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DEPARTMENT OF ECOLOGY

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NUCLEAR WASTE ADVISORY COUNCIL

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Regular Meeting

September 21, 1984  
9:30 a.m.  
EFSEC Hearings Room  
Rowesix, Building 1  
4224 - 6th Ave. S.E.  
Lacey, Washington

WM Record File  
101.3

WM Project 10  
Docket No. \_\_\_\_\_  
PDR   
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AGENDA

- |  |                   |
|--|-------------------|
| 1. Approval of Minutes                 |                   |
| 2. Report of Chairman                  | Mr. Warren Bishop |
| 3. Report from Working Group           | Ms. Anita Monoian |
| 4. Discussion of Newsletter            | Ms. Anita Monoian |
| 5. Preview of Hanford Tour             | Ms. Marta Wilder  |
| 6. Status of Grant Requests            | Mr. Gary Rothwell |
| 7. Technical Update<br>- Defense Waste |                   |
| 8. Commingling Study Comments          | Mr. David Stevens |
| 9. Administrative Matters              |                   |
| 10. Other Business                     |                   |
| 11. Public Comments                    |                   |

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MINUTES OF NUCLEAR WASTE ADVISORY COUNCIL MEETING

August 17, 1984

9:30 a.m.

EFSEC Hearings Room  
Rowesix - Building #1

4224 Sixth Avenue S.E., Lacey, Washington

Council Members Present:

Warren A. Bishop, Chair  
Dr. Jerome Finnigan  
Mayor Joe Jackson  
Anita Monian  
Jim Worthington

The meeting was called to order by Warren Bishop, Chair.

There being no objection, the minutes were approved as published with the notation by the Chair they could be revised or corrected should any member so desire.

Work Group on Public Involvement Review

The Chair called on Anita Monian, Chair of the Public Involvement Group, who said the Group had met twice since the last Council meeting. The Group had received several comments on the Plan, all of which had been taken into consideration. She mentioned some of the ideas being considered will depend upon the budget. The Plan will be used as a working document. She said the major effort at this time is the newsletter, which is being developed for publication by the end of September. She said the first issue would be a very basic, introductory publication. The Issues List is an evolving format and will be revised as events occur and interest is shown. Ms. Monian said the next meeting of the Group will be on September 11.

Marta Wilder of the staff remarked that the comments received on the Plan were thoroughly discussed and will be incorporated in a revision, but the basic structure of the Plan will remain intact. She said when the budget is known in October, the Plan will be more definitive. She said the first newsletter will include a definition of the various kinds of wastes, the Federal role, the State role, citizens

concerns, and duties of the Council and Board. It will contain a return section asking for citizen comments and/or interest in receiving further copies. She added it would be entitled "The Newsletter".

Anita Monoian stated that once the Newsletter is printed, a preview of this first edition will be sent to the Council for their comments and suggestions for future issues. She suggested sending the comments back to Marta and Pat as soon as possible, as they will be working on the next issue.

The mailing list is currently being put into the computer and she asked Pat Serie to give some of the details of the operation. Pat said the mailing list will be a basic tool in the program, so they are matching the long-term need with the short-term need to have a mailing list in place for the September newsletter. She felt through their research they have been able to come up with a range of categories to present a universal preliminary list. Some of the sources include the Department of Ecology, Interested Parties list from the Office, the Legislature, the Office of Community Development, and directories of various interest groups from industry, the Library, plus many others. She said some of the categories this list would break into would be state agencies, other agencies such as Federal, County and local, interest groups of any interest, civic organizations, the health field, industry and educational groups.

Ms. Serie continued that, as a separate but related activity, it was planned to put the statewide media directory on the computer to be used for press releases as well as newsletters or any other mailings to the media. She estimated the first list would be somewhere between 2500 and 4000 names.

Marta Wilder referred to the "Issues" list, contained in the members' packets, which contained citizen comments received. She said these topics would be used for information newsletter articles, fact sheets, or discussion groups. She encouraged the members and the public to continue to submit subjects to be included as they come up in the months ahead.

Ms. Monoian mentioned the item of tribal involvement, and said she would encourage tribal interest in the Public Involvement Program. She felt it was critical to the issue. Mr. Bishop responded he had the same interest and believed aggressive steps should be made to involve the tribes. Discussion followed and Mr. Stevens said he knew Mel Sampson, Council member, had a very busy schedule and could not make all the meetings in which he was involved. He went on to

say although the statute does not require tribal participation, the opportunity to participate exists and he would like to further encourage working together. Mr. Bishop suggested at some point a meeting be set up to go over the program with representatives of the tribes affected. Mr. Worthington said he agreed with the idea of the possibility of setting up a meeting, and Mr. Bishop took note to try for such a meeting. It was also suggested this involvement of the Indian Nation might be a good subject for an article in the Newsletter.

The question of Designees for Council members was raised, and it was pointed out only once was there one named and that was for an extended absence.

