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Release of Site Characterization Plans

Background

DOE has had a number of discussions with the States and Indian Tribes, the Nuclear Regulatory Commission (NRC), and members of Congress over the past 2 years regarding the release of site characterization plans (SCPs) for review and comment by affected parties and the public. It has been DOE's position that the comment period would encompass 90 days from the release of the SCPs, with public hearings and briefings scheduled about midway, to receive both oral and written comments. Prior to the release of SCPs, DOE released drafts of chapters and sections as they became available to provide early access to the developing document. As a final step in the process, following the close of the 90-day comment period, DOE would evaluate the comments and prepare and release a comment response document.

During the discussions with affected and interested parties, various concerns were raised:

- The 90-day comment period would not be sufficient time to allow for an adequate review and comment given the length of the SCP and the technical complexity of the document.
- Early access to draft chapters coupled with unavailability of

references does not permit an integrated review of the document.

- The parties indicated an inability to secure and manage the resources needed to review and comment in an orderly way within 90 days.
- The States and Tribes, in particular, expressed a strong desire to review DOE's environmental and socioeconomic monitoring and mitigation plans (MMPs) concurrently with the SCPs, and all parties expressed a preference for the simultaneous availability of all three SCPs.

Revised Approach to Release of SCPs

As a result of the discussions with the parties and the concerns raised, it has become apparent that existing plans for release of the SCPs need to be revised. Specifically, OCRWM now believes that the best interest of all the parties would be served by conducting an initial consultation process on the SCPs with the States, Tribes, and the NRC. To do this, OCRWM plans to simultaneously release all three SCPs as consultation drafts along with the MMPs. The revised process for release of the SCPs would be as follows:

- The SCPs would be released as consultation drafts in early January 1988. This period was

selected to provide time for internal DOE review of the drafts and will permit all three consultation draft SCPs to be issued at the same time. Also, at that time a full set of references will be available for review. The MMPs will be released concurrently so that a "total picture" of site characterization will be available.

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For further information about the national program or for copies of new publications and documents listed in the OCRWM Bulletin contact the U.S. Department of Energy, OCRWM, Office of Policy and Outreach, Mail Stop RW-40, 1000 Independence Avenue, SW, Washington, DC 20585 (202) 586-5722. The OCRWM Information Services Directory is available to provide sources of program information for the States, Indian Tribes, involved parties, and the public.

OCRWM Publishes Federal Register Notice on Disposal Fees For DOE Defense Program Waste

On Aug. 20, 1987, DOE published in the *Federal Register* a public notice entitled "Calculating Nuclear Waste Fund Disposal Fees for Department of Energy Defense Program Waste." The purpose of this notice is to set forth the methodology that DOE intends to use in calculating the defense high-level waste (DHLW) disposal fees that must be paid by DOE to the Nuclear Waste Fund established under the Nuclear Waste Policy Act of 1982. Sample DHLW cost share calculations using this methodology are included in this notice. This notice also responds to comments provided in response to a Notice of Inquiry (NOI) and Request for Public Comment with the same title as the current notice and published by DOE in the *Federal Register* on Dec. 2, 1986 (see *OCRWM Bulletin*, December 1986).

Background

Although Congress directed that payments for the disposal of DHLW be made by the Federal Government into the Nuclear Waste Fund, it did not provide for a specific fee such as the 1 mill/kilowatt-hour mandated for civilian spent fuel nor did it appropriate money for payment into the Nuclear Waste Fund. In the NOI of Dec. 2, 1986, three options for calculating DHLW disposal charges were analyzed:

- Option I, a fee that equals the total cost of disposing of DHLW by OCRWM ("full cost recovery using sharing formulas");
- Option II, a fee based upon 1 mill per kilowatt-hour of electric-generation equivalent for the defense reactor operations that produce these wastes; and
- Option III, a fee that is based on estimates of the costs of separate repository systems ("avoided costs") so that defense and civilian

fees equal a fraction of the combined repository program costs which are the same as that sector's fraction of the sum of the evaluated costs for separate repository programs ("cost shares proportional to avoided costs").

Option I, "full cost recovery using sharing formulas," was identified by DOE in the December NOI as the preferred approach because it would provide the best assurance that both civilian and defense waste generators would pay their full fair shares of costs for the OCRWM disposal system, thereby avoiding subsidies from one group of waste generators to another.

