

**NUCLEAR REGULATORY COMMISSION**

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 ADVISORY COMMITTEE ON NUCLEAR WASTE (ACNW)

5 141ST MEETING

6 + + + + +

7 WEDNESDAY,

8 APRIL 23, 2003

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10 ROCKVILLE, MARYLAND

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12 The Advisory Committee met at the Nuclear  
13 Regulatory Commission, Two White Flint North, Room  
14 T2B3, 11545 Rockville Pike, at 8:30 a.m., George M.  
15 Hornberger, Chairman, presiding.

16 COMMITTEE MEMBERS PRESENT:

17 GEORGE M. HORNBERGER, Chairman

18 RAYMOND G. WYMER, Vice Chairman

19 B. JOHN GARRICK, Member

20 MILTON N. LEVENSON, Member

21 MICHAEL T. RYAN, Member

22

23

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1 ACNW STAFF PRESENT:

2 SHER BAHADUR, Associate Director, ACRS/ACNW

3 NEIL COLEMAN, ACNW Staff

4 TIMOTHY KOBETZ, ACRS Staff

5 HOWARD J. LARSON, Special Assistant, ACRS/ACNW

6 MICHAEL LEE, ACRS Staff

7 RICHARD K. MAJOR, ACRS/ACNW Staff

8 RICHARD SAVIO, ACRS Staff

9

10 ALSO PRESENT:

11 JOHN T. GREEVES

12 JANET R. SCHLUETER

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P-R-O-C-E-E-D-I-N-G-S

(8:31 a.m.)

CHAIRMAN HORNBERGER: The meeting will come to order. This is the second day of the 141st meeting of the Advisory Committee on Nuclear Waste. My name is George Hornberger, Chairman of the ACNW. The other Members of the Committee present are John Garrick, Milton Levenson and Michael Ryan.

Today, the Committee will hear presentations and hold discussions with the Director, the Division of Waste Management on recent DWM activities of interest; (2) discuss the results of the Committee's self-assessment survey; and (3) discuss a possible update to the Committee's 2002-2003 action plan.

Mike Lee is the Designated Federal Official for today's initial session. This meeting is being conducted in accordance with the provisions of the Federal Advisory Committee Act. We have received no written comments or requests for time to make oral statements from members of the public regarding today's session.

Should anyone wish to address the Committee, please make your wishes known to one of the Committee's staff. It is requested that speakers use

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1 one of the microphones, identify themselves and speak  
2 with sufficient clarity and volume so that they can be  
3 readily heard.

4 John, it's a pleasure to have you here, as  
5 usual, and before start, I did want to warn you that  
6 John Garrick and I have an appointment to see  
7 Commissioner McGaffigan at 9:30, so about 9:20, we  
8 will get up, not to be rude to you, if you're in the  
9 middle of something, but just that we have another  
10 engagement. So that gives you an idea of our time  
11 pressure.

12 DR. GREEVES: That's good and 9:20 is  
13 probably a good amount of time.

14 CHAIRMAN HORNBERGER: The floor is yours.

15 DR. GREEVES: Good morning. It's actually  
16 been some time since we've had this kind of a session  
17 and I'd like to remedy that in the future and have  
18 them more often. It's been about a year, I think,  
19 since I came down and talked to you like this.

20 MEMBER GARRICK: Where have you been?

21 (Laughter.)

22 DR. GREEVES: Busy.

23 (Laughter.)

24 DR. GREEVES: And we've done this before.

25 It's just been too long.

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1 I'd like to refer to it as kind of a top  
2 10 discussion, come down and visit with you and it  
3 turns out I've got 9 items today. I think this type  
4 of venue is good. I believe you have in front of you  
5 a few little pieces of paper, handouts and you can see  
6 the nine items that I want to go through. They're not  
7 necessarily in any order of importance and some of  
8 them are real quick. So with some luck, we can use  
9 the time wisely between now and 9:30 and get through  
10 these topics.

11 I would encourage some dialogue on the  
12 topic. This isn't about me coming up here and giving  
13 a presentation and running through all of it and  
14 stopping and going backwards. I just thought this  
15 list would be a good one. There are some other things  
16 on my mind, but there will be other meetings.

17 So I thought we'd go this way and first,  
18 just kind of news. I think most of you are familiar  
19 with some of the organizational changes that Marty and  
20 Margaret made recently. And this is a little hard to  
21 see, you've got a copy in front of you. But --

22 MEMBER GARRICK: You've successfully  
23 designed on that we can't read.

24 (Laughter.)

25 DR. GREEVES: You have a copy right in

1 front of you. So I try and make these presentations  
2 easy of me, so I grab as much material that's handy  
3 and this is a little bit informal, but I'll take some  
4 ribbing about the chart.

5 CHAIRMAN HORNBERGER: We've never do that,  
6 John.

7 DR. GREEVES: I've been here before.

8 (Laughter.)

9 DR. GREEVES: You'll note on there that  
10 John Linehan has a new position, Business and Program  
11 Integration. There's been a lot more activity with  
12 the LSN. You know about that process and it's seen  
13 that it really needs a point person on that, so John  
14 Linehan has taken over that role and he's quite busy  
15 in that process.

16 The program management function that John  
17 had before is now Mel Leach and you'll see Mel there  
18 on the chart. So Mel's quite capable and this will be  
19 good for him to get involved with the programmatic  
20 issues that John has taken care of in the past.

21 Just sort of moving a little further to  
22 the right, you'll see that Don Cool is a Senior Level  
23 Advisor on Health Physics issues. That really an  
24 Agency resource and it's resourced to all of the  
25 divisions and I'm in fact, utilizing Don's support in

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1 a couple of the topics that I'll go over here today.  
2 I think it's working out well and I'll look forward to  
3 that.

4 In IMNS, you'll note that Charlie Miller  
5 moved from Spent Fuel Program Office over to  
6 Industrial Medical Nuclear Safety as the Director and  
7 Trish Hollahan is his Deputy.

8 Just sort of other aspects, Larry Camper  
9 moved over to the SFPO position and he's a Deputy  
10 there to Bill Brach. There's a pen here. I'll point  
11 to that position.

12 I hate to lose Larry, as you well know.  
13 He's done a good job working for me, but I think this  
14 is good for him, good for the organization and you can  
15 look forward to interacting with him on Spent Fuel  
16 Program Office activities.

17 Dan Gillen has moved into the position  
18 that Larry had. It's right here in my organization  
19 and you'll be seeing a lot of Dan Gillen on the waste  
20 issues. And Susan Frant moved to Fuel Cycle Safety  
21 and Safeguards. Over here.

22 So it's always good to know who the  
23 players are and where they are and I think these moves  
24 by Marty make a stronger organization and there's  
25 probably going to be some more in about a year. Any

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1 management team evolves with time. Some of our  
2 responsibilities are changing over time, so we'll be  
3 back as those play out over about the next year to  
4 keep you informed on those.

5 So I think you probably are aware of  
6 these, but I don't think anybody had come down and  
7 given you a little bit of a cue card and shown you  
8 exactly where people were, but it's good for you to  
9 know who the players are and what the topics are  
10 associated with that.

11 With that, the second topic I wanted to  
12 get into was a little bit of a feedback process  
13 between the Committee and NMSS in part. I know you're  
14 doing your self-assessment process. I had a chance to  
15 visit with John Larkins and the staff. I think that  
16 was quite useful for both of you. I'd like to thank  
17 you for recognizing the performance of the Division in  
18 terms of the Performance Assessment Workshop. I  
19 think that was a success. I got good feedback on that  
20 and we certainly enjoy hearing that, so specifically  
21 the team that worked that were recognized, Tim  
22 McCartin, Andy Campbell, one of your own, and Dave  
23 Esh, Chris Grossman. We appreciate that feedback. We  
24 also look for where we fall short of the mark, we want  
25 to hear from you and we want to improve what we do

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1 from time to time, so I think it's been constructive.  
2 I think we need to stay on top of these key technical  
3 issues. I would look forward to future exchanges on  
4 igneous activity.

5 Igneous activity is going to be with us  
6 for some time. We need to work that and I'd like to  
7 engage you more on that over time.

8 Container lifetime, another example of one  
9 of the ones you mentioned in your recent Committee  
10 briefing. I think both of us need to focus on, for  
11 example, those two key technical issues in future  
12 meetings.

13 A topic that comes up and in fact, you  
14 mentioned it in your opening remarks yesterday,  
15 periodic exchange of staff. We welcomed Andy that the  
16 point in time Andy came back. I think it was good for  
17 him. It was a good process. Tim's going to be coming  
18 to work on us. It's probably a little bit of a  
19 surprise for you. And John Larkins and I are trying  
20 to work a rotational process that is a little less  
21 surprising and a little bit more manageable and I  
22 think that's to all of our benefits. So I just wanted  
23 to give you some feedback that we're trying to work  
24 that issue and it's a healthy process. It's a  
25 different kind of experience working for the

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1 Committee, but I think those people, at some point, do  
2 need to come back to staff in any type of event. And  
3 John and Sher are working very hard on that.  
4 Sometimes we have a little bit of a hiccup, but we  
5 manage that process.

