

MINUTES OF NUCLEAR WASTE ADVISORY COUNCIL MEETING
WM DOCKET CONTROL CENTER February 21, 1986

9:30 a.m.

'86 MAR 18 WAFSEC Hearings Room
Rowesix - Building #1
4224 Sixth Avenue S.E.
Lacey, Washington

Council Members Present:

Warren A. Bishop Chair
Harry A. Batson
Pam Behring
Philip Bereano
Phyllis Clausen
Nancy Hovis
Russell Jim
Dr. Estella B. Leopold
Valoria Loveland
Sam Reed
Commissioner W. H. Sebero
Jim Worthington

WM Record File

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WM Project 10
Docket No. _____
PDR
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The meeting was called to order by Warren Bishop, Chair.

Mr. Bishop introduced Valoria Loveland, Franklin County Treasurer in Pasco, newly appointed to the Advisory Council. Ms. Loveland agreed to serve on the Local Government Committee.

It was moved and seconded that the minutes of the December 20, 1985 meeting and the January 21, 1986, be approved as published. The motion was carried.

Mr. Bishop reported that the presentation by the U.S. Department of Energy on the Defense Waste Draft Environmental Impact Statement (DEIS) was very comprehensive. He said the materials used in the presentation ran short and the Office is requesting more. He asked those who did not have a copy to advise the Office.

As indicated in his memorandum of February 14 to the Council, Mr. Bishop said he was taking a new approach to the format of the Council meetings to allow more time for discussion of the public involvement program plans. A memorandum of that date was sent to all Board and Council members highlighting the status of significant issues. He suggested a short period of time at the beginning of the meeting be devoted to any questions or comments the members might have on the issues listed. Should the Council express an interest in a more in-depth presentation on any of the issues, it would be arranged for at a future Council meeting.

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Hanford Defense Waste DEIS. In addition to the information contained in the memo, Mr. Husseman said the process has been ongoing to obtain a contractor to assist the state in reviewing the DEIS on repository-related issues. Two proposals were received before the deadline and are being reviewed by the Review Committee, composed of Don Provost, Dr. Brewer, Fred Adair from the House Energy Committee, Elaine Rose from the Senate Energy staff, Nancy Kirner of the Department of Social & Health Services Radiation Control Group, Dick Burkhalter from the Department of Ecology, a representative from the Department of Ecology who regularly reviews environmental impact statements, and Charlie Roe who is Attorney for the Board and Council.

Nancy Hovis inquired what the USDOE's position was on funding for such studies. Mr. Husseman said a request for funding was submitted to USDOE and just today approval was received, with certain restrictions:

"DOE reserves the right to ascertain that the cost charges to the above grant are limited to those consistent with Ben Rusche's memo of April 12, 1985, which would include:

1. Defense waste performance in a repository,
2. Emplacement of defense waste in the repository,
3. Review of repository design,
4. Additional impacts, for example, environmental or socioeconomic, resulting from the disposal of defense waste in the repository, and
5. The effect of proximity of defense waste facilities as they might effect pre- and post-closure activities in performance of a repository.

"Therefore, should the contract work extend beyond the above limits, the above grant may only bear its fair share of the total costs."

Mr. Bishop said since this communication was just handed to the Chair, the letter would be evaluated and it has been suggested that he and Mr. Husseman may need to meet with USDOE in Richland to discuss the interpretation of these elements.

Philip Bereano remarked that in light of the Nevada case, some of the members believed the state should take an assertive position on the issue. Mr. Bishop assured him the Council would be kept appraised of developments, and pointed out there had been progress since the earlier days of the C&C negotiations where there was to be no funding for anything related to the defense waste issue.

Max Powell of USDOE, Richland, commented that it was not the fact that USDOE was against the study of the effects of the defense

waste, it was that USDOE cannot use utility money to study defense-related activity. This will be a topic of discussion between the state and the USDOE he said, as the guidance Richland received from headquarters limits the involvement of the Nuclear Waste Funds.

Russell Jim suggested that since this is such an important issue, the cumulative effects of low-level waste, mixed waste, and trans-uranic waste are going to surface one of these days. This decision, he said, walks that narrow line as to how the issue is going to be addressed, but it is obvious that all the materials there are beginning to lose their distinction, yet they are there and the need should be addressed. He said he hoped, rather than waiting to see what happens next, the Council and Board would address the issue as soon as possible.

Mr. Powell said the presentations being given on the Defense Waste DEIS throughout the state are being funded by the Defense Department, and he thought they could support a state effort.

In response to Dr. Leopold's suggestion for action on the part of the Council to support funding, Mr. Bishop said since the Board had not been aware of the current situation, he thought action would be somewhat premature. He said the issue would be given immediate attention. Phyllis Clausen requested copies of the letter referred to by Mr. Husseman he sent to the Council.

Centers for Disease Control Request. Mr. Husseman said the U.S. Department of Energy has been receptive to the Board's request for independent expert assistance to assess the feasibility and usefulness of conducting further epidemiologic studies of delayed health effects on and around the Hanford site. Dr. Vernon Houk of the Centers for Disease Control has indicated CDC would be willing to participate as a member or convene a scientific group to examine and evaluate present data and the potential for additional studies. A meeting of the Environmental Monitoring Committee was held this week, and Mr. Reed was asked to update the Council on the results.