Public Comments

The public was requested to submit written comments to assist DOE in developing a sound approach to calculating fees for disposal of DHLW. In response to DOE's request for comments, 26 letters were received from individual electric utilities, utility groups, Government agencies, and members of the public. The vast majority of these comments addressed issues relating to equity in the sharing of costs, procedural matters, fee payments, forecast assumptions on waste quantities to be generated, the delivery schedule for DHLW, and the fee calculation methodology.

Included in the comments were suggestions that DOE should begin a rulemaking to establish DHLW fee calculation methodology. Because DOE cannot produce a rule that binds Congress to appropriate funds, a rulemaking is not appropriate. However, DOE has incorporated public involvement into this process by (1) publishing an NOI in the *Federal Register* on Dec. 2, 1986, to solicit public comments; (2) considering the comments submitted on the NOI; (3) publishing a notice

in the *Federal Register* on Aug. 20, 1987, together with responses to comments received on the NOI; and (4) committing to public notice and solicitation of public comments on any significant change in methodology.

All comments received have been carefully reviewed; and as a result, a revised cost allocation methodology has been adopted.

Cost Allocation Methodology

Each life-cycle cost account contained in OCRWM's annual analysis of total system life-cycle costs is grouped into one of three cost categories: direct costs (assignable), common variable costs (assignable), and common unassigned costs. Within each of these categories, costs are allocated to DHLW and civilian wastes on different bases.

Assignable Costs—Direct costs are incurred solely for disposal of either DHLW or civilian wastes and are allocated in total to defense or civilian generators. For example, DHLW transportation and DHLW waste package fabrication are allocated to defense waste generators as direct costs. Similarly, costs for facilities and activities attributed solely to civilian waste disposal are allocated as direct costs to the civilian waste generators.

Common variable costs are allocated to both DHLW and civilian waste generators on the basis of cost sharing factors developed from physical parameters, such as repository excavation required and number of waste packages for each type of waste. Each repository has its own unique set of physical parameters which will vary with its capacity and waste characteristics. Therefore, cost sharing factors must be developed for each of the two repositories in any case considered.

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OCRWM Publishes Federal Register Notice on Disposal Fees for DOE Defense Program Waste

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Common Unassigned Costs—These costs are the remaining components of the life-cycle cost, i.e., those which cannot be directly allocated or cannot be allocated based on cost sharing factors developed from relevant physical parameters. The costs in a common unassigned account are allocated to both defense and civilian waste generators in proportion to their respective shares of the appropriate assignable cost categories.

The cost methodology proceeds in a stepwise fashion following the designation of cost accounts into the appropriate categories described above. First, direct costs are allocated for all cost accounts. Second, cost

sharing factors for common variable costs are computed. Third, common variable cost allocation is performed. Fourth, common unassigned costs are calculated for each repository and the common unassigned costs for development and evaluation. Allocations are based on the proportions of previously calculated assigned costs. The allocation of costs is complete when the civilian and DHLW share totals are computed as the sum of their respective direct, common variable, and common unassigned costs.

Several cases are presented in the *Federal Register* notice to demonstrate the cost allocation method

summarized above. These cases are used for illustrative purposes and do not reflect any prejudgment of site selection. The cases consider two combinations of repository sites and two projections of spent nuclear fuel. Figure 1 summarizes total system costs and DHLW cost shares in the improved performance system scenario (i.e., a system that includes a monitored retrievable storage facility) for high and low cost repository combinations and high and low spent nuclear fuel generation cases.

