

Attachment J-2

Requirements Sources and Implementing Documents

J.1 List A. Applicable Federal, State, and Local Regulations

The federal, state, and local regulations found in the Contract constitute List A, *Applicable Federal, State, and Local Regulations*, referenced in the Section H clause, *Laws, Regulations, and DOE Directives*.

Omission of any applicable law (including Executive Orders) or regulation from the Contract does not affect the obligation of the Contractor to comply with such law or regulation. List B below contains a list of applicable DOE Directives that are required for this Contract.

J.2 List B. Applicable DOE Directives

The DOE directives listed in the table below contain requirements relevant to the scope of work under this Contract. In most cases, the requirements applicable to the Contractor are contained in a Contractor Requirements Document (CRD) attached to the DOE directive. The Contractor is encouraged to continuously evaluate the work scope and contract requirements for opportunities to improve efficiency or creativity and propose alternative methods to those specified in the DOE directives.

Table J-2.1. Directives, Regulations, Policies, and Standards

DOE Directive and Document Number	Title
P 140.1*	Natural Resource Damage Assessment Cooperation and Integration
P 141.1*	Department of Energy Management of Cultural Resources
O 142.3B Chg. 1 (LtdChg)	Unclassified Foreign National Access Program
O 144.1 (AdminChg1)	Department of Energy American Indian Tribal Government Interactions and Policy
O 150.1B	Continuity Programs
O 151.1D Chg. 1 (MinChg)	Comprehensive Emergency Management System
O 153.1A	Departmental Nuclear Emergency Support Team Capabilities
O 200.1A Chg. 2 (LtdChg)	Information Technology Management
O 203.1	Limited Personal Use of Government Office Equipment including Information Technology
O 205.1C Chg. 1 (LtdChg)	Department of Energy Cybersecurity Program
O 206.1 Chg. 1 (MinChg)	Department of Energy Privacy Program
O 206.2 Chg. 1 (LtdChg)	Identity, Credential, and Access Management (ICAM)
O 210.2A	DOE Corporate Operating Experience Program
O 221.1B	Reporting Fraud, Waste and Abuse to the Office of Inspector General
O 221.2A	Cooperation with the Office of Inspector General
O 225.1B	Accident Investigations
O 226.1B Chg. 1 (AdminChg)	Implementation of Department of Energy Oversight Policy
P 226.2*	Policy for Federal Oversight and Contractor Assurance Systems

DOE Directive and Document Number	Title
O 227.1A Chg. 1 (AdminChg)	Independent Oversight Program
O 231.1B Chg. 1 (AdminChg)	Environment, Safety, and Health Reporting
O 232.2A Chg. 1 (MinChg)	Occurrence Reporting and Processing of Operations Information
O 241.1B Chg. 1 (AdminChg)	Scientific and Technical Information Management
O 243.1C	Records Management Program
O 341.1A	Federal Employee Health Services
O 350.1 Chg. 7 (LtdChg)	Contractor Human Resource Management Programs
P 364.1*	Health and Safety Training Reciprocity
P 410.3*	Program Management
O 413.3B Chg. 7 (LtdChg)	Program and Project Management for the Acquisition of Capital Assets
O 414.1D Chg. 2 (LtdChg)	Quality Assurance
O 420.1C, Chg. 3 (LtdChg)	Facility Safety
P 420.1*	Department of Energy Nuclear Safety Policy
O 422.1 Chg. 4(LtdChg)	Conduct of Operations
O 425.1D Chg. 2 (MinChg)	Verification of Readiness to Start Up or Restart Nuclear Facilities
O 426.2 Chg. 1 (AdminChg)	Personnel Selection, Training, Qualification, and Certification Requirements for DOE Nuclear Facilities
O 430.1C Chg. 2 (AdminChg)	Real Property and Asset Management (in accordance with Section H, <i>Real Property Asset Management</i>)
O 433.1B Chg. 1 (AdminChg)	Maintenance Management Program for DOE Nuclear Facilities
O 435.1 Chg. 2 (AdminChg)	Radioactive Waste Management
N 435.1	Contact-Handled and Remote-Handled Transuranic Waste Packaging
M 435.1-1 Chg. 3 (LtdChg)	Radioactive Waste Management Manual
O 436.1A	Departmental Sustainability
O 437.1	Bridge and Tunnel Management
O 440.2C Chg 3 (LtdChg)	Aviation Management and Safety
M 441.1-1 Chg. 1 (Admin Chg)	Nuclear Material Packaging
O 442.1B	Department of Energy Employee Concerns Program
O 442.2 Chg. 1 (PgChg)	Differing Professional Opinions for Technical Issues Involving Environmental, Safety, and Health Technical Concerns