6 So I'm done on that feedback topic.  
7 Unless there's any questions, I'll just keep on  
8 moving.

9 The third topic is the SRM for the  
10 Commission waste briefing. I expect you all are quite  
11 familiar with that particular SRM and the Commission  
12 wanted a lot more definition on the 293 KTIs and what  
13 the status of it and you really can't do that in the  
14 briefing of the Commission. There was a lot of  
15 question back and forth. I think some of you probably  
16 attended that briefing. So Janet, who is with me this  
17 morning, Lawrence Kokajko are working very hard in  
18 responding to that particular SRM. We recently  
19 provided the first part of that process.

20 The second part which is risk insights,  
21 it's my understanding we owe some more at the end of  
22 May and you brought these topics up in your briefing  
23 on March 20th with the Commission. And the critique  
24 was that we need to be more quantitative. Staff  
25 recognizes that and we do need to be more quantitative

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1 in assessing how we do these KTIs and what the value  
2 of one versus another is. So that's good feedback.  
3 We agree with your comments on that and we would  
4 encourage you to work with us on that process.

5 Tim McCartin has taken a leading role in  
6 that assessment process and to the extent you have  
7 staff that are on point on this, we'd like to engage  
8 them and keep you posted and come back and brief you  
9 because that is a challenge, putting a quantitative  
10 approach on these KTIs. It's not as easy as we'd like  
11 it to be, and I know you recognize that. So if you've  
12 got any pointers on that and it would be good for us  
13 to come back and brief you on that topic to see how  
14 far along we are. So we thank you for those comments  
15 and I would look forward to some follow-up meetings  
16 with that subject.

17 CHAIRMAN HORNBERGER: I believe it's on  
18 the June agenda.

19 DR. GREEVES: It's on the June agenda.  
20 Tim gave us a -- gosh, I can't remember what month it  
21 was, but he gave us a very preliminary look several  
22 months ago and we have given feedback. We were, as I  
23 think you probably know, impressed that we had given  
24 Tim kudos on the approach that was being taken. And  
25 so we have been trying to keep abreast of what's going

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1 on and give sort of real time feedback when we can.

2 CHAIRMAN HORNBERGER: And we look forward  
3 to that. It is a bit of a challenge and as good as  
4 Tim is, we're going to perfect on this.

5 DR. GREEVES: I didn't say Tim was good.

6 (Laughter.)

7 MEMBER GARRICK: Let's not get too mushy  
8 here.

9 (Laughter.)

10 DR. GREEVES: It's a topic you did  
11 highlight in your briefing with the Commission and  
12 frankly, I agreed with that point, that we do need to  
13 be more quantitative and we'll look forward to the  
14 June session to move this along.

15 So I'm up to the fourth topic which is  
16 Performance Confirmation Working Group. As I said, I  
17 think these working groups are very healthy. We had  
18 a successful working group with the Performance  
19 Confirmation. I got a lot of feedback from people,  
20 other people, other stakeholders that that was very  
21 well done, including your comments. So that's a  
22 standard.

23 I will say we probably felt like we rushed  
24 that one a little bit, the notification of getting  
25 started on that, but we worked our way through that.

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1 At this point, we have the Performance Confirmation  
2 Working Group meeting scheduled in July, got plenty of  
3 notice on that one and we're enthusiastic about doing  
4 that, although I get some late arriving information  
5 that we may not have the level of participation we  
6 were all looking forward to. So --

7 MEMBER RYAN: John, just a quick update  
8 and it just occurred yesterday, so it's brand new. It  
9 looks like that participation will be at a higher  
10 level than we had -- at first it seemed low, but now  
11 it looks like it's going to be a little bit more  
12 significant. So that's looking up.

13 DR. GREEVES: Okay, I'll leave that right  
14 there. Either way, we're fully engaged on the topic.  
15 This Performance Confirmation is a topic that's going  
16 to transition us. We've been in pre-licensing. We're  
17 now transitioning to an application in December.  
18 That's the schedule. There's going to be some  
19 transitions. In this topic, performance confirmation,  
20 is one of the tools that will carry us there because  
21 there's going to be performance confirmation for a  
22 long time. So we are engaged and pleased to be part  
23 of that workshop. To the extent it's fully attended  
24 that would be good. We'll work at it if it's a more  
25 limited audience.

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1                   So I just wanted to -- that's all I have  
2                   on performance confirmation. We look forward to it  
3                   and we'll work with your staff on whatever the plans  
4                   are and the agenda for that topic.

5                   CHAIRMAN HORNBERGER: John, just a quick  
6                   question. Because, as you said, performance  
7                   confirmation has such a long-term aspect, have you had  
8                   any discussions with Research, the Office of Research  
9                   or have you thought about what role they might play in  
10                  interfacing with you on these plans? Again, just  
11                  because of the long-term nature, I was wondering if  
12                  there was a role.

13                  DR. GREEVES: You know, it's always good  
14                  to have people who are not quote inside the tent  
15                  looking at this issue. I think that is a challenge.  
16                  We really should engage them, even more than we have  
17                  at this point. So I need to follow up on that with --

18                  MS. SCHLEUTER: I'm taking notes.

19                  DR. GREEVES: It's good to talk about it  
20                  now. We have a little time to address it.

21                  As you know, there's very limited work  
22                  done by Research on this program, so that doesn't mean  
23                  the thinking, the engagement can't occur and I think  
24                  that John Larkins and I should talk about adding those  
25                  types of thoughts to the process. We'll engage

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1 Research on that and see what they can bring to the  
2 table. They're certainly doing research in other  
3 areas. It's the concepts. It's the testing. How do  
4 you do long-term testing? And those types of  
5 experiences could be brought to the table for this  
6 particular workshop, so we'll take a note on that.

7 CHAIRMAN HORNBERGER: Good.

8 DR. GREEVES: Okay, I'm up to item 5, the  
9 License Termination Rule. We have briefed you on this  
10 topic several times by the staff. I've talked about  
11 it in some of these types of sessions.

12 We sort of evolved. This particular rule  
13 was in place in 1997 and essentially, I think this  
14 country has a leadership role in setting that  
15 standard. Other countries have come along and put in  
16 place a standard that looks something like this. I'll  
17 talk at the end about the -- what I'll call  
18 international standards. But what we have now is  
19 experience. We've got five plus years' experience  
20 implementing a rule. You write a rule, you really  
21 learn about that rule when you try and implement it  
22 and we have worked on this paper which you'll see  
23 shortly. It's a follow-up from a paper we delivered  
24 earlier to the Commission and we told them that we're  
25 going to look at some implementation issues for this

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1 rule and they touch on A type issues which include,  
2 I'll go over a couple of these. Restrictive release  
3 institutional controls. This has been a tough topic.  
4 Maybe you've followed what's going on with Sequoyah  
5 Fuels.

6 We've had difficulty engaging the  
7 restricted release institutional control topic for  
8 these uranium, thorium -- uranium and thorium is  
9 forever. You've got millions of cubic feet of that  
10 stuff. It's basically institutional control. We've  
11 had difficulty engaging that topic. The licensees  
12 have had trouble coming up with ways to achieve  
13 institutional control. It's basically permanent when  
14 you've got uranium and thorium. So we talk about that  
15 in the paper.

16 Realistic exposure scenarios. When we  
17 started working with this rule in 1997, there was  
18 almost an automatic default to the resident farmer.  
19 It's easy. We've got a lot of tables we can do, work  
20 up. Well, when you think about it, how many of them  
21 are around? We've been challenged by the licensees.  
22 We've been challenging ourselves. Well, the point is  
23 the resident farmer is not a realistic scenario at  
24 many different sites and locations. So you will be  
25 seeing some of our thinking on realistic exposure

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1 scenarios. It's a point that the Committee has  
2 expressed in terms of, for example, even the high  
3 level waste program. What is the real estimate of  
4 what's going on?

5 So you'll see some of that. You'll see  
6 some of the experience and you'll see where we think  
7 we need to head. In fact, we're already there. It's  
8 a matter of building it into our guidance.

9 There's a topic alternative release  
10 criteria for uranium and thorium. You look around the  
11 world and what criteria do people apply to mill  
12 tailings, uranium sites, thorium sites, radium sites?  
13 It's very difficult, anybody with any experience, it's  
14 very difficult to work with 250 millisieverts, 25  
15 millirem for a site like that.

16 The Canadians, the French, the Germans are  
17 all looking at 1 millisievert, 100 millirem is kind of  
18 the threshold for action on those types of sites. So  
19 we were challenged to address that question. So  
20 you'll see some feedback on where we are on that.

21 These so-called legacy sites, these are  
22 sites that we started setting up a fabric for  
23 decommissioning in the 1980s in this country. We  
24 started with financial assurance and then built some  
25 steps which were almost completed by the License

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1 Termination Rule in 1997. Well, there were lots of  
2 licensees that had licenses, 1950s, 1960s, 1970s, and  
3 things went through the floor. We got ground  
4 contamination. We got ground water contamination and  
5 there are some pretty heavy financial assurance issues  
6 associated with those.

