

SEP 20 1993

0061

MEMORANDUM FOR: Robert M. Bernero, Director  
Office of Nuclear Material Safety and Safeguards

THRU: B. J. Youngblood, Director  
Division of High-Level Waste Management

FROM: Joseph J. Holonich, Director  
Repository Licensing and Quality Assurance  
Project Directorate  
Division of High-Level Waste Management

SUBJECT: TRIP REPORT ON AUGUST 10, 1993, DEPARTMENT OF ENERGY  
WORKSHOP ON INCREASING PUBLIC PARTICIPATION

On August 10, 1993, B. J. Youngblood, Jim Wolf, Office of the General Counsel, and I observed a U.S. Department of Energy (DOE) workshop on ways for improving public participation in the high-level waste program. The workshop was broken into a working day, and an open session at night to allow more public participation. During the working day, the workshop was constructed to allow four groups of representatives from the various organizations present and the public to discuss how to accomplish this for the monitored retrievable storage facility and repository. Following the discussions, each group presented its ideas for improving the process.

In the evening, the results were presented, and any member of the public wishing to speak was allowed to do so. Enclosure 1 is a copy of the slides produced by the individual working groups that were presented to the evening session. Enclosure 2 is the draft written report that DOE provided to all participants for comment. Once all comments are received, it plans to issue it in final to document the workshop.

15/

Joseph J. Holonich, Director  
Repository Licensing and Quality Assurance  
Project Directorate  
Division of High-Level Waste Management

Enclosures: As stated

cc: S. Treby  
J. Wolf

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NAME	JHolonich/dh	JJinehan		JYoungblood	
DATE	09/13/93	09/20/93		09/20/93	

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Revise  
~~Abstracts~~  
~~Notes~~  
~~Notes~~  
press notes PAP

# Process for Sec'y Hazel O'Leary to obtain public input

Yellow Group  
August 10, 1993

Conglomerate approach to  
yield comprehensive input  
Processes

## A. Public Meetings

- Extraordinary Outreach
- Convenient time/location
- All publics

## B. Public Hearings

- Testimony by all
- Formal record
- Commit to respond

C. Predecisional Drafts

'FERC-type' review +  
extraordinary outreach

D. Public Opinion Polls

Use 800-Number

E. Independent Review

Blue Ribbon Panel

# Who to Participate

(National Issue)

## A. Public

- Community / proposed facility
- Community / nuclear utility
- Community / transport

## B. Interest Groups

## C. Industry

D. Statutory  
Counties  
Tribes  
States

Resp.  
Regulators  
other gov't.

# ASIDES:

- Meaningful particip. is IMPOSSIBLE with forced siting strategy
- Any future action must not HURT existing commitments to MRS volunteers  
(credibility & trust)

# Process Criteria Green Group

1. Open & Inclusive
2. Convenient (tailored)
3. Accountable (Reasoning and Logic behind decisions)
4. Timely

5. Credible

6. Stable (Decision-making)

7. Fair

8. ★ Final Decision

(minority opinion) (ability to challenge) (Not a solution) (Independent) G-2



# KEY TOPICS

- Tailor to local, regional, national as APPROPRIATE
- Difference of opinion as to:
  - Keep decisions w/in dept.
  - Establish a blue ribbon review comm.
- More flexibility/opportunity to define the questions.

# Decision-Making Entity

receives input by: A time sensitive model

- Notice to define Problem
- Definition of Problem
- Seek solutions
- Pre-decisional draft
- Final decision

• MODEL NEEDS MULTIPLE  
STEPS TO ENSURE FULL INPUT  
( & MEET PROLESS CRITERIA)  
AND ACCOUNTABILITY

# OUTREACH

Concern about involving/getting  
input from "less involved"

General public:

- neutral mechanism for  
general facts
- League of Women Voters
- Conflict resolution on basic facts
- Crossfire Approach

# VALUES/QUALITIES

- Broad Based Particip
- DOE Commitment to Change (Sign-on)
- DOE Commitment To RESPOND