DOE Directive and Document Number	Title
P 444.1*	Preventing and Responding to all Forms of Violence in the Workplace
P 450.4A Chg. 1* (MinChg)	Integrated Safety Management Policy
P 451.1*	National Environmental Policy Act Compliance Program
P 454.1 Chg. 1 (AdminChg)	Use of Institutional Controls
O 458.1 Chg. 4 (LtdChg)	Radiation Protection of the Public and the Environment
O 460.1D Chg. 1 (LtdChg)	Hazardous Materials Packaging and Transportation Safety
O 460.2B	Departmental Materials Transportation and Packaging Management
P 470.1B*	Safeguards and Security Program
O 470.3C Chg. 1 (LtdChg)	Design Basis Threat (DBT) Order
O 470.4B Chg. 3 (LtdChg)	Safeguards and Security Program
O 470.5	Insider Threat Program
O 471.1B	Identification and Protection of Unclassified Controlled Nuclear Information <i>(Applicability due to ORPS access and use)</i>
O 471.6 Chg. 4 (LtdChg)	Information Security
O 471.7	Controlled Unclassified Information
O 472.2A	Personnel Security
O 473.1A	Physical Protection Program
O 473.2A	Protective Force Operations
O 475.1	Counterintelligence Program
O 475.2B	Identifying Classified Information
O 484.1 Chg. 3 (LtdChg)	Reimbursable Work for the Department of Homeland Security
O 486.1A	Foreign Government Sponsored or Affiliated Activities
O 520.1B Chg. 1 (LtdChg)	Financial Management and Chief Financial Officer Responsibilities
O 522.1A	Pricing of Departmental Materials and Services
P 547.1A*	Small Business First Policy
O 550.1 Chg. 1 (LtdChg)	Official Travel
DOE-STD-1095-2018	Department of Energy Laboratory Accreditation Program for Personnel Dosimetry
DOE-STD-1112-2019	Department of Energy Laboratory Accreditation Program for Radiobioassay
DOE-STD-1121-2008 Chg. Notice 1 Reaffirmed 2022	Internal Dosimetry

* DOE Policies provide guidance for contractor programs and do not contain contractual requirements.

The West Valley Demonstration Project operates in accordance with a multitude of laws and regulations, the following include our key, site-specific legal drivers with our partners in New York State and their respective counties. In addition, the Phase 1 ROD is included herein which articulates the Phased Decision-Making and the Phase 1 Decommissioning Plan.

