



**MINUTES OF THE 104TH ACNW MEETING
OCTOBER 19-21, 1998**

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CERTIFIED

Issued: 11/30/98

By B. John Garrick
12/12/98

MINUTES OF THE 104TH MEETING OF THE ADVISORY COMMITTEE ON NUCLEAR WASTE OCTOBER 19-21, 1998 ROCKVILLE, MARYLAND

The Advisory Committee on Nuclear Waste (ACNW) held its 104th meeting on October 19-21, 1998, at the Longstreet Inn, Stateline 373, Amargosa Valley, Nevada. The ACNW met to discuss and take appropriate action on the items listed in the attached agenda. All sessions were open to public attendance.

A transcript of selected portions of the meeting is available in the U.S. Nuclear Regulatory Commission (NRC) Public Document Room at the Gelman Building, 2120 L Street, NW., Washington, DC. Copies of the transcript may be purchased from Ann Riley & Associates, Ltd., 1250 I Street, NW., Suite 300, Washington, DC 20005. Transcripts are also available for downloading from, or reviewing on, the Internet at <http://www.nrc.gov/ACRSACNW>.

Dr. B. John Garrick, ACNW Chairman, convened the meeting at 8:30 a.m. and explained the purpose of this session. ACNW members Drs. Charles Fairhurst, George M. Hornberger, and Raymond G. Wymer were also present. For a list of other attendees, see Appendix III.

I. Tour of the Yucca Mountain Exploratory Studies Facility (Open)

[Mr. Howard J. Larson was the Designated Federal Official for this part of the meeting.]

On the morning of October 19, 1998, Department of Energy (DOE) representatives escorted the ACNW on a tour of the Exploratory Studies Facility (ESF) at the proposed Yucca Mountain site. Also accompanying the Committee were representatives of the State of Nevada, Clark County, and the Nevada Nuclear Waste Task Force. After receiving safety training for visiting tunnels, the Committee proceeded to the tunnel entrance and was fitted with respirators, safety lights, and other standard equipment. The Committee, accompanied by DOE and contractor personnel (Russell Dyer, Carol Hanlon, Russell Patterson, Mark Peterson, and Dean Stucker), walked to alcove 1. Alcove 1, which is located in the Upper Tiva Canyon, is the site of a water-infiltration and water-percolation study (stimulated by the 1995 El Niño conditions in Nevada).

The Committee then proceeded to alcove 2, located in the Bow Ridge fault, which is being used as a below-ground science center during public tours. DOE believes that this alcove has succeeded in its purpose, because visitors can obtain a relatively good sense of the underground tunneling effort without being subjected to the limiting conditions of group size, the full underground safety training considerations, and the issuance of the associated equipment.

At alcove 4 (Lower Paintbrush Region) the ACNW members were informed of the flow diversion testing underway in the area as well as future planned tests.

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The enhanced characterization study of the repository block, which involves a 2.8-km (5.5 m) diameter cross-drift tunnel, was visited next. This tunnel, which is approximately 20 m above the repository horizon, complements and enhances the characterization efforts from the existing surface-based testing and the ESF. It permits further *in situ* study of rock properties and the behavior of water within the proposed repository. Data will be collected to verify models and predictions about the geology surrounding the cross drift. Current test results were presented.

Of particular interest was the tour of alcove 5 where the predicted and preliminary measured results and conclusions of the single heater test were discussed. The Committee also visited the drift-scale thermal test, which commenced heat-up on December 13, 1997. This test will take several years to complete; it will continue until a temperature of near 200°C is met. Constant drift-wall temperatures will then be maintained until the cooling phase. Active field testing, including water logging, ground-penetrating radar, gas and water sampling, in-drift video logging, and electrical tomography surveys, are conducted regularly in the test bed. Active testing will continue throughout the entire 10-year span of drift scale test activities. A final data report is to be submitted by June 30, 2006.

The ESF tour was completed with a description at niche 4 of the infiltration testing currently underway. Testing in alcoves 6 and 7 (Ghost Dance fault) were noted as the Committee proceeded to the Busted Butte Area.

In the afternoon, the Committee visited the underground test area after listening to an introduction about the purpose and proposed conduct of the unsaturated zone (UZ) tests at the Busted Butte Complex. Although these tests have several purposes, they are expected to validate laboratory data on radionuclide and colloid migration or sorption or both in fractured and unfractured Calico Hills non-welded rocks. In addition, the UZ testing will reveal the effects of heterogeneities on flow and transport in unsaturated and partially saturated rocks, particularly fracture/matrix interactions and permeability contrast boundaries. The three phases of the test plan were discussed and their physical layout was illustrated. Test results obtained thus far were presented. It was noted that the license application test results report is to be completed by August 30, 1999.

The last stop was at Devils Hole, located in the Ash Meadows National Wildlife Refuge. Through DOE's efforts, access to the locked and gated area was gained from the National Park Service. Ranger Mel Essington briefed the Committee on the significance of Devils Hole, noting that its water level was mandated by law in order that the pupfish habitat located there would be adequately protected. (During a previous Yucca Mountain site tour, the Committee had visited other areas of interest in this national wildlife refuge, and had toured the farms and ranches in the Amargosa Valley. This visit augmented its understanding of the extant ecosystem in the Amargosa Valley environs.)

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This Committee finished its tour and returned to the Longstreet Inn located nearby in the Amargosa Valley. Chairman Garrick thanked DOE and all the presenters for their time and effort.

II. Chairman's Report (Open)

[Mr. Richard K. Major was the Designated Federal Official for this part of the meeting.]

Dr. Garrick noted the following items that he believed were of interest:

- The Senate has confirmed the appointment of former Commissioner Greta Dicus and Jeffrey Merrifield as NRC Commissioners. Mr. Merrifield for the past 3 years has been counsel and staff director to the Senate Environmental and Public Works Subcommittee on Superfund, Waste Control, and Risk Assessment.
- Dr. William D. Travers, currently Deputy Executive Director for Operations (EDO) for Effectiveness (prior to that position he served as Director of the Special Projects Office with oversight of the Millstone station) replaced Mr. Leonard (Joe) Callan as Executive Director for Operations on October 16, 1998. Mr. Callan retired on that date.
- The Texas Compact Consent Act, which establishes a Compact composed of Texas (as the host state), Vermont, and Maine, was passed by both houses of Congress and signed into law by President Clinton on September 20, 1998. The two non-host states will each contribute \$12.5 million to the host state not later than the 60th day after the date Congress ratifies the Compact and the remaining \$12.5 million not later than 60 days after the opening of the compact facility.

Texas regulators will consider a license application for the site at an October 22, 1998 meeting. There has been some opposition to the Sierra Blanco site although it has been endorsed by the Governor and the Texas LLW Disposal Authority.

- Nebraska's Department of Environmental Quality (DEQ) has indicated it plans to deny U.S. Ecology's license application to license a LLW disposal facility in Boyd County. U.S. Ecology and the public will have a chance to comment at hearings to be held in November 1998.

The state is also exploring the legal consequences of withdrawing from the Midwest Compact. A report is under preparation by a Washington, D.C. law firm which is to be presented to the state legislature by December 1, 1998.

