP Asbestos Abatement Project Implementation Plan.

Section D

Tell us about your public outreach and reporting

Why do we need this information?

Facilities must demonstrate their commitment to public outreach and performance reporting. You should have appropriate mechanisms in place to identify community concerns, to communicate with the public, and to provide information on your environmental performance.

What do you need to do?

- Describe your approach to public outreach.
- List three references who are familiar with your facility.

1 How do you identify and respond to community concerns?

The WVNS program allows the WVDP's waste and site management goals to be achieved with stakeholder understanding and acceptance.

The WVDP's annual Open House provides the public an opportunity to see the facility and its progress. In 1999, a school day was added and about 500 students attended the event in 1999 and 2000.

The Department of Energy (DOE) and West Valley Nuclear Services (WVNS) approach to public outreach is open and proactive. DOE and WVNS provide information regularly to key stakeholders and foster dialogue on community issues, as well as seek opportunities to assist educational and community organizations by providing programs and resources. The DOE and WVNS program allows the WVDP's environmental waste and site management goals to be achieved with stakeholder understanding and acceptance.

Informing and involving stakeholders early in the planning or preparatory phase of Project activities and then working together to discuss and resolve issues has resulted in a number of significant activities being completed in a manner that achieved public acceptance.

General inquiries on the WVDP are answered promptly either by telephone or in writing. The West Valley Demonstration Project has never had a major environmental event that would necessitate immediate communication to the surrounding community. However, as part of its overall Emergency Plan, the WVDP's Emergency Public Information Plan has been established to provide timely, accurate, and relevant information to WVDP personnel and the public who may be affected by an emergency or an event that could generate public concern. The plan identifies the WVDP's emergency planning, preparedness, and response capabilities to provide the public and personnel with effective emergency information.

printed on recycled paper

/ How do you identify and respond to community concerns? (continued)

WVNS is working to inform the public of its plans to safely ship 125 spent fuel assemblies from New York to Idaho.

The media were invited to document and learn about installation of a pilot permeable treatment wall to treat contaminated groundwater.

Specific examples of successful communications with stakeholder audiences on major Projects completed during the course of the West Valley cleanup follow.

1. DOE and WVNS are working closely with DOE headquarters offices and a DOE contractor, in preparing for shipment of spent nuclear fuel from the WVDP to the Idaho National Engineering and Environmental Laboratory in 2001. WVNS and DOE staff have developed a communication plan which details the involvement activities for states and tribes potentially affected by the shipment. This up-front communication with local stakeholders will be key to completing a safe and successful fuel shipment from West Valley next year.

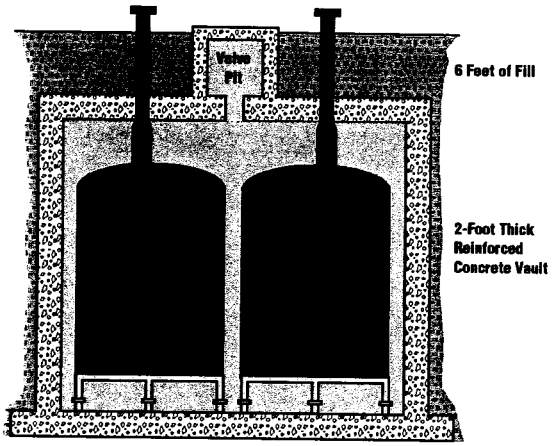
2. A key Project stakeholder group is the Coalition on West Valley Nuclear Wastes, a community organization that has frequent contact with the Project. In 1999, a pilot permeable treatment wall was installed at the Project to mitigate Sr-90 contaminated groundwater. Meetings were held with members of the Coalition before the wall's installation to address the group's questions. Also, area media were invited to see the early installation process to provide more information to the general public and the Project was featured at a quarterly public meeting following installation.

3. Also in 1999, WVNS and DOE planned and conducted a public demonstration of reversible grout to address concerns of the Citizen Task Force (CTF) regarding use of grout for stabilization of facilities as part of closure. The CTF is a group of community leaders who have been working with the Project since 1997 to make recommendations on the final Environmental Impact Statement for the Project. To increase

1 How do you identify and respond to community concerns? (continued)

A CTF member demonstrates the removability of grout that may be used in the WVDP's high-level waste tank.

Stainless Steel High-Level Waste Tanks



A future communication opportunity will be to inform key stakeholders how clean the high-level waste tanks are at the WVDP.

general awareness in the Western New York community, WVNS invited media to cover both the placement of the test grout and its later exhumation. The television coverage was very accurate and again demonstrated the WVDP's open and proactive approach to informing and involving the public.