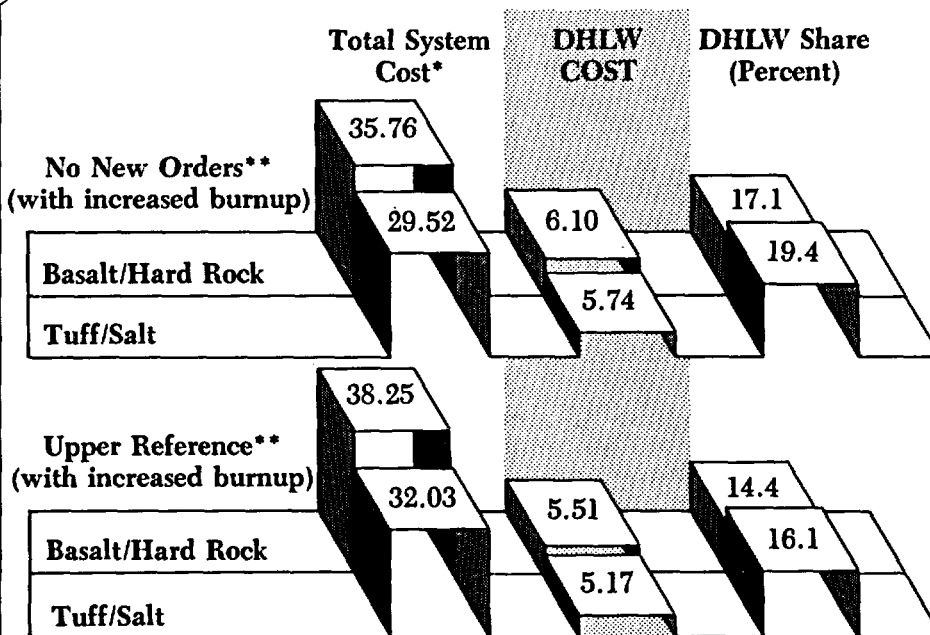
Future Actions Relating to the Cost Allocation Methodology

Information on the determination of the DHLW cost share based on this methodology will be included in future issues of the annual OCRWM fee adequacy report and the total system life-cycle cost analysis. Actual appropriation of funds to cover these costs will be requested by DOE's Defense Program through the budget and appropriation procedures.

A memorandum of agreement (MOA) between OCRWM and DOE's Office of Defense Programs is in preparation. The MOA is intended to include both the agreed cost-sharing methodology and more detail on intended DHLW disposal fee payment methodology. It is DOE's intention to publish the MOA for information purposes in the *Federal Register*.

For further information, contact Ronald A. Milner, Director, Financial Management and Analytical Services Division, OCRWM, Department of Energy, Room GB-270, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9173. ☆

Figure 1. Summary of Improved Performance System Cost Allocation
(Billions of 1986 Dollars)



* Adjusted from Total System Life Cycle Cost estimates to account for different assignment of DHLW to each repository.

** Spent nuclear fuel discharge electricity generation projection scenarios published by the Energy Information Administration.

Currently Scheduled OCRWM Short-Term Program Milestones

Sept. 1987	Issue draft environmental regulatory compliance plans.
Nov. 1987	Issue final program reference cost baseline.
Dec. 1987	Issue <i>Federal Register</i> notice for calendar year 1988 federal interim storage (FIS) fees.
	Submit annual update of FIS deployment report to Congress.
Jan. 1988	Issue consultation drafts of site characterization plans for basalt, salt, and tuff sites.

Release of Site Characterization Plans

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- Consultation workshops will be held with State, Indian Tribe, and NRC representatives in January, February, and March 1988. These workshops will provide a forum to explain the documents, address, and to the extent possible, resolve issues, and to receive questions and comments. The workshops will be at locations decided upon after consultations with the parties.
- At some time shortly after the last workshop, DOE would close out the consultation period and proceed to prepare the SCPs with a scheduled date determined by the results of the consultation period. Subsequently, there will be a 90-day public review with public hearings as called for in the Nuclear Waste Policy Act of 1982.
- DOE would continue to plan for and perform surface-based testing during and after the consultation phase. Data gathered during this period and beyond would be shared with the parties, and plans for these activities will be provided to interested parties through the SCP study plans.

It is hoped that the process described above should help alleviate the

concerns of affected and interested parties by:

- Providing an advance forum for DOE to explain the document, its organization, content and plans for testing;
- Consulting with the parties on any issues identified, and if possible, reach a resolution;
- Permitting time for the parties to prepare for the formal review of the draft documents;
- Providing a more meaningful public review of the SCPs since it will follow consultation on the drafts; also availability of all three drafts will enhance project comparability; and
- Allowing the reviewers to cross-check the MMPs and the SCPs.

The process for release of the consultation drafts has been developed to encourage full participation by the parties. It is expected that this process will not measurably affect the start of the exploratory shaft construction at the Hanford, WA, and the Texas Panhandle sites, and may result in no more than a 3-month delay at the Yucca Mountain site in Nevada. This process will not require a change in schedule in the Mission Plan. ☆

Other Program Items

Roy F. Weston Selected to Provide Technical Support Services for OCRWM

The firm of Roy F. Weston, Inc., of West Chester, PA, has been competitively selected to provide technical support services to OCRWM for a 2-year base period and three 1-year options. Weston, the prime contractor, will lead a team that will include the Jacobs Engineering Group, Pasadena, CA; Williams Brothers Engineering Company, Tulsa, OK; ICF Inc., Washington, DC; Rogers and Associates Engineering Corp., Salt Lake City, UT; and Engineering and Economics Research, Inc., Vienna, VA.

