

MINUTES OF NUCLEAR WASTE BOARD MEETING
April 18, 1986

'86 MAY 12 P12:30 1:30 p.m.
EFSEC Hearings Room
Rowesix, Building #1
4224 Sixth Avenue S.E.
Lacey, Washington 98504

WM Record File
101.3

WM Project 10
Docket No. _____
PDR
LPDR

Board Members Present:

- Warren A. Bishop, Chair
- Senator Max Benitz
- Curtis Eschels
- Dr. Royston H. Filby, Water Research Center Designee
- Senator H.A. "Barney" Goltz
- Senator Sam Guess
- Representative Shirley Hankins
- Ray Lasmanis, DNR Designee
- Representative Louise Miller
- Representative Dick Nelson
- Nancy Kirner, DSHS Designee
- Pat Tangora, Energy Department Designee
- Senator Al Williams

Distribution:
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 TO: Linehan DKumhiro, Reg IV

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

Mr. Bishop introduced Pat Tangora, recently named as Designee for Richard Watson of the Washington State Energy Office. He also introduced Dr. Leslie F. James, Acting Director of the Division of Health, Department of Social and Health Services, as Designee for A.N. Shinpoch, Secretary of the Department. Nancy Kirner will continue to serve as the assigned alternative and constant attendee at all committee meetings associated with the Nuclear Waste Board.

It was moved and seconded that the minutes of the March 21, 1986 meeting be approved. Motion carried.

Hanford Historical Documents Review Committee

Dr. Filby reported the major activity of the Committee is that a funding request has been prepared for modification of the USDOE grant, which is being combined with the CDC funding request and grant modification. Secondly, he said, two subcommittees have been formed:

RFP Screening Committee

- Andrea Beatty Riniker, Chair
- Ray Paris
- Indian tribe representative

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Peer Review Panel Nominations

Andrew Klein, Chair
John Beare
Indian tribe representative

Dr. Filby said staff had been in contact with USDOE concerning provision of materials to the Committee which are not included in the released documents. Assurances have been given that any documentation or data provided to the Congressional committees investigating the Hanford releases, planned or unplanned, will be provided to his Committee. He said they had already received USDOE's response to Representative Dingell's Oversight Investigation Subcommittee of the House Committee on Energy and Commerce. They will also have access, through appropriately-cleared personnel, to any classified information that the USDOE provides to the Congressional committees.

The next meeting of the Hanford Historical Documents Review Committee will be on May 15, 1986, in the EFSEC Hearings Room. In addition, during the visit by Dr. Rutenber of the Centers for Disease Control (CDC), to Olympia and Richland, which will start on April 21, the Committee has been invited to attend the Environmental Monitoring Committee meeting to meet with Dr. Rutenber on April 29.

Dr. Filby urged all members of the Board to supply him with nominations of scientists, researchers, and other experts to serve on the Peer Review Panel. He asked the members to pass this information along, as they would like their search publicized as much as possible. He said his own mailing list and staff mailing lists would be used in the search for qualified people. Nominations will also be requested from presidents and secretaries of appropriate scientific societies.

Correspondence

Terry Husseman noted the letter of April 1, 1986 from Roger W. Gale, USDOE, to the Chair acknowledging receipt of the Board's Resolution on liability legislation. They indicated they were aware of the state's concerns. He said staff had been working with USDOE Headquarters staff in an attempt to come to agreement on some of the issues involved in that legislation.

The second letter was a copy of a letter sent to Governors of all the other states informing them of the introduction of House Bill 4394 by Congressmen Swift and Morrison. It encouraged all of the governors to examine the legislation and to contact their own delegations to encourage their consideration of this legislation. The letter was sent out today.

The third item of correspondence was a letter from the National Academy of Sciences, dated April 10, 1986, to Ben C. Rusche, USDOE. This letter is the NAS report on their review of the USDOE Ranking Methodology. He said this letter is similar to prior letters to USDOE on this subject. They are again complimentary on the methodology itself and on the attention to detail USDOE paid in implementing the methodology. However, NAS raised again, for the third

time, USDOE's failure to bring independent experts into the assessment process to increase the credibility of the ranking process. This issue, he said, had also been raised by the Board on two occasions, and Governor Gardner raised it in testimony before Congress.

Representative Nelson thought it appeared quite clear that the National Academy believes that even though the site might be disqualified, or might not rank among the top three by applying the methodology, the Act itself should be followed to the letter in that the different geologies have to be represented in the final selection. He wondered if that were the intent. Mr. Husseman said NAS had indicated their agreement with the USDOE's position that this was not a decision-making methodology, but a decision-aiding methodology, so there was no compulsion on USDOE to select the top three. The Act does say, to the extent practicable or reasonable, different host rocks will be selected. However, he said, a salt dome in Mississippi is a different medium from a Texas salt site, so they are actually looking at four media now. They are agreeing with that position and are saying they don't have to pick the top three in the opinion of NAS.

Mr. Bishop said having received the response from the NAS, and the nature of the response, it now seemed certain the Environmental Assessment will be released in mid-May. He felt it was important for the Board to continue communicating its views regarding the ranking methodology. For this reason, a proposed resolution was drafted for consideration by the Board urging utilization of independent experts in the application of the ranking methods.