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- DOE Deputy Secretary-designate, T. J. Glauthier, told the Senate Energy Committee that the dispute among the NRC, DOE, and EPA regarding the radiation protection standards for the proposed repository at Yucca Mountain should be resolved by the end of 1998. He noted that the disagreement centers around EPA's attempt to "preserve the integrity of all groundwater" at Yucca Mountain. In response to a question from Senator Murkowski, Mr. Glauthier noted that EPA's unofficial proposal is "largely consistent with the National Academy Sciences (NAS) report but departs from the NAS recommendations in selected instances."
- The NRC funding bill (\$465 million, expected to be passed at the time of this writing) will be approximately \$3 million less than this year's appropriations. The Agency was also given buy-out authority to help reduce the number of managers and supervisors.

II. ACNW Planning Session (Open)

[Ms. Lynn G. Deering was the Designated Federal Official for this part of the meeting.]

Dr. Garrick convened the meeting on October 20, 1998, and explained that the purpose of this session was to assess the Committee's performance over Fiscal Year (FY) 1998, to update the ACNW's FY 1998 Strategic Plan, and to identify priorities for FY 1999. Dr. Garrick indicated that by the end of the meeting he hoped to have the source material for a self-assessment report, as well as an updated Strategic Plan. He noted that the Strategic Plan will be referred to as an "action plan" to accommodate concerns raised by the Commission. Dr. Garrick also indicated that the Committee's intention is to "update" rather than to "rewrite" the plan.

The Committee spent the first half of the day reviewing its FY 1998 accomplishments in the context of the FY 1998 Strategic Plan.

Richard Major, ACNW staff, discussed how valuable the plan has been over the past year for tracking and planning ACNW activities, and noted that changes were made to the ACNW Charter to align it with the Strategic Plan. The success of the plan was a result of having used a top-down approach for ACNW activities.

Lynn Deering, ACNW staff, reviewed the following FY 1998 accomplishments: completing 16 letters, addressing all five first-tier priorities and three second-tier priorities, addressing four requests from the Commission, and meeting with at least one NRC Commissioner on five separate occasions. She also noted the following FY 1997 accomplishments: issuing 11 letters and addressing 3 of 11 priorities. Ms. Deering noted that although the Committee had only five priorities in FY 1998, many of the same priority topics identified in FY 1997 were grouped under the current five priorities. Except for two letters issued in FY 1998, the letters on defense in depth and on performance assessment capability, the majority of ACNW effort was spent in FY 1997.

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Ms. Deering led the Committee through a matrix/table summarized the main point of each letter, the EDO's response, whether the letter was timely and effective, and follow-up recommended. Dr. Michael Bell, Acting Branch Chief, Performance Assessment and High-Level Waste Integration Branch, commented on the ACNW letters, indicating that because some letters are unclear, EDO responses to them can be confusing. Dr. Bell asked the Committee to acknowledge in its letters the work that the NRC staff is doing, rather than remain silent. It was suggested that the ACNW note in each letter which recommendations it would like the staff to respond to in writing, and the time frame for the staff to perform the work. He also suggested that the Committee publish the EDO responses along with its letters every year.

Ms. Deering next led the Committee through a draft self-assessment report. The report includes a three-tier system designed to measure whether and how the Committee met its vision, mission, goals, and objectives, and the overall effectiveness of the Committee this past year. The five first-tier measures are timeliness, effectiveness, efficiency, quality, and risk informed. Definitions were given for each of the five metrics. Selected letters are used to exemplify how the metrics were achieved. The second-tier measures mimic the four goals in the Strategic Plan, and the third-tier measures specify various process improvements that the Committee agreed to focus on.

During the afternoon session, the Committee focused on its future direction and priority topics for FY 1999.

Dr. Garrick led a discussion on lessons learned over the past year. The following questions and comments were considered:

- What would help the Committee to be more productive?
- What is the importance of honoring meeting dates?
- Should the Committee continue to collaborate with the Advisory Committee on Reactor Safeguards?
- What do members most need from the ACNW staff?
- What does ACNW staff need from the members?
- Did any new issues or events result from 1998 ACNW activities?

Dr. John Larkins, Executive Director, ACRS/ACNW, suggested that a way to be more efficient would be to send status reports to members via e-mail before the members receive the meeting notebooks, and to call and discuss the report with the lead member before the meeting.

Dr. Charles Fairhurst, ACNW member, suggested exchanging calendars with the Nuclear Waste Technical Review Board (NWTRB) to ensure that ACNW does not schedule meetings at the same time as the NWTRB schedules meetings.

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A suggestion was made to have the ACNW staff research or report on specific key technical issues (KTIs) and submit a summary to the members.

Dr. Bell suggested that informal dialogues and meetings between one or two ACNW members and NRC staff had been helpful in the past.

The ACNW members agreed that working groups are an excellent way for the Committee to gather information.

The ACNW considered the memorandum of understanding (MOU) with the Advisory Committee on Reactor Safeguards (ACRS) to be a step forward that should lead to closer collaboration with ACRS. The ACNW is not required to send a research report to Congress this year, in accordance with the Reports Elimination Act. However, the ACNW will still need to report to the Commission on waste research and technical assistance in FY 1999.

The members and staff agreed that last year's effort in developing the report to Congress was inefficient, and the inefficiency should not be repeated this year.

The members discussed the idea that risk-informed, performance-based (RIPB) regulation is more a philosophy or thought process, than a specific topic. The members suggested that support for the RIPB concept could be conveyed through all of the Committee's letters, instead of by maintaining RIPB as a first-tier priority topic.

Dr. Fairhurst noted that all countries are having problems with public involvement. They have not brought RIPB to the forefront and addressed the risk of nuclear waste in a broader context.

A major discussion point was that members and ACNW staff both agree that they need more communication on an issue-by-issue basis. The ACNW staff requested that its members read their notebook material and contact ACNW staff with questions. The ACNW staff also asked its members to submit their input on draft letters early. The members requested that the ACNW staff contact them more often regarding meeting topics.

Dr. Larkins led the next session on ACNW operational processes. The following questions were discussed:

- Can letter writing be made more efficient?
- Can we use consultants more effectively?
- Do we need to modify scope or duration of meetings?
- Do we need to have more interactions with the Commission?
- What are some ways to solicit feedback on ACNW letters?

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In addressing these questions, the following topics were discussed: form and structure of letters, depth and consistency of advice, drafting and editing, letter-writing improvements, long versus short letters, and the use of e-mail in the letter-writing process.

Dr. Larkins suggested that the Committee take one month to prepare each letter, by writing a first draft immediately and circulating the draft widely amongst the ACNW members before the next meeting.

Dr. Garrick noted that discussion time on letters is always insufficient. He pointed out that the members need to spend more time discussing what they want to say in the letters before preparing drafts and that this allocation of time should be considered when preparing the agenda for the meeting. Dr. George Hornberger, ACNW member, concurred.

Letter Editing

Dr. Larkins suggested faxing letters with edits already made. Someone in the audience suggested that there is software available to facilitate multiple authors editing a document. The ACNW agreed that it would be useful to look into obtaining this software.