4. On June 24, 1996, the WVDP began pumping high-level waste to the Vitrification Facility from an underground storage tank to stabilize the material and protect the environment—an important part of the Project's main mission. The start-up and operation of this system, without public controversy, was the product of sound early planning and solid communications.

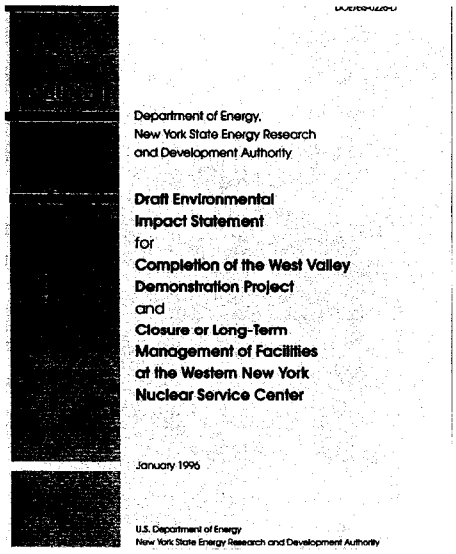
   The focused communications efforts with local stakeholders in 1995 and 1996, and the local media coverage of many of these activities combined to address stakeholder questions and concerns. The result was a quiet, successful start-up of a very important processing system that has safely and efficiently vitrified very high-activity RCRA mixed liquid waste into a durable, solid product that significantly reduces the risk of the material being released into the environment.

5. DOE and NYSERDA issued in March 1996 a Draft Environmental Impact Statement (EIS) for completion of the Project and closure or long-term management of the site. A six-month public review and comment period followed. Quarterly WVDP public meetings began before the EIS process and throughout its development focused on long-term site management issues related to the study. In fact, one of the five alternatives evaluated in the report was designed based on input from the Coalition on West Valley Nuclear Wastes. Early in the EIS process, as waste and site data

printed on recycled paper

/ How do you identify and respond to community concerns? (continued)

Public information sessions were held to explain the Draft Environmental Impact Statement.



Department of Energy,
New York State Energy Research
and Development Authority

Draft Environmental Impact Statement
for
Completion of the West Valley Demonstration Project
and
Closure or Long-Term Management of Facilities at the Western New York Nuclear Service Center

January 1996

U.S. Department of Energy
New York State Energy Research and Development Authority

DOE and NYSERDA continue to negotiate plans for long-term management of the WVDP.

were being collected, WVDP encouraged Coalition members to present at a public meeting their ideas on how they felt the site and wastes should be managed for the long-term. This early involvement with a key stakeholder group allowed the group's ideas to be directly evaluated and presented in the Draft EIS.

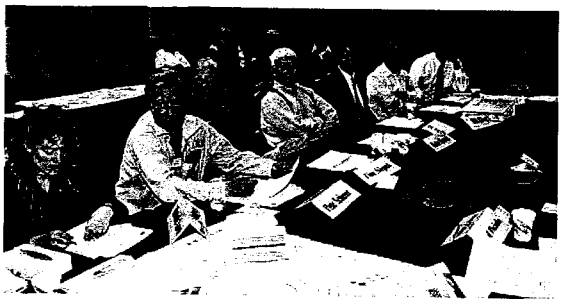
Two public information sessions on the Draft EIS were held; two additional sessions were held with the Seneca Nation of Indians, the local tribal stakeholder group. One public hearing also was conducted. Community meetings on the document were held with the local county legislature and planning department. A total of 114 submittals were received during the comment period from individuals and organizations. The comment period also led to the involvement of several groups in the continuing EIS process, including the local chapters of the League of Women Voters and the Sierra Club.

Following the public review period, NYSERDA in cooperation with DOE and support of WVNS, brought together a Citizen Task Force. The Task Force began meeting in January 1997 to review the Draft EIS in detail and in 1998 submitted a report summarizing its recommendations for long-term management of the site. DOE and WVNS continue to actively work with the CTF.

6. In 1996, DOE signed a cooperative agreement with the Seneca Nation of Indians (SNI) establishing an official set of joint objectives to advance WVDP progress and SNI understanding and involvement. This agreement, a first for the WVDP, is a key step in building a strong relationship with a special stakeholder in the area.

printed on recycled paper

1 How do you identify and respond to community concerns? (continued)



WVNS continues to work with the Citizen Task Force, a key stakeholder group that has made a recommendation for long-term management of the site.