Discussion followed on the Academy's review and draft resolution. Mr. Eschels expressed his appreciation for the Academy's work, which was a result of the Governor's request in August. He said there were extensive revisions as a result of the Academy's review, and he thought it resulted in a more solid methodology. He thought the Academy seemed to be saying that the methodology is appropriate and the way that it is applied, insofar as the Academy has seen it, is proper. However, they had not seen everything. He went on to say the Governor's request for review was made because of the problem with the credibility of the Department's work up to that point. Nevertheless, he thought it would strengthen further the Department's decision if it takes the Academy's recommendation to have an independent review of the final product. He thought the proposed resolution was an appropriate response at this point.

Senator Goltz said it seemed to him from reading the draft resolution and the letter from the Academy, the impression was that messages kept being sent to the U.S. Department of Energy without any reply. He asked if the Department had indicated at any point that they might seriously entertain the opportunity to have independent review of the methodology. Mr. Husseman said originally NAS was very critical of the methodology that was used and described in the Draft EAs. The state of Washington and NAS were two of the strongest critics of that methodology. As a result of that criticism, other criticism, and Governor Gardner's testimony in the Congressional Committee, USDOE agreed to change and improve the methodology and submit it to the NAS for review. However, in October NAS said it could make no statement about how that methodology would be

applied, but in the process of applying it USDOE should bring in independent experts to assist them in the application to increase the credibility of the process. USDOE did submit the application to NAS, and this letter is the end product of the NAS review of the application, but no independent experts have yet been brought in in the application. This was the disappointment expressed in the NAS letter on the second page and in the conclusion. Up to this point, USDOE has not followed the recommendation to use independent experts.

Mr. Bishop thought there was an impression USDOE was willing to do that and he read excerpts from a letter received January 17 from USDOE: "We share your concern for an independent review of the methodology. In response to Governor Gardner's request, among others, at a Congressional hearing, USDOE arranged for such an independent review by the National Academy of Sciences Board on Radioactive Waste Management. The National Academy is not the only body possessing the expertise to analyze the application of the methodology. However, they clearly are capable of providing a thorough review and are, to many involved and interested in the program, the prestigious, knowledgeable body who could undertake such a task. We have not asked the NAS to participate in the decision process, only to review USDOE's work." "...The National Academy review will, we believe, provide independent assurance that USDOE's response to concerns about the ranking methodology have been comprehensive, thorough, and fair."

Mr. Bishop said this led staff and Board members to believe that this involved review of more than just the technique. He thought there was another aspect to this looking at the speed with which the process is moving. He thought the Board's actions and continued vigilance would be essential if it intended to do anything about the final EA. It was necessary to establish a basis for constant vigilance of a given issue if that issue was considered to be of enough importance. The ranking methodology, he said, may turn out to be one of the most important elements, and the concern is that it was not independently done by a group of independent experts.

Ray Lasmanis said what he hoped to see addressed was how three sites in three geologic environments were chosen just by chance. He had hoped the Academy would have addressed that point, and he would like to see that answered.

Dr. Filby commented that either the Board was remiss, or the Board of the National Research Council was remiss, rather than the U.S. Department of Energy itself. This letter from the Academy, he said, makes the statement that the "Board" (NAS) chose not to make the review and at its own request did not have access to USDOE's ranking on preclosure factors. He thought the Academy itself delineated the process and restricted it, as opposed to being limited by the USDOE, or the USDOE has chosen to ignore recommendations.

Senator Guess said following that, it seemed to him in the second paragraph of page 2 they are criticizing USDOE because they made the decision in the first place.

Curt Eschels said it was his understanding that the Department offered part of the information by offering all the information on one site and all the information on one characteristic to show how it had applied the methodology. The Board (NAS), he thought, said they did not want to just see part of it. He emphasized he believed it was the USDOE's responsibility to make this decision and to do the actual ranking. It could strengthen its product in two ways, bringing in people besides its own experts, and having its work reviewed by people who are wholly independent. He thought it was proper at this point for the Board (NAS) to look over all of the Department's work.

Dr. Filby said the second paragraph of the letter, page 1, states the (NAS) Board itself made the limitation because of available time and the amount of documentation involved. Mr. Husseman read from the conclusion: "Moreover, DOE did not take the Board's advice, offered twice in writing, to involve outside groups of experts in the site-ranking process beyond this review of the implementation of the methodology by the Board." He said they meant USDOE should have brought in other experts to participate in such elements as establishing the weights for the various criteria and NAS would then have reviewed that, which would have increased the credibility of the whole process.

Senator Guess referred to another sentence in the Conclusion: "DOE has now selected a decision-aiding method that the Board believes is appropriate to the complexity and technical uncertainties of the decision the Department faces in choosing sites to characterize." He commented this letter was a very complex one, and said he thought Mr. Eschels was very wise in writing the first letter for the Governor.

Representative Nelson referred to the second paragraph on page 3 and thought it acknowledged the Board's position to build environmental damage assessment into the EAs. He thought this indicated that NAS agreed with the state's position that once the waste gets to the accessible environment, any resulting further damage should be part of the final EA. He also thought the NAS suggested when USDOE compares different sites, the damage should be compared from site to site and included in the final selection.

Senator Goltz thought there was a certain amount of avoidance of the question instilled by the USDOE and whether or not there is time. He said he was hearing that the time schedule was getting down to the point where a further independent review of the application of the methodology is beyond the capability of independent reviewers and the U.S. Department of Energy, if they are going to maintain their current schedule. He asked again if there is any indication that they are willing to adjust their current schedule to accommodate an independent review. He wondered if there were any hope in sending a resolution asking USDOE to do something which time and inclination does not permit.