Long Versus Short Letters

Dr. Fairhurst suggested that letters should consist of an executive summary with more detail provided in an attachment. It was pointed out that the attachment would also have to be read aloud in public, so this approach may not actually save time. Dr. Hornberger suggested that for some letters, such as those developed by a working group, the attachment could convey the ideas of an individual member. The Committee agreed that this was a good idea to try.

The members agreed to the following: (1) they would try to make sure that letters are substantive and succinct (no more than three to four pages); (2) the recommendations would be placed up front and made visible; (3) letters associated with working groups would be brief and would contain a separate attachment, to be made available upon request; and (4) they would try to make clear to the NRC staff which recommendations the members would like NRC staff to respond to.

Selection and Use of Consultants

Dr. Larkins suggested that the Committee needs to do better planning in identifying the need for and selecting consultants. He suggested that the Committee determine whether a consultant is needed for each of its priorities, and develop a list of potential consultants. Dr. Garrick suggested that the Committee select consultants using the same approach it uses for selecting new members, and that the staff should avoid trying to get consultants to work on invitational orders, i.e., unsalaried.

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Scope and Duration of Meetings

It was suggested that the members organize meetings according to the 1:1 rule; that is, for every hour of presentation, allow one hour of discussion/deliberation. Another idea was to reserve the third day of every meeting for letter writing, reviewing EDO responses, and conducting future agenda planning.

It was agreed that the Committee should try to meet more often with individual Commissioners and have more interactions with Commissioners.

The next session, conducted by Dr. George Hornberger, focused on selecting ACNW priorities for FY 1999.

Before selecting priorities for the next year, the Committee briefly reviewed the following items: criteria for setting priorities from the 1998 Strategic Plan, the Commission's comments on the 1998 Strategic Plan, the slides presented at the ACNW briefing of the Commission in July 1998, the FY 2000 Performance Plan and NRC Strategic Plan, the existing first-tier and second-tier priorities, and NMSS priorities for FY 1999.

In its review of first-tier priority topics, the Committee agreed to keep viability assessment (VA) as a priority but to modify the description and title to emphasize site suitability, license application, and the Yucca Mountain Standard Review Plan (SRP). The Committee also agreed to keep RIPB regulation as a high priority, but to modify the description to address explicitly the need for contributions from individual barriers. The Committee agreed to expand the engineered barrier system (EBS) first-tier priority to include repository design, and also keep decommissioning on the first tier, but rewrite the description to drop clearance levels and add reactor decommissioning. The Committee agreed to move "research" from the first tier to the second tier. The members discussed the possibility of creating a separate first-tier priority for public participation, or, alternatively, to address public participation as part of risk communication, under the RIPB priority.

The Committee discussed the possibility of having a "catch-all" first-tier priority to address miscellaneous topics. The Committee also discussed possible new priority topics, including low-level waste, clearance levels, Envirocare, uranium mill tailings, Hanford tanks, reactor decommissioning, DOE oversight, and transportation.

Dr. Bell discussed NMSS priorities for FY 1999. First he pointed out that the Committee's current plan does not account for the results of the Commission oversight hearings and the agency's new prioritization effort. In response, the Committee requested a briefing on the NRC's prioritization effort. Dr. Bell also indicated that the NRC staff needs to know what the ACNW needs from it for ACNW's review of VA. He noted that NMSS needs to work with ACNW

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on a number of items in accordance with the Chairman's performance plan/tracking tool. These items are identified below, along with NMSS's priorities:

1. Review of VA — Brief ACNW in 2/99.
2. 10 CFR Part 63 — Brief ACNW in 3/99.
3. Review of proposed EPA standard in early 1999, have 90-day comment period — Expect to brief ACNW in 3/99;
4. Draft Environmental Impact Statement (DEIS) — Review and comment on DOE's DEIS, 90-day comment period. What role does ACNW want to play?
5. Total System Performance Assessment (TSPA) report on sensitivity analysis — Conduct a peer review.
6. Issue Resolution Status Reports (IRSRs) — Expect to have issued nine Revision 1 IRSRs by November 1998. These are not on NRC Chairman's tracking system so the staff can be flexible regarding ACNW briefing schedule.
7. Standard Review Plan on Decontamination and Decommissioning — Screening table issued that replaces Regulatory Guide 1.186. Table provides some relief on beta-gamma emitters, but not for alpha radiation.
8. Clearance Rule — The NRC staff has a fast turn-around time.
9. Low-Level Waste (LLW) Branch Technical Position — To be issued as a final position.
10. Risk-informed performance based (RIPB) regulation — Report from interoffice task force due on 12/31/98, expect to brief ACNW in 12/98.

Dr. Hornberger evaluated whether NMSS priorities could be addressed under ACNW's existing priority topics. It appeared that no new ACNW priorities were needed. Dr. Bell noted that the NRC is working on the residual tank wastes for West Valley, Savannah River, and Hanford. The ACNW considered whether it could place the tank waste issue under the LLW priority topic. Members agreed that LLW would include Envirocare, the LLW Branch Technical Position, and the larger issue of failure of the LLW States compacting process and what role the NRC should play in the LLW program. The Committee discussed whether LLW should be moved from a second-tier to a first-tier priority. Dr. Garrick noted that from a risk perspective, LLW is as important as high-level waste.

The members considered whether clearance levels could be placed under the RIPB priority, but nothing was concluded.

Regarding second-tier priorities, the members agreed to move the radiation risk levels for low-level ionizing radiation to the top of the second-tier priorities. In addition, they agreed that the repository design thermal/coupled processes could be absorbed into the engineered barrier system/repository design first-tier priority. The members agreed to drop DOE oversight from the second-tier list, and to keep interim storage on the second tier. It was agreed that more information was needed on control and accountability of radiation devices before it could be decided to drop it or keep it on the second-tier list.

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Planned working group meetings include Linear No Threshold in 3/99, and Repository Design in 2/99. Ideas for other working group meetings included Draft Environmental Impact Statement for the Yucca Mountain site, decontamination and decommissioning, LLW, institutional controls, and lessons learned in public involvement. Members noted that if the Committee holds a working group on LLW, it would move it up to the first tier.

Dr. Garrick initiated the final discussion on whether there is any fundamental reason to change the plan. Issues were discussed raised by the Nuclear Energy Institute related to LLW, HLW, decommissioning, and NRC-EPA dual regulatory authority. The members concluded that at this time there is no reason to change the plan in a general sense from last year. However, among events to monitor are the January 28, 1999, subcommittee meeting chaired by Senator Dominici on risk-informed regulations, and outcomes from the NRC tasking memorandum.

During the wrap-up session, Carol A. Harris, facilitator, reviewed agreements and items that were not resolved. She reminded the Committee that Dr. Bell had requested that the Committee convey in its letters whether there is a sense of urgency in its recommendations.

IV. Public Comments (Open)

[Mr. Howard J. Larson was the Designated Federal Official for this part of the meeting.]

The public comment sessions were held during an evening session on October 20, 1998, as well as on the following morning, in order to provide for maximum public accessibility to the Committee. Representatives from the State of Nevada, the Nevada Nuclear Waste Task Force, Nye and Clark counties (Nevada), and several local citizens made presentations to the Committee.