### Grant Proposal

Mr. Stevens reported the Office is currently preparing the grant proposal for FY 1985 to be presented to the U.S. Department of Energy. The current grant period ends September 30. The FY 85 grant will reflect a full year of operation and staffing. The Office anticipates acceleration of USDOE activities in the coming year. He asked Gary Rothwell of the staff to give a brief overview of the budget, with particular reference to the Public Involvement portion.

Gary stated the grant request proposal would be presented to the Board at their meeting in the afternoon. He said the Public Involvement portion would request funds to support the existing staff within the Office and there would be a request for travel funds to support the Advisory Council's activities. He said the major item came under the heading of Contractual, and close to \$900,000 for contractual services has been proposed. Of that, over \$200,000 is dedicated to the Public Involvement Program. This figure is geared to the Plan as presented, with consideration given to a growing activity schedule. The total amount requested will be about \$1.8 million. Following approval by the Board, the request will be submitted to USDOE. They will begin the review process, which will probably conclude shortly before the start of the next fiscal year. He said copies of the grant application will be available following Board approval, at the request of any interested member. He added the Joint Science & Technology Committee of the Legislature will be applying for their own grant this year from USDOE, separately from the Office grant.

C & C Update

Mr. Stevens explained the Negotiating Team had gone as far as it could with the Agreement with a few issues still pending. Last month the Team submitted the draft Agreement to the Board for their action. It is not a complete draft document, he said, but a report on each section that had been negotiated, with the understanding the state could return to any issue if desired, before a final document would be ready. The two major outstanding issues remain liability and defense wastes. He said USDOE feels it cannot proceed on the liability issue without additional authority from Congress. The Team has suggested that the defense waste issue be linked with the liability issue as the possibility of a separate agreement concerning the existing wastes on the Hanford site.

The Chair mentioned the memorandum to the Board which was prepared to outline current positions of the parties. Also to be given to the Board will be copies of all comments made on the Agreement by members and others. An attempt will be made to develop both an agreement with USDOE on defense wastes, and at the same time request a grant to assist the state and the Board to carry out the work that should be done to evaluate the kinds of reports being done regarding defense wastes. In this connection, a Board Working Group will be suggested to begin work immediately in an effort to reach agreement on defense wastes with USDOE.

Mr. Bishop said that he feels Ben Rusche, new Director of Radioactive Waste Management, USDOE, is moving in a new direction in attempting to reach an understanding on certain elements where there has been no agreement.

Mission Plan

Mr. Stevens reported the next key event called for in the Act, following the issuance of the Guidelines, will be the issuance of the Mission Plan which sets forth the overall strategy and expectations of the Department and how the program will actually be carried out. In June, the Board authorized a committee to review the draft Mission Plan and requested the briefing Bill Bennett of USDOE presented at the July Special Meeting. Jerry Parker, who was staff support on the Review Committee, gave a brief overview of Mr. Bennett's presentation, which is contained in the Minutes of the Board Special Meeting.

Mr. Stevens referred to the Letter of Transmittal to Charles R. Head, Acting Director, Operations Division, Office of Civilian Radioactive Waste Management, USDOE, and the Mis-

sion Plan comments, both of which were contained in the members' packets. He said copies of responses made by other states are in the Office and available for any interested members. Mr. Stevens discussed the comments made by the state contained in the 24-page document distributed to the Council. He said that although the state's comments were submitted after the submission date of July 9, a letter was received from Charles R. Head assuring that the comments would be carefully considered, along with others received on the Mission Plan. In addition, he said a comment response document would be prepared and made available to the public with notice to be published in the Federal Register announcing availability of the comments. Mr. Stevens added the Department had received over 90 sets of comments and 2100 individual comments on the Mission Plan, including comments from the Federal departments of Treasury, EPA, NRC, USGS, Interior, and Transportation, 20 state agencies, nine Governors, several Indian tribes, several environmental groups, many utilities, industry, and many private citizens.

Mr. Bishop said should any Council members have comments to offer after reviewing the state's reply, to please advise the Office.

#### Defense Wastes

Mr. Stevens added that yesterday the Office received a copy of the Commingling Study. Section 8 of the Act requires the Department to undertake a review of the feasibility of commingling of defense wastes with civilian wastes and the President must report on that by January of 1985. A copy of the Executive Summary of this document will be copied and distributed to the Council. He said the Act indicates that there will be commingling of those two wastes unless there is a finding by the President that there is an impact upon national security. He continued the conclusion appeared to be it was feasible to commingle in order to save money. This would result in not having a separate repository for defense wastes. He said the comment period on this draft document was relatively short, with the due date of September 24. In the C&C negotiations the agreement was made to allow the state to comment on this and to have the state's comments accompany the report to the President. Since the C&C Agreement will go beyond the date to report to the President, the state has asked the Department to separate this issue and specifically asked the Department for the ability to do this independent of the C&C Agreement. Mr. Stevens said the Department replied affirmatively.