Mr. Bishop thought it was entirely possible that USDOE does not intend to say there is sufficient time in their remaining schedule for any further reconsideration, but he thought the Board should be consistent with positions which it has previously taken. Senator

Goltz said he thought it would strengthen the resolution if the Board were to acknowledge USDOE has a schedule which is not very conducive to the Board's continuing to raise the question of additional independent review, and to say in spite of that schedule and what the National Academy did, the Board thinks, very specifically for public confidence in the rankings of the sites, plus safety, etc., that the schedule should be adjusted and further independent review should proceed.

Further discussion centered on the wording of the draft resolution which was refined to include Senator Goltz' suggestion to adjust the schedule to allow independent review of USDOE's work, and elements suggested by the members. The staff was instructed to incorporate these suggestions and return to the Board with a redraft of the proposed resolution.

Correspondence (continued)

Mr. Husseman referred to the "Plan for Release of Final Environmental Assessments", which was handed out at Albuquerque at the First-Round States/Tribes meeting. At this point, he said, USDOE does not know specifically which day the EAs will be released, and refers to that date as "R" Day. Under the schedule provided the state would receive a letter giving the date certain two weeks prior to "R" Day. The day before the release a copy would be sent to each affected party by Express Mail. On "R" Day, Congress and staff would be briefed and a national press conference would be held. The state could hear this on a special telephone hookup. The estimated date is sometime in mid-May.

Mr. Bishop said prior requests had been made by the states that USDOE give them a 30-day notice when the release date was determined. The USDOE representatives at the Albuquerque meeting indicated a willingness to relay this request to Ben Rusche, but they could not give any assurances that a 30-day notice would be given. He said a draft letter to Secretary Herrington had been prepared for signature by the Chair, upon approval of the Board. The letter requested at least 30 days written notice to the Board prior to "R" Day in order for the states and affected Indian tribes to schedule and give public notice for meetings, briefings, and press conferences on this important decision.

There was no objection and the Chair was instructed to dispatch the suggested letter.

Mr. Bishop referred to the letter dated April 18 from Representative Nelson (delivered to him this noon) concerning the potential shipment of contaminated soil from New Jersey. He said he indicated to Representative Nelson this issue would be added to the agenda for discussion at the May meeting.

Near-Term High-Level Nuclear Waste Transportation Group

Mr. Eschels said a telefax copy of a letter from Secretary Herrington to Governor Gardner responding to the Governor's letter of February 7 concerning the potential foreign waste shipments was

received. The Secretary assures the Governor that safety is paramount, and describes some of the meetings the Departmental people had with his group and citizens at the Airport, as well as meeting with the Longshoremen's Association. He enclosed a summary of the Department's position on some of the items Governor Gardner has raised with him, that is, compliance with the National Environmental Policy Act, the Nuclear Nonproliferation Act and the Coastal Zone Management Act. No commitments were made in the letter, only assertions that USDOE is in compliance with all of those issues the Governor raised. Mr. Eschels thought this was not the definitive word at this point.

Concerning the request for a temporary injunction to prevent these shipments brought by the Northwest Inland Waters Coalition, he said he understood an informal agreement has been reached between the Coalition and the Department. The Department will stipulate that no shipments will be brought into ports anywhere on the U.S. West Coast at least until August 1. He said this was a welcome development and represented some sensitivity on the part of the Department, as well as sensitivity on the part of the Coalition. It gives time for the Near-Term group and the public to identify conditions that should be applied in case those shipments, or domestic shipments, travel into or through the state of Washington.

A copy of the agreement which was made public today is not available yet. Later on in that suit there will be arguments back and forth as to whether these shipments of foreign spent fuel should occur at all.

Low-Level Waste Report

Elaine Carlin, Department of Ecology, reported the Northwest Interstate Compact Committee last met on February 27 in Seattle. At that meeting the Committee considered the Compact requirements for access to the Washington disposal site in relation to the recently-passed Federal Amendments Act. The requirements were determined to be inconsistent with the Act, and therefore were revoked.

At the Compact's next meeting to be held on April 22 in Helena, Montana, the Committee will discuss new policies needed to fully implement the federal law.

Surcharges have been assessed on wastes originating outside of the Northwest Compact Region since March. According to the site operators' data base, in the first three months of this year a total of 170,000 cubic feet of waste has been received for disposal at the Richland site.

Curt Eschels inquired how the 170,000 cubic feet compared with previous years. Ms. Carlin said it represented approximately half of shipments received during that time period in the last few years.

Senator Williams asked what requirements for access that require redoing were inconsistent with the amended Act. Ms. Carlin said they were called "Procedures for Contacting the Northwest Compact Committee", to be used by states and regions outside the NW Compact in order to apply for access to the region's facility. These would

apply once the Northwest Compact was ratified to restrict out-of-region waste. Those procedures were revoked in their entirety by the Committee, although they were developed by the Compact Committee. Mr. Husseman added those procedures were adopted with the idea that the federal Act would not pass and the Compact would be able to deny access to some generators from out of the region and allow access to others. Under the Act, neither the Compact nor the state has that authority. All waste is allowable for disposal until the 1.4 million cubic feet is reached. Ms. Carlin said in response to Senator Williams' question that completely new policies are being developed in order to implement the federal law.

Representative Nelson asked if there were any indication the waste is coming into the state in a more compact, or dense, form. Ms. Carlin said it had not yet been noticed, but would be under scrutiny. She thought one reason the waste line is down was that generators and brokers "...cleaned their closets" prior to January 1. Another reason was that the Southeast Compact Region, which traditionally had shipped a large volume of waste to Richland, now has an export ban in effect. A third reason for the decrease in volume, she said, was because folks are waiting to see how the three sited states administer the federal law and they can become familiar with the federal requirements before shipping.

