**DOE MANUAL 435.1-1 WASTE-INCIDENTAL-TO-REPROCESSING DETERMINATION FOR THE WEST VALLEY DEMONSTRATION PROJECT VITRIFICATION MELTER**

For the reasons set forth in the attached *Waste Incidental to Reprocessing Evaluation for the West Valley Demonstration Project Vitrification Melter*, and based on consultation with the U.S. Nuclear Regulatory Commission, I have determined that the Vitrification Melter used at the West Valley Demonstration Project in New York:

- Has been processed to remove key radionuclides to the maximum extent that is technically and economically practical;
- Will be managed to meet safety requirements comparable to the performance objectives set out in 10 CFR Part 61, Subpart C, *Performance Objectives*;
- Is in a solid physical form at a concentration that does not exceed the applicable concentration limits for Class C low-level waste as set out in 10 CFR 61.55, *Waste Classification*; and
- Will be managed as low-level radioactive waste, pursuant to DOE's authority under the Atomic Energy Act of 1954, as amended, and in accordance with the provisions of Chapter IV of DOE Manual 435.1-1, *Radioactive Waste Management Manual*.

Accordingly, pursuant to Section II.B of DOE Manual 435.1-1, *Radioactive Waste Management Manual*, the Vitrification Melter is not high-level waste and may be disposed of as low-level waste at either the Nevada National Security Site Area 5 Radioactive Waste Management Site or the Waste Control Specialists radioactive waste disposal facility in Texas.

02-09-2012
Date

Bryan Bower, West Valley Demonstration Project Director