Mr. Reed said CDC sent a representative to meet with the Committee and a decision was made to proceed. The effort will be divided into three elements: (1) A guidance group to oversee the effort, the Indian tribes, and from USDOE; (2) A data gathering group to work with USDOE to assemble all USDOE data available, trying to determine any omissions, and to process it as a base for further use. The members of this group will be from the same organizations; and (3) A conference to be called sometime late in the summer. Competent scientists conversant with the problem area will participate to reach conclusions.

Pam Behring said she would like to request a tumor registry for the state for all individuals and for all ages throughout the state. Mr. Husseman commented it would probably take state legislation to set this up. Mr. Reed said there is active consideration being given to this, and it has been attempted a couple of times. There are several localized tumor registries, he said, but a full state

registry would have obvious value. Mr. Reed added that to be effective, there should be a state statute that mandates that all tumor cases be reported and prescribe the manner in which they are reported. The Environmental Monitoring Committee will add this suggestion to its agenda for pursual.

Mr. Reed added that all cancer deaths which are indicated on death certificates as a primary or contributing cause of death are recorded and studied epidemiologically by the state health agency. A report is issued every year which relates the deaths back to locations within the state. He said that is looking at mortality, not morbidity. He said the main omission is that it does not give any useful information regarding the environment in which that person was exposed.

Liability Legislation. Mr. Husseman said work with staff from other states, Congressional staffs, and USDOE staff is being done to develop legislation encompassing strict and direct federal liability, full compensation, a hold harmless provision and inclusion of defense wastes, and coverage of these four elements in a section of law separate from the existing Price-Anderson Act.

Transportation. Concerning the foreign fuel shipments, Mr. Husseman said the state Working Group under Curt Eschels is continuing to review the plans, policies, and procedures for the near-term transportation of high-level nuclear waste into and through the state of Washington.

Public Comment

Hazel Wolf, President of the Hanford Oversight Coalition, read the following statement: "The Coalition is convinced that in order to protect public health and safety and the environment, and in order to help control the spread of nuclear weapons and waste, the shipping of high-level nuclear waste from foreign sources through the Strait of Juan de Fuca, Puget Sound, and any Northwest community should not be allowed. As members of the environmental, peace, business communities and Indian Nations, as people who derive our livelihood from the waters of Puget Sound and the Strait of Juan de Fuca, and as humans who are committed to the life and health of our inland waters, we have called on the U.S. Department of Energy to declare a moratorium on the shipment of high-level nuclear waste to Washington State ports. Also, we are asking that the Department prepare an Environmental Impact Statement to measure the scientific and economic evidence on the impact that a radioactive accident would have on the Strait of Juan de Fuca."

Ms. Wolf presented a Resolution to the Council for this discussion. Following discussion by the Council, the wording was slightly changed to read:

"BE IT RESOLVED that the Nuclear Waste Advisory Council would support a moratorium on the shipment of high-level nuclear waste through the Strait of Juan de Fuca and Puget Sound, and requests

that the United States Department of Energy prepare an Environmental Impact Statement on the hazards such shipments would present." (A copy of the original Resolution is attached.)

Mr. Bishop asked Bill Fitch, Administrator with the Energy Facility Siting Evaluation Council (EFSEC) and member of the Governor's Near-Term High-Level Transportation Working Group, to explain the makeup and purpose of the Group. He said on January 15 Governor Gardner appointed Curt Eschels to lead a group to review the plans, policies, and procedures for the shipment of high-level nuclear waste into and through the state of Washington. A six-month review was planned to terminate on July 15, and the product produced by the group, if an agreement could be reached, would be a "Principle of Understanding" and a report to the Nuclear Waste Board providing an assessment of the state's present capability to safely handle and transport high-level nuclear waste.

The Group organized is composed of representatives from the Transportation Committee of the Board and some members of the Energy Facility Site Evaluation Council. Federal representatives to the Board were drawn from the United States Coast Guard, the federal Emergency Management Agency, and the USDOE Richland Operations Office.

The state group holds open meetings each Wednesday in the EFSEC Conference Room. Two joint meetings with the state and federal group have been held, and they plan to meet the third Wednesday of each month at a site to be selected, with the next meeting scheduled for March 26.

The group used as a model for a draft "Principle of Understanding" a similar document drawn up between the state of South Carolina and the U.S. Department of Energy at the Savannah River Plant. The document is still in draft form and the effort on March 26 will be to review the document further in order to take a document to the public in a series of public meetings planned during the month of April. They will be held in the Port Angeles area, the Seattle-Tacoma area, Vancouver, Richland, and Spokane.

The group toured the Richland operation this week in order to gain a familiarity with the present methods of receiving high-level waste and reviewed the shipping container used for movement of research reactor fuel, as well as the shipping procedures. The group will meet with the Port of Seattle on February 27 at 10:00 a.m. in the Commissioners' Chambers. Mr. Fitch referred to a newspaper article in a Seattle paper this morning, stating some of the concerns of the Port. He believed the Northwest Coalition and Greenpeace will be in attendance, and mentioned previous meetings have been attended by Harvey Kailin of the Olympic Environmental Council.