WVNS worked closely with DOE and key stakeholders to solicit private developers to build an off-site office complex for WVNS lease.

The Ashford Office Complex houses more than 200 WVNS employees and is used for public and community meetings.

The WVDP site is located on ancestral SNI lands and adjoins the Cattaraugus Creek, which passes through the center of one of SNI's reservations. Protecting the Cattaraugus Creek is a primary concern to SNI members.

Also, the SNI agreed to and are participating in the Citizen Task Force to assist in decisions on long-term site management. SNI's participation and cooperation on the CTF with other members of the Western New York community has been valuable in bringing together potentially divergent viewpoints and finding common ground.

7. DOE and WVNS use the quarterly public meetings and special public meetings to discuss, among other topics, low-level waste management with the stakeholders. To address Coalition concerns, special meetings were conducted with various Coalition members and points of contention were openly discussed and debated.

The resulting acceptance of the management approaches allowed the WVDP to begin shipping Class A waste for off-site processing and disposal in 1997. In 1999, more than 35,000 cubic feet of low-level waste was shipped and targets are to continue shipping 30,000 to 50,000 cubic feet per year. Through the communications efforts and the work of the Citizen Task Force, a number of Coalition members have adopted a position supporting shipment and off-site disposal of low-level waste.

How do you inform community members of important matters that affect them? (continued)

In addition to the examples cited previously, WVNS uses several means to inform stakeholders about key activities and accomplishments. These include:

1. Quarterly Public Meetings - These meetings have been held for stakeholders since 1987 and cover key topics of interest to the community. The meetings are designed to update community members on current Project activities and solicit input for future activities. Advertisements are placed in local papers prior to each meeting to inform the public, and postcards are mailed to more than 100 interested stakeholders.

Quarterly Public Meetings are held to inform key stakeholders about WVDP activities.

2. Annual Public Open House - Each year the Project hosts an Open House for WVDP employees and the general public. Visitors receive tours of the facility and view exhibits to learn about the year's Project accomplishments. In 1999 and 2000, a School Day was added to the event and held one day before Open House to give more than 500 students the opportunity to tour WVDP facilities with their schools. The annual Safe Kids Fair, originally created as an employee event, also was integrated into the Open House format to provide School Day and Open House visitors the opportunity to learn more about the importance of safety at home, at work, and at play. Also in 2000, a Science Fair for students was conducted as part of an expanded two-day event, adding a new activity for visitors, the media, and even the U.S. Secretary of Energy to participate in while supporting the DOE's commitment to science education.

Energy Secretary Bill Richardson has personally awarded DOE Academic Achievement Awards to local students during site visits in 1999 and 2000.

printed on recycled paper

2 How do you inform community members of important matters that affect them? (continued)

WVNS enjoys successful partnerships with local Chambers of Commerce.

Site visits are conducted regularly for a variety of public groups.

3. Public Reading Rooms - Five public reading rooms in local libraries are available for the public to review pertinent WVDP documents. Material for the reading rooms is updated regularly.

4. Web Site - The WVDP web site provides information about key activities. It is currently being enhanced by DOE and WVNS to better serve those interested in Project information. (www.wv.doe.gov)

5. Business Perspective - This quarterly publication for business leaders and stakeholders reports on Project progress and major events.

6. Participation in local Chambers of Commerce - WVNS Communications representatives are members of three local area Chambers of Commerce and serve as liaisons between the WVDP and local business leaders.

7. Newspaper/Trade Journal articles - Media coverage of major Project events also provide information to the community about Project activities that affect them. Newspaper articles, trade journal articles, and broadcast media coverage are used to inform the public about WVDP accomplishments.

8. Tours and Site visits - Each year the WVDP hosts a number of tours and visits in order to educate school groups and the public about the Project. WVNS also responds to requests from students for information on WVDP issues and topics for special assignments or papers.

9. Special events - In 1999 and 2000, first-ever visits by the U.S. Secretary of Energy to the WVDP were celebrated with key stakeholders, CTF

How do you inform community members of important matters that affect them? (continued)

WVDP Employees form the VPP Star formation.

members, Coalition members, and legislators. The 2000 visit was especially noteworthy since WVNS received DOE's highest safety award—the Voluntary Protection Program (VPP) Star. The visits provided an opportunity for community members to meet the head of the Department of Energy and share in the success of the Project.