Mr. Bishop urged members of the Council to remain for the Board meeting in the afternoon if schedules permitted, as many of the items discussed this morning would be acted upon by the Board at their meeting.

Public Comment

Eileen Buller of the Hanford Oversight Committee inquired if in the first newsletter there would be an explanation of the Environmental Assessment and its impact on the program. She also wondered if any order form would be attached for a citizen to request a copy of that document.

Anita Monoian replied the first issue of the newsletter would not include any technical issues, but would be principally an informative introduction to the program. She said all of the newsletters would contain a return portion as that will be one of the key factors in building a mailing list. Ms. Buller said she felt it is an important enough issue to address the Environmental Assessment in the first issue. She said otherwise the time for comments is greatly reduced.

Mr. Stevens said he thought a corner in the newsletter on anticipated schedule of events would be important and probably should be a standard practice. He said as far as distribution of extensive documents such as the Environmental Assessment is concerned, the Office would not be in a position to have the documents available for public access except in the Reference Center. Ms. Buller responded that providing an address for access to Federal documents might be helpful.

Larry Caldwell of the Hanford Oversight Committee asked if any comment had been received from tribes on the Public Involvement Program. Anita Monoian said no. He then inquired if any were expected. Ms. Monoian said she anticipated an effort will be made to contact them. Mr. Caldell expressed some concern about duplication of efforts, and Mr. Bishop reiterated his earlier position that there should be some element of coordination. He then mentioned the Work Group had received a number of comments and he wondered how to get a copy of the comments, and had they been incorporated into the Plan. Marta Wilder responded she had a file of all comments received which could be reviewed if desired. She added she could perhaps underline the changes when the revised Plan is finished.

Mr. Caldwell then questioned the categories in the mailing list, such as doctors and lawyers, and wondered if that indicated priorities. Marta replied that was not the case,

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the purpose was to reach as many people as possible who might be interested in hearing about the State program. Ms. Serie added that in terms of categorization this was done should there be a special type of mailing it would possible to target any special interest group. Mr. Caldwell responded he disapproved of any targeting.

Mr. Caldwell expressed another concern in connection with the grant proposal. He said he felt the state does not have enough technical staff. He wondered if there was a plan to increase the technical staff or did the state plan to use Envirosphere as the technical staff. Mr. Stevens replied the effort was to build a core staff to enable the Office to undertake the key technical analysis, but it would not be possible to hire all the technical skills necessary to do the whole job. He said the plan was to work in conjunction with the contractor. Should Hanford be selected for site characterization, he said, the technical staff in the Office would have to be augmented. Mr. Stevens added he felt the Office had technical competence now, and there were a couple of positions that he hoped to fill in the interim, but should the decision be made for site characterization there would be additional staff.

Mr. Caldwell suggested the Office might request a "White Paper" produced by W.A. Parsons, the contractor developing the study for the MRS.

Mr. Caldwell said the Mission Plan calls for starting to drill the hole for the second shaft in January 1985, but the President has until March 1985 to approve three sites. He said he felt that was inconsistent with the Act, and probably illegal. Mr. Bishop stated this point was covered in the comments submitted to the Department.

Representative Ray Isaacson asked for a description of the process used by the state to arrive at its comments to USDOE: Were copies of the Mission Plan provided to the Advisory Council?; Was the input from the Advisory Council requested before that letter was transmitted to USDOE?; and Were the members of the Nuclear Waste Board themselves also a part of that process? Also, he asked if the Office received additional public comment from any member of the public, or any members of the House before the document was forwarded to USDOE.

Mr. Stevens related when the document was received, it was made available to the members of the Advisory Council, as well as the Nuclear Waste Board. The Board decided in order to do a more intense job in a short period of time to organize a Mission Plan Review Committee, which was chaired by Dick Watson, Chair Pro Tem of the Board. Department dir-

ectors, members of the Legislature, and a representative of the Advisory Council served on this Committee. The Committee met three times to review the document to determine the categories on which comments would be made. The Board asked for a briefing by the U.S. Department of Energy, which was held on July 20. Based on this briefing by Bill Bennett, the Committee met again and circulated a draft which culminated in a compilation of comments which were sent to the USDOE by the Chair last week.

Representative Isaacson asked what the process was of reviewing the comments before they were submitted. Mr. Stevens replied they were reviewed by the members of the Committee on behalf of the Board which was done in view of the time constraint. A list of the members of the Committee was provided Representative Isaacson. He asked if the Legislators participated, and Mr. Bishop replied their staffs did participate and the Legislators participated when they could. Comments were received by Representative Nelson and Senator Williams' staff. Although not a member, Senator Guess did comment on the draft.

Representative Isaacson asked if copies of their comments were available. Jerry Parker of the Office said they were conveyed by phone, but he could summarize them for him, which was agreeable.

There being no further business, the meeting was adjourned.

HIGH-LEVEL

NUCLEAR WASTE ADVISORY COUNCIL

Public Meeting Held August 17, 1984

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Representing

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Gary Rothwell  
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