Professor Bereano asked Mr. Fitch the intent of the "Principle of Understanding". Mr. Fitch said the genesis of this was a letter received from Mike Lawrence, Manager of the Richland Operations Office, proposing the state and USDOE review the possibility of

entering into such an agreement. It would be an agreement stating that if high-level nuclear waste and spent fuel were to be brought into the state, it would be brought in under certain conditions, which are being reviewed right now.

Professor Bereano asked, without doing an impact analysis how would it be known what the concerns are or how severe any possible incident might be. He said he liked the element in the Resolution requiring an Environmental Impact Statement, and without that kind of information he said he could not see how the officials of the state could crystallize the concerns. Mr. Fitch replied that the original proposal that brought the group into formation was concerned with the entrance of foreign spent fuel, then it was learned it was not going to be necessary for the USDOE to bring spent fuel into Puget Sound and to the Port of Seattle. In subsequent correspondence from the Secretary of Energy it was then learned this was not the case, as the primary port would be Long Beach, with a secondary port of Oakland, leaving Seattle still as an alternative. At that point, he said, Governor Gardner sent a letter to the Secretary stating that although communications had been good with USDOE, there seemed to be a lack of candor in areas of his department. The Governor requested better and more complete communication from the USDOE and asked the Secretary to address the adequacy of the federal compliance with the National Environmental Policy Act, the Coastal Zone Management Act and the Nuclear Non-Proliferation Act, as well as any licensing that would be required from the Nuclear Regulatory Commission.

Mr. Fitch said advice came today that USDOE is preparing a more complete reply to the Governor's letter. It was also learned that the Department is using the Nuclear Regulatory document, NUREG 0170, as its environmental assessment. This is being reviewed by the group, he said. It is the Department's position that they have satisfied the need for an Environmental Impact Statement. Mr. Fitch said he had a copy of the two-volume document in his office that he would be willing to share with anyone interested. Professor Bereano continued and asked to what extent does the Working Group plan to review the document, and if it had the expertise to do so. Mr. Fitch said the composition of the group is drawn from agencies that do have environmental assessment review as part of their normal activity. There are also services of an Assistant Attorney General, a former hearings examiner for the siting of nuclear power plants with the Utilities and Transportation Commission, available within the Working Group.

Mr. Bishop pointed out the subject under discussion does not fall clearly within the purview of the Nuclear Waste Board's jurisdiction, nor the the Advisory Council. It is not related to the repository program. However, the Board and Council have taken a definite interest in it, and it is an important public policy issue. He said the group established by the Governor is the proper forum for comments and opinions to be expressed, and public hearings will be conducted.

Dr. Leopold expressed her concern about any "Principle of Understanding" between the state and USDOE, as there was the possibility of starting with a draft for public review and becoming stuck with a commitment.

Mr. Fitch assured Professor Bereano the Council and the Board members would be kept appraised of developments.

Mr. Jim expressed his pleasure with the interest the Council was taking, and the efforts of the new cabinet group to garner all the facts that need to be brought to the surface. He thought the Resolution was another effort in the public's right-to-know concept of the program. He said because of grant restrictions the Yakimas were unable to pursue the issue, and with a final definition of the Nevada case their scientists would be more than willing to be involved in the review of an Environmental Impact Statement on shipments, as all issues of nuclear waste disposal would affect the indigenous population of the country.

Dr. Leopold endorsed the Resolution presented to the Council and suggested it be accepted by the Council with a report to the Board. She moved that the Council adopt the Resolution calling for a moratorium and requesting an Environmental Impact Statement. The motion was seconded.

Mr. Sebero stated he was opposed to the Resolution in its present form. If adopted and sent on to the Board, it puts the Council in an adversary position. Should a moratorium be called on any specific shipment in a specific area, it should be covered in all areas and attempt to force a moratorium on the interstate systems within the state of Washington.

Mr. Reed said his concern with the Resolution was that he felt the issue had not come to a decision point to call for a Resolution. He said he had sympathy for the Resolution and concern for the problem, but consideration and action on it today is precipitous. There is a process underway through the Working Group established by the Governor's Office to find an answer to this issue. He felt the need to be supportive of those efforts, and only when they have reached a conclusion and a statement of position could he make a decision about a Resolution.

Phyllis Clausen said the Resolution is not a final decision to keep nuclear wastes from moving through the ports, but only asks that the proper procedure, an EIS, be undertaken before any wastes would come through the ports and through very important waters that need to be protected environmentally. She said she understood the Governor's Committee process will take about six months, and in the meantime there may be plans to bring some shipments through the port. She said she supported the Resolution as strengthening the Council's position in advising the Board.

Professor Bereano said he approved of Ms. Clausen's approach. He mentioned there is a limit on oil tankers coming into Puget Sound.

He said he thought the Resolution asked only for a rational evaluation beforehand. He suggested that other transportation modes might be addressed in a similar way as the issues arise.