10. The Annual Site Environmental Monitoring Report (ASER) is published to inform WVDP stakeholders about environmental conditions at the WVDP. The report presents a summary of the environmental monitoring data gathered during the year and characterizes the environmental compliance with standards and regulations as well as highlights significant environmental programs. The ASER is also available on the internet.

How will you make the Achievement Track Annual Performance Report available to the public?

- [X] Website www.wv.doe.gov
- [ ] Newspaper
- [X] Open Houses
- [X] Other

✓ a special mailing to key stakeholders,
✓ the Business Perspective,
✓ the Quarterly Public meetings,
✓ and the Public Reading Rooms
✓ Include summary in Annual Site Environmental Report.

printed on recycled paper

4 Are there any ongoing citizen suits against your facility? ☐ Yes ☒ No

If yes, describe briefly in the right-hand column.

5 List references below.

	Organization	Name	Phone number
Representative of a Community/Citizen Group	Town of Ashford	Bill King, Town Supervisor	716/942-3223
State/Local regulator	New York State Department of Environmental Conservation	Jack Krajewski	716/851-7278
Other community/ local reference	West Valley Chamber of Commerce	Charles Couture, President	716/942-3710

printed on recycled paper

Section E

Application and Participation Statement

On behalf of West Valley Demonstration Project
[my facility],

I certify that

- I have read and agree to the terms and conditions, as specified in the National Environmental Achievement Track Program Description and in the Application Instructions;
- I have personally examined and am familiar with the information contained in this Application (including, if attached, the Environmental Requirements Checklist). The information contained in this Application is, to the best of my knowledge and based on reasonable inquiry, true, accurate, and complete, and I have no reason to believe the facility would not meet all program requirements;
- My facility has an environmental management system (EMS), as defined in the Achievement Track EMS required, including systems to maintain compliance with all applicable federal, state, tribal, and local environmental requirements, in place at the facility, and the EMS will be maintained for the duration of the facility's participation in the program;
- My facility has conducted an objective assessment of its compliance with all applicable federal, state, tribal, and local environmental requirements, and the facility corrected all identified instance of potential or actual noncompliance;
- Based on the foregoing compliance assessment and subsequent corrective actions (if any were necessary), my facility is, to the best of my knowledge and based on reasonable inquiry, currently in compliance with applicable federal, state, tribal, and local environmental requirements.

I agree that EPA's decision whether to accept participants into or remove them from the National Environmental Achievement Track is wholly discretionary, and I waive any right that may exist under any law to challenge EPA's acceptance or removal decision.

I am the senior facility manager and fully authorized to execute this statement on behalf of the corporation or other legal entity whose facility is applying to this program.

Signature/Date	Elizabeth Jarvis for 10/17/2000	Signature/Date	R.R. Campbell 10/17/2000
Printed Name/Title	Alice C. Williams Director, US DOE/WVDP	Printed Name/Date	Robert R. Campbell President, WVNS

Facility Name United States Department of Energy at the West Valley Demonstration Project

Facility Street Address 10282 Rock Springs Road, West Valley, NY 14171

Facility ID Numbers NYD 980 779 540

printed on recycled paper

National Environmental Achievement Track

Environmental Requirements Checklist

The following *Checklist* is provided to assist facilities in answering *Section A, Tell us about your facility, Question 6.* The *Checklist* is given to help facilities identify the major federal, state, tribal, and local environmental requirements applicable at their facilities. The *Checklist* is not intended to be an exhaustive list of all environmental requirements that may be applicable at an individual facility.

If you use this *Checklist* and choose to submit it with your application, fill in your facility information below and enclose the completed *Checklist* with your application (see instructions).

Facility Name: United States Department of Energy at the West Valley Demonstration Project

Facility Location: West Valley, New York

Facility ID Number(s): NYD 980 779 540
(attach additional sheets if necessary)