Weston has been providing support services to OCRWM since 1983. A solicitation for a follow-on requirement was initiated in 1985, and in January 1986 DOE selected Weston. That decision was protested. Revised proposals were submitted by Weston and the NUS Corporation of Gaithersburg, MD. DOE conducted an evaluation of those proposals and has selected Weston. The 5-year contract has an estimated value of about \$80 million.

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New Publications and Documents

Doing Business with DOE, Deaf Smith County, Texas

A factsheet describing the supplies and services that will be needed for site characterization at the candidate repository site in Deaf Smith County, TX, as well as the requirements for selling or subcontracting to the project. ☆

Other Program Items

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Stone & Webster Selected to Provide Technical and Field Services for Salt Repository Project in Texas

On Aug. 11, 1987, DOE and Stone & Webster Engineering Corporation of Boston, MA, signed a contract to provide technical and field services for the Salt Repository Project at the Deaf Smith County site in Texas. Stone & Webster will lead a team comprised of the following companies:

- Bechtel National, Inc., of San Francisco, CA
- Golder Associates, Inc., of Seattle, WA
- Woodward-Clyde Consultants of San Francisco, CA
- Everest Geotech Company of Houston, TX
- Shannon & Wilson, Inc., of Seattle, WA

Donald T. King, vice-president, Stone & Webster Engineering Corporation, is project manager. Everett M. Washer is deputy project manager.

Under the contract, Stone & Webster will carry out site characterization and related support activities involving up to \$320 million over an initial 3-year contract period, with seven 1-year optional extensions.

The DOE Salt Repository Project Office (SRPO) is responsible for field work involved in siting; designing; and, should the site be approved, licensing; operating; and decommissioning a high-level nuclear waste repository at the Deaf Smith County site.

The Stone & Webster Project Office in Amarillo will be greatly expanded, and several hundred technical and administrative staff will relocate to

the Amarillo area during the peak of site characterization activities. In addition, it is contemplated that several hundred positions will be filled through local recruiting in the geosciences, civil engineering, environmental sciences, project management, and administrative services. ☆

OCRWM Personnel Changes

Two senior staff members have left the OCRWM program. *J. Roger Hilley*, associate director, Office of Storage and Transportation Systems, has resigned effective Sept. 11, 1987, to pursue other professional areas of interest. *Keith Klein*, director, Storage Division, will become the acting associate director. *Roger W. Gale*, director, Office of Policy and Outreach, will be joining the Federal Energy Regulatory Commission as the director, Office of External Affairs, effective Sept. 8, 1987. *Jerome Saltzman*, deputy director, Office of Policy and Outreach, will become the acting director of the Office. ☆

DOE to Review Emergency Response Resources for Radioactive Materials

In discussion with States, Federal, and local agencies, and other interested parties, DOE has concluded that a definition and description of its extensive emergency response network for radioactive materials is needed. Currently, there are eight DOE regional offices with emergency

response capabilities to provide assistance in the event of a radioactive materials transportation emergency, yet many emergency responders are unaware of the full extent of available DOE assistance in handling transportation incidents. While States retain responsibility for initial response in all transportation emergencies, DOE's emergency response network can offer substantial subsequent assistance.

In order to provide this essential information, a task force under the lead of DOE's Office of Defense Programs has initiated documentation of Departmental emergency response and preparedness resources. A list of existing DOE emergency response equipment, personnel, and procedures will be compiled. DOE coordination with other Federal agencies in providing emergency response assistance will also be reviewed.

Once a general listing is completed, DOE emergency response resources will be categorized by region to define the emergency response capabilities by geographic area. The documentation effort will include input from key DOE emergency response personnel. A public information booklet will be produced following the completion of this effort. The booklet is expected to be available in mid-1988. While the summary of DOE emergency response capabilities will have broad application to all transportation activities of DOE, it will also be of benefit to OCRWM in defining an emergency response program for NWP shipping. The booklet should also provide a useful reference for States, Indian Tribes, localities, and other interested parties. ☆

Other Program Items

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Nuclear Regulatory Commission Forming a High-Level Waste Licensing Support System Advisory Committee

The Nuclear Regulatory Commission (NRC) is forming a High-Level Waste Licensing Support System Advisory Committee to negotiate a proposed rule which would apply to the submission and management of records and documents related to the licensing of a geologic repository for the disposal of high-level radioactive waste. The advisory committee will consist of three tiers. The first will consist of members who will have voting memberships concerning proposals for consensus or agreement; the second tier will consist of representatives of entities whose views are important to the negotiations, but who will not have a vote on proposed consensus or agreement; and the third tier will consist of any members of the general public who have an interest in the proceeding.

