

September 25, 2006

David K. Garman, Under Secretary
 United States Department of Energy
 Washington, D.C. 20585

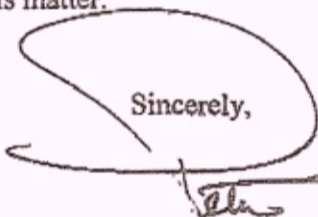
Dear Under Secretary Garman:

I received your September 14 letter which purports to respond to my letter of June 22 concerning the proposed EPA preferred alternative for the West Valley site and to a letter dated August 28 from Paul Piciulo of NYSERDA to Bryan Bower of DOE concerning DOE's proposed core team process to resolve environmental impact statement issues. Your letter expresses regret that NYSERDA has decided not to participate in the core team process. As we have indicated previously, we do not believe the core team process can be productive in the absence of agreement on a preferred alternative.

I regret DOE's decision to be silent on my request for a response to the EPA proposal. NYSERDA believes that significant further progress at West Valley will not occur until the larger issues concerning the site end state and agency responsibilities are resolved. Unfortunately, DOE has been unwilling to address these issues. Therefore, NYSERDA will proceed accordingly.

Thank you for your attention to this matter.

Sincerely,



Peter R. Smith
 President and CEO

Main Office
 Albany
 17 Columbia Circle
 Albany, NY 12203-6399
 Toll Free: 1 (866) NYSERDA
 Phone: (518) 862-1090
 Fax: (518) 862-1091

West Valley Site
 Management Program
 10282 Rock Springs Road
 West Valley, NY 14171-9799
 Phone: (716) 942-4387
 Fax: (716) 942-2148

New York City
 485 Seventh Ave., Suite 1006
 New York, NY 10018
 Phone: (212) 971-5342
 Fax: (212) 971-5349

Buffalo
 617 Main Street, Suite 105
 Buffalo, NY 14203
 Phone: (716) 842-1522
 Fax: (716) 842-0156