During the evening session, Mr. Engelbrecht von Teisenhausen, representing Clark County, discussed several perceived problems with DOE's viability assessment. He also suggested that the NRC quality assurance oversight program was essentially dismantled in 1994 and that not only could this make documentation of traceability more difficult, but the data qualification effort may take another 2 years to "catch up."

Mr. Steve Frishman, Nevada Agency for Nuclear Projects, discussed a letter that he stated was to be sent shortly from Nevada Governor Miller to NRC Chairman Jackson addressing the just-released staff recommendations to the Commission for a new proposed rule for Yucca Mountain, (10 CFR Part 63). Mr. Frishman requested that the Committee, after reading the letter and after considering the substance of the letter, recommend to Chairman Jackson that the NRC not issue 10 CFR Part 63 until after EPA issues its Yucca Mountain standard. He then proceeded to discuss Nevada's disagreement with the Commission position that a separate groundwater standard was not needed, the proposal regarding informal vis-à-vis formal

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licensing hearings (indicating the State preference for the latter), and the specification of the Yucca Mountain critical group.

Mr. Tom Buqo, hydrologist for Nye County, discussed the Nye County proposed early warning drilling program. He noted that the objectives of the program were to address the data gap south of Yucca Mountain and to provide long-term monitoring capability. He outlined the intended program, indicating that Nye County intended to begin the FY 1999 drilling program in November 1998.

Mr. Parvitz Montazer, Nye County, discussed the county's proposed alternative repository design, which was based on the analysis of the data collected thus far by Nye County and DOE. The proposed alternative design is for a naturally ventilated repository, for which it was postulated that the advantages outweighed the potential disadvantages. Mr. Malachy Murphy, Nye County, announced that a workshop titled "Naturally Ventilated Repository" was to be held in Las Vegas on December 1 and 2, 1998. An invitation to attend was extended to ACNW members and staff.

Mr. Russell Patterson, Natural Systems Integrator, DOE, provided additional relevant information in discussing the status of the DOE saturated zone flow and transport model. He stated that the model would be calibrated and delivered for TSPA simulations by August 1999, and that the relevant license application documents would be ready by January 2000. He also discussed the current DOE involvement in the Nye County drilling program, indicating that DOE scientific activities would complement the objectives of Nye County.

Ms. Sally Devlin, a citizen of Pahrump, Nevada, discussed several issues she believed were of particular concern. Among those issues were the transportation route selection process, the use of technical terms and language not readily understood by lay persons, and the status of emergency preparedness plans in Nye County.

Ms. Judy Treichel, Executive Director, Nevada Nuclear Waste Task Force, stated her belief that one reason why public attendance at meetings was not greater, was the public perception that public input at such meetings would change nothing. She also commented that if waste is truly "disposed," it should not be seen again. Therefore, there was no need for an early warning system such as the one discussed by the Nye County representatives.

Mr. William Vascone, a concerned citizen, after presenting a myriad of facts, stated his overall conclusion that Nevada would be a good place to store wastes. He also stressed that there were people in Nevada who wanted to solve this national problem. His belief is that the repository should be ventilated, and that wastes should be retrievable for the next 300 years. Perhaps during that time, through education, another, more acceptable option will be identified.

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Mr. Ralph McCracken, a resident of Amargosa Valley, stated that Nye County is one of the two largest counties in the country and that water is pivotal to its further development. He closed his remarks by indicating that a major water study is underway for the valley, and that this study could have a very significant future impact on the valley.

Before further discussion with the presenters, Chairman Garrick restated, in his own words, the principal concerns expressed by the public commenters. The Committee then entered into a period of open discussions with the attendees.

In closing, Dr. Garrick stated that these discussions were valuable to the Committee and that the Committee would consider the views presented.

V. Executive Session (Open)

[Mr. Richard K. Major was the Designated Federal Official for this part of the meeting.]

A. Future Meeting Agendum (Open)

Appendix IV summarizes the proposed items endorsed by the Committee for the 105th ACNW Meeting, December 15-17, 1998.

B. Future Committee Activities (Open)

The Committee will not meet in January 1999. The 106th ACNW Meeting is scheduled for February 23-25, 1999. The Committee plans to meet with the Commission during this meeting.

Dated at Rockville, Maryland, this 28th day of September 1998.

For the Nuclear Regulatory Commission.

Herbert N. Berkow,

Director, Project Directorate II-2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98-26559 Filed 10-2-98; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Revised

The 104th meeting of the Advisory Committee on Nuclear Waste (ACNW) has been rescheduled from October 20-22, 1998 to October 20 and 21, 1998, at the Longstreet Inn, Conference Room Colorado #2, Stateline 373, Amargosa Valley, Nevada. Presentations by the Department of Energy on Site Characterization and Viability Assessment will be rescheduled. The ACNW review of the NRC staff's Format and Content Guide for Reactor License Termination has been canceled. The Committee will not hold any sessions in Las Vegas as was previously announced.

All other items pertaining to this meeting remain the same as published in the Federal Register on Thursday, September 10, 1998 (63 FR 48532).

Further information regarding this meeting can be obtained by contacting Mr. Richard K. Major, Chief, Nuclear Waste Branch (telephone 301/415-7366), between 8:00 a.m. and 5:00 p.m. EDT.

Dated: September 29, 1998.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 98-26557 Filed 10-2-98; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

[SF 3106 and SF 3106A]

Submission for OMB Review; Comment Request for Reclearance of a Revised Information Collection

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) has submitted to the Office of Management and Budget a request for reclearance of a revised

information collection. SF 3106, Application for Refund of Retirement Deductions, and SF 3106A, Current/Former Spouse's Notification of Application for Refund of Retirement Deductions, are used by former Federal employees who contributed to the Federal Employee's Retirement System to receive a refund of retirement deductions and any other money to their credit in the Retirement fund.

Approximately 17,125 SF 3106, Application for Refund of Retirement Deductions will be processed annually. The SF 3106 takes approximately 27 minutes to complete for a total of 7,706 hours annually. Approximately 13,700 of SF 3106A, Current/Former Spouse's Notification of Application for Refund of Retirement Deductions will be processed annually. The SF 3106A takes approximately 6 minutes to complete for a total of 1,370 hours annually.

For copies of this proposal, contact Mary Beth Smith-Toomey on (202) 606-8353, or E-mail to mbtoomey@opm.gov

DATES: Comments on this proposal should be received on or before November 4, 1998.

ADDRESSES: Send or deliver comments to—

John C. Crawford, Chief, FERS Division, Retirement and Insurance Service, U.S. Office of Personnel Management, 1900 E Street, NW, Room 3313, Washington, DC 20415

and Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW, Room 10235, Washington, DC 20503

FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION—CONTACT: Donna G. Lease, Budget and Administrative Services Division, (202) 606-0623.

U.S. Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 98-26624 Filed 10-2-98; 8:45 am]

BILLING CODE 6325-01-P

OFFICE OF PERSONNEL MANAGEMENT

National Partnership Council Meeting

AGENCY: Office of Personnel Management.

ACTION: Notice of meeting.

TIME AND DATE: 1 p.m., October 14, 1998.

PLACE: Executive Conference Room 5A06A, U.S. Office of Personnel Management, Theodore Roosevelt

Building, 1900 E Street, NW., Washington, DC. Room 5A06A is located on the fifth floor, inside the director's suite.