		Check All That Apply
Air Pollution Regulations		
1.	National Emission Standards for Hazardous Air Pollutants (40 CFR 61)	☒
2.	Permits and Registration of Air Pollution Sources	☒
3.	General Emission Standards, Prohibitions and Restrictions	☒
4.	Control of Incinerators	☐
5.	Process Industry Emission Standards	☒
6.	Control of Fuel Burning Equipment	☒
7.	Control of VOCs	☐
8.	Sampling, Testing and Reporting	☒
9.	Visible Emissions Standards	☒
10.	Control of Fugitive Dust	☐
11.	Toxic Air Pollutants Control	☒
12.	Vehicle Emissions Inspections and Testing	☐
Other Federal, State, Tribal or Local Air Pollution Regulations Not Listed Above *(identify)*		
13.	New York State Department of Labor, "Asbestos", 12 NYCRR 56	☒
14.	NYSDEC 6 NYCRR 201 "Air Permitting"	☒

printed on recycled paper

Attachment A

Hazardous Waste Management Regulations

1.	Identification and Listing of Hazardous Waste (40 CFR 261)	☒
	- Characteristic Waste	☒
	- Listed Waste	☒
2.	Standards Applicable to Generators of Hazardous Waste (40 CFR 262)	☒
	- Manifesting	☒
	- Pre-transport requirements	☒
	- Record keeping/reporting	☒
3.	Standards Applicable to Transporters of Hazardous Waste (40 CFR 263)	☐
	- Transfer facility requirements	☐
	- Manifest system and record keeping	☐
4.	Standards for Owners and Operators to TSD Facilities (40 CFR 264)	☐
	- General facility standards	☐
	- Preparedness and prevention	☐
	- Contingency plan and emergency procedures	☐
	- Manifest system, Record keeping and reporting	☐
	- Groundwater protection	☐
	- Financial requirements	☐
	- Use and management of containers	☐
	- Tanks	☐
	- Waste piles	☐
	- Land treatment	☐
	- Incinerators	☐
5.	Interim Status Standards for TSD Owners and Operators (40 CFR 265)	☒
6.	Interim Standards for Owners and Operators of New Hazardous Waste	☐
	- Land Disposal Facilities (40 CFR 267)	☐
7.	Administered Permit Program (40 CFR 270 Part A Interim status)	☒

Other Federal, State, Tribal or Local Hazardous Waste Management Regulations Not Listed Above *(identify)*

8.	Federal Facility Compliance Act of 1992 RCRA 42 U.S.C. Sec 6901 *et seq.*	☒
9.	Department of Energy Order 435.1, "Radioactive Waste Management"	☒
10.	New York State Department of Environmental Conservation 6 NYCRR 370-376, "Hazardous Waste Management Program"	☒

Hazardous Materials Management

1.	Control of Pollution by Oil and Hazardous Substances (33 CFR 153)	☐
2.	Designation of Reportable Quantities and Notification of Hazardous Material Spill (40 CFR 302)	☒
3.	Hazardous Materials Transportation Regulations (49 CFR 172-173)	☒
4.	Worker Right-to-Know Regulations (29 CFR 1910.1200)	☒
5.	Community Right-to-Know Regulations (40 CFR 350-372)	☒

Other Federal, State, Tribal or Local Hazardous Materials Management Regulations Not Listed Above *(identify)*

6.	NYSDEC: Petroleum Bulk Storage 6 NYCRR Parts 612-614	☒
7.	NYSDEC: Chemical Bulk Storage 6 NYCRR Parts 595-599	☒

printed on recycled paper

Solid Waste Management

1. Criteria for Classification of Solid Waste Disposal Facilities and Practices (40 CFR 257) ☐
2. Permit Requirements for Solid Waste Disposal Facilities ☐
3. Installation of Systems of Refuse Disposal ☐
4. Solid Waste Storage and Removal Requirements ☐
5. Disposal Requirements for Special Wastes ☐

Other Federal, State, Tribal or Local Hazardous Materials Management Regulations Not Listed Above *(identify)*

6. _____ ☐
7. _____ ☐

Water Pollution Control Requirements

1. Oil Spill Prevention Control and Countermeasures (SPCC) (40 CFR 112) ☒
2. Designation of Hazardous Substances (40 CFR 116)
3. Determination of Reportable Quantities for Hazardous Substances (40 CFR 117) ☒
4. NPDES Permit Requirements (40 CFR 122) ☒
5. Toxic Pollutant Effluent Standards (40 CFR 129) ☐
6. General Pretreatment Regulations for Existing and New Sources (40 CFR 403) ☒
7. Organic Chemical Manufacturing Point Source Effluent Guidelines and Standard (40 CFR 414) ☐
8. Inorganic Chemicals Manufacturing Point Source Effluent Guidelines and Standards (40 CFR 415) ☐
9. Plastics and Synthetics Point Source Effluent Guidelines and Standards (40 CFR 416) ☐
10. Water Quality Standards ☒
11. Effluent Limitations for Direct Dischargers ☒
12. Permit Monitoring/Reporting Requirements ☒
13. Classifications and Certifications of Operators and Superintendents of Industrial Wastewater Plants ☐
14. Collection, Handling, Processing of Sewage Sludge ☐
15. Oil Discharge Containment, Control and Cleanup ☒
16. Standards Applicable to Indirect Discharges (Pretreatment) ☐