Blue Group B-1

- EQUALITY OF BURDEN
- TRY TO PLEASE MAJORITY
- PRACTICE Good Science
- CHECKS + BALANCES NEEDED

- Additional Resources to Existing STAKEHOLDERS To enable participation of Constituents
- DOE NEEDS TO PAY ATTENTION TO & RESPECT TRIBAL CUSTOMS

# PROCESS

## TECHNICAL REVIEW BOARD

- Expand

## LOCAL TECHNICAL ASSISTANCE PANELS

- Provide info to stakeholders
- Need Resources \$
- Serve As Resource Group



MAY NEED DIFFERENT  
APPROACHES FOR  
DIFFERENT REGIONS

CONFLICT RESOLUTION

- Ombudsman
- Negotiations

# ADVISORY GROUP

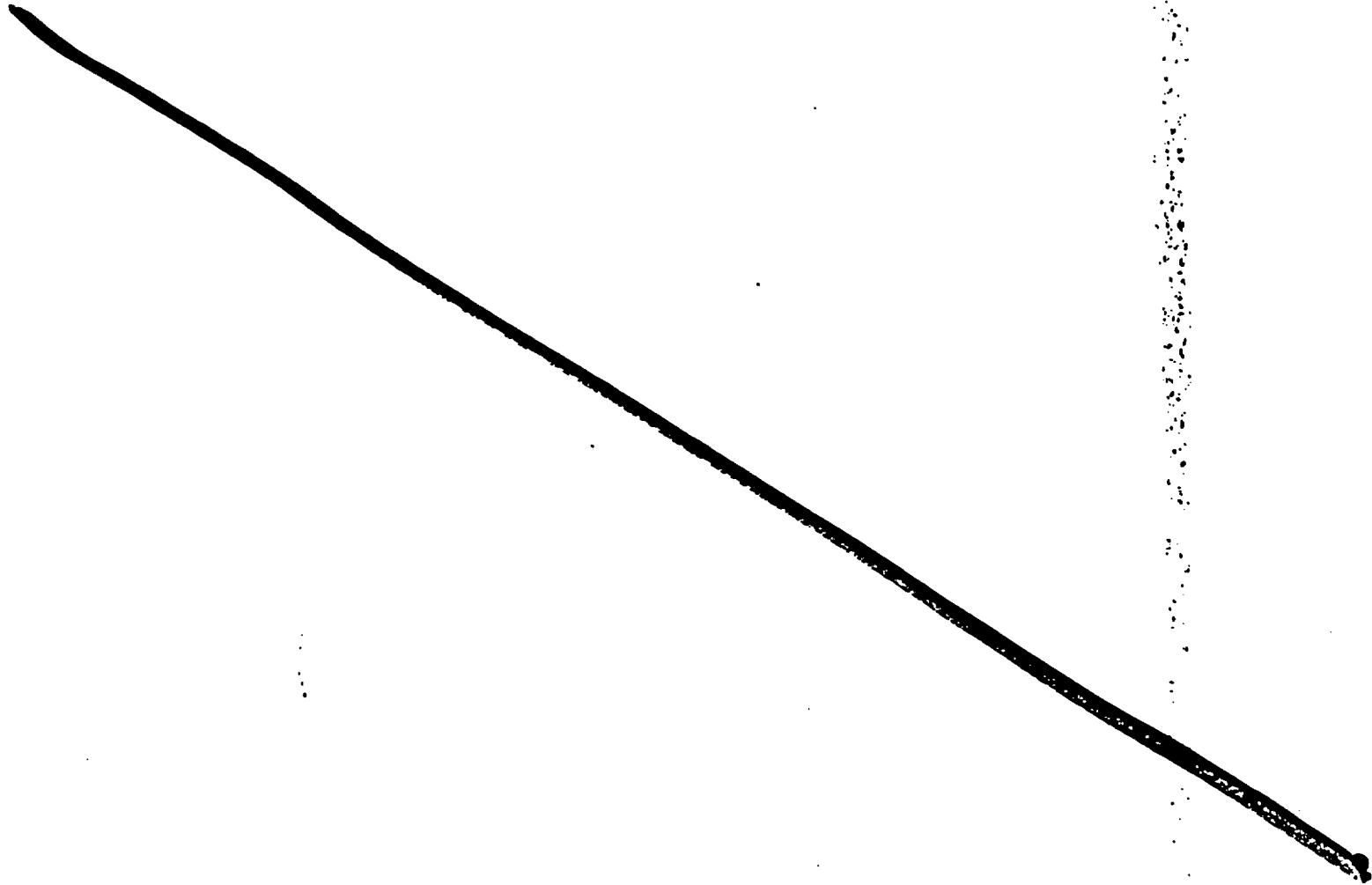
PROCESS FOR REVIEW OF  
NON-TECHNICAL ISSUES

EXTERNAL REVIEW

- Lack of consensus on  
need + benefit for

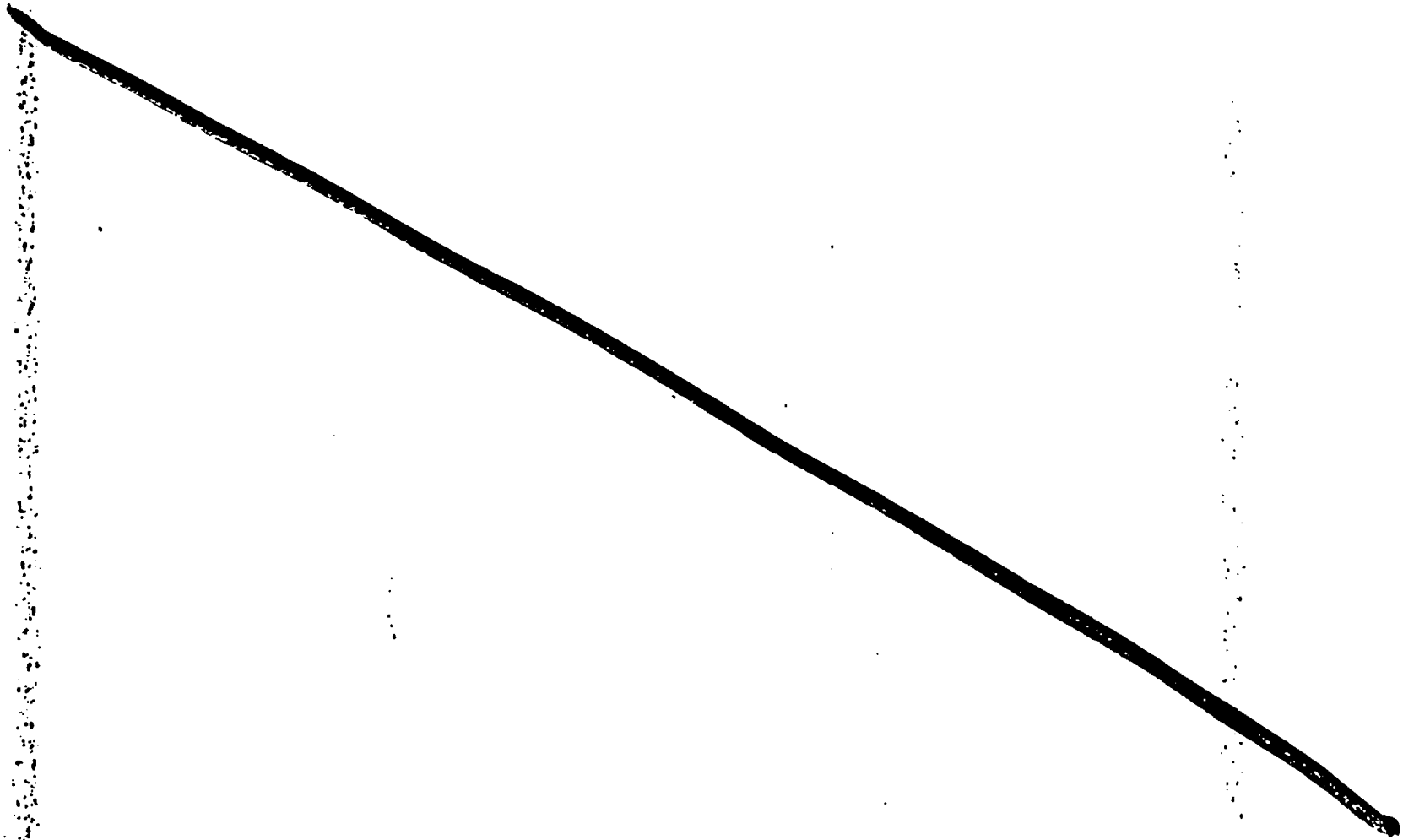
Admin. PROCEDURES  
ACT LIKE PROCESS

DECISION INFORMING



DECISION MAKING B-E

No Solution: BEST SOLUTION



Quick Solution: BEST SOLUTION

# Determining The Public

- DOE should not arbitrarily select the public or interested parties on an issue.

- DOE should seek broad-based public involvement