Public Involvement Report

Mr. Bishop said the format was being changed slightly, as he would like to start the practice of having a member of the Council give a brief report on Council activities, with Marta Wilder augmenting any of the comments regarding public involvement. Sam Reed, Chair of the Public Involvement Committee, was asked to give a report.

Mr. Reed said he considered it appropriate for a member of the Council to report to the Board on its activities and recommendations, with the staff reporting on staff activities being conducted to implement Council suggestions. Mr. Reed said the Council has been experiencing a great deal of frustration, particularly at the last two meetings. That frustration, he said, derived from the fact that not much is happening. A program for public involvement was developed and brought to the Board several meetings ago, but in the view of the Council relatively little is being accomplished. In looking for a reason, Mr. Reed said, the most apparent one was the lack of a general contractor doing the major part of the work in the public involvement area, as was done by Envirosphere. With the termination of that contract, the entire task has fallen upon existing staff and that resource has not been adequate. He said he did not mean to imply any inadequacy or lack of diligence on the part of staff.

This was brought to the attention of the Chair and the Program Director a month ago, and at that time Mr. Husseman made a commitment to make some changes in terms of supplying some contract help for certain tasks, a modification in terms of dealing with priority items immediately. It was recognized that there had been hope that with a decision for site characterization at Hanford, there would be an ability on the part of staff to supplement its resources with full-time people under their direction. That has not come about, and it is still unknown when that possibility will present itself,

he said. Mr. Reed said the Council felt that the morale, commitment, and productivity of both the Council and staff were deteriorating. They felt the momentum established by the prior Council was declining, and the public image of the Council and Board was diminished.

Mr. Reed said that although the statute contemplates that the Council will have a primary responsibility for public involvement, it also says the Council has legitimate concern regarding all elements relating to nuclear waste and the responsibility to make appropriate recommendations to the Board. The Council represents a different segment of the world, he said, as members come from private agencies, general public, universities, labor, etc.--another segment whose concerns, deliberations, and opinion should be considered by the Board in reaching its decisions. The mechanism for that is through recommendations from the Council to the Board. This, he said, is another element in the Council's plea to get contract help to get some of the educational and public involvement activities underway.

At the meeting today, Mr. Reed said, not much happened for the reasons he had given. The future was discussed, but there was not much action. Mr. Reed said he would be reporting to the Board at each of the meetings.

Marta Wilder reported the Office had taken the Council's advice and during the past month a Request for Proposal (RFP) for assistance with workshops was prepared, with a bidders' conference scheduled for next Monday. This assistance would include any type of workshop undertaken, and include publicity, logistics, publications, Editorial Board meetings, summarizing comments, and providing follow-up on the workshops.

Ms. Wilder said meetings on the Defense Waste Draft Environmental Impact Statement (DEIS) are planned for the last two weeks of June in five cities: Yakima, Spokane, Tri-Cities, Vancouver, and Seattle. The format includes having Board and Council members present in their local areas, or any they would like to attend. There will be a brief report by staff on the state's comments on the Defense Waste DEIS, with public comment to follow.

The Public Involvement Plan is being developed and a draft should be ready for Council review next week. It will also be discussed at the Council meeting in Richland on April 29.

Recent presentations have been given to the State Board of Health, League of Women Voters, Junior Highs, and High Schools around the state. In all, eleven presentations were given this past month to approximately 450 people. Five or six presentations are scheduled for the May/June period. Ms. Wilder said newsletters are in the mail, and a stack had been placed on the back table for the public. An average of 240 Fact Sheets are being mailed on a monthly basis. Work is also being done with the Council on distributing more information to libraries, and at the suggestion of Council member Betty

Shreve, information is being sent to Regional Library Districts for distribution in their districts. An article has been developed for the Association of Washington Cities' Newsletter, and they will be furnished articles on a regular basis.

Senator Goltz thought the public involvement program should capitalize where it can on existing organizations and existing efforts where the public is involved in trying to address public policy issues, particularly one as important as this one. Those would be the two major political parties in the state of Washington, he said. He noted when he attended the Whatcom County Convention last weekend that there was considerable interest in the issues of nuclear waste handling and management. In the absence of understanding, the public policy attitude is to expect the Governor, the Nuclear Waste Board, Legislators, and others to condemn the way in which the nuclear waste is currently handled and how it will be handled in the future. He said he thought the public generally is aware and this is the number one concern of the citizenry in terms of safety in the state of Washington today.

Ms. Wilder responded she would be addressing the National Conference of State Legislatures meeting in Richland, and will be attending the Association of Cities' and the Association of Washington Counties' meetings this summer.

Mr. Reed remarked there are many people who ought to be hearing about this issue and who are not hearing about it. At this point, he said, it is not known who is being reached. The Committee is in the process of trying to prepare a list of organizations with which Council members have regular liaison and for which they will assume responsibility in maintaining a flow of information. He pointed out that lots of requests are being received for presentations and that could easily be developed to the point where that is all staff does. He stated staff resources have to be supplemented. He asked if Council members were considered only in an advisory capacity, or could they go out and make presentations, would there be materials for them to use, etc. There should be an agreement on this point, he said, in order to widen the resource there is to develop and maintain contacts with different groups. He agreed with Senator Goltz that there is a great deal of work to be done, and until a larger resource is available and deployed in a logical fashion, it will not be accomplished.