Other Federal, State, Tribal or Local Water Pollution Control Regulations Not Listed Above *(identify)*

17. Water Quality Guideline for the Great Lakes System (40 CFR 132) ☒
18. State Pollutant Discharge Elimination System (NY) ☒
19. Qualification of Operators of Waste Waster Treatment Plants (NY) ☒
20. Freshwater Wetlands Permit Requirements (NY) ☒
21. Discharge of Fill Permit Requirements (33 CFR Part 325 and 330) ☒
22. Water Quality Certifications (NY) ☒
23. Department of Energy Order 5400.5, "Radiation Protection of the Public and the Environment" ☒

printed on recycled paper

Attachment A

Drinking Water Regulations

1. Underground Injection and Control Regulations, Criteria and Standards (40 CFR 144, 146) ☒
2. National Primary Drinking Water Standards (40 CFR 141) ☒
3. Community Water Systems, Monitoring and Reporting Requirements (40 CFR 141) ☐
4. Permit Requirements for Appropriation/Use of Water from Surface or Subsurface Sources ☐
5. Underground Injection Control Requirements ☒
6. Monitoring, Reporting and Record keeping Requirements for Community Water Systems ☐

Other Federal, State, Tribal or Local Hazardous Materials Management Regulations Not Listed Above *(identify)*

7. Title 10 of the Official compilation of Codes, Rules and Regulations of the State of New York subpart 5-1, Public Water Systems 10 NYCRR Subpart 5-1 ☒
8. _____ ☐

Toxic Substances

1. Manufacture and Import of Chemicals, Record keeping and Reporting Requirements (40 CFR 704) ☐
2. Import and Export of Chemicals (40 CFR 707) ☐
3. Chemical Substances Inventory Reporting Requirements (40 CFR 710) ☐
4. Chemical Information Rules (40 CFR 712) ☐
5. Health and Safety Data Reporting (40 CFR 716) ☐
6. Pre-Manufacture Notifications (40 CFR 720) ☒
7. PCB Distribution Use, Storage and Disposal (40 CFR 761) ☐
8. Regulations on Use of Fully Halogenated Chlorofluoroalkanes (40 CFR 762) ☐
9. Storage and Disposal of Waste Material Containing TCDD (40 CFR 775) ☐

Other Federal, State, Tribal or Local Toxic Substances Regulations Not Listed Above *(identify)*

10. _____ ☐
11. _____ ☐

Pesticide Regulations

1. FIFRA Pesticide Use Classification (40 CFR 162) ☒
2. Procedures for Disposal and Storage of Pesticides and Containers (40 CFR 165) ☒
3. Certification of Pesticide Applications (40 CFR 171) ☒
4. Pesticide Licensing Requirements ☐
5. Labeling of Pesticides ☒
6. Pesticide Sales, Permits, Records, Application and Disposal Requirements ☒
7. Disposal of Pesticide Containers ☒
8. Restricted Use and Prohibited Pesticides ☐

printed on recycled paper

Other Federal, State, Tribal or Local Pesticides Regulations Not Listed Above *(identify)*

9. NYSDEC "Application of Pesticides" 6 NYCRR Part 325 ☒
10. NYSDEC "Restricted Pesticides" 6 NYCRR Part 326 ☒

Environmental Clean-Up, Restoration, Corrective Action

1. Comprehensive Environmental Response, Compensation and Liability Act (Superfund) *(identify)*

   _____ ☐

   _____ ☐

2. RCRA Corrective Action *(identify)*

   RCRA 3008(h) Administrative Order on Consent ☒

   _____ ☐

Other Federal, State, Tribal or Local Environmental Clean-Up, Restoration, Corrective Action Regulations Not Listed Above *(identify)*

3. National Environmental Policy Act (NEPA) (40 CFR 1508; 10 CFR 1021) ☒
4. Department of Energy Order 451.1A, "National Environmental Policy Act Compliance Program" ☒

printed on recycled paper

PUBLIC LAW 96-368—OCT. 1, 1980 94 STAT. 1347

Public Law 96-368
96th Congress

An Act

To authorize the Department of Energy to carry out a high-level liquid nuclear waste management demonstration project as the Western New York Service Center in West Valley, New York.