Jim Worthington said he had a problem with the Advisory Council taking a position when the Governor's Office and the state already examining the issue. The Council does not have all the information and it could be premature for the Council to take a position, although everyone is very much concerned with the whole issue. Another area of concern, he said, is that the Council is charged through legislation to examine the repository issue, and the proposed Resolution does not fall into that area. He thought the transportation issue could be examined through established committees with the Council making a statement of concern, but he felt no action should be taken on the Resolution at this time.

Valoria Loveland said she would cast her vote based on the information provided by the Chair and the testimony received this morning from Mr. Fitch. She said the present scope the Council is charged with is so broad that she questioned taking on another part of the issue when there is a group established that is willing to communicate their findings to the Council on a regular basis. This would enable the Council to take an informed stand with information available in that six-month period, and she felt it would be easier for her to make a proper vote on the transportation issue. She also mentioned that the Strait of Juan de Fuca and Puget Sound are not the only ports within the state of Washington, and coming from Southeastern Washington and receiving barge shipments on the Columbia River, she would not be in support of a Resolution that addressed only those particular ports mentioned.

Mr. Sebero added he had no problem with asking for an EIS, but he did have a real problem with asking for a moratorium on one specific part of the state of Washington. Professor Bereano said the original plan for shipment involved the Port of Tacoma and then Seattle, and there were no announced plans to barge it up the Columbia. He said if that were the case, he would be happy to have a parallel resolution to cover the Columbia River.

Dr. Leopold offered to change the wording of the Resolution again to include all ports in Washington, but the suggestion was not acted upon and the question was called.

The vote was six to five in favor of the motion to adopt the Resolution as it had been amended by the Council.

Mr. Bishop said it was entirely possible that it will be necessary to call a special meeting of the Advisory Council limiting discussion to public involvement. For several months, he said, efforts have been made to concentrate attention on this subject.

Monitored Retrievable Storage. Mr. Husseman reported there have been no new developments on the MRS proposal since the memo was sent. Basically the state of Tennessee, through the Governor's

Office, has indicated location of the MRS in the state will be disapproved. A federal judge has issued a permanent injunction against the U.S. Department of Energy prohibiting the USDOE from delivering the MRS proposal to Congress. This places the MRS in a stalemate, pending the outcome of an appeal the USDOE has indicated they will file.

Nancy Hovis observed the judiciary appears to be taking a consistent role in interpreting the Nuclear Waste Policy Act in light of its policy to interact with the states and affected tribes.

In response to Ms. Clausen's inquiry, Mr. Husseman said the state need not take a position on MRS at this time, as the injunction prohibits USDOE from submitting the proposal to Congress.

Dr. Leopold said she wanted to register her deep interest in the MRS plans as she felt it was an important ultimate solution.

Oregon Hanford Advisory Committee

Dan Saltzman, Vice Chairman of the Oregon Hanford Public Advisory Committee, gave a brief overview of composition and activities of the Committee. In 1983 Governor Atiyeh directed the Oregon Department of Energy (ODOE) to lead a Hanford Repository Review Committee of relevant state agencies to address Oregon's interest in the decision process related to a potential repository at Hanford. Their mission was to ensure that the health, safety, welfare, and environment of Oregonians were addressed and protected, with review of all nuclear-related activities at Hanford, including transportation.

In April 1985, ODOE appointed a Hanford Public Advisory Committee of local government representatives, industry, citizens, and public interest groups to work with the ODOE and the Hanford Review Committee to ensure that Oregon's review was both thorough and comprehensive, and to provide for public outreach and education on Hanford-related issues. The mission of the Advisory Committee is to advise the Hanford Review Committee with regard to public concerns with the issues; to assist the Review Committee in the development and implementation of a public information and involvement program; and to assist other interested state or local institutions upon request.

The Public Advisory Committee has formed a Groundwater Task Force and a Transportation Task Force. A steering committee was elected and regular alternate month meetings scheduled. It sponsored a public workshop on radiation monitoring at Hanford with USDOE, WDOE, Oregon Health Division and Greenpeace as invited panelists. The Committee established a Public Outreach and Education Subcommittee to organize quarterly public workshops on other Hanford-related subjects in 1986. The Committee has also developed a strategy for reviewing the Final Environmental Assessment on Hanford. It directs Oregon's limited resources to the issues where Oregon can make a

significant and unique contribution. In addition to their own screening criteria for identifying those issues, the Review Committee is working closely with Washington to maximize coordination and cooperation in the two states' technical review.

Mr. Saltzman said Oregon plans to address defense waste issues through the same institutional arrangements created to monitor Hanford's repository potential, that is, ODOE, Hanford Review Committee, and the Public Advisory Committee. The Oregon Public Advisory Committee has decided to host workshops throughout the state of Oregon with USDOE one of several invited panelists. It is also anticipated the Public Advisory Committee will approve at the March 11th meeting the formation of a Defense Waste Subcommittee to identify issues of concern in the forthcoming USDOE Draft EIS.