Senator Goltz agreed and said he was trying to emphasize the goal of bringing this issue to the public's attention with their involvement would fail without adequate resources. He said advantage should be taken of the opportunities of those already existing organizations, the League of Women Voters, the political party organizations, and places where public policy begins to be addressed. He thought the issue should be made one of public policy, rather than of public involvement and information. Thoughtful public policy comes only from information and this could be generated through existing political and other citizen groups.

Mr. Reed continued to emphasize the need for additional resources to implement the plans made and needed to reach the public. Nancy Kirner wondered if this were the down side of not having the sites

characterized yet. Mr. Husseman said although this was a period of limbo, but had EnviroSphere not elected to withdraw because of USDOE's conflict on interest policy, they would still be involved in the public involvement program. At the same time, the Environmental Assessment was scheduled to be released in February. Right now, he said, there are openings for three people in the public involvement area, but with the uncertainty of site designation it is very difficult to attract candidates who might only have a job for two months. He said he felt certain USDOE would fund the workshop project, which has been requested.

Representative Hankins suggested that the Advisory Council contact the technical societies in the state, such as the American Nuclear Society, the Health Physics Society, and other organizations for assistance in the public presentations. She also suggested the Office develop a small speaker's bureau within the Council itself. She thought Gramm-Rudman legislation might be having some effect on funding, and Mr. Husseman said he understood it did apply.

Senator Guess commented that at the U.S. Department of Energy display in the Capitol rotunda recently he noted no newspaper people present. He also said there are now 375,000 copies available of a Nuclear Waste Primer prepared by the League of Women Voters, and he understood less than 10,000 copies have been requested. He felt there was a great lethargy in the United States on this issue. Mr. Reed responded that the statute in this state charges the Council to involve the public and to provide public information. The obligation is to make it available, he said, and if the people do not want to partake, that is their privilege. Until the Legislature relieves the Council of that responsibility to provide information, the Council intended to do so to the best of its ability, he said.

Senator Benitz complimented Senator Goltz in suggesting going to the political parties. He thought it was a good idea and said he would speak for the members of his party here to assume the responsibility in his party and hoped Senator Goltz would do the same in his.

Representative Hankins said today she and Representative Miller had gone to the Washington State Library with Mr. Gordon Rogers of Pasco, who is a retired Hanford employee. As members of the Richland Section of the American Nuclear Society, they presented the State Library with materials for a Nuclear Energy Information shelf composed of about six books and two or three information pamphlets, plus a couple of video tapes. She said the Section has done this in twenty-one libraries in the states of Washington and Oregon.

Resolution 86-1 (Independent Review Ranking Methodology Application)

Mr. Bishop called upon Don Provost to read the revised Resolution that was introduced earlier. Dr. Filby moved that the modified Resolution be adopted by the Board. The motion was seconded and passed unanimously. (See attached Resolution 86-1.)

First-Round States/Tribes Meeting

Terry Husseman said at the meeting held in Albuquerque, New Mexico, earlier this week the main item of interest was the delivery of the National Academy of Sciences' letter discussed earlier, and the discussion of the schedule for the release of the Environmental Assessment. The U.S. Department of Energy has various coordination groups, in which the states and tribes have not been involved as participants. At the Atlanta quarterly meeting in December, USDOE did agree to allow the states and tribes to attend and participate in two of the coordination group meetings, but none of the other six. Since then they have agreed to let the states and tribes participate in their Quality Assurance Coordinating Group. In Albuquerque the states and tribes indicated their strong desire to participate in the Transportation Coordinating Group. The Director of that group was still not willing to agree to this. He said he would consider the request and respond in writing with suggested alternatives.

A briefing was also given on the licensing support system being developed. The Nuclear Regulatory Commission (NRC) is expected by USDOE to complete licensing of the repository in 27 months. The statute gives them three years, or up to four years if they so request. NRC has apparently never licensed a reactor in less than three years, yet USDOE indicates they expect NRC to complete this licensing in 27 months. In order to make that more possible, NRC has stated there must be a computerized information system that is searchable and accessible with all the documents in it. USDOE is attempting to put such a system together and the states and tribes were given a briefing on the status of that.

Don Provost added there was also a presentation by a representative of the state of New Mexico describing the characterization made at the WIPP site. Characterization in New Mexico has taken a lot longer than is allowed in the Nuclear Waste Policy Act, and the sites under consideration for a high-level repository are much more complicated than the New Mexico site.

Committee Reports

Defense Waste. Don Provost reported for Andrea Beatty Riniker, Chair. On April 10 the Radioactive Defense Waste Committee met to review the Defense Waste DEIS schedule, a copy of which was furnished the Board (see attached). The document format for state comments was reviewed, and discussion was held on coordination activities and public meetings to be held around the state. The Committee recommended that staff attend each of the USDOE information workshops to get a reading of citizen concerns.

Also recommended were two special Board meetings. The first would be held on June 13 to review citizen concerns expressed at the USDOE meetings. The second would be held on June 27 to review public hearing testimony from the state meetings and to review the state's draft testimony for the USDOE hearings to be held in July.

State meetings are planned for the latter half of June. The format for these meetings would be to begin with a very brief discussion of

the state's position on major issues, with a description of the rationale, followed by hearing the concerns and comments from the citizens. At its regular meeting on July 18, the Board would review and approve the final comments on the Defense Waste DEIS, which are due on August 8.

At the meeting on the 10th the Committee reviewed the criteria developed to guide staff and contractors during the DEIS review period, which had been suggested by Representative Nelson at the last Board meeting. The Defense Waste DEIS Coordinating Group had reviewed it previously. The recommended resolution was presented to the Board for comment and action.