Oct. 1, 1980
[S. 2443]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

West Valley Demonstration Project Act.
42 USC 2021a note.
42 USC 2021a note.

SECTION 1. This Act may be cited as the "West Valley Demonstration Project Act".

SEC. 2. (a) The Secretary shall carry out, in accordance with this Act, a high level radioactive waste management demonstration project at the Western New York Service Center in West Valley, New York, for the purpose of demonstrating solidification techniques which can be used for preparing high level radioactive waste for disposal. Under the project the Secretary shall carry out the following activities:

Activities

(1)The Secretary shall solidify, in a form suitable for transportation and disposal, the high level radioactive waste at the Center by vitrification or by such other technology which the Secretary determines to be the most effective for solidification.

(2) The Secretary shall develop containers suitable for the permanent disposal of the high level radioactive waste solidified at the Center.

(3) The Secretary shall, as soon as feasible, transport, in accordance with applicable provisions of law, the waste solidified at the Center to an appropriate Federal repository for permanent disposal.

(4) The Secretary shall, in accordance with applicable licensing requirements, dispose of low level radioactive waste and transuranic waste produced by the solidification o f the high level radioactive waste under the project.

(5) The Secretary shall decontaminate and decommission—

(A) the tanks and other facilities of the Center in which the high level radioactive waste solidified under the project was stored,

(B) the facilities used in the solidification of the waste, and

(C) any material and hardware used in connection with the project,

in accordance with such requirements as the Commission may prescribe.

(b) Before undertaking the project and during the fiscal year ending September 30, 1981, the Secretary shall carry out the following:

Hearings

(1) The Secretary shall hold in the vicinity of the Center public hearings to inform the residents of the area in which the Center is located of the activities proposed to be undertaken under the project and to receive their comments on the project.

(2) The Secretary shall consider the various technologies available for the solidification and handling of high level radioactive waste taking into account the unique characteristics of such waste at the Center.

printed on recycled paper

(3) The Secretary shall—

(A) undertake detailed engineering and cost estimates for the project,

(B) prepare a plan for the safe removal of the high level radioactive waste at the Center for the purposes of solidification and include in the plan provisions respecting the safe breaching of the tanks in which the waste is stored, operating equipment to accomplish the removal, and sluicing techniques,

(C) conduct appropriate safety analyses of the project, and

(D) prepare required environmental impact analyses of the project.

41 USC 501 note.

(4) The Secretary shall enter into a cooperative agreement with the State in accordance with the Federal Grant and Cooperative Agreement Act of 1977 under which the State will carry out the following:

(A) The State will make available to the Secretary the facilities of the Center and the high level radioactive waste at the Center which are necessary for the completion of the project. The facilities and the waste shall be made available without the transfer of title and for such period as may be required for completion of the project.

(B) The Secretary shall provide technical assistance in securing required license amendments.

State costs, percentage.

(C) The State shall pay 10 per centum of the costs of the project, as determined by the Secretary. In determining the costs of the project, the Secretary shall consider the value of the use of the Center for the project. The State may not use Federal funds to pay its share of the cost of the project, but may use the perpetual care fund to pay such share.

Licensing amendment application.

(D) Submission jointly by the Department of Energy and the State of New York of an application for a licensing amendment as soon as possible with the Nuclear Regulatory Commission providing for the demonstration.

42 USC 2011 note.
42 USC 5801 note.

(c) Within one year from the date of the enactment of this Act, the Secretary shall enter into an agreement with the Commission to establish arrangements for review and consultation by the Commission with respect to the project: *Provided,* That review and consultation by the Commission pursuant to this subsection shall be conducted informally by the Commission and shall not include nor require formal procedures or actions by the Commission pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, or any other law. The agreement shall provide for the following:

Publications in Federal Register

(1) The Secretary shall submit to the Commission, for its review and comment, a plan for the solidification of the high level radioactive waste at the Center, the removal of the waste for purposes of its solidification, the preparation of the waste for disposal, and the decontamination of the facilities to be used in solidifying the waste. In preparing its comments on the plan, the Commission shall specify with precision its objections to any provision of the plan. Upon submission of a plan to the Commission, the Secretary shall publish a notice in the Federal Register of the submission of the plan and of its availability for public inspection, and, upon receipt of the comments of the Commission respecting a plan, the Secretary shall publish a notice in the Federal Register of the receipt of the comments and of the availability of the comments for public inspection., If the Secre-

printed on recycled paper

tary does not revise the plan to meet objections specified in the comments of the Commission, the Secretary shall publish in the Federal Register a detailed statement for not so revising the plan.