7 Well, part of the question is how do you  
8 cut off future legacy sites. You need a good  
9 financial assurance system in place to counter that.  
10 And we think we need to do a few more things on that  
11 front, so you'll be seeing that.

12 Also, related to that a lot of the problem  
13 occurs when a licensee has a spill or a leak. If  
14 they've got loose contamination, have a spill, a leak,  
15 it goes down into the ground. How do you trigger a  
16 change in the financial assurance picture if you have  
17 those kinds of events? This is something we're  
18 thinking about and expressing in this particular  
19 paper.

20 Just a couple of others, 20-2002, this is  
21 the on-site disposal vehicle that is in our  
22 regulations. And how do you use that tool, what do  
23 you -- you read that and there are no standards  
24 written in 20-2002. You won't see 25 millirem in  
25 there. You won't see 100 millirem in there. How do

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1 you utilize that? So we talk about that. Some of the  
2 paper, an example is the Big Rock Point, 20-2002,  
3 which was approved about a year ago. So there's  
4 interest in that.

5 And the last one in this list is  
6 disposition of solid materials. It's a topic that  
7 you're quite familiar with and we do have a workshop  
8 coming up in May 21-22. There's a lot of interest in  
9 that workshop. A lot of the international group that  
10 I meet with regularly is, in fact, coming to that  
11 meeting, attending, so I would encourage participation  
12 to whatever level is available to the Committee.

13 Anyhow, I look forward to being able to  
14 engage you on this report. There are elements of it  
15 that we should come in and brief you on and get some  
16 feedback from you on, so I think it's on our schedule  
17 coming up reasonably soon. So in fact, my notes say  
18 it's in May, so hopefully I can have the staff come  
19 back. Larry Camper was the lead on this. Robert  
20 Johnson and other staff were lead on this, so I'm  
21 going to look to Dan Gillen to drive this through. I  
22 think it's a good piece of work and I would appreciate  
23 some feedback from the Committee on that and if all  
24 goes well, we'll be briefing you in May on some of the  
25 details.

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1           The backdrop of this is after this  
2 analysis, is there any rulemaking that is needed? Are  
3 there any gaps in what our thoughts are on that. The  
4 guidance that we have out there, as I said, the 1997  
5 rule went in place. We had some guidance that went  
6 with it. We had almost no experience implementing  
7 that guidance. Well, we have experience now, so we're  
8 going to have go back in, retune some of that  
9 guidance, especially talking about realistic  
10 scenarios. So we'd like some feedback from you on  
11 that.

12           We also need to inform our stakeholders on  
13 where we are on this process. We would likely  
14 exercise one of our regulatory issue summary documents  
15 to utilize that. So we're excited about talking to  
16 you guys about this next month. It's a lot, but I  
17 think if there's a topic or two in here that you're  
18 more interested in than some others, we can engage in  
19 a focused way.

20           I'm done on that topic. That was probably  
21 my longest topic.

22           CHAIRMAN HORNBERGER: John, just a quick  
23 question on that. It sounds to me like you're, from  
24 the sound of it that this is mostly an information  
25 briefing for us, that you're interested in our

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1 reactions to it, but probably not looking for a  
2 letter.

3 DR. GREEVES: Let's talk about that,  
4 because we're making some recommendations.

5 CHAIRMAN HORNBERGER: Okay.

6 DR. GREEVES: Maybe I can talk to John  
7 about that. A letter, not a letter. I don't know.  
8 I'd one, encourage you to read the paper and two,  
9 after you do that much we can talk about a letter.  
10 There's some recommendations in here and the  
11 Commission may, in fact, want your insight on some of  
12 these. So I think the first step is read the paper  
13 and we'll talk a little further. Is that fair?

14 CHAIRMAN HORNBERGER: Yes, that is. That  
15 sounds like there may be a letter in this. I just  
16 wanted to make sure.

17 MR. BAHADUR: Yes, I discussed this with  
18 John earlier and he did mention once we receive the  
19 paper and we have read it, it will be easier for us to  
20 --

21 DR. GREEVES: It could be a subset of the  
22 paper too. There's like eight items in here. And so,  
23 we can sort that out.

24 Next topic I wanted to go into, just give  
25 you an update on, we've talked about West Valley in

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1 the past and as you know, the Commission came out with  
2 its final policy statement. You provided input. Had  
3 input from the staff. They met with stakeholders and  
4 based on all of that, they were able to come out with  
5 the final policy statement, February of 2002.

6 Recently, just kind of the update for you  
7 and we have an on-going dialogue with the stakeholders  
8 up there, including obviously the Department of  
9 Energy. In thinking this through, Larry Camper and I  
10 were looking for a vehicle. This is not classic  
11 licensing. This act puts the responsibility on the  
12 Department of Energy to go into what really was a  
13 commercial site and clean up the legacy from that fuel  
14 cycle facility there.

15 So it is not licensing. It's not a  
16 hearing. But we were looking for a tool to help us  
17 use our techniques and so we went to the Department of  
18 Energy and said we want you to submit the  
19 decommissioning plan and it's the tool that will kind  
20 of unify our review. We know how to review a  
21 decommissioning plan. Separately, they're doing an  
22 EIS, but they've agreed to do a decommissioning plan  
23 for the West Valley Project and that will just invoke  
24 our normal techniques that we use for other  
25 decommissioning plans.

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1           So they expect to submit to us a  
2 decommissioning plan about the same time that they  
3 complete their environmental impact statement. So  
4 they responded to us and agreed to do that.

5           Just talking about the schedule, on March  
6 13th, the Department noticed their intent for the  
7 decommissioning of this particular facility. They had  
8 a scoping meeting, April 9 and 10. We participated  
9 with that. We're a cooperating agency in that process  
10 and we actually look forward to reviewing the EIS  
11 development and separately reviewing the  
12 decommissioning plan which would be on the preferred  
13 alternative.

14           We continue to interact with the  
15 stakeholders at this particular site. I think you're  
16 probably familiar with most of them. NYSERDA actually  
17 owns the property. They're a major stakeholder. They  
18 pay part of the expense up there. They have a  
19 citizen's task force that meets periodically. We  
20 participate in those meetings.

21           The state regulator, NYSDEC, also is  
22 involved and on May 22nd, in fact, there will be a  
23 meeting with the Citizens Task Force that we will  
24 participate in.

25           So that's moving along and I think the

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1 last item on West Valley that I wanted to point out  
2 was that there has been legislation introduced in both  
3 the House and the Senate proposing transferring  
4 authority for this site from NYSERDA which owns this  
5 property to the Department of Energy. A big piece of  
6 the issue up there is any on-going institutional  
7 control, who would horsepower that institutional  
8 control? That's been the big debate up there.

9 So I'm going to stop at that point and  
10 just update you and you can likely look forward to --

11 MEMBER GARRICK: What's the citizen  
12 group's view on who should institutionally control  
13 that site?

14 DR. GREEVES: I can't speak for them.  
15 I'll give you my best understanding. In fact, the  
16 Citizens Task Force has a list of positions which I'll  
17 follow up and get that to you, but generally, the big  
18 picture I would characterize it, the citizens'  
19 position to start with is get it out of here. Move  
20 it. And short of that, the position is we like both.  
21 We like lots of company, DOE, NYSERDA, we like them  
22 both on site. So put yourself in the Citizens Task  
23 Force. First, get it out of here. And then second,  
24 until it's out of here, I want as much government, as  
25 I can, on the ground providing institutional control.

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Is that an answer to your question? And we'll get you the list of their position on various issues. They're very active. It's an on-going healthy dialogue.

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Separately, Larry and his staff have what they call a regulator's roundtable. We meet periodically, and there's a lot of regulators that touch this site, including EPA. And NYSDEC, ourselves and actually there's another arm of the State of New York, I think it's the Department of Health, so we meet periodically and go over the issues and how we're going to move forward. It's, as you know, quite a complex site. So it's been around almost my whole career, so I enjoy some day coming to a resolution, or at least a path forward on this one.

17

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19

20

I expect we'll be back talking to you on the decommissioning plan. I think that's going to be a major piece of work and we'll keep you informed and to the extent appropriate, we'll engage you on it.

21

22

23

Okay, I'm up to Item 7. The Waste Convention. Another chart you probably can't read. Okay.

24

25

The United States has been working on this for some time. It took a number of years to get into

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1 place and in fact, it's been in place for about a year  
2 and a half and to ratify this, it had to go through  
3 Senate Foreign Relations Committee and be ratified by  
4 the Senate. And the good news is that we were able to  
5 achieve that recently. We were able to sign, the  
6 President signed on April 9th, in fact, this month and  
7 it was deposited with the Secretary in Vienna on April  
8 11th. There's been a lot of work going into this and  
9 the way this process works, this is a Convention on  
10 Radioactive Waste and Spent Fuel Management. It's  
11 what people call an incentive convention and the  
12 parties come together every three years and make a  
13 national report.

