



U.S. DEPARTMENT OF **ENERGY**

WEST VALLEY DEVELOPMENT PROJECT WEST VALLEY, NEW YORK

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FOR IMMEDIATE RELEASE
June 28, 2012

West Valley Draft Waste Evaluation

West Valley, New York – The U.S. Department of Energy (DOE) today released to the Nuclear Regulatory Commission (NRC), the public and the states of Nevada and Texas, for review and comment, a Draft Waste Incidental to Reprocessing (WIR) Evaluation (Draft Evaluation) for the concentrator feed makeup tank and the melter feed hold tank (the vessels) at the West Valley Demonstration Project (WVDP). This Draft Evaluation, which may enable the Department to dispose of the vessels as low-level radioactive waste (LLW), is a necessary step in the Department’s cleanup efforts at WVDP and meets its obligations under the WVDP Act of 1980. The current schedule calls for disposition of the vessels by 2017.

The vessels were used in connection with vitrification of high-level waste (HLW) that had been generated by commercial reprocessing of spent nuclear fuel at the Western New York Nuclear Service Center in West Valley, New York, by Nuclear Fuel Services, Inc., from 1966 through 1972. The Department undertook the solidification activities pursuant to its responsibilities under the WVDP Act.

Under the Atomic Energy Act of 1954, as amended, the Department has the authority to determine whether the vessels are “waste incidental to reprocessing,” and thus are not HLW and are to be managed and disposed of as LLW. To determine that the vessels are “waste incidental to reprocessing” and are LLW, the Department must demonstrate that key radionuclides have been removed to the maximum extent that is technically and economically practical, that they will be managed to meet safety requirements comparable to NRC performance objectives for LLW, that they will be managed in accordance with Departmental requirements for LLW, and that they will be in a solid form that meets NRC concentration limits for Class C LLW.

This Draft Evaluation demonstrates that the West Valley vessel waste packages may be managed and disposed of as LLW. The vessel waste packages will meet the applicable waste acceptance criteria for the offsite LLW disposal facilities considered in this Draft Evaluation, either the Nevada National Security Site Area 5 Radioactive Waste Management Site in Nevada or the Waste Control Specialists Federal Facility Waste Disposal Facility in Texas. DOE’s decision on the disposal facility is not within the scope of this Draft Evaluation. The Department is consulting with the NRC and considering public and state comments before finalizing this evaluation.

A notice is expected to be published in the *Federal Register* on June 29, 2012. A 45-day public and state comment period will close on August 13, 2012.