

WM Record File 109 *agenda* WM Project 1
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MEMORANDUM FOR: Joseph O. Bunting, Chief
 Policy and Program Control Branch, WM

FROM: Donna R. Mattson, Section Leader
 Program Control and Analysis Section, WMPC

SUBJECT: STATES/TRIBES/DOE QUARTERLY MEETING, AUGUST 8-9, 1985

August 8, 1985

The first round States and Indian Tribes/DOE Quarterly Meeting was held in Denver, Colorado on August 8 and 9, 1985. Utah was the host state for this meeting. Patrick Spurgin, Director, High Level Nuclear Waste Office, State of Utah was the Chairperson. Introduction of all participants was the first order of business. Attendance list is attached as Enclosure 1.

William Purcell, Director, Office of Geologic Repositories, was the first speaker. His overview of how the Office of Civilian Radioactive Waste Management is presently organized is enclosed as Enclosure 2. A general description of responsibilities of the headquarters and field offices was given. Mr. Purcell mentioned several coordinating groups for areas such as the EA's, SCP's, EIS, Performance Assessment, Transportation, Quality Assurance Underground Testing, Licensing and Institutional/Socioeconomics. These coordinating groups are comprised of DOE HQ professionals and staff from each project office as contributors. Each group reports to the appropriate Director with that area of responsibility. The meetings of these groups are not routinely scheduled but held when needed. When asked if audiences were allowed at these meetings, Mr. Purcell said some meetings could be open. Several State representatives suggested that these coordinating group meetings might be the place for the States to interact with DOE.

Mr. Purcell talked more about these coordinating groups at the conclusion of the first day. He said these meetings were mostly management tools and belonged within the Department. Some of the meetings might be amenable to outside participation, such as those involving issue identification and data collection and maybe some parts of the institutional and socioeconomic groups.

Mr. Issacs suggested that DOE try working with the States and Tribes on some of the groups and see how it turns out. It was decided that within the next two months DOE will get back with the States and Tribes on how this process will work. Mr. Burton mentioned that some of the groups were more open to this forum than others so there needed to be flexibility so they would not get locked into a uniform treatment for all groups.

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The next speaker, Ralph Stein, Director of the Engineering and Licensing Division and Acting Director for the Geosciences and Technology Division, gave an overview of the Licensing Process and the Site Characterization Plan (SCP). His viewgraphs are attached as Enclosure 3. He discussed the repository licensing process. When Mr. Stein said that two of the SCP's will be ready at approximately the same time with the third one being completed later, the Texas representative said he wanted a parallel process for all site characterization so that all sites can be compared. He suggested that SCP scoping hearings may be of value now on a site-by-site basis. Those held in the Spring of '83 were too early in the process he felt. Hearings now would be more valuable. Hearings with more than one purpose, such as SCP and socioeconomic matters could be held together.

Mr. Stein's handout contains a list of 24 firm and tentatively scheduled meetings between NRC and DOE. This list will be periodically updated. Mr. Stein stated that the States and Indian Tribes were welcome to participate in these technical meetings. Mr. Frishman, TX, stressed the word "participate" and said the States wish to have all pertinent material so they can actively participate. Mr. Veith, Program Director for NNWSI, stated that it has been his experience in these technical meetings that the States wanted to be observers, not participants; they did not wish to contribute, agree to and sign the minutes of the meetings. Mr. Stein noted that in addition to the mailed meeting notices, all meetings are noticed on the DOE toll free telephone number. Also, the information sent to NRC for the meetings is sent to the States and Tribes by Ellison Burton, and NRC sends this same information to the States and Tribes. Following each technical meeting, minutes are developed, initiated by the participants and copies are sent to the States and Tribes. Mr. Frishman mentioned the recent NRC Procedure whereby NRC/WM will send copies of meeting materials to the States and Tribes from 10 days up to 4 weeks in advance of the meeting. Concluding the discussion on meetings, Mr. Stein emphasized meeting number 6, "CY 1986 Meeting Planning" in the August/September timeframe and request State and Tribal consideration for participation in that meeting.

The DOE Licensing Information System was described by Mr. Stein. DOE's system will support technical and managerial information needs to secure a license. He indicated DOE is presently at the requirements definition phase, which is near completion. When asked how the requirements were developed, Mr. Stein said the DOE contractor, Weston did some interviewing of staff and two meetings were held with NRC which the States and Tribes were invited to attend. Minutes of those meetings were distributed to the State and Tribes. There has also been interface with the NRC information management system contractor, Aerospace. Jim Hovis had a copy of the NRC/WM milestone schedule for the Information System Pilot Program. It was copied and passed out to all participants.

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Mr. Purcell stated that it is the intent of DOE to have one information system that can be used by DOE, DOE Field Offices, NRC, States and Indian Tribes. Mr. Frishman stated that he had held back his information system contract until he found out more about what DOE and NRC would be doing. He said the States and Tribes should be involved in settling on the requirements definition if they will be using the system. Mr. Issacs stated that the States and Tribes will be asked to help.

Mr. Stein said there would be two data bases for their information system: Regulations Tracking and Issue Tracking. The system will include documents originated and received by DOE. There will be some full text storage and development of abstracts and indices for all documents. A key word list and a communications network will be developed. Many ideas are still at the conceptual stages, such as the question of whether there may be site specific information or central storage for all sites in one computer. When Mr. Provost stated that there is a need for a full text on line system, Mr. Stein said that it was not feasible to include all of the tens of thousands of documents developed during the last 10 years on this program. DOE plans to go forward from now on with full text storage. Mr. Stein stated that workshops will be held on the system so that it can best be developed to fit the needs of all without having to duplicate systems. When asked what the schedule was for interaction, Mr. Stein stated that DOE is still two years away from a system that could be used by the States.