Another area of cooperation is concern over regular meetings on Hanford issues between the USDOE and the Nuclear Regulatory Commission held in Washington, D.C. Meetings such as these work out areas of disagreement on the site characterization program at Hanford, or other potential problems that may hinder NRC repository hearings, should the President approve Hanford as the site of the first repository. Oregon, he said, is concerned that once the NRC and USDOE concur on a technical point in these meetings, it may be difficult to raise that issue again in official NRC licensing hearings. At the January meeting the Committee unanimously approved a draft text of a letter from Governor Atiyeh to Secretary Herrington and to Commissioner Palladino, requesting that the USDOE and NRC provide a quarterly briefing to Oregon and Washington technical review staff on all meetings held on Hanford. It also recommended that at least one meeting a month be held in the Pacific Northwest. The Committee was hopeful Governor Gardner would join as signatory to the suggested letter. Mr. Saltzman thought an indication of support from the Advisory Council for such a letter and its request would be helpful.

Mr. Saltzman said another area for cooperation between the two states would be in the review of the Defense Waste DEIS. He hoped resources and schedules could be dovetailed to make the best use of panelists from outside the Northwest invited by Washington or Oregon to participate in public outreach/education activities related the DEIS.

Phyllis Clausen said although the idea of cooperation was appealing, she would like to see a copy of the draft letter before approving a joint letter from the two governors. Mr. Bishop asked Mary Lou Blazek to secure a copy of the final draft so it could be sent to the Council members. (Bereano asked Anne to make a note to put this on the agenda for the next meeting.)

Mr. Bishop expressed his appreciation to Mr. Saltzman and Ms. Blazek for the large delegation from Oregon attending the presentation yesterday afternoon. He assured them the state wanted to cooperate as much as possible with the state of Oregon in the repository program effort.

Russell Jim commented that he felt Oregon's concerns are valid concerning the USDOE and NRC meetings. He requested a copy of Mr. Saltzman's presentation, and Mr. Bishop said copies would be made and sent to all members.

Dr. Leopold recorded her interest in the principle of the suggested joint letter from the two governors.

Public Involvement Plan - Overall

Sam Reed, Chair of the Public Involvement Committee, presented concepts developed by the Committee for consideration of the Council. Upon completion of the delivery of the list, Mr. Reed said he would be making a motion that the Council approve the concepts as appropriate tasks for the ensuing period. The items are:

1. There should be another survey. There are questions within the former survey which are unproductive and no longer appropriate and should be eliminated. Those dealing with information levels and their source of knowledge are important in that a baseline for that was established in the previous survey. The proposal is to do a modified survey of the general public, reaching 600 people through a telephone survey, reducing the questions asked to those which are directly appropriate to current concerns. The time schedule suggested would be four or five months, and the survey is not considered a first order of business.
2. The Council should conduct workshops, probably one on the east side of the state and the other on the west side, for science writers and reporters with newspapers, television stations and radio stations. Although there has been good reporting, there has been criticism of some of the press coverage. The Committee felt that to some extent the less-than-desired coverage could be caused by the person's factual base for observing and reporting being less than it should be. The Committee anticipated participation in the workshops by the Nuclear Regulatory Commission, U.S. Department of Energy, Nuclear Waste Board and state agencies, with half of the time taken to provide basic data and the remainder to answer basic questions. These workshops would be restricted to the press corps. Although Editorial Boards have been contacted, they are not the people who write the stories.
3. An effort should be made to reach high-school age students through the development of lesson plans and work units to acquaint them with radiation and its uses, radioactive waste as a by-product of those uses and the necessity for dealing with the problem. This could be a job that would be contracted out and probably take six or eight months to get underway.

4. An immediate effort should be made to develop a video tape library that would have content comparable to the slide show, duplicate and expand upon the Fact Sheets available and provide tapes of major meetings and presentations, in order to reach more people than it is possible to reach through the Newsletter or through meetings. This is considered high priority and the Committee recommends it be undertaken immediately.

Mr. Reed said there was a group of other activities that are a continuation of ongoing efforts, including:

1. A need is seen for two new Fact Sheets at this time. (1) "Need", and (2) The issue of Indian Tribes and their rights and concerns.
2. Another need is public service announcements, making maximum use of that opportunity to reach people with factual information, meeting notices, and opportunities for participation.
3. Development of a Logo for identifying all materials produced by the nuclear waste program is considered desirable.
4. A need for development of a liaison list for Council members. This would include the key groups in each member's area. The suggestion was that each Council member identify the groups he or she is assuming responsibility for, and have the staff compile a list.
5. As a related item, there is a need for Council members to know who in their communities are on the Newsletter mailing list. This could be done by printing out by Zip Code the names of those in a particular geographic area.

Mr. Reed moved approval of the items listed for Council consideration. Mr. Worthington seconded the motion.

Pam Behring asked what the specific intent of the survey was. She wondered what the survey would find out and how the information would be used. Mr. Reed suggested the members secure a copy of the original survey to read. He said the particular concern is again asking the questions which relate to the level of the citizen's knowledge relating to the nuclear waste issue and what are the sources of that person's information, and whose opinion does that person trust. This would be used in order to direct state's education efforts. Mr. Reed added that in going over the survey he eliminated some questions, some he questioned, and others he felt should be asked again. He suggested the members review the previous survey in the same way and convey that information to the staff. Ms. Behring suggested the expertise of qualified persons such as social scientists be sought.