STATUS: This meeting will be open to the public. Seating will be available on a first-come, first-served basis.

Individuals with special access needs wishing to attend should contact OPM at the number shown below to obtain appropriate accommodations.

MATTERS TO BE CONSIDERED: This meeting will consist of a discussion of the National Partnership Council's 1998 accomplishments and outstanding items, including the Council's research project, 1998 Report to the President, and skills-building publication. It will also consist of a discussion of ideas for the Council's 1999 Strategic Action Plan.

CONTACT PERSON FOR MORE INFORMATION: Andrew M. Wasilisin, Acting Director, Center for Partnership and Labor-Management Relations, Office of Personnel Management, Theodore Roosevelt Building, 1900 E Street, NW., Room 7H28, Washington, DC 20415-2000, (202) 606-2930.

Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 98-26635 Filed 10-2-98; 8:45 am]

BILLING CODE 6325-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of October 5, 1998.

A closed meeting will be held on Wednesday, October 7, 1998, at 10:00 a.m.

Commissioners, Counsel to the Commission, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Hunt, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

responsibility for the Perry Nuclear Power Plant. The owners will continue to provide all funds for the operation, maintenance, and decommissioning of the Perry Nuclear Power Plant. The responsibility of the owners will include funding for any emergency situations that might arise at the Perry Nuclear Power Plant.

The proposed action is in accordance with the licensees' application dated June 30, 1998, for approval of the transfer of the license and issuance of a conforming amendment.

Need for the Proposed Action

The proposed action is needed to enable the licensees to transfer operating authority to the FirstEnergy Nuclear Operating Company as discussed above. The licensees have submitted that this will enable them to enhance the already high level of public safety, operational efficiency, and cost-effective operations at the Perry Nuclear Power Plant.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there will be no physical or operational changes to the Perry Nuclear Power Plant. The technical qualifications of the FirstEnergy Nuclear Operating Company to carry out its responsibilities under the operating license for the Perry Nuclear Power Plant will be equivalent to the present technical qualifications of the current operators. The FirstEnergy Nuclear Operating Company will assume responsibility for, and control over, operation and maintenance of the facility. The present plant organization, the oversight organizations, and the engineering and support organizations will be transferred essentially intact to the FirstEnergy Nuclear Operating Company. The technical qualifications of the FirstEnergy Nuclear Operating Company, therefore, will be at least equivalent to those of the existing organization.

The Commission has evaluated the environmental impact of the proposed action and has determined that the probability or consequences of accidents would not be increased and that post-accident radiological releases would not be greater than previously determined. Further, the Commission has determined that the proposed action would not affect routine radiological plant effluents and would not increase occupational radiological exposure. Accordingly, the Commission concludes that there are no significant radiological

environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action would not affect nonradiological plant effluents and would have no other environmental impact. Therefore, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission concluded that there is no measurable environmental impact associated with the proposed action, any alternative with equal or greater environmental impacts need not be evaluated. As an alternative to the proposed action, the staff considered denial of the requested action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are identical.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the "Final Environmental Statement related to the operation of the Perry Nuclear Power Plant, Units 1 and 2," dated August 1982.

Agencies and Persons Contacted

In accordance with its stated policy, on July 21, 1998, the staff consulted with the State official of the Ohio Emergency Management Agency, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensees' application dated June 30, 1998, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Perry Public Library, 3753 Main Street, Perry, OH 44081.

Dated at Rockville, Maryland, this 2nd day of September 1998.

For the Nuclear Regulatory Commission.
Elinor G. Adensam,
Acting Director, Division of Reactor Projects—
III/IV, Office of Nuclear Reactor Regulation.
[FR Doc. 98-24302 Filed 9-9-98; 8:45 am]
BILLING CODE 7550-01-P

*** NUCLEAR REGULATORY COMMISSION**

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 104th meeting on October 20-22, 1998.

Note: On October 19, 1998, the Committee and its staff will tour the proposed site of the high-level waste repository at Yucca Mountain, Nevada, as guests of the Department of Energy. The Committee will also tour surrounding communities and natural settings.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

Tuesday, October 20, 1998—8:30 A.M. until 6:00 P.M.

The Committee will meet at the Longstreet Inn, Conference Room Colorado #2, Stateline 373, Amargosa Valley, Nevada. The following topics will be discussed:

A. Planning Session—The Committee will conduct a day long planning session. The Committee will do a self-evaluation of its performance over the past year. The Committee will examine steps it can take to improve its operational efficiency. The Committee will also examine and select priority issues for review in 1999 and beyond.

B. Public Comments—Time will be allocated at the end of the planning session for public comments and discussion.

Wednesday and Thursday, October 21-22, 1998—8:30 A.M. until 6:00 P.M. each day.

The Committee will meet at Bally's, 3645 Las Vegas Blvd. South, Las Vegas, Nevada, Conference Room Las Vegas #1, Las Vegas, Nevada. The Committee will discuss the following topics:

A. Site Characterization—The Committee will discuss Yucca Mountain site characterization activities for the proposed repository with the Department of Energy (DOE).

B. Viability Assessment—The Committee will discuss the status of DOE's Viability Assessment including design options, total systems performance assessment, cost estimates, and schedule.

C. Format And Content Guide—The Committee will review the NRC staff's

Format and Content Guide for Reactor License Termination.

D. Public Comments—The Committee will hear comments from members of the public, representatives from the State of Nevada and affected local counties, and Tribal Nations on concerns related to nuclear waste disposal.

E. Preparation of ACNW Reports—The Committee will discuss planned reports on the following topics: potential regulations for licensing the Yucca Mountain repository; proposed importance measures for evaluating nuclear waste repository performance; issues related to the regulatory guides and standard review plan for decommissioning; recent international experience; a report on priorities and planning; comments on site characterization and viability assessment; and other topics discussed during this and previous meetings as the need arises.

F. Committee Activities/Future Agenda—The Committee will consider topics proposed for future consideration by the full Committee and Working Groups. The Committee will discuss ACNW-related activities of individual members.

G. Miscellaneous—The Committee will discuss miscellaneous matters related to the conduct of Committee activities and organizational activities and complete discussion of matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the Federal Register on September 2, 1997 (62 FR 46382). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the Chief, Nuclear Waste Branch, Mr. Richard K. Major, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the Chief, Nuclear Waste Branch, prior to the meeting. In view of the possibility that the schedule for

ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Major as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Mr. Richard K. Major, Chief, Nuclear Waste Branch (telephone 301/415-7366), between 8:00 A.M. and 5:00 P.M. EDT.

ACNW meeting notices, meeting transcripts, and letter reports are now available for downloading or reviewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Dated: September 3, 1998.

Andrew L. Bates,
Advisory Committee Management Officer.
[FR Doc. 98-24301 Filed 9-9-98; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION**Advisory Committee on Reactor Safeguards Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment**

The ACRS Subcommittee on Reliability and Probabilistic Risk Assessment will hold a meeting on September 24, 1998, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Thursday, September 24, 1998—8:30 a.m. until the conclusion of business.