14 It turns out this is the year of the  
15 meeting. It will occur in November. And as part of  
16 that process, a national report is due on May 5th to  
17 be deposited in Vienna.

18 The Department of Energy is lead on this  
19 particular convention, the Convention on Nuclear  
20 Safety about reactor safety which was about reactor  
21 safety. The Nuclear Regulatory Commission was on  
22 lead. The Chairman hosted a delegation and went over  
23 to a meeting last year. This one, since it covers a  
24 broader topic, in this country, the majority of  
25 radioactive waste, in fact, is with the Department of

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1 Energy. So they have lead on this particular project.  
2 They have lead on the national report. They're being  
3 supported by the Nuclear Regulatory Commission, the  
4 Environmental Protection Agency and as I said, there  
5 will be a November meeting of the parties.

6 And the chart that you have in front of  
7 you, just to give you a little idea how this works,  
8 they come up with what they call country groups. You  
9 can see 30 some countries on this list and they'll do  
10 what amounts to a peer review type meeting with five  
11 groups. And you can see the United States is in Group  
12 1. The way they do this is they count up the number  
13 of reactors and Group 1, the top group in Group 1 is  
14 the country with the number of reactors. Well,  
15 fortunately, we were able to sign up just in time. In  
16 fact, Margaret Federline was over to the planning  
17 meeting for this that particular week in April and so  
18 we were able to take part in this.

19 You can see the list of the countries  
20 there and I just thought it would be useful to keep  
21 you informed of the status of this. It is an  
22 international event and we will be at the table at  
23 this point, produce a national report and down below  
24 you see that, for example, Patty Bubar from Department  
25 of Energy will be the Chairperson for Group 4. So we

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1 will participate as part of the team at this  
2 particular event and I just wanted to give you a  
3 little background on it. Didn't know how familiar you  
4 were with it.

5 Questions?

6 MEMBER LEVENSON: Is Russia not a  
7 participant?

8 DR. GREEVES: They didn't sign, correct.  
9 If you don't see them up there, that means that they  
10 have not ratified. You'll note that Japan and China  
11 are not on the list. I understand Japan is very close  
12 and my colleagues that I talk to in China talk as if  
13 they, too, are going to sign.

14 You can be a late ratifier. You see these  
15 boxes down here across from where you see Ireland.  
16 It's expected that there will be a couple of  
17 additional ratifiers by the November meeting. Your  
18 rights are diminished if you're a late ratifier. So  
19 I'm not sure exactly who else will ratify, but -- and  
20 this meeting will occur in another three years. I  
21 think the meeting is going to be quite useful. It's  
22 probably going to be a bit uneven this first time  
23 around, but it's going to be a test for a topic I'll  
24 talk about shortly, these international standards that  
25 are out there.

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1                   So we look forward to it. Any questions  
2 on this?

3                   All right, then I'll move up to the next  
4 topic which is the ICRP recommendations. You're quite  
5 familiar with the process.

6                   We, in 1999, started to get involved with  
7 the topic of protection in the environment. There  
8 were some voices raising that question. There was a  
9 specialist meeting at IAEA that we participated in.  
10 We also were active with the ICRP on some of the NEA  
11 interactions. NEA is running a series of meetings on  
12 this topic. In fact, the NEA has an expert group that  
13 provides a focus for comments to be provided to the  
14 ICRP.

15                   The staff believes that the assumptions  
16 made in ICRP 60 that if the humans are protected, that  
17 the environment protections remains valid. This is  
18 kind of the question that's out there. Does that  
19 assumption remain valid and that's what's being  
20 tested. Our observation is there's a general lack of  
21 scientific information that would be beneficial to  
22 protect the environment in a similar manner with  
23 radionuclides. There's no evidence out there that we  
24 know of that's showing that you need to focus on  
25 species. If you do focus on species, it would be

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1 quite a complex process and the question is what's  
2 being harmed now is kind of the question that people  
3 need to be examining.

4 I will point out that the Department of  
5 Energy is taking an active role in developing their  
6 own screening methods to try and test out what would  
7 be the tools that we would even use to evaluate doses  
8 to biota. We, the NRC, are working with DOE and EPA  
9 in developing some computer codes that might be used  
10 with this. The so-called RESRAD biota does  
11 incorporate some screening techniques that would allow  
12 you to evaluate such site specific evaluations. So  
13 some of that developmental work led by the Department  
14 of Energy is going on.

15 We had some staff attend the recent NEA  
16 Forum in Spain and we do note that the recommendations  
17 coming out of that meeting indicate that national  
18 flexibility should be allowed in terms of viewing  
19 these complex issues associated with the environment.  
20 We're also encouraged that the ICRP decided to further  
21 development of the basis for reference organisms  
22 concept would not be rushed. They talk about a 2005  
23 set of recommendations. It would be tough to bring  
24 something forward on this topic in the 2005 time  
25 frame.

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1           So I think the ICRP thinking is evolving  
2           on this and I think these meetings that are occurring  
3           around the world are helpful. We plan to stay  
4           involved in these international developments. Don  
5           Cool is our point person on this, in most of these  
6           meetings. Tim Harris on my staff is focused on the  
7           implementation of the environmental aspects and  
8           there's also a meeting coming up in October in  
9           Stockholm, Sweden on this topic and it's sort of the  
10          roll up of what's been going on with these various NEA  
11          meetings.

12                 So I know some of you have been paying  
13          attention to this and I just wanted to give you some  
14          feedback at what the staff activities are and over  
15          time, I think we would enjoy talking to you about it.

16                 MEMBER RYAN: John, I appreciate that. I  
17          think that's a very important activity to follow and  
18          be involved in. It's interesting that the ICRP would  
19          recommend that flora and fauna need radiation  
20          protection standards. I guess it's very puzzling to  
21          think about that because what are you protecting them  
22          against? We think about cancer and other things as  
23          the endpoint for humans, but I'm not too sure how I'd  
24          worry about a cancer in a tuber, like a potato, for  
25          example.

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1                   So it's hard to think about, but  
2 hopefully, their revisitation and your participation  
3 will move the ball along.

4                   One thing I think it's important too, is  
5 to help bring forward what now is the 60-year-old or  
6 50-year-old record of radiation biology. Much flora  
7 and fauna work was done very early on in radiation  
8 biological days, Russell's, and others, folks that  
9 looked at DNA mass and other issues as the foundation  
10 for what, I think, some view -- you mentioned the  
11 claim that if we protect man, we protect the  
12 environment. That's a sweeping statement, but I think  
13 it's one that is certainly not unfounded. There is a  
14 body of evidence that helps to support that. It may  
15 not have been done in the last four years, but it  
16 certainly is out there to look and somewhat of an old  
17 record, so I'd encourage that we help bring that back  
18 to light and as part of the discussion.

19                   DR. GREEVES: Don, can you add anything?  
20 I think that we'd probably be looking at that, but I  
21 think it's important to make sure we bring those  
22 issues to the table in October to the Stockholm  
23 meeting.

24                   Don?

25                   MR. COOL: This is Don Cool. I'm now the

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1 Senior Advisor for Health Physics issues. You've  
2 pointed out one of the things that I think people are  
3 really grappling and struggling with right now.  
4 During the meeting in Spain a couple of weeks ago,  
5 Lars-Erik Holm, who is the Vice Chairman of ICRP and  
6 who headed up the Task Group, was acknowledging some  
7 of these issues. Part of the process that they now  
8 seem to be engaged in which, in essence, slows down a  
9 bit, and will continue the attempt to develop the  
10 activities, is to try and understand how a system  
11 which they would like to construct as a parallel  
12 process could effectively deal with trying to assess  
13 impacts in the environment. They acknowledge that  
14 assessing an impact in some representative species,  
15 does not give a representation of an assessment of the  
16 environment itself. So they are at least making some  
17 noises that are the sorts of things that we would like  
18 them to consider. They do still seem to be on a track  
19 of trying to develop this very parallel process of  
20 some reference levels of concern or where they would  
21 want to be taking some further examination.

22 It would appear that rather than  
23 individual effects, they are looking at population  
24 effects, but the levels that they would probably be  
25 coming up with would be a different set of levels in

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1 terms of quantities of radioactive material or doses.

2 And I think there will be a number of  
3 opportunities to try and continue to engage with them  
4 around those, to try and understand that. Your point  
5 on a lot of the early work is very correct. I'm not  
6 sure the extent to which they have brought that in.  
7 That's certainly one of the things that we'll be  
8 trying to keep in their forefront is the whole body of  
9 evidence and to try and have them moving in a  
10 direction which is complementary to, rather than  
11 setting up some new independent system that everyone  
12 is then trying to adjust to. There are some  
13 significant challenges in the area.