In the discussion that followed, Professor Bereano asked the estimated cost of such a survey and Mr. Reed said the amount spent last time was about \$25,000, but he could not estimate what the cost would be for the current survey. All this information will be brought back to the Council for consideration.

Dr. Leopold asked if the current grant contained funds for a survey, and Mr. Husseman replied it does, with an approximate funding level of \$25,000. Once the concept is agreed upon, he said, all details will be brought before the Council. She seconded the motion to approve the concepts suggested by the Public Involvement Committee.

Professor Bereano approved of the concept of the workshops for the science writers in the media.

The question was called and the motion carried.

Local Government Committee

Bill Sebero first asked Russell Jim about the progress on the development of a Fact Sheet on Indian issues. Mr. Jim replied the proposal has been presented to the Committee that oversees the program on the nuclear waste issue for the Yakimas, but has not yet received a response. He was certain such a Fact Sheet would be developed.

Mr. Sebero stated there would be a motion for acceptance of the concepts of the Local Government Committee at the conclusion of his report.

A meeting was held with representatives of the Association of Washington Cities last evening and it was learned that the mailing list can be increased by 3,000. This list of 3,000 members of the Association will be provided to the public information staff. The Association has also indicated their bi-monthly Newsletter can be used for insertion of facts on the repository program. He understood the space would run from a half page to one page.

The Local Government Committee also saw the need for a modified survey of local governments as the knowledge level of these officials is unknown.

Next month a member from Environmental Health will address the Committee on ways to reach those individuals.

The Committee has concerns with the proposal of the Science & Technology Committee to hold four or five Council meetings around the state in the larger population areas, other than in Lacey. Details would have to be discussed and defined.

Mr. Sebero said he meet with Sam Reed this morning and felt the Local Government Committee would concur that some type of logo or identification of materials was needed.

The Committee recommended to the Council and the staff that a presentation be made in June at the Association of Washington Cities Convention in Tacoma. Also, the Association of Washington Counties will hold their Convention one week later in Tacoma, and a presentation should be planned for this meeting. It was also suggested that some type of a booth be planned for County Fairs.

Mr. Sebero moved the Council concur with the concepts presented by the Committee. The motion was second by Jim Worthington.

In response to Mr. Bishop's question, Mr. Sebero said the Counties would be contacted to request their mailing list. However, he said, there are fewer County Commissioners than there are City Council people so that list would amount to approximately 2,500.

Ms. Loveland said as a Trustee Member on the Washington State Assn. of County Officials, she felt sure she could secure space in their monthly Newsletter which goes into every Courthouse. The Association also encompasses Port Districts, Fire Districts, School Districts, Hospital Districts and Cemetery Districts, as well as the usual elected County officials. She said this would be a good avenue to get information to these taxing districts which are going to have to deal with the issue if Washington does become more involved in the nuclear waste issue. She said she expects to be appointed to the National Nuclear Waste Steering Committee in Washington, D.C. when she is back there next week, and there is a possibility of exchanging information state by state through the government associations. She offered to pursue that for the Committee.

The question was called and the motion carried.

Science & Technology Committee

Professor Bereano distributed minutes of the Committee meeting. He highlighted the following points:

Networking. The Committee has begun to secure lists of scientific and technical associations which contain key members of engineering and technical societies. They have been sent to the Office. This effort will continue.

Unsolicited Grant Proposal. Two proposals have been received, one from SEARCH and one from David Tarnas. Marta Wilder agreed to discuss with Terry Husseman the methods or mechanisms to be used to evaluate unsolicited grant proposals. He referred to prior discussions concerning the possibility of fiscal support for intervenor groups and hoped the issue would be addressed before adjournment. The Committee felt the overall state program ought to have some mechanisms by which it would formally receive, evaluate, and possibly fund proposals for research activities from the general public, academics, and citizens groups.

Citizen Survey: The survey was discussed with questions raised regarding timing, questions to be asked, goals, objectives, etc.

Technical Assessment: Good interaction is being developed with Max Power and the Washington State Institute for Public Policy discussing ways in which the Institute can assist technically. Also discussed was overall technology assessment competence on part of the state in order to review USDOE documents better and to mount its own studies. The planned meeting in April of the National Conference of State Legislatures at Richland and possible interest of the Advisory Council was discussed.

Other: Some suggestions were made for joint activities of the Board and Council, such as the defense waste process.

Professor Bereano moved approval of the Science and Technology Committee report. The motion was seconded. There being no discussion, the question was called and the motion passed.

National Council of State Legislatures

Max Power of the Washington State Institute for Public Policy reported briefly on the tentative plans for the High-Level Working Group of the NCSL, representing both first- and second-tier states, to meet at Richland. Senator Williams, Representative Nelson and Senator Benitz are to meet in the Tri-Cities area. Washington State Legislators have been invited to join the group on Sunday and Monday, with the tour of facilities planned for Monday. Participants will visit the Yakima Cultural Center on Sunday for a presentation by the three affected tribes. Mr. Power said they are trying to arrange a variety of tours depending upon the background and interest of the Legislators and other participants.