The Subcommittee will discuss proposed options for developing a risk-informed approach to revising 10 CFR 50.59 (Changes, Tests and Experiments), and industry initiatives to certify probabilistic risk assessments (PRAs). The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring

to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the cognizant ACRS staff engineer, Mr. Michael T. Markley (telephone 301/415-6885) between 7:30 a.m. and 4:15 p.m. (EDT). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any potential changes to the agenda, etc., that may have occurred.

Dated: September 4, 1998.

Sam Duraiswamy,
Chief, Nuclear Reactors Branch.
[FR Doc. 98-24353 Filed 9-9-98; 8:45 am]
BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Proposed Collection; Comment Request for Review of a Revised Information Collection: Form DPRS-2809

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Public Law 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget a request for review of a revised information collection, DPRS-2809, Request to Change FEHB Enrollment or to Receive Plan Brochures, is used by former spouses and Temporary Continuation of Coverage recipients who are eligible to elect, cancel, or change health benefits enrollment during open season.

Comments are particularly invited on: Whether this collection of information

APPENDIX II

**FINAL AGENDA
ACNW PLANNING SESSION
TUESDAY, OCTOBER 20, 1998**

8:30am-8:45am Introduction meeting purpose, objectives, and format,
ACNW Chairman, John Garrick

Session I: What did we say we were going to do?

9:05
8:45am-9:45am Revisit ACNW strategic plan and revised Charter for 1998
Rich Major, Branch Chief

Session II: What did we do?

9:05 9:30
9:15am-9:45am Review statistics on FY98 meetings and accomplishments
L. Deering, ACNW staff

- 10:10
9:45am-10:00am Break

Session III: How effective were we?

9:30-9:45 and 10:10-10:40
10:00am-10:45am Review matrix summarizing outcome/impact for FY98 letters
Major/Deering

10:40
10:45am-12:15pm Evaluate degree to which ACNW met its mission, goals, objectives,
and overall outcomes as source material for letter to Commission
Deering/Major

11:25
12:15pm-1:15pm ***** Lunch *****

Session IV: What new issues or events developed or what lessons were learned?

1:15 2:20
1:15pm-2:15pm Review lessons learned: (J. Garrick, lead)
-What would we need to be more productive? time, money, FTE?
-Importance of honoring meeting dates
-Should we continue to collaborate with ACRS?
-What do members most need from the ACNW staff?
-What do ACNW staff need from the members?
-Did any new issues or events result from 1998 ACNW activities?
-Succession planning

2:15 3:10
2:15pm-3:00pm Review ACNW operational processes (J. Larkins, Executive
Director, ACRS/ACNW):
-Can letter writing be made more efficient?
-Can we use consultants more effectively?

- Do we need to modify scope or duration of meetings?
- Do we need to have more interactions with Commission?
- What are ways to solicit feedback on ACNW letters?

3:10 - 3:30
 3:00pm-3:15pm

Break

Session V:

What should we do next year? (George Homberger, lead)

3:30 - 5:31
 3:45pm-5:15pm

Review criteria for setting priorities from 1998 strategic plan

Review Commission's comments on 1998 strategic plan

Review July ACNW Commission Slides

Review FY 2000 Performance Plan and NRC Strategic Plan

Evaluate existing first and second tier priorities

Discuss possible new priority topics:

- LLW
- clearance levels
- envirocare
- uranium mill tailings
- Hanford Tanks
- Reactor decommissioning
- DOE Oversight
- transportation

Discuss new initiatives:

- working groups
- site or facility visits

Session VI: *Is there any fundamental reason to change the existing plan?*

5:15pm-5:45pm
 5:31 - 5:40

Evaluate external and internal factors

- NEI pressures to hold NRC accountable for regulatory change
- International experience
- Congressional Oversight

Session VII: *Wrap up*

5:45pm-6:00pm
 5:42 - 6:10

Discuss products, assignments

Meeting followed by evening session with the public from 7:30pm - 9:00 pm

7:35 - 8:15

BACKGROUND MATERIAL

Session I: *What did we say we were going to do?*

1. Revised ACNW Charter
2. ACNW FY98 Strategic Plan

Session II: *What did we do?*

1. FY1998 Activities and Accomplishments Report

Session III: *How effective were we?*

1. Summary Matrix of FY98 letters and outcomes
2. Measures for ACNW Self-Assessment Report to Commission, revised 10/98
3. Completed tracking tools for all letters
4. ACRS/ACNW Feedback solicitation form
5. SECY 98-123, Performance Evaluation for ACRS and ACNW, June 1, 1998
6. March 4, 1998 Memorandum from A. Campbell to ACNW members, "Internal Guidance for ACNW Members and Staff on Handling of Predecisional Information."

Session IV: *What new issues or events developed or what lessons were learned?*

1. May 13, 1998 MOU between ACNW/ACRS

Session V: *What should we do next year?*

- 1 March 16, 1998 Letter from S. Jackson to J. Garrick, Comments on the 1998 Strategic Plan and Priority Issues for the ACNW
2. March 26, 1998 letter from J. Garrick to Chairman Jackson, Reply to Commission Comments on Strategic Plan
3. July 21, 1998 Overheads presented to the Commission, "ACNW Plans, Priorities, and Accomplishments for FY98 and FY99"
4. NRC FY2000 Performance Plan

5. Revised NRC FY1998-2003 Strategic Plan
6. October 21, 1998 ACNW Retreat minutes
7. August 6, 1998 "Third Quarter ACNW Operating Plans
8. July 1998 List of issues raised by J. Greeves during 102nd ACNW meeting and transcript

Session VI: Is there any fundamental reason to change the existing plan?

1. August 7, 1998 Memorandum from S. Jackson to J. Callen, "Responding to Issues Raised Within the Senate Authorization Context,"
2. "Perceptions of the NRC Today," presented at the NRC Stakeholder's Meeting in Rockville, Maryland, by Forrest J. Remick, July 17, 1998
3. NEI handouts and issues raised during ACNW meetings
4. NWTRB Strategic Plan for FY1997 -2002

Session VII: Wrap up

Additional Material provided separately from Notebook:

1. Secy 98-225, Proposed Rule: 10 CFR Part 63—"Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, Nevada"
2. Status Report on Draft 10 CFR 63, July 22, 1998, L. Deering
3. September 16, 1998 Memorandum from H. Larson on NRC's Issues With EPA regarding the draft standards for HLW Disposal
4. August 6, 1998 Memorandum from H. Larson to ACNW Members, "Commission Briefing—"Research: A Look to the Future
5. "June 26, 1998 Memorandum from H. Larson to ACNW Members, Draft SECY "Regulatory Options for Setting Standards on Clearance of Materials and Equipment having Residual Activity, undated"
6. June 30, 1998 Staff Requirements Memorandum for SECY 98-028, "Regulatory Options for Setting Standards on Clearance of Materials and Equipment having Residual Radioactivity Activity."



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON NUCLEAR WASTE
WASHINGTON, D.C. 20555-0001

DRAFT: October 7, 1998

**SCHEDULE AND OUTLINE FOR
OCTOBER 19, 1998 YUCCA MOUNTAIN TOUR and 104TH ACNW MEETING
OCTOBER 20-21, 1998
AMARGOSA VALLEY, NV**

Sunday, October 18, 1998

Travel to Las Vegas, NV. Rent car in Las Vegas and travel to the Longstreet Inn, Stateline 373, Amargosa Valley, NV. (Map provided separately for all participants.)