Invited to be members of the first tier will be representatives of the States of Nevada and Washington; the State of Texas (representing itself and affected Texas local governments); the Yakima Indian Nation; Nez Perce Indian Tribe; Confederated Tribes of the Umatilla Indian Reservation; DOE; National Congress of American Indians (representing all tribes affected by the siting of a second repository and by transportation of high-level radioactive waste); the States of Utah, Oregon, and

Mississippi (jointly and representing a coalition of all other States affected by the siting of a first repository); the States of Minnesota and Wisconsin (jointly and representing a coalition of all States affected by the siting of a second repository and by the transportation of high-level waste); the Sierra Club, Environmental Defense Fund, and Friends of the Earth (jointly and representing a coalition of nonprofit environmental groups); the Nuclear Waste Task Force (representing a coalition of local non-governmental groups); the Edison Electric Institute and the Utility Nuclear Waste Management Group (jointly and representing the nuclear industry); and the NRC staff.

It is expected that negotiations will require a total of nine 2-day meetings over a period of 9 months beginning in September of this year. About one-half of the meetings are expected to be held in Washington, DC, and the remainder in regional locations, and all will be open to members of the public. Representatives of the Conservation Foundation will chair the negotiating sessions, assist individual parties in forming and presenting their positions, and offer suggestions and alternatives to help reach consensus.

If successful, the advisory committee will develop a consensus on a proposed rule which the Commission would issue for public comment. To the extent possible, all pertinent documents would be placed

in the system before NRC's formal licensing review process begins. The system would then be used as the primary source of information for the proceeding. The proposed rule would contain provisions regarding the administration of the system to provide appropriate safeguards to eliminate any potential for tampering with it. ☆

Public Information Office to Open in Amargosa Valley, Nevada

The assistance of local officials has been requested by DOE in finding a site for a DOE public information office in Amargosa Valley, NV. Amargosa Valley, with a population of about 1,800, is in Nye County about 16 miles southeast of Yucca Mountain. Yucca Mountain is one of three locations being evaluated as candidate sites for the Nation's first geologic repository for the permanent disposal of spent nuclear fuel and high-level radioactive waste.

The public information office is designed to serve Nevadans who live closest to Yucca Mountain and will fill three needs:

- Provide readily accessible information to Amargosa Valley and other area residents;
- Serve as a collection point for questions and comments about DOE's Civilian Radioactive Waste Management Program; and
- Provide a location where DOE personnel can meet informally with local residents.

The office will be a modest effort that can be expanded as needed to meet State and local needs. It will be staffed part-time by a local resident. In the hours when the office is not staffed, self-help guides to the information will be available. There will also be a telephone answering machine for making direct inquiries and a drop box for requesting written materials.

Similar information offices have been opened by DOE in Texas, Louisiana, Mississippi, and Utah. ☆

Selected Events Calendar

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|------------|--|
| Oct. 1 | DOE Meeting with States and Indian Tribes, The Grand Kempinski, Dallas, TX. Contact Judy Leahy (202) 586-8320. |
| Oct. 6-7 | Transportation Coordinating Group Meeting, Marriott Hotel Southeast, Denver, CO. Contact Susan Denny, (202) 586-2439. For reservations contact Marriott at (303) 758-7000. |
| Oct. 15 | Project Management Coordinating Group Meeting, Washington, DC. Contact Richard Blaney (202) 586-9896. |
| Oct. 21-22 | Quality Assurance Coordinating Group Meeting, Amarillo, TX. Contact Karl Sommers (202) 586-1639. |
| Nov. 17-19 | Repository/Waste Package Coordinating Group Meeting, Washington, DC. Contact Mark Frei (202) 586-9322. |
| Dec. 1-3 | Institutional Socioeconomic Coordinating Group Meeting, Las Vegas, NV. Contact Barry Gale (202) 586-1116. |