14 MEMBER RYAN: I agree, Don. Thanks for  
15 that update. In addition to what you pointed out,  
16 it's also interesting to think about if we're talking  
17 about flora and fauna and large eco systems, that is  
18 big fractions of the earth, looking at the natural  
19 radiation environment and then looking at man-made  
20 radiation environments added to that, the man-made  
21 radiation environment is a trivial addition to the  
22 natural environment.

23 So if there is a radiation dose issue, it  
24 is principally with background radiation, not with  
25 manmade additional radioactive material radiation. So

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1 that aspect of it, I think, is something that is very  
2 important to bring forward.

3 My own view is that this is not well  
4 conceived from the ICRP. I'm glad they're revisiting  
5 it and thinking about what they put forward in this  
6 consultation paper, but it's -- and I'm thrilled to  
7 hear you're tracking it so well and addressing these  
8 key points.

9 DR. GREEVES: You know, we will be  
10 attending the Stockholm meeting, so maybe separately,  
11 Mike, we could spend a little time with you on it.

12 MEMBER RYAN: Excellent, thank you.

13 DR. GREEVES: It sort of leads in, before  
14 I lose the Chairman, the last topic, international  
15 standards. There's, I think, a fabric forming out  
16 there internationally and Carl Paperiello is on the  
17 Radiation Safety Committee at IAEA. I participate on  
18 the Waste Safety Committee. And a lot of these issues  
19 run through that particular environment.

20 It's starting to come together. I think  
21 you're probably familiar with the EC Concepts on  
22 Clearance and Exemption. The EC countries, in fact,  
23 do this type of disposition of solid materials.  
24 There's some examples over there. I've visited sites  
25 in Germany. I know you traveled over there too. You

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1 probably saw the same things.

2 In fact, Germany has a Radiation  
3 Protection Ordinance and in this is what looks like a  
4 standard for site release and a standard for release  
5 of material off of an operating site, so you see some  
6 of that. And they did it down to concentrations  
7 becquerels per gram, etcetera. And the IAEA is  
8 putting together a set of standards, a global set of  
9 standards including the three that you actually see up  
10 here, geologic disposal. This one is out for what's  
11 called member state comment. They have a standard, a  
12 proposed standard on geologic disposal and we, the  
13 United States, would be commenting on that.

14 Another one that's out there is DS-162.  
15 This is intervention. This is like the islands in the  
16 Pacific, things like that, where you have an as-found  
17 condition and you need to under an ALARA process,  
18 bring it down to something that's much more  
19 reasonable, so they have that out for comment.

20 And then the last one is what's called  
21 DS-161. This one has been very difficult to bring  
22 forward. There's a lot of debate, internationally, on  
23 how do you approach management of radioactive  
24 materials. So I just wanted to bring it to your  
25 attention and let you know there's a lot going on out

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1 there and we are participating in these meetings and  
2 we already talked about the ICRP 2005 recommendations  
3 which Don is following very closely.

4 So if you've got any questions on what is  
5 going on internationally in terms of what we're  
6 involved in, maybe in a follow-up meeting I could do  
7 a bit more on that topic because it really -- it's a  
8 global community at this point. I think the Waste  
9 Convention in November would benefit from having this  
10 fabric in place to conduct that peer review. It's not  
11 completely in place yet.

12 The next convention, being three years  
13 from November, I think would really benefit from  
14 having that fabric in place.

15 MEMBER RYAN: John, I agree. I think it  
16 is very dynamic. I mean the EC Safety Directive 6 on  
17 clearance and these new activities you just mentioned  
18 and other interests here in the U.S. on those kinds of  
19 concepts. It will be real interesting to stay updated  
20 on it because it is very dynamic at this point, isn't  
21 it?

22 DR. GREEVES: I find it helps me to  
23 discuss it with other people to help shape the U.S.  
24 views on these topics, so if I get a chance like this,  
25 I like to bring it up. In fact, at an NEI

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1 decommissioning conference earlier this month I went  
2 out and gave a more complete briefing on the  
3 international standards.

4 MEMBER RYAN: And as you just noted, I  
5 mean they do flow into regulatory questions on  
6 decommissioning and site release and all of those  
7 things, so it's very important to touch the  
8 fundamental department as it happens.

9 DR. GREEVES: A worry that I have is that  
10 some stakeholders just seize on the lowest number and  
11 you can just -- you really do need a graded approach.  
12 There really are sites out there that are intervention  
13 sites. You cannot bring them down to 25 millirem.  
14 And there's a need for geologic disposal. I mean this  
15 country, Finland, Sweden are the three that are sort  
16 of out in front, but you look at the EC, how many  
17 countries is that? Are they going to have some 20  
18 some geologic disposal repositories? I don't think  
19 so. But they really do need some support on an  
20 international standard showing okay, what is the  
21 standard? What is the bar? And how are we going to  
22 address that.

23 So we're fully engaged on that and some  
24 follow-up session we can give you a bit more feedback,  
25 if that would work.

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1 MEMBER RYAN: It sounds like you've got  
2 lots to do.

3 DR. GREEVES: Yes. Just need to keep the  
4 staff happy.

5 Those were the topics that I wanted to get  
6 through and I think we used the time effectively. I'm  
7 happy to go back over any one of them or address other  
8 topics.

9 MEMBER RYAN: It's a great update.

10 MEMBER LEVENSON: John, on the matter of  
11 international issues and repositories, there's sort of  
12 an off-balance sheet and it's not involving any  
13 governments except the Russians. There's a workshop  
14 being held in Russia next month on Russia's offer to  
15 host and international repository and the  
16 participation includes IAEA, most European countries,  
17 Taiwan, Japan, South Korea. It's funded by the  
18 Russell Foundation to explore the technical, legal and  
19 political issues. The Russians propose to use an old  
20 uranium mine on the theory that since the uranium and  
21 its by-products haven't moved from there for a million  
22 years, they don't have to do the detailed geology if  
23 you put staff back in there, it's going to stay put.  
24 That's going to be kind of an interesting meeting, I  
25 think, to see what comes out of those kinds of

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1 discussions.

2 DR. GREEVES: Well, it would be  
3 interesting to see Russia on this chart at some point  
4 in time because that's where I think some of the  
5 credibility is going to come.

6 MEMBER LEVENSON: That's why I asked about  
7 that.

8 DR. GREEVES: Well, everybody is watching,  
9 but at some point in time let's look for Russia to be  
10 on this chart and when a country, you join this  
11 convention, you're signing up the safety procedures  
12 that call for you to do it the right way. And there  
13 would be a peer review of what you're doing  
14 internationally.

15 MEMBER LEVENSON: Well, one of the topics  
16 on the agenda is how would -- what standards would  
17 apply. They're aiming this at a lot of small  
18 countries, so to avoid this issue of their being 20 or  
19 30 repositories scattered around the world.

20 DR. GREEVES: And that makes some sense.  
21 McCombie is involved in this international repository  
22 business and he is a great speaker and he puts  
23 together some really good charts and he overlays the  
24 European area with a map showing and he overlays it  
25 with the United States and he says the United States

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1 needs two repositories. Are we going to have 20 some  
2 repositories in the same geographic area, so a lot of  
3 thought has to go into this.

4 MEMBER LEVENSON: While it's nominally not  
5 in the mainstream, the co-chairman from the Russian  
6 side, Lavarov, who is on Putin's staff, so maybe a  
7 little bit of status.

8 DR. GREEVES: So are you attending?

9 MEMBER LEVENSON: I'm the other co-chair.

10 DR. GREEVES: Okay, wonderful. Good  
11 advertising here. We'll see if we can stir up some  
12 business.

13 MEMBER LEVENSON: The Russell Foundation  
14 specified there be two co-chairmen, one American and  
15 one Russian, so it didn't become just a drifting  
16 thing. It would have focus.

17 DR. GREEVES: When is the meeting?

18 MEMBER LEVENSON: May 14th, 15th and 16th  
19 in Moscow and then a visit to the site.

20 DR. GREEVES: I would enjoy meeting with  
21 you separately just to tell you what I know about the  
22 international standard setting process because any  
23 country eventually is going to have to point back at  
24 these international standards. So maybe separately,  
25 we can visit.

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1 MEMBER LEVENSON: Mike, do you have any  
2 other questions?

3 MEMBER RYAN: No, thanks, John. That was  
4 an excellent briefing on your activities and I'll look  
5 forward to hearing more about what's cooking.

6 DR. GREEVES: Okay, well, we'll be back on  
7 another occasion.

8 MEMBER LEVENSON: How about the staff?  
9 Anybody have a question for John?

10 (No response.)

11 Thank you very much.

12 DR. GREEVES: Thank you.

13 MEMBER LEVENSON: I think George has  
14 indicated he would like us to go ahead with the next  
15 scheduled item which is, I think, the self-assessment.

16 I guess I'm not sure what was on the  
17 agenda. George just said go ahead with it.

18 MR. SAVIO: It was on the agenda. The  
19 intent was that we tell you what we found out in our  
20 self-assessment and get your comments and soft  
21 concurrence on the paper.

22 If you want -- we really should have all  
23 four of you here, but if you want to do it now, I can  
24 catch John and George separately later.