Mr. Power said they hoped to provide opportunities beforehand for Legislators and others to meet with state staff and any Board members and Advisory Council members to discuss the concerns of the state of Washington. Mr. Power wanted to know if Council and Board members would like to participate in conjunction with the other attendees. He encouraged both groups to give it consideration and advise the Institute for planning purposes.

In response to Mr. Bishop's question, Mr. Power said they anticipated approximately 100 from the NCSL group and perhaps some State Legislators.

Mr. Worthington thought there should be Council participation as it would provide good interaction and opportunity to learn the concerns in other areas.

Mr. Bishop said it was possible a Council meeting could be planned in Richland at this time, if the agenda could be restricted to cover some of the public involvement issues. Mr. Power said that would make sense. He said at this point neither the NCSL group nor the

Legislators had planned a public event. The timing would be constrained by the need for the NCSL to do its principal business on Saturday and Sunday. The planned events would run into late Monday afternoon.

Professor Bereano considered a meeting in Richland a good idea, but the Council would not need to be in Richland for the whole program. Mr. Power said at this time the meeting agenda for Saturday and Sunday was not in final form.

Sam Reed said he was in favor of participating and having a Council meeting, although there would be some Council members who would not be able to attend, having blocked out the regular third Friday. Even though he would not be able to be there, he said he was in favor of the idea.

Phyllis Clausen said she would like the Council to participate in the tour on Monday, and from her standpoint a Council meeting on Tuesday would be acceptable.

Mr. Bishop said staff would meet with Max Power to develop a plan for participation in the NCSL events. Also, it would formulate plans for a Council meeting after assessing the group. Mr. Bishop expressed concern that by eliminating the regular meeting on the third Friday, there might not be enough time to devote to the public involvement issues. He advised the Council to hold the option open for a regular meeting, and when the decision was made adequate notice would be sent. Mr. Power advised that if the state Legislators were invited to stay over for a Council meeting on Tuesday, should that be the decision, the Institute would make that clear in their notices as they are sent to the Legislators.

Mr. Jim stated the invitation to the Council was still open to hold its meeting in the Yakima Indian Nation and would welcome it at their facilities on the Yakima Reservation.

Defense Waste DEIS - Public Involvement Plans

Public Involvement Committee: Mr. Reed said looking at the effort proposed by USDOE and experiencing the presentation yesterday, a person would have to be convinced that by the time they have gone through that process anyone who wanted to hear the proposal, or speak on it, will have had an opportunity. He said he was also convinced at this point that USDOE is approaching the problem in a responsible and open fashion and will be giving every bit of information that they have, assessments will be made frankly and honestly, and questions will be sincerely solicited and responded to in the very best manner of which they are capable.

Mr. Reed said the Council's responsibility is for public involvement in the decision-making process in this state. He said he saw one and possibly two modes for discharging Council responsibility:

1. The Council has to do an assessment and write a statement on the Defense Waste DEIS which expresses not just Council concerns, but the concerns of the people of the state. He considered it appropriate that the Council would hold a series of sessions, geographically distributed, with Board representation, Council representation, and staff representation. None of the USDOE record would be replayed. There should be fifteen or twenty minutes at the beginning of each meeting to tell the people what the federal Act says about state involvement in the process; what the state legislature has determined as the structure within this state for getting the job done; expressing the Council's commitment and feeling of obligation to involve the public, hear them, and reflect accurately their concerns; and point out that the output of the whole process will be that document commenting on the Defense Waste DEIS. The point must be made, he said, that the Council's meetings are being held for the Council to listen to the people.
2. The only other approach that might be taken is to do something comparable to what Oregon is doing. That is to ask USDOE if the Council could sit with them, not as a co-sponsor nor active participant, but being represented as the state of Washington to listen to the questions and concerns. That would be the total of the involvement.

Local Government: Mr. Sebero first expressed his appreciation for Mr. Reed's recommendation of last month for the Chairs to meet prior to the Council meeting. He said there was no point in repeating Mr. Reed's remarks. His committee concurred with the findings of the Public Involvement Committee and supported Mr. Reed's presentation.

Science and Technology: Professor Bereano reported his committee discussed dealing with this process. It would be a good opportunity for the Board and Council to act jointly and opportunities should be provided by the state in different geographic locations to receive citizen input. He thought there should be clarification as to which of the USDOE meeting the suggestion to sit in on applied since there would be a series of informational meetings, workshops, and the hearings. He said one of his personal concerns was that the state must have an independent basis for approaching the problem. He questioned some of the language in the USDOE presentation document, and asked what assurance the people had USDOE would listen to and incorporate Washington State citizen concerns. He spoke again of an independent state capacity to make the assessments and participate in reviewing USDOE's work.

Mr. Reed commented that no one could predict how the final USDOE document will be affected by citizen comment, but he felt they would be open in presenting information, do it to the best of their ability, and give people a real opportunity to ask questions and make comments which they will document and deal with to the best of their ability. The state has to produce a comment on that DEIS, and the

last time this was done on a federal document a consultant was used, along with the Office technical staff and other agencies. Also the product of the public meetings was used. Mr. Reed continued that the question now is how best can the state get that public input.