# Determining the Public (cont)

- DOE should establish an advisory group to assist in identifying affected parties for certain topics.

# EXTERNAL REVIEW

- A NUMBER OF PARTICIPANTS FAVORED A HIGH-LEVEL EXTERNAL REVIEW OF THE ENTIRE PROGRAM.



# Issue Definition

2/2

- DOE should identify areas where wants public comment.
- DOE should take into account the costs & difficulties of various constituencies in planning & scheduling public participation processes.
- DOE should update its description of the HLW program,

# Issue Definition (cont)

so that the public is familiar  
with the program its being  
asked to participate in.

DOE RESPONDES TO  
THE PUBLIC

• DOE SHD RESPOND TO  
PUBLIC COMMENTS IN A  
TIMELY FASHION AND  
EXPLAIN HOW IT RESPONDED.

# PUBLIC INVOLVEMENT

1/3

- LOCAL GROUPS SHD BE GIVEN GREATER POWER TO AFFECT, NOT JUST ADVISE ON, DOE POLICY.
- THE PUBLIC SHD PLAY A SUBSTANTIVE ROLE. THE DOE AND THE PUBLIC SHD DECIDE.
- PARTICIPANTS IN PUBLIC PROCESSES NEED TO BE COMMITTED.
- FOCUS GROUPS IN COMMUNITIES WHERE NUCLEAR POWER PLANTS ARE LOCATED.

# PUBLIC INVOLVEMENT (CONTINUED)

2/3

- THE PUBLIC AND NATIVE AMERICANS SHOULD BE INVOLVED IN TRANSPORTATION AND CONDUCT THEIR OWN ASSESSMENTS.
- DOE SHOULD MAXIMIZE LOCAL AND STATE INVOLVEMENT IN TRANSPORTATION.
- ESTABLISH CITIZEN ADVISORY BODS. TO ADVISE DOE AND INFORM THE PUBLIC

# PUBLIC INVOLVEMENT CONTINUED

3/3

- ADOPT PROCEDURES SIMILAR TO FERC'S FOR PUBLIC INVOLVEMENT

# PUBLIC EDUCATION

- DOE SHOULD MAKE GREATER EFFORTS TO EDUCATE THE PUBLIC - PRINTED MATERIALS
- MULTIPLE AVENUES OF PUBLIC EDUCATION SHD BE USED.
- DOE SHD PROVIDE A BALANCED VIEW OF PROS AND CONS ON THE MRS TO INTERESTED COMMUNITIES.

# PUBLIC NOTIFICATION 1/2

- DOE SHD MAKE A GREATER EFFORT TO REACH ALL INTERESTED PARTIES
- THE TIME CONSTRAINTS, COST, + DIFFICULTY OF VARIOUS CONSTITUENCIES SHD BE TAKEN INTO ACCOUNT WHEN PLANNING PUBLIC PROCESSES. MAKE MTGS MORE ACCESSIBLE.



PUBLIC NOTIFICATION.

2/2

FEDERAL REGISTER NOTICE  
MAY HAVE LIMITED  
CIRCULATION. DEVISE ANOTHER  
MEANS OF NOTIFYING THE  
PUBLIC.