25 MEMBER LEVENSON: That's what George told

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1 me, to proceed ahead.

2 MR. SAVIO: I have extra copies if anybody  
3 -- I guess except for Mike, you all have seen this  
4 work being done before. We have an IOU to the  
5 Commission to do periodic reports on our  
6 self-assessments.

7 MEMBER RYAN: You're reported and I've  
8 heard your reports on this activity this year a little  
9 bit, so I'm familiar, thanks.

10 MR. SAVIO: Okay. To go through it,  
11 there's a background paragraph. It simply recounts  
12 what we've done and what the history of this is. The  
13 next section records what we've done in response to  
14 the commitments that we made in the last paper which  
15 is two years old now. There's the addition of the  
16 fifth ACNW member with health physics expertise that  
17 we've, in response to comments that weren't taking  
18 enough initiative involving stakeholders in the  
19 agendas in our discussions. We've -- there's the  
20 second bullet.

21 And we --

22 MEMBER LEVENSON: On that second item,  
23 we're talking about identifying just one workshop.  
24 Because of the date of this, when it's going to be  
25 issued, there have been several additional workshops.

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1       Shouldn't they be added?

2               MR. SAVIO:   Yes.   Those were given as  
3       examples.   We can lengthen that last performance  
4       confirmation being a good one.

5               MEMBER LEVENSON:  Yes, transportation.  I  
6       think that there's not 20, so rather than just an  
7       example of one, I think we should list.

8               MR. SAVIO:   Yes.   Out of kind of the  
9       controversy over not inviting the State of Nevada, I  
10      didn't put that as an example, but --

11              MEMBER LEVENSON:  They've been invited.  
12      They were here yesterday, all day.

13              MR. SAVIO:  Okay, teleconferencing.  The  
14      last time we did it we had comments to the effect that  
15      we had most of our meetings in Washington and we  
16      should provide to the degree we could, other ways of  
17      people participating in the meetings and we have used  
18      teleconferencing extensively over the past period.

19              One of the commenters suggested that we go  
20      to internet based broadcasting of ACNW meetings like  
21      the Commission doesn't.   That, I think, is not  
22      something that we can do with the resources that we  
23      have.

24              MEMBER LEVENSON:  Does the ACRS do that?

25              MR. SAVIO:   No.   In fact, they make

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1 relatively infrequent use of teleconferencing. It's  
2 mostly to connect the regions in.

3 The next section is a description of the  
4 other process which I'll skip through. The next page,  
5 results of ACNW self-assessment for 2001 and 2002, it  
6 gets to the heart of the paper for this time.

7 The first paragraph is introductory. It  
8 notes that we depend on our action plan and that we're  
9 planning on revising it in the near future and we're  
10 in the process of preparing a plan for involvement in  
11 the review of the license application. The notes that  
12 we're going to use, the MOU, as our guidelines for  
13 dealing with predecisional matters.

14 MEMBER LEVENSON: I wonder whether we  
15 discuss that we're in the process of preparing a plan  
16 for its involvement in the review of the license  
17 application, whether we shouldn't add a few words. We  
18 were preparing that for the Commission's approval.

19 MR. SAVIO: Yes. Okay.

20 MEMBER LEVENSON: I think that would be --

21 MR. SAVIO: Okay, okay.

22 MEMBER LEVENSON: We're not assuming we  
23 have the right to decide what that's going to be.

24 MR. SAVIO: Okay, we'll add that. The  
25 feedback that we had was generally positive. The next

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1 paragraph speaks to the reports, the notes that we  
2 use, communications with the Commission and the EDO,  
3 a published action plan to guide our way through that.

4 The next paragraph is -- the first  
5 sentence of that for Mike's benefit is a little bit of  
6 a legacy. At one point, in the past, ACNW is  
7 criticized for not being currently informed. We added  
8 that sentence to note that we were still doing the  
9 appropriate things.

10 There was feedback to the effect that both  
11 the ACRS and ACNW were not providing sufficient  
12 attention to the actions that were taken and as a  
13 result of the recommendations, we've inserted a  
14 commitment that we'll be more judicious in the future.

15 Communications between the Committee and  
16 the Commissioners and NRC senior management were  
17 judged to be very good and we were encouraged to  
18 continue them. You've just finished up with a  
19 discussion with John Greeves.

20 There was comments that you should focus  
21 on high level issues. The message there was that the  
22 individuals that made these comments said that they  
23 felt you added the most value when you weren't buried  
24 in detail.

25 MEMBER RYAN: Dick, I just wonder for the

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1 sake of clarity, I'm being picky here, but high level  
2 has a special meaning. Don't you mean it should be  
3 "top level"?

4 MR. SAVIO: Top level, yes.

5 MEMBER RYAN: I'm just trying to make sure  
6 we don't miscommunicate.

7 MR. SAVIO: That's fine.

8 MEMBER LEVENSON: We don't want to over-  
9 irradiate them.

10 MR. SAVIO: Appreciate it.

11 MEMBER RYAN: That's what you mean, it's  
12 top level, global.

13 MR. SAVIO: Broad issues, yes. There was  
14 comments from a few stakeholders to the effect that  
15 ACNW needed to recognize the limitations of risk  
16 assessment. I'm sorry I don't have John around to  
17 react to that.

18 MEMBER RYAN: I'll react to it. I think  
19 there's three things, at least two that are on the --  
20 I'm sorry, there are three things on the agenda. We  
21 just finished the TSPA/TPA workshop which I think  
22 spoke specifically to risk assessment methodology.  
23 We're going to -- it's still in the planning stages.  
24 We have a performance confirmation workshop which will  
25 get into the same area of risk assessment and we even

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1 have some advance planning on other topics that are in  
2 the risk assessment area. So I appreciate the  
3 comment, but I think perhaps we can recognize that  
4 we've kind of taken that forward with those things.  
5 And maybe we ought to identify that as something we've  
6 done.

7 Again, our action plan speak to other  
8 activities in those areas, but those are some concrete  
9 things that we've specifically done that addressed  
10 that.

11 MR. SAVIO: I'll add a bit of a response  
12 to it, rather than just encoding it.

13 MEMBER LEVENSON: See, one of the problems  
14 that exists here is that stakeholders only see the  
15 past, what we've done. They probably aren't privy to  
16 our future meetings and future topics that are already  
17 scheduled.

18 MR. SAVIO: Igneous activity was the topic  
19 that was given as an example for that particular  
20 comment.

21 MEMBER RYAN: Well, again, there's been,  
22 there was additional follow-up. I mean I kind of  
23 jumped into the Committee at that point, but there was  
24 a follow-up meeting on igneous activity and additional  
25 input and I think from the point this was probably,

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1 stakeholders are probably given their observations,  
2 other things have been done. And that's not to  
3 discount the criticism or the observation. It's  
4 simply to say from our part that other things have  
5 been done since that information was obtained.

6 Mike?

7 MR. LEE: One thing we could consider  
8 doing and for the future is as we project future  
9 activities we could put that information up on the web  
10 under the various tiers, consistent with the action  
11 plan so that stakeholders in the future could see  
12 what's on the plate over let's say the next year or  
13 something like that.

14 MR. SAVIO: In fact, in another part of  
15 this, we had our action plan posted on the web. When  
16 the website was taken down and our chief information  
17 officer took over the web design, was taken off again.  
18 And we intend to get it put back on there and that's  
19 some place in this paper. I forget where it is. We  
20 say that it was one of the things that we intended to  
21 do with the action plan. Even the operating plan, we  
22 never have gotten as far as to get that thing posted  
23 on the web.

24 Interactions between ACNW and the  
25 stakeholders have been judged to be open,

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1 professional, no complaints in that regard.

2 The ACNW staff's work in coordinating  
3 these meetings and prepping up the participants and  
4 acting as an intermediary between the ACNW and the  
5 folks that are going to be at these meetings were  
6 judged as being very important to the effectiveness of  
7 these meetings. There was a comment about scheduling  
8 a need for scheduling meetings well in advance when  
9 there was going to be discussions of complex issues  
10 and the need for -- as much as possible, identifying  
11 what the Committee's objectives were and what their  
12 concerns were.

13 External stakeholders continue to view,  
14 comment favorably on ACNW's willingness to provide a  
15 forum for the discussion of their views. The only  
16 glitch was the negative comments that we received from  
17 Nevada about the transportation workshop. I note that  
18 we subsequently provided an opportunity for them to  
19 address the Committee.

20 MEMBER LEVENSON: In order to be precise,  
21 it's really the State of Nevada, I think, as opposed  
22 to generically Nevada stakeholders.

23 MR. SAVIO: I was trying to -- we tried to  
24 avoid too tight an identification of the individuals  
25 --

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1 MEMBER LEVENSON: Well, since --

2 MR. SAVIO: But I can do that if you like.

3 MEMBER LEVENSON: Well, since both  
4 Senators and one Congressman from the State of Nevada  
5 wrote letters to the Chairman during the public  
6 record, there's no reason for not making it clear this  
7 was the State of Nevada.