(2) The Secretary shall consult with the Commission with respect to the form in which the high level radioactive waste at the Center shall be solidified and the containers to be used in the permanent disposal of such waste.

Reports and other information to Commission

(3) The Secretary shall submit to the Commission safety analysis reports and such other information as the Commission may require to identify any danger to the public health and safety which may be presented by the project.

(4) The Secretary shall afford the Commission access to the Center to enable the Commission to monitor the activities under the project for the purpose of assuring the public health and safety.

Consultation with EPA and others.

(d) In carrying out the project, the Secretary shall consult with the Administrator of the Environmental Protection Agency, the Secretary of Transportation, the Director of the Geological Survey, and the commercial operator of the Center

Appropriation authorization. 42 USC 2021a note.

SEC. 3. (a) There are authorized to be appropriated to the Secretary for the project not more than $5,000,000 for the fiscal year ending September 30, 1981.

(b) The total amount obligated for the project by the Secretary shall be 90 per centum of the costs of the project.

(c) The authority of the Secretary to enter into contracts under this Act shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance by appropriation Acts.

Report to Speaker of the House and President pro tempore of the Senate 42 USC 2021a note.

SEC.4. Not later than February 1, 1981, and on February 1 of each calendar year thereafter during the term of the project, the Secretary shall transmit to the Speaker of the House of Representatives and the President pro tempore of the Senate an up-to-date report containing a detailed description of the activities of the Secretary in carrying out the project, including agreements entered into and the costs incurred during the period reported on and the activities to be undertaken in the next fiscal year and the estimated costs thereof.

42 USC 2021a note.

SEC. 5. (a) Other than the costs and responsibilities established by this Act for the project, nothing in this Act shall be construed as affecting any rights, obligations, or liabilities of the commercial operator of the Center, the State, or any person, as is appropriate, arising under the Atomic Energy Act of 1954 or under any other law, contract, or agreement for the operation, maintenance, or decontamination of any facility or property at the Center or for any wastes at the Center. Nothing in this Act shall be construed as affecting any applicable licensing requirement of the Atomic Energy Act of 1954 or the Energy Reorganization Act of 1974. This Act shall not apply or be extended to any facility or property at the Center which is not used in conducting the project. This Act may not be construed to expand or diminish the rights of the Federal Government.

42 USC 2011 note.

42 USC 5801 note.

(b) This Act does not authorize the Federal Government to acquire title to any high level radioactive waste at the Center or to the Center or any portion thereof.

Definitions. 42 USC 2021a note.

SEC.6. For purposes of this Act:

(1) The term "Secretary" means the Secretary of Energy.

(2) The term "Commission" means the Nuclear Regulatory Commission.

(3) The term "State" means the State of New York.

printed on recycled paper

(4) The term "high level radioactive waste" means the high level radioactive waste which was produced by the reprocessing at the Center of spent nuclear fuel. Such term includes both liquid wastes which are produced directly in reprocessing, dry solid material derived from such liquid waste, and such other material as the Commission designates as high level radioactive waste for purposes of protecting the public health and safety.

(5) The term "transuranic waste" means material contaminated with elements which have an atomic number greater than 92, including neptunium, plutonium, americium, and curium, and which are in concentrations greater than 10 nanocuries per gram, or in such other concentrations as the Commission may prescribe to protect the public health and safety.

(6) The term "low level radioactive waste" means radioactive waste not classified as high level radioactive waste, transuranic waste, or byproduct material as defined in section 11 e.(2) of the Atomic Energy Act of 1954.

42 USC 2014

(7) The term "project" means the project prescribed by section 2(a).

(8) The term "Center" means the Western New York Service Center in West Valley, New York.

Approved October 1, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1100, pt. I (Comm. on Science and Technology) and pt. II (Comm. on Interstate and Foreign Commerce), both accompanying H.R. 6865.

SENATE REPORT No. 96-787 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 126 (1980):

June 12, considered and passed Senate.

Sept. 15, H.R. 6865 considered and passed House; passage vacated and S. 2443, amended, passed in lieu

Sept. 17, Senate concurred in the House amendment with amendments; House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 16, No. 40:

Oct. 1, Presidential Statement.

printed on recycled paper