Mr. Bishop asked Dr. Brewer to describe briefly the plans for the technical review. Dr. Brewer said he supported the idea of having the public review handled separately from the hard-science review. The review done by staff, contractor, etc. will bear directly on the technical side of the program. Proposals for contractor support have been received. It is anticipated the DEIS will be released on the 28th of March, so there is time for a careful selection, he said. Dr. Brewer said he had established relations with the Oregon Hanford Review Committee on the 11th, and is now working with Oregon agencies in the geotechnical areas so there will be a good Oregon involvement. He said the Office is also working with the Environmental Monitoring Committee as there is obvious overlap in the interest in the Defense Waste DEIS and the management plan.

Pam Behring agreed that citizen participation should be separate from the technical. She thought the state's activities should come after all the information is available and the public has had the exposure from the USDOE.

Professor Bereano asked if USDOE planned to produce a summary an educated lay person could read. Dr. Brewer responded in the affirmative as USDOE had stated there would be a summary written by a writer, not an engineer or scientist. This summary would be made available separate from the DEIS.

Phyllis Clausen said she was in favor of conducting separate meetings from USDOE. She thought the citizens would be in a better position to comment following information received from USDOE with some time to think about it. Responses to the state meetings should cover all concerns of the people, and not just technical concerns. In addition to the meetings, Ms. Clausen thought written comments could be solicited through the Newsletter and newspaper publicity, recognizing that many people would not be able to attend the meetings.

Jim Worthington moved to accept the recommendation of the committee with the intent of fleshing out the details.

Dr. Leopold said she was troubled personally that only one view on these issues will be presented at the various audiences. She thought a serious effort should be made to get state presence at USDOE public meetings to explain the state position. She was in favor of the second model suggested, with state involvement in the USDOE meetings. Mr. Reed said his committee is recommending the first model, which he referred to as "listening sessions".

Mr. Worthington added that in discussions it was assumed there would be staff representation at the USDOE presentations. He said it was possible transcripts of public comments could be requested from

USDOE. The committee felt as a public advisory body there should be a format for the citizens to come to the state and be able to give their comments, rather than listen to another presentation.

Discussion continued on ways to handle the state presentations with suggestions for briefing local media in advance. Dr. Leopold continued to support state representation at USDOE presentations, and Professor Bereano suggested a member of the Advisory Council could be assigned to each USDOE presentation with a general charge to make sure they have access to the microphone to point out to the citizens that the state will be subsequently conducting a meeting to receive their input. He also suggested should there be any substantive observations or comments worked up, the member could take the time to point out to the people that state officials are concerned about such issues.

Mr. Husseman said staff planned to attend the USDOE presentations, but would not be a part of the program. He considered the suggestion to let the public know the state will be holding its own meetings with opportunity for comment was an excellent idea. Should questions arise, related to the state's activities, there would be someone there to answer. He reminded the Council that the state had not yet seen the document, and it would take some time through work with the consultant and staff to digest it and identify issues. There was no possibility of identifying technical positions until the document was reviewed.

NOTE: The motion was never seconded, and the motion never called nor passed.

Mr. Bishop said he felt there was a consensus among the Council on the direction the state would take in its public presentations on the DEIS.

Public Comment

Max Powell of USDOE, Richland, cautioned the Council concerning the state's planning presentations using Nuclear Waste Funds. He said the Chair and Mr. Husseman should discuss with the Richland people the source of funding.

Mr. Orville Hill, consultant in the Nuclear Fuel Cycle, announced that the American Chemical Society is holding a Pacific Northwest Regional meeting in Portland on June 16-18. In connection with that will be a symposium on radioactive waste disposal. It will include a status report on the technology on high-level waste disposal and papers describing a repository in salt, tuff, and basalt; a paper summarizing the technology for the treatment of defense waste at both Hanford and Savannah River; a paper on the environmental impacts of the Hanford wastes; a paper on the MRS; and other related papers. When a copy of the program is available, he will supply the details of the symposium to the Office. At this time, he said, the registration fee is not known.

Other Business

Pam Behring said one of the unsolicited comments came from the Hanford Education Action League in Spokane. They submitted a proposal for materials under the Freedom of Information Act, and they would like approval of the Council. Some of the items they have called for include radioactive contamination at Hanford going back to the early 50's, environmental monitoring reports, evaluation of radiological conditions in the vicinity of Hanford, etc. They are asking for a letter from the Council to USDOE supporting their request.

Ms. Behring moved that a letter be written to USDOE supporting their request, with a copy to HEAL. The motion was seconded.

Mr. Reed agreed it was appropriate to write such a letter, but he wondered if it were necessary. The item was on the agenda for the Environmental Monitoring Committee meeting, with a thorough discussion lead by Dr. Beare. At that time Don Elle of USDOE indicated that USDOE was furnishing all of these materials. He considered it a moot matter and there was no need for action.

The question was called, and the motion carried.

There being no further business, the meeting was adjourned.

Original Resolution presented by Hazel Wolf:

BE IT RESOLVED that the Nuclear Waste Advisory Council calls for a moratorium against the shipment of high level nuclear waste through the Straits of Juan de Fuca and Puget Sound, and requests that the United States Department of Energy prepare an Environmental Impact Statement on the hazards such shipments would present.