Ellison Burton gave a presentation on State and Indian Tribe involvement in repository environmental and socioeconomic programs. His viewgraphs are attached as Enclosure 4. He discussed the key NEPA principles and stated that DOE needs to work with NRC to determine if NRC will be a cooperating agency. The major steps in EIS preparation were discussed, as well as the relationship between SCPs and EIS. The environmental and socioeconomic monitoring and mitigation (M&M) plans were the last area of Mr. Burton's briefing. He discussed the purpose, content and schedule of these new plans, and said he would be soliciting input from the States and Tribes.

Mr. Issacs stated at the conclusion of the day that none of the information presented was sealed in concrete. Many of the ideas discussed were new and DOE wanted State and Tribal involvement, feedback and input at the beginning of the process.

August 9, 1985

A States and Indian Tribes only meeting was held early Friday morning.

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When all participants convened, Ben Easterling started a discussion on DOE's interaction with local people in the States since the NWPA does not address interaction with locals. He requested feedback on what process these interactions should take and what interaction there will be between the locals and the States and Tribes. This discussion would start the ball rolling for making plans for future, detailed meetings. Mr. Easterling indicated that he also wanted the same thought process addressed for public education on the high-level waste repository program. Mr. Palmer, MS, stated that their state's position is controlled by statute and that the locals have been incorporated into the State's policies. DOE should not negotiate with the locals without State involvement. Mr. Frishman, TX, suggested that the overall plan might not be good for all States because there are too many different State structures. He questioned what was already going on at the project levels versus what DOE was doing at Headquarters. Mr. Easterling stated that these efforts are being coordinated at the site and with Headquarters. Russell Jim, Yakima Indian Nation, interjected that the State groups cannot speak for the Indian Tribes. Lee Olson mentioned that local government includes not only the site but other areas too, such as Spokane. As equipment is moved onto the site there will be necessary interaction, Mr. Easterling stated and, therefore, DOE needs to reach agreement on the standards for dealing with the locals since the Governor's staff will not always be around at the site. Mississippi, Texas and Washington representatives indicated that they were already working on development of these types of groups within their States and want DOE's participation. Mr. Ramatowski, Umatilla Tribe, mentioned that bordering States may need the same interaction. For example, the State of Oregon has problems that needed to be addressed. Mr. Purcell and Mr. Provost discussed the limited amount of money available to Oregon through the State of Washington grant. Mr. Easterling suggested that he would check with the State of New Mexico on how they handled their activities on WIPP and maybe have a "lessons learned" conference. Mr. Frishman suggested that DOE develop a draft policy statement with the scope and needs to be satisfied and have the States and Tribes respond. Mr. Purcell stated they would develop a first draft giving the DOE objectives and ask for comments.

Mr. Easterling asked for more discussion on the subject of public education through the State universities. DOE is getting unsolicited proposals from universities. The States and Tribes raised several issues on why the use of State universities is not the appropriate way to educate the public on the waste repository program. They indicated that if a State university is used it puts the State in the position of justifying the DOE decisions. Jim Palmer of Mississippi stated that the State university system is not an alternative for them, that the State must speak with one voice which includes the universities. Russell Jim stated that the universities could not adequately represent the Indian Tribes because they do not know the culture of the Tribes. He said DOE

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must first educate itself about the Tribes and then teach the Tribes about the NWPA. Ron Halfmoon said he did not believe that an eastern university could adequately represent the western Tribes. Mr. Easterling suggested that DOE develop a proposal for consideration by the States and Tribes and they could get together at a later time to discuss it in more depth.

Wrap-Up

Don Provost will host the next meeting, which is proposed for one day in November in the Washington, DC area. Mr. Purcell will followup on the States' and Tribes' role at the coordinating group meetings.

Donna R. Mattson, Section Leader
Program Control and Analysis Section
Policy and Program Control Branch, WM

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Agenda for First Round States and Tribes/DOE Quarterly Meeting

August 8 & 9, 1985
Residence Inn
Denver, CO

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- 8:30 General Discussion of DOE-HQ Organization and Decision Processes and Relationship to Project Offices
- 9:30 Near-Term DOE-HQ Planning and Decision Activities Related to Licensing Concerns, Including SCP.
- 10:15 Break
- 10:30 Licensing (cont.)
- 12:00 Lunch on you own
- 1:30 Followup Discussion of Licensing Information
- 2:00 Near-Term DOE-HQ Planning and Decision Activities Related to Section 114 EIS
- 3:30 Break
- 3:45 EIS (cont)
- 5:30 Adjourn

August 9

- 8:30 States-and tribes-only meeting
- 10:15 Follow-up discussion of EIS
- 11:00 NAS Socioeconomic Impact Analysis Proposal
- 12:00 Lunch on you own
- 1:30 DOE/local government interactions - basis for interactions and discussion
- 2:15 University-Operated Nuclear Waste Education Program - Basis for Proposal and Discussion
- 3:00 DOE Issues Tracking System - State Role and Access
- 3:45 Wrap up

ATTENDEES

Enclosure 1

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