8 MR. SAVIO: Okay.

9 MEMBER LEVENSON: I think that what they  
10 objected to was that they weren't asked to provide a  
11 participant to the workshop because they had  
12 representatives at the workshop and everyone there was  
13 asked, given an opportunity to speak.

14 So to be precise --

15 MR. SAVIO: I said now providing  
16 invitations to speak, but --

17 MEMBER LEVENSON: It should be  
18 participants.

19 MR. SAVIO: Being provided a slot on the  
20 agenda.

21 MEMBER LEVENSON: Right.

22 MR. SAVIO: Okay.

23 MEMBER RYAN: I think the important part  
24 is the last part which is the follow-up to that is a  
25 follow-up working session for all the States'

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1 representatives.

2 MR. SAVIO: Okay, the reaction to  
3 stakeholders to ACNW meetings in Nevada continues to  
4 be very positive. There was, however, not a lot of  
5 support for the activities like we had at Pahrump. If  
6 you want to characterize them as public outreach or  
7 public education, there certainly was a lot of support  
8 for meeting in Nevada, discussing issues that were of  
9 interest to the stakeholders out there and involving  
10 them in the preparations for the meeting and asking  
11 them to contribute to the agenda planning and to the  
12 actual discussions.

13 The next one has to do with the website.

14 MEMBER LEVENSON: Before we leave that  
15 other one, have we really committed to allowing the  
16 public to decide what our agenda is? I was certainly  
17 not privy to any such discussion. For them to  
18 participate is one thing.

19 MR. SAVIO: Yes.

20 MEMBER LEVENSON: But our agenda is really  
21 set by the Commission.

22 MR. SAVIO: The intent here was that we  
23 would ask for feedback, that the ACNW and the  
24 Commission would still set their own agenda, taking  
25 into consideration --

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1 MEMBER RYAN: You know, I think if you  
2 make the point that Nevada stakeholders contribute to  
3 the meetings, that's probably what you want to say.

4 MR. SAVIO: Yes.

5 MEMBER LEVENSON: Contribute or  
6 participate in. Agenda planning is a very specific  
7 thing that we're certainly not going to put things on  
8 the agenda or take them off because of comments from  
9 stakeholders.

10 MR. SAVIO: Yes, there was a few requests  
11 that they be allowed to suggest a topic for your  
12 consideration.

13 MEMBER LEVENSON: They may suggest that,  
14 but this says opportunities will be provided. That  
15 means we're accepting that. I don't accept that.

16 MR. LARSON: I read that as relative to  
17 the previous sentence, that enhanced interactions with  
18 the Nevada stakeholders, somewhere in there. That's  
19 what that really referred to, Dick.

20 When we had meetings out there, technical  
21 meetings, in Nevada that involved public outreach that  
22 Nevada be asked -- I don't know if that's what you're  
23 intention was.

24 MR. SAVIO: Yes. There's not anything  
25 that we haven't done --

1 MEMBER RYAN: If you just avoid the phase  
2 "agenda planning" that will solve it. That has --

3 MR. SAVIO: Okay.

4 MEMBER RYAN: That has special meaning for  
5 the Committee overall, and for the Commission's  
6 direction of the Committee and all that. Anybody can  
7 offer any topic and can offer the ACNW advice on  
8 things they ought to look at during a meeting. So I  
9 mean there is that opportunity to contribute ideas to  
10 what we should look at, but I think just avoiding  
11 those key words might help clarify it.

12 Just avoiding the words "agenda planning."  
13 Something to the effect, "to contribute and  
14 participate in these meetings."

15 MR. SAVIO: Okay.

16 MEMBER RYAN: Contribute to and  
17 participate in is the point.

18 MR. SAVIO: Okay. The second one was with  
19 regard to our website and we have had difficulties  
20 since the Chief Information Officer group took over.  
21 We're going to have to do some more homework to make  
22 sure that we're not promising more than what we can  
23 deliver on that last sentence. We'll staff that one  
24 out.

25 MEMBER RYAN: Well, getting the action

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1 plan and the agenda for meetings and so forth lined up  
2 in some way on the web might be a helpful way to go  
3 about it.

4 MR. LARSON: But even as Tim discussed  
5 yesterday, there are several ways theoretically you  
6 can access the agenda, but it doesn't work that way.  
7 I probably would get several -- well, I know I got  
8 three or four calls on this meeting where people said  
9 the web site said the agenda was available, but they  
10 couldn't get it. So I just sent it to them. We have  
11 to do some work.

12 MR. SAVIO: Even myself, I find that it's  
13 -- the issue here the individuals that aren't  
14 Washington-based often need a few weeks to decide  
15 whether to come to a meeting or not. There's  
16 operational issues like trying to get low cost air  
17 fares by getting tickets ahead of time.

18 MEMBER RYAN: I think we get the point.

19 MR. SAVIO: And the very last one was  
20 simply a commitment at the suggestion of the Office of  
21 the EDO to revisit our MOU to take advantage of any  
22 lessons learned that we might have had.

23 We got a lot more feedback on ACRS  
24 activities and what we had at ACNW. I'll leave that  
25 for your reading and the last paragraphs in the

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1 summary simply closes the memo up.

2 MEMBER RYAN: Thanks, sir.

3 MR. SAVIO: And I'll talk to George and  
4 John and get their feedback.

5 MR. LARSON: The reason why I said  
6 continue to record it was Sher and John and George and  
7 John Garrick weren't here, so if they want to look at  
8 it later on, because it's due in what May 31st?

9 MR. SAVIO: Yes.

10 MR. LARSON: You've got to get approval at  
11 this meeting, essentially between --

12 MR. SAVIO: Yes, what we have done and what  
13 we'll do this time is after everybody has had a shot  
14 at this thing, send it to all of the Members of ACRS  
15 and ACNW and give them an opportunity to look at it  
16 again before we finally date-stamp it.

17 MR. LARSON: Did any of the feedback from  
18 the Nevada stakeholders, Dick, say okay, you had the  
19 meeting in Pahrump and you had more people there to  
20 listen and participate than you had people in the  
21 audience, even though it was fairly well publicized in  
22 the paper.

23 Were there any suggestions on how to  
24 increase and broaden stakeholder participation other  
25 than they wanted to send words in with the agenda --

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1 MR. SAVIO: One stakeholder suggested that  
2 we could talk to the professional stakeholders,  
3 coordinate more. It seemed to be that it wasn't for  
4 lack of homework that you got such a small audience.  
5 I mean we didn't, I think, look at the television  
6 schedules to see if there was interesting topics on  
7 the airing that night or anything of that nature, but  
8 there was an awful lot of preparation and it wasn't a  
9 lot of attendance.

10 There is a lot of interest in the ethical  
11 discussions that we have, typically, in Las Vegas.

12 MEMBER RYAN: Well, we're scheduled for a  
13 break until --

14 MEMBER LEVENSON: Until George and John  
15 get back.

16 MEMBER RYAN: Which will -- what should we  
17 target roughly?

18 MEMBER LEVENSON: 10:15?

19 MEMBER RYAN: It says break until 10:45.

20 MEMBER LEVENSON: Okay. We've got some  
21 homework to do, some draft letters to work on.

22 MEMBER RYAN: Right.

23 MEMBER LEVENSON: 10:45.

24 MEMBER RYAN: So we should reconvene at  
25 10:30.

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1 MR. SAVIO: I'm sorry to interrupt. We  
2 have two stakeholders here if we care to ask them for  
3 any additional comments.

4 Does anybody have any comments?

5 PARTICIPANT: Engelbrith \* (9:51:14),  
6 Clark County. Just a comment on the agenda. I don't  
7 think it's anybody's intention to tell the ACNW what  
8 to discuss, but it would be of little interest to  
9 people in Nevada if you come over and you have your  
10 whole meeting on decommissioning of West Valley or  
11 issues like that.

12 So if you do have a meeting in Nevada, i  
13 would suggest that you at least look at issues that  
14 concern high level waste during your meeting, rather  
15 than all the other broad subjects that you're  
16 concerned with.

17 MEMBER LEVENSON: And specific wording.  
18 If we said stakeholders can provide comments on  
19 agenda, that's different than to say agenda planning.  
20 That's the word that bothers me.

21 MEMBER RYAN: And I think that's a great  
22 comment. If we are in Nevada or we're in New York, if  
23 we look for opportunities to make the agenda  
24 appropriate for -- to maximize stakeholder  
25 participation at a location, that's wonderful. I

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1 think that's a good thing to capture. And we can  
2 certainly make that --

3 MR. SAVIO: I'll capture that.

4 MEMBER RYAN: Right on target.

5 PARTICIPANT: That and get your agenda so  
6 we get it early and it stays the same.

7 MEMBER RYAN: We would like that also.

8 (Laughter.)