Representative Nelson said the purpose of his suggestion was to give some direction and structure to the consultant review process and the Board's response to the Defense Waste DEIS. He thought it appropriate to put into a resolution the criteria that would shape the response and the consultant's work. He said the resolution tries to be specific about some of the more important aspects of both the clean-up of the defense wastes at Hanford and the handling of future wastes. It suggests that there may be other alternatives other than the ones suggested by the U.S. Department of Energy. It also suggests that the DEIS should be reviewed with the idea in mind that there be no inconsistency between the environmental standards that are applied to a commercial repository and those applied to a defense waste repository. In other words, he said, the Siting Guidelines, the EPA Standards and the NRC Standards should be equally applied to both a commercial repository and a defense waste repository.

Representative Nelson said the resolution also suggests that clean-up is important, but the handling of future wastes is important also and the state-of-the-art technology should be applied to the future handling of wastes to avoid repeating the problem of cleaning up later. It also addresses what he considered the biggest issue, and that is whether there would be funds available to do the right job. The best clean-up effort may not be the cheapest and there may be a need to update the techniques for future shipments of defense wastes.

Mr. Provost continued with his report by requesting Board's approval of the proposed schedule of events connected with the DEIS review. He said coordination procedures have been started with the Department of Ecology, Department of Social and Health Services, and other state agencies, and the Committee would like to have approval of the schedule and the hearings concept.

Terry Husseman explained that the proposed schedule indicates the U.S. Department of Energy will be making a tour around the state starting May 20 and ending June 11. The state had been invited to sponsor those meetings jointly, but based on both the Board and Council discussion, it was indicated that state of Washington wanted to conduct its own separate workshops with invitation to the citizens to express their concerns to the state to be incorporated into the comments on the DEIS.

Mr. Husseman said the state had asked for five minutes on the agenda of the USDOE meetings for a representative of the Board to indicate the State of Washington's role and what it is doing in reviewing the DEIS, and to announce the dates of the state meetings to seek the public's comments.

Resolution 86-2 (Criteria for Review of Hanford Defense Waste DEIS)

Senator Benitz questioned the inclusion of "chemical wastes" in the first paragraph of the Resolution. Don Provost said the DEIS describes the amounts of chemicals in each of the tanks in the ground in the area, and as a part of their plan they cannot address the radionuclides unless they address the chemicals. This was included, he said, to make sure this area was covered.

Senator Benitz also questioned the use of the word "discharged" in the same paragraph, and asked if wastes had been deliberately discharged or if they had leaked. Mr. Provost said that includes both as there had been leaks from the single-shell tanks. He said the DEIS describes the amount of uranium in the soil at Hanford which came from the cribs in the normal discharge from the plant into the soil. Senator Benitz also suggested changing the wording in the second paragraph to eliminate the reference to chemical process and made other suggested clarifying changes.

Further discussion followed with suggested changes by Ray Lasmanis, Charlie Roe, and others to clarify the meaning.

It was moved and seconded that revised Resolution 86-2 be adopted. The motion was carried unanimously.

Environmental Monitoring

Nancy Kirner reported the Environmental Monitoring Committee held its regular monthly meeting Friday, April 11, 1986. The two main agenda items dealt with the Centers for Disease Control (CDC) study and the related Hanford historical documents.

Dr. Ruttenber, from CDC, will arrive in Olympia next Monday, April 21. He plans to spend the next two weeks looking at the historical data and working with staff to develop his specific work plan. The Committee developed a tentative agenda, based on Dr. Ruttenber's input. Earlier this week the draft agenda was sent to members of the Monitoring Committee, the Hanford Historical Documents Review Committee, and to the Radioactive Defense Waste Committee. Members of these latter two committees are invited to attend a special meeting of the Environmental Monitoring Committee scheduled for April 29, 1986, at 7:00 p.m. at the Rivershore Motor Inn, Richland, Washington. This meeting has been scheduled during Dr. Ruttenber's visit to discuss with him in detail staff's evaluation of the historical data and the CDC study.

Ms. Kirner said the Committee also discussed the coordination necessary between the Monitoring Committee, the Defense Waste Committee, and the Historical Documents Review Committee. Input from these committees to the CDC study is encouraged without requiring additional meetings or additional committees. To accomplish this staff

has been directed to send minutes of the Monitoring Committee, as well as all related material, to members of the Defense Waste Committee and the Historical Documents Review Committee.

An important discussion at the Committee meeting was the public's expectations of the outcome of the CDC study in September. Ms. Kirner said it is important for the Board to convey to all parties that September's findings probably will not give definitive answers on the health impacts of Hanford operations. By September a direction should be established for additional work needed to give any definitive answers, and if the facts are even sufficient to expect definitive answers. It is important that this be stressed in references to the CDC study, to avoid unrealistic expectations.

Ms. Kirner reported the supplemental contract request to fund the CDC study was formally transmitted by the Department of Social and Health Services to the Department of Ecology staff on April 10, 1986. Based on input from CDC, the estimated cost totals \$62,500.

The second major item at the Committee's meeting was a presentation by DSHS staff on a draft report reviewing the Hanford historical documents between 1943 and 1957. That report will be put in final form for the special meeting of the Monitoring Committee.

Ms. Kirner said in checking with her office this morning she learned they had received nominations for the CDC panel from only five groups. Therefore, the date has been extended for another two weeks. She urged the Board members to submit their nominations for expert epidemiological review people to her as soon as possible.