Table J-2.2. Implementing Documents

Document Number	Date	Title
-	December 2009	Phase 1 Decommissioning Plan for the WVDP Revision 2
-	May 2011	Phase 1 Final Status Survey Plan for the WVDP Revision 1
ANL/EVS/R-11/6	June 2011	Phase 1 Characterization Sampling and Analysis Plan for the West Valley Demonstration Project Revision 1
DOE/TER-2010	February 2010	U.S. NRC Technical Evaluation Report on the U.S. DOE Phase 1 Decommissioning Plan for the WVDP
QP-450-01 (Rev.2)	October 2020	Management of Environmental Media - Phase 1 Decommissioning of the West Valley Demonstration Project (QP-450-01)
DEO/ROD-2010	April 2010	Record of Decision: Final Env. Impact Statement for Decommissioning and or Long-Term Stewardship at WVDP
DOE/EIS-0226	January 2010	Final Environmental Impact Statement for Decommissioning and or Long-Term Stewardship at WVDP and Western New York Nuclear Services Center (including Summary, Volume 1, Volume 2, and Volume 3)
WVDP-573 (Rev.7)	May 2022	West Valley Demonstration Project Source Water Protection Plan (WVDP-573)
WVDP-512 (Rev.6)	April 2023	North Plateau Permeable Treatment Wall Performance Monitoring Plan (WVDP-512)
WVDP-516 (Rev.3)	November 2021	North Plateau Permeable Treatment Wall Protection and Best Management Plan (WVDP-516)
WVDP-520 (Rev.5)	May 2022	North Plateau Permeable Treatment Wall, S-09 Storm Water Discharge Outfall and Parshall Flume, Lagoon 3 Embankment, Operations and Maintenance Plan (WVDP-520)
Public Law 96-368 S.2443	October 1980	WVDP Project Act Public Law 96-368 S.2443 October 1, 1980
-	October 1980	Cooperative Agreement Between USDOE and NYSERDA on the WNYNSC at WV, NY
-	September 1981	WVDP MOU Between the USDOE and the US NRC

II RCRA-3008(h)-92-0202	March 1992	Administrative Order on Consent (1992) RCRA 3008(h) Docket No. II RCRA- 3008(h)-92-0202
Civil No. 86-1052-C	May 1987	Stipulation of Compromise Settlement
-	January 1996	Seneca Nation of Indians and Department of Energy Cooperative Agreement
-	November 2017	Memorandum of Agreement Between the Seneca Nations of Indians and the U.S. Department of Energy
-	November 2017	Seneca Nation - DOE WV 2017-2022 Cooperative Agreement
-	February 1991	Supplemental Agreement to the Cooperative Agreement between USDOE and NYSERDA
-	May 2011	Second Supplemental Agreement to the Cooperative Agreement between USDOE and NYSERDA
-	July 2015	Third Supplemental Agreement to the Cooperative Agreement between USDOE and NYSERDA
CD No. 06-CV-910	October 2009	Consent Decree No. 06-CV-910 (State of NY -v- United States of America)
CO No. 06-CV-810	August 2010	Court Order 06-CV-810
DOE/EA-1552	September 2006	Final Environmental Assessment for the Decontamination, Demolition, and Removal of Various Facilities (DOE_ED-1552)
-	September 2006	Finding of No Significant Impact (FONSI)
NAC-0071_R2	December 2016	FEPS Analysis for the West Valley Site
-	September 2016	Bertrand Chaffee Hospital - Letter of Agreement
-	September 2016	Cattaraugus County Sheriff's Office - Memorandum of Understanding
-	July 1994	Erie County & Cattaraugus Count - Mutual Aid Agreement
-	October 2017	Erie County Medical Center - Letter of Agreement
-	November 2016	Mercy Flight - Letter of Agreement
-	August 2016	WVDP & Cattaraugus County Office of Emergency Services - Memorandum of Understanding
-	March 2017	West Valley, New York Fire District 1 - Letter of Agreement
89303321SEM000021	April 2021	Interagency Agreement US DOE-WVDP with US-EPA
DOE/EIS-0337F	December 2003	West Valley Demonstration Project Waste Management Environmental Impact Statement - Final

SEQR - FEIS	January 2010	New York State Energy Research and Development Authority (NYSERDA) Final Environmental Impact Statement (FEIS) Findings Statement
DOE/RW-0333P, Rev. 21	December 2008	Office of Civilian Radioactive Waste Management Quality Assurance Requirements and Description (QARD) (High Level Waste Applicability)

Acronyms:

DOE U.S. Department of Energy
DOE M DOE Manual
DOE O DOE Order
DOE P DOE Policy