Monday, October 19, 1998 - Yucca Mountain Field Trip
Cameras and recording equipment are authorized

- | | |
|--------------------|--|
| 7:00 - 7:30 A.M. | Meet in lobby. DOE access check at Longstreet. Depart hotel at 7:30 A.M.** |
| 8:00 A.M. | Reach Gate 510 |
| 8:30 - 9:00 A.M. | Tunnel training at Field Operations Center (FOC) |
| 9:30 A.M. | ESF tour, including East-West drift. Intend to spend additional time at Alcoves 1 (infiltration) and 5 (drift scale heater tests). DOE will provide updated information package prior to tour. |
| Noon -12:45 P.M. | LUNCH. Dine from pre-paid (\$6.50) box lunch-made by Longstreet Inn (pay Barbara Jo White) |
| 12:45 P.M. | Travel to Busted Butte |
| 1:15 - 2:15 P.M. | Presentation at Busted Butte |
| 2:15 - 3:00 P.M. | Return to FOC; drop off equipment |
| 3:30 P.M. | Depart Gate 510 |
| 4:15 P.M. | Arrive at Amargosa Valley, visit Devil's Hole and Ash Meadows |
| 6:00 P.M. (approx) | Return to Longstreet Inn |
- NOTES:**
- (1) Tour will be by Russ Dyer. ACNW Members, ACNW Staff, and possibly M. Bell (approx. 13) to attend.
 - (2) State of Nevada, county reps, and others will have to make arrangements with DOE (who is the tour host) for a separate tour as space is limited on ours.
 - (3) Bring some sort of photo ID to the site.

Wednesday, October 21, 1998, Longstreet Inn, Conference Room, Colorado #2, Stateline
373, Amargosa Valley, NV

8:35

~~8:30~~-8:40 A.M. Introduction - John Garrick

8:40-~~9:40~~ A.M. Presentation by the State of Nevada - "Selected Topics of Regulatory
9:25 Interest," Steve Frishman

9:40 - 10:40 A.M. Presentation by Nye County, NV - Nye County Drilling Program
Nick Stellavato *TOM BOGD*
Mal Murphy
Parviz Montazer

DOE efforts in support of Nye County Program, Drew Coleman, DOE

~~10:40~~ - 11:05

~~10:40~~ - 11:00 A.M. ***** BREAK *****

11:05 - 12:35

11:00 - 12:30 P.M. Public Comments

~~12:30~~ - 1:30 P.M.

***** LUNCH *****
Recess

12:35 - 12:55

~~1:30~~ - 2:15 P.M. Future Agenda (include EDO responses)

~~12:55~~ - 2:15

2:15 -

CONCLUSION

Preparation of ACNW Reports

1. Proposed Importance Measures
2. Standard Format and Content of License Termination Plans for Nuclear Power Reactors (Larkinsgram)
3. Highlights of recent RSK Technical Exchange Meeting
4. ACNW FY99 Priorities and Plans

APPENDIX III: MEETING ATTENDEES

**104TH ACNW MEETING
OCTOBER 19-21, 1998**

<u>ACNW STAFF</u>	<u>2nd Day</u>	<u>3rd Day</u>
Dr. Andrew Campbell	<u>X</u>	<u>X</u>
Ms. Lynn Deering	<u>X</u>	<u>X</u>
Ms. Michele Kelton	<u>X</u>	<u>X</u>
Dr. John Larkins	<u>X</u>	<u>X</u>
Mr. Howard Larson	<u>X</u>	<u>X</u>

ATTENDEES FROM THE NUCLEAR REGULATORY COMMISSION

OCTOBER 20, 1998

M. Bell NRC/DWM

OCTOBER 21, 1998

M. Bell NRC/DWM

ATTENDEES FROM OTHER AGENCIES AND GENERAL PUBLIC

OCTOBER 20, 1998

E. Tiesenhausen	Clark County
G. Swartz	Nye County NWRPO
M. Heiser	LMITCO/INEEL
B. Lipton	YMP/M&O/SAIC
J. Stuckless	USGS
M. Carroll	NWTRB
S. Devlin	Stakeholder
V. McGhee	Amargosa Valley
C. Binuer	Robison/Seidler
C. Hanlon	DOE
W????	Nye County
N. Stellavato	Nye County
A. Hechanova	University of Nevada, Las Vegas
M. Scott	CRWMS/M&O

**APPENDIX V
104TH ACNW MEETING
OCTOBER 19-21, 1998**

2

ATTENDEES FROM OTHER AGENCIES AND GENERAL PUBLIC (CONT'D)

OCTOBER 21, 1998

T. Buqo	Nye County/NWRPO
S. Frishman	NV/NWPO
P. Montazer	Nye County/MET
V. McGhee	Amaragosa Valley
J. Treichel	NV Nuclear Waste Task Force
M. Scott	CRWMS/M&O
C. Hanlon	DOE/YMP
M. Housel	PIC
D. Hoxie	USGS/M&O
R. Patterson	DOE/YMP
M. Murphy	Nye County
W. Vasconi	AFL/CIO
J. Williams	PIC/Nye County
M. Heiser	LMITICO
E. Tiesenhauser	CCCP
S. Devlin	Stakeholder
G. Swartz	Nye County
L. Bissell	Booz Allen & Hamilton
R. McCracken	Amargosa Valley
M. Carroll	NWTRB
A. Cochran	Public
C. Murhead	Nye County
J. Hartley	M&O/SAIC
J. Price	DOE
R. Linden	MTS/Gocder Assoc.
B. Dewitt	Amaragosa Valley
T. Poder	Shoshone Cal.
B. Tragger	Public

APPENDIX IV: FUTURE AGENDA

The Committee agreed to consider the following during the 105th ACNW Meeting, December 15-17, 1998:

- **Overviews of FY 1999 NRC Staff Programs** - The Committee will hear a number of briefings from the NRC staff on FY 1999 waste-related programs. These overviews will include decommissioning activities, the High Level Waste repository program, and programs planned or underway in the Spent Fuel Projects Office, NMSS.
- **Viability Assessment** - The Committee will review the Department of Energy's Yucca Mountain viability assessment. This will include an overview of the Total System Performance Assessment and factors used in abstracting TSPA models, the repository safety strategy, performance allocation, and an overview of the license application plan.
- **Meeting with NRC's Director, Division of Waste Management, Office of Nuclear Material Safety and Safeguards** - The Committee will meet with the Director to discuss recent developments within the division such as developments at the Yucca Mountain project, rules and guidance under development, available resources, and other items of mutual interest.
- **Prepare for the Next Meeting with the Commission** - The Committee will begin preparations for its next public meeting with the Commission. Topics to be discussed will be selected and Committee assignments made.
- **Committee Activities/Future Agenda** - The Committee will consider topics proposed for future consideration by the full Committee and Working Groups. The Committee will discuss ACNW-related activities of individual members.
- **Miscellaneous** - The Committee will discuss miscellaneous matters related to the conduct of Committee activities and organizational activities and complete discussion of matters and specific issues that were not completed during previous meetings, as time and availability of information permit.
- **Preparation of ACNW Reports** — The Committee will discuss planned reports, including reports on ACNW self assessment; a 1999 Action Plan for the Committee; proposed importance measures for evaluating nuclear waste repository performance; issues related to regulatory guidance and a standard review plan for decommissioning; observations from the recent European technical exchange; and other topics discussed at this and previous meetings.