9 MEMBER LEVENSON: Stays the same. We're  
10 not always in control of.

11 MEMBER RYAN: That's not easy to do.  
12 Anything else? So we'll reconvene at 10:30 assuming--

13 MEMBER LEVENSON: And we do not need the  
14 official record.

15 MEMBER RYAN: Right.

16 MR. LEE: We're going to talk about the  
17 action plan, when we reconvene. So do you want the  
18 reporter for the action plan?

19 MEMBER RYAN: I don't know. Do we?

20 MEMBER LEVENSON: I don't think we need --

21 MEMBER RYAN: No.

22 (Whereupon, at 9:53 a.m., the meeting was  
23 adjourned.)

24

25

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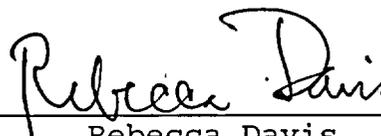
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141<sup>st</sup> Meeting

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**DIVISION OF WASTE MANAGEMENT TOPICS FOR MEETING WITH ACNW  
APRIL 23, 2003**

- (1) NMSS Organizational Changes**
- (2) Feedback Process Between ACNW and NMSS**
- (3) SRM on the Commission Waste Arena Briefing**
- (4) Performance Confirmation Working Group Meeting**
- (5) License Termination Rule (LTR) Policy Options Paper**
- (6) West Valley**
- (7) Waste Convention**
- (8) ICRP RECOMMENDATIONS & ENVIRONMENTAL PROTECTION (PROTECTION OF  
NON-HUMAN SPECIES)**
- (9) INTERNATIONAL STANDARDS**

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 on Health Physics  
 Donald A. Cool

High Level Waste  
 Business and Program Integration Staff  
 John J. Linehan, Director

Program Management, Policy Development  
 and Analysis Staff  
 Melvyn N. Leach, Director  
 Claire V. Kasputys, Deputy Director  
 Aby Mohseni, Deputy Director

Risk Task Group  
 Christiana H. Liu, Acting  
 Section Chief

Program Analysis Team  
 Claudia A. Seelig, Team Leader

Resource and Administrative Services Team  
 Vacant, Team Leader

Information Technology and Business Process Team  
 Jesse L. Clout, Team Leader

Technical Assistant(s)  
 Joseph Olencz

Technical Assistant  
 Rotational Position  
 James P. Dwyer  
 Kenneth Erwin

**FUEL CYCLE SAFETY and SAFEGUARDS**  
 Robert C. Pierson, Director  
 Eric J. Leeds, Deputy Director

**DIVISION OF INDUSTRIAL and MEDICAL  
 NUCLEAR SAFETY**  
 Charles L. Miller, Director  
 Patricia K. Hildner, Deputy Director

**DIVISION OF WASTE MANAGEMENT**  
 John T. Greeves, Director  
 C. William (Bill) Reamer, Deputy Director

**SPENT FUEL PROJECT OFFICE**  
 E. William Brach, Director

Fuel Cycle  
 Facilities Branch  
 Susan M. Frant,  
 Branch Chief

Special Projects and  
 Inspection Branch  
 Vacant,  
 Branch Chief

Fuels and Guidance  
 Branch  
 Gary S. Janosko,  
 Acting Branch Chief

Materials Safety  
 and Inspector Branch  
 Thomas H. Essig,  
 Branch Chief

Environmental &  
 Performance  
 Assessment Branch  
 Lawrence E. Kokajko,  
 Acting Branch Chief

Decommissioning  
 Branch  
 Daniel M. Gillen,  
 Branch Chief

High Level Waste  
 Branch  
 Janet R. Schlueter,  
 Branch Chief

Licensing & Inspection Directorate  
 Larry W. Carper,  
 Deputy Director

Technical Review Directorate  
 M. Wayne Hodges,  
 Deputy Director

Criticality Team  
 Margaret Chatterton,  
 Team Leader

Fuel Manufacturing Section  
 Uda Foché,  
 Section Chief

Uranium Processing Section  
 Acting Section Chief

Section A  
 Charlotte E. Abrams,  
 Section Chief

Section B  
 Sandra L. Webster,  
 Section Chief

Environmental & LLW  
 Projects Section  
 Scott C. Flanders,  
 Section Chief

Performance Assessment  
 and Integration Section  
 Andrew C. Campbell,  
 Section Chief

Licensing Section  
 John D. Moninger,  
 Section Chief

Transportation & Storage  
 Safety & Inspection Section  
 Robert Lewis,  
 Section Chief

Special Projects Section  
 Joseph G. Gitter,  
 Section Chief

Inspection Section  
 John W. Lubinski,  
 Section Chief

Section A  
 Marissa Bailey,  
 Section Chief

Section B  
 Frederick D. Brown,  
 Section Chief

Spent Source & Device Team  
 John Janovich, Team Leader

Decommissioning  
 Section A  
 Scott W. Moore,  
 Section Chief

Decommissioning  
 Section B  
 Claudia M. Craig,  
 Section Chief

Projects and  
 Engineering Section  
 N. King Stabilein,  
 Section Chief

Repository Site Section  
 Larry Campbell,  
 Section Chief

Technical Review Section A  
 Earl P. Euston,  
 Section Chief

Technical Review Section B  
 Jack Gutman,  
 Section Chief

**Composition of Country Groups for the First Review Meeting**

Group 1	Group 2	Group 3	Group 4	Group 5
United States	France	United Kingdom	Germany	Canada
Belgium	Spain	Sweden	Ukraine	Korea, Republic of
Slovakia	Bulgaria	Czech Republic	Switzerland	Finland
Slovenia	Romania	Netherlands	Argentina	Hungary
Latvia	Luxembourg	Morocco	Norway	Poland
Greece	Denmark	Croatia	Belarus	Austria
Ireland	(Future ratifier 1)	(Future ratifier 2)		

	Chairperson	Vice-Chairperson	Rapporteur	Co-ordinator
Group 1	Magnus Westerlind Sweden	Andrejs Salmins Latvia	Ivan Vovk Ukraine	John Greeves USA
Group 2	Igor Sudakov Belarus	Lucian Biro Romania	Richard Ferch Canada	Paul Kayser Luxemburg
Group 3	Jae In Shin Korea, Republic of	Martin Hum UK	Jozef Blazék Slovakia	Peter Lietava Czech Republic
Group 4	Patricia Bubar USA	Anita Sørli Norway	Jean Scherrer France	Werner Mester Germany
Group 5	Carlos Torres Spain	Günter Hillebrandt Austria	Patrick O'Sullivan Netherlands	Kirsti-Liisa Sjöblom Finland



- PROGRAMME
- ASSESSMENTS
- PUBLICATIONS
- CONVENTIONS
- STANDARDS
- REFERENCE
- MEETINGS
- TRAINING
- APPRAISALS

## RASANET - SAFETY STANDARD COMMITTEES



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- WASSC main page
- TRANSACC main page
- NUSACC main page
- CSS main page
- Home Page

### NUCLEAR SAFETY

NUSAFE

COORDINET

SITE MAP

SEARCH:

• RASANET

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## Waste Safety Standards Committee (WASSC)

Next Meeting - The Sixteenth Meeting of the Waste Safety Standards Committee (WASSC) will be held from 29 September to 3 October 2003.

For further information please contact [K. Hioki](#)

### Mandate

The Waste Safety Standards Committee (WASSC) is a standing body of senior regulatory officials with technical expertise in radioactive waste safety.

WASSC provides advice to the Secretariat on the overall programme on regulatory aspects of radioactive waste safety and has the primary role in the development and revision of the Agency's radioactive waste safety standards.

The functions of WASSC are:

- To recommend the terms of reference of all standards in the Agency's radioactive waste safety standards programme and of the groups involved in the development and revision of those standards, in order to promote coherence and consistency among the standards and between them and the other safety related publications of the Agency
- To agree on the texts of Safety Fundamentals and Safety Requirements to be submitted to the Board of Governors for approval and of Safety Guides to be issued under the authority of the Director General, and to make recommendations to the CSS, in accordance with the Agency's preparation and review process for safety standards
- To provide advice and guidance on a continuous programme for reviewing and revising the Agency's radioactive waste safety standards
- To provide advice and guidance on radioactive waste safety standards, relevant regulatory issues, and activities for supporting the application of the radioactive waste safety standards and
- To identify and advise on any necessary activities in support of the radioactive waste safety programme

For further information please contact [K. Hioki](#)

## WASSC Meeting Reports



- [WASSC 14 meeting's report](#)

### RELATED LINKS

- [Draft Safety Standards, Full Text](#)
- [Status of Draft Safety Standards](#)
- [Documents under WASSC review \(.pdf\)](#)
- [Published Safety Standards, Full Text](#)
- [Safety Glossary](#)
- [The Preparation and Review Process](#)

### PAGE LINKS

- [WASSC Meeting Reports](#)
- [WASSC Membership](#)

## **International Status**

- **EC – Concepts of Clearance and Exemption**
- **German Radiation Protection Ordinance**
- **IAEA**
  - DS-154: Geologic Disposal**
  - DS-162: Remediation (Intervention)**
  - DS-161: Exclusion (Clearance)**
- **ICRP 2005 Recommendations**