Representative Nelson asked if there would be a focus on the off-reservation population during the time of the early releases between 1943 and 1957. He wondered if those people could be identified. Ms. Kirner said she thought that would be a very key issue of Dr. Rутtenber's discussion in the upcoming two weeks.

Dr. Filby said he was a little concerned about duplication as he examined the scope of work contained in the Request for Proposal. He said the second sentence reads: "The assessment would involve a detailed evaluation of historic releases of radionuclides and subsequent doses to the general public." He felt that overlaps very directly with the Historical Documents Review Committee's work. He said that was a major fact, and it was upon this the rest of the review depends. Ms. Kirner agreed there needed to be close coordination between the two. She said the more they looked at what had to be done on the CDC Committee, the more it was realized they cannot proceed alone without the Hanford Historical Documents Review Committee. The most that the Committee could do between now and September would be to give a cursory view of the data. She said they are charged with three tasks: what people received in micro-curries, the dosage, and finally what were the health effects related to that. She emphasized the expectation for September would probably be a road map pointing future direction.

Dr. Filby said that was his concern, as to do an epidemiological study, fairly good information was needed concerning the actual dosages. That required a thorough evaluation of the releases, not

only those that are documented in the series of released documents, but also what has not been released. That will take a significant amount of time. Ms. Kirner agreed they would have to work concurrently starting with a road map, proceeding to more detailed dose assessment, and returning with a greater emphasis on epidemiology.

Don Provost said several discussions had been held with Dr. Rutenber about his ability to handle the data in the time frame. He explained he has a system of going through and collapsing the data. He examines the material for the important data and makes some assumptions, then looks to see how significant that would be if it were out in the population. Mr. Provost said this would be different from the approach of the Historical Documents Committee's review as he is looking at it for only one single purpose. He has increased his time frame to two weeks, indicating the project will take more time than originally planned, but he is confident it can be done to get that type of a data summary to the Panel. The Panel will also review the work that others have been doing in order to determine if the monitoring systems are missing certain elements that should be monitored.

Dr. Filby said he understood Dr. Rutenber's intent, but he was a little more concerned about Appendix "C", which is the contractor support for the project. He said in reading it there may be some merit in contracting with a single contractor for both of the studies, the first Phase of the historical review and the CDC study. If there is a significant overlap in terms of assessing the radio-nuclide emissions and quality of the data, etc., he wondered if any thought had been given to a single contractor. Mr. Provost said the current plan was to have the contractor for the CDC study be the Department of Social and Health Services and their staff, and to go outside for a private consultant on the historical documents data. He said because DSHS and staff are available to study the data and their responsibilities are in the health area, it seemed appropriate to have them lead this study.

Ms. Kirner explained this was an outgrowth of the original contract to do the baseline monitoring with staff coming on board to do that. There is a considerable amount of site specific expertise for Richland on staff now. She said they had been doing a general overview for Dr. Rutenber and hopes they have hit the right mix between detail and cursory treatment.

Socioeconomic

Curt Eschels reported that a series of public workshops to receive comments on a design of a Request for Proposal to select a contractor to examine the socioeconomic impacts of a repository have been set around the state. They will be held in Seattle on April 23, in Vancouver on April 24, in Kennewick on April 28, and in Spokane on April 29.

The other major item of discussion by the Committee is the Grants Equivalent to Taxes which would be available to units of general purpose local government in the area of the potential repository. A meeting will be set up with these governments, and descriptions of the program have been sent to approximately 80 affected governments

in that area. Resources were used from the Department of Community Development, the Association of Washington Counties, the Association of Washington Cities, and the Construction Impact Group that was set up to monitor socioeconomic impacts of the Supply System Plants. The Committee would like to enlist the resources of the Nuclear Waste Advisory Council's Local Government Committee on this issue and on its continuing programs.

Transportation

Pat Tangora reported for Richard Watson, Chair. The major issue the Committee is continuing to work on is to develop scopes of work for detailed transportation studies that would be proposed to the Board should Hanford be nominated for characterization. They are looking at studies in risk modeling and routing, and in the area of emergency response. Task forces have been set up and the Transportation Risk group met on March 25, and developed a general outline of the work they would like to see done, similar to a study being proposed by Washington State University. A meeting has been set up with WSU representatives for May to discuss their proposed study and comparison with the group's study.

Also on March 25, emergency response studies were discussed and they tentatively decided two different studies were needed. One would be a survey of local emergency response capability along rail and highway routes to the Hanford site, and the second study would evaluate the types of emergency response incidents that might occur to develop specific response guidelines. The Washington State Patrol representative expressed some interest in conducting a survey within the State Patrol's Research Department, and the DSHS representatives indicated they might be interested in the incident response guidelines studies. Both departments will be working on fleshing out scopes of work and an outline to come up with personnel requirements.

The state of Oregon presently has a small grant through Oregon State University to look at spent-fuel casks and whether the regulations for designing and testing those casks are adequate. The state is interested in expanding that study with possible participation by the state of Washington, tribal representatives, and the Western Interstate Energy Board (WIEB).

The other major item of discussion was a draft copy of the WIEB's report on route specific analysis. They have recommended a three-step methodology to be used in making routing decisions, from reactors to repository, or from an MRS facility to the repository. Their recommendations include screening routes and eliminating ones that have unacceptably high accident rates, assessing specific factors that may contribute to accidents or having populations at risk along these routes, and assigning scores and selecting the best route. They would then take another look at the route and take appropriate mitigation action wherever there appeared to be fairly localized problem areas. This report does not include any recommendations on how routing decisions should ultimately be made, and it does not include any policies to guide the allocation of mitigation funds.