**APPENDIX V
LIST OF DOCUMENTS PROVIDED TO THE COMMITTEE**

[Note: Some documents listed below may have been provided or prepared for Committee use only. These documents must be reviewed prior to release to the public.]

MEETING HANDOUTS

**AGENDA
ITEM**

DOCUMENTS

Tour of the Yucca Mountain Exploratory Studies Facility

1. Site Tour, Advisory Committee on Nuclear Waste, October 19, 1998, prepared by Department of Energy

Presentations by the Nye County, Nevada

2. Nye County Nuclear Waste Project Office, Early Warning Drilling Program, presented by Thomas Buqo, Consulting Hydrogeologist
3. Nye County Technical Program, presented by Nick Stellavato, On Site Representative, October 1998

Site-Scale Saturated Zone Flow and Transport Model Development

4. Site-Scale Saturated Zone Flow and Transport Model Development, presented by Russell Patterson, Natural Systems Integrator, Office of Project Execution, Yucca Mountain Site Characterization Office, October 21, 1998
5. Yucca Mountain Project Coordination with Nye County on Saturated Zone Studies, presented by Drew Coleman, DOE Field Test Coordination, Yucca Mountain Site Characterization Office, October 21, 1998

MEETING NOTEBOOK CONTENTS

TAB
NUMBER

DOCUMENTS

BOOK 1 PLANNING SESSION

Opening Remarks by ACNW Chairman

1. Schedule and Outline for Discussion, ACNW Planning Session, Tuesday, October 20, 1998
2. Introductory Statement by the ACNW Chairman, Tuesday, October 20, 1998

1

3. Revised ACNW Charter, May 29, 1998
4. ACNW FY 1998 Strategic Plan, December 23, 1997

2

FY 1998 Activities and Accomplishments

5. Summary of ACNW Accomplishments for FY 1998

3

Summary Matrix of FY 1998 Letters

6. Commonalities/Trends for the Ten Letters Focused on High-Level Waste
7. ACNW Summary Matrix of FY 1998 Letters and Outcomes
8. Measures for ACNW Self-Assessment Report to Commission, Revised 10/98
9. Completed Tracking Tools for All Letters

4

10. Memorandum from R. L. Seale, Chairman, ACRS, and B. John Garrick, Chairman, ACNW, to ACRS and ACNW, Subject: Coordination of ACRS and ACNW Activities, May 13, 1998

5

11. Letter from Chairman Jackson, NRC, to B. John Garrick, ACNW, Subject: Comments on the 1998 Strategic Plan and Priority Issues for the Advisory Committee on Nuclear Waste, March 16, 1998
12. Letter from B. John Garrick, Chairman, ACNW, to The Honorable Shirley Ann Jackson, Chairman, NRC, Subject: Commission Comments on the ACNW Strategic Plan and Priority Issues, March 26, 1998

**APPENDIX V
104TH ACNW MEETING
OCTOBER 19-21, 1998**

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MEETING NOTEBOOK CONTENTS (CONT'D)

**TAB
NUMBER**

DOCUMENTS

13. Viewgraphs presented to Commission, "ACNW Plans, Priorities, and Accomplishments for FY98 and FY99," July 21, 1998
 14. NRC FY 2000 Performance Plan
 15. Revised NRC FY 1998-2003 Strategic Plan, January 20, 1998
 16. Minutes for the October 21, 1998 ACNW Planning Session (Retreat), transmitted January 22, 1998
 17. Third Quarter ACNW Operating Plans, August 6, 1998
 18. List of Issues Raised by J. Greeves, NMSS, during 102nd ACNW Meeting, July 1998 (excerpts from transcript, pp. 96-107)
- 6
19. Memorandum from Shirley Ann Jackson, to L. Joseph Callan, Subject: Responding to Issues Raised Within the Senate Authorization Context
 20. Memorandum from John C. Hoyle, Secretary, NRC, to L. Joseph Callan, EDO, Subject: Staff Requirements: Public Meeting on Stakeholders Concerns, 10:00 A.M., Friday, July 17, 1998, ACRS Conference Room, Two White Flint North, Rockville, Maryland, August 18, 1998
 21. "Perceptions of the NRC Today," presented at the NRC Stakeholder's Meeting in Rockville, Maryland, by Dr. Forrest J. Remick, July 17, 1998
 22. Handouts presented during ACNW meetings, Ralph E. Beedle, Senior Vice President & CNO, Nuclear Energy Institute, June 12, 1998
 23. U. S. Nuclear Waste Technical Review Board Strategic Plan for FY 1997-2002

BOOK 2

BACKGROUND MATERIAL

1. Memorandum dated October 9, 1998, from Richard K. Major, Chief, Nuclear Waste Branch, ACNW, to ACNW Members, Subject: Background Material, Yucca Mountain Tour, Self-Assessment/Strategic Planning, and 104th ACNW Meeting, October 19-21, 1998
2. Itinerary
3. Map of Nevada, Amargosa Valley and surrounding vicinities
4. Schedule and Outline for October 19, 1998 Yucca Mountain Tour and 104th ACNW Meeting, October 20-21, 1998, Amargosa Valley, Nevada, draft October 7, 1998

MEETING NOTEBOOK CONTENTS (CONT'D)

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DOCUMENTS

5. Introductory Statement by the ACNW Chairman, First Day, Tuesday, October 20, 1998
6. Introductory Statement by ACNW Chairman, Second Day, Wednesday, October 21, 1998, undated
7. Items of Current Interest, undated

2 Comments from Interested Parties

8. Status Report
9. Enclosures
 - A. Sample letter with list of addressees
 - B. N. Stellavato, On Site Representative, Nye County, to Mr. Russell L. Patterson, DOE, Yucca Mountain Site Characterization Office, Subject: Nye County Early Warning Drilling Program
 - C. Alternative Repository Design, Nye County Nuclear Waste Repository Project Office by Nick Stellavato and Parviz Montazer, presented to ACNW, October 1998, proposed handouts

3 Committee Activities/Future Agenda

9. Set Agenda for the 105th ACNW Meeting, December 15-17, 1998
10. Set Agenda for the 106th ACNW Meeting, February 22-24, 1998
11. Proposed 1999 ACNW Meeting Calendar
12. EDO's List of Future Meeting Topics
13. Reconciliation of EDO Responses to ACNW Reports
14. NWTRB/OCRWM/M&O Meeting List
16. Discuss Attendance at Past Outside Meetings and Plans to Attend Future Meetings
17. Approval of Larkinsgram on Reactor Decommissioning Standard Format and Content Guide
18. ACNW Letter Reports in Progress (October 1998)
 - Report on September 1998 Technical Exchange with RSK (Outline)
 - Report on ACNWFY 1999 Priority and Planning Workshop (discuss-