The Transportation Committee requested that staff draw up comments which will be considered at the next meeting, with a report to the Board.

A meeting of the WIEB was held yesterday in Idaho Falls which Pat Tangora said she attended by telephone. The connection was not good, but she said they did not discuss their study, and they will have another working session in May.

Ray Lasmanis asked if Oregon were proposing to do tests on casks similar to those that had been filmed by Sandia Laboratories. Ms. Tangora said they were proposing to go through the regulations and testing requirements. She said those films were not based on those requirements. Oregon is interested in having independent engineering staff examine the test requirements and make their assessment as to whether they meet the standards set by the NRC. They also plan to assemble the criticisms made about those tests.

Mr. Eschels said he thought federal regulations allowed the states to make routing recommendations based on guidelines to follow. Ms. Tangora said right now the Department of Transportation guidelines just require the carrier to stick to the interstate system, with guidelines for states to suggest re-routes within their states. She thought WIEB was trying to develop a methodology agreeable to a large number of states, especially if there should be an MRS.

Mr. Bishop said Dick Watson, Chair of the Transportation Committee, had requested arrangements be made to set a time for the WIEB to make an informational presentation to the Board and Council. He said efforts were being made to select a Thursday afternoon for such a meeting as soon as possible.

Litigation Status

Charlie Roe reported he had been working closely with Warren Bishop, Terry Husseman, and staff in regard to potential litigation in the area of decision-making that has been discussed in depth. A full report will be made at the next appropriate Board meeting.

They are looking carefully at five possible areas.

Mr. Roe said the Siting Guidelines case has been slumbering in the 9th Circuit, subject to a motion to dismiss filed last summer by the United States. Formal action consisted of a motion to intervene in the case by the Citizens Against Nuclear Trash. The state made no objection, he said, although the United States did object. The Court denied the motion. Informal action was instituted by the Chair who asked if there were any way to find out what was going on with the case. Mr. Roe said he did call the Clerk and asked him if anything could be done to expedite the case. About five days later the Clerk called back to advise him the Court planned to take some action in the case within the next few weeks.

Concerning the Monitored Retrievable Storage litigation in Tennessee, Mr. Roe said he learned they are now in the final throes of briefing in the Court of Appeals, dealing with issues in two basic

areas. One is the impact of the Consultation and Cooperation provisions of the Nuclear Waste Policy Act on the MRS program. The lower court did enjoin the United States in submitting its recommendation with regard to an MRS to the Congress, and the United States did appeal and asked for an emergency ruling on their request to have the District Court injunction stayed. The Federal Court of Appeals refused. A third minor issue is whether the case should be in the Court of Appeals. No oral argument date has been set, but the briefing will be done on May 5.

Federal Legislation Status

Mr. Roe said over the past weeks and months Terry Husseman and he had worked on the liability issue. House Bill 4394 introduced by Congressmen Swift and Morrison was in direct response to the request of the Board, among others. No hearings have been set.

Senate Bill 1225 (Simpson-McClure) has had a number of hearings and mark-ups. Another hearing was scheduled for last Wednesday, but was canceled because only three members of the Committee were in attendance, and action was not taken. There are a number of amendments still pending, he said, and they are scheduled to be held next Wednesday. One amendment proposed by Senators Evans and Metzenbaum deals with making all activities related to nuclear incidents under the Nuclear Waste Policy Act subject to a strict liability concept. Another amendment by Senator Metzenbaum puts no cap on liability. When passed out, this bill will go to Senator Stafford's Senate Environment Committee by prior agreement. This committee will have 120 days to act.

Next week full hearings will be held on H.R. 3653 in the House Interior Committee, chaired by Congressman Udall. Mr. Roe said he had heard the Chairman of that Committee would not allow the bill out without a liability cap of between \$8 and \$10 million. The McClure Bill (S 1225) liability cap is \$2.4 million, and the Swift-Morrison Bill (H.B. 4394) has a \$5 billion cap on the Nuclear Waste Fund. This bill also has a vehicle, he said, that allows moving to other funding when the cap is reached.

Mr. Husseman added that Chairman Dingell, Chair of the House Science and Technology Committee, has asked that H.R. 4394 be referred to his Committee when it leaves the Udall Committee. Congressman Swift is a member of the Science and Technology Committee and the plan would be to incorporate the Swift-Morrison Bill into the Udall Bill in that Committee.

Representative Nelson asked if the state had taken a position on the Evans Amendment. Mr. Roe said no direct position had been taken, although staff has been working closely with the Senator, and based on the Board's fundamentals, have attempted to influence him to move in those directions. He felt the Senator and his staff had done so. He said staff was still developing some new amendments, and when they are completed they would let the Board know. In further discussion, Mr. Roe said the amendments by Senator Evans are designed to say that if individuals are injured from a nuclear incident under the Nuclear Waste Policy Act or in the Defense Waste Program, they will be fully compensated for all the injuries if they receive a

judgment. The language being used, Mr. Roe said, is an attempt to nail down the concept that the McClure Bill would provide for full compensation for all liability. Under the McClure Bill, when the liability cap is reached there is a system which requires the President of the United States to make a recommended funding approach with a time certain for Congress to act. Mr. Roe said there is a difference in views by those reading the statute, including those who drafted it, and Senator Evans is trying to resolve this issue.

In response to Representative Nelson's question, Mr. Roe said Senator Evans' intent was to ensure that there is an obligation for the United States to pay for an injury in which a judgment is received.

Mr. Husseman added it was considered best to handle this issue separate and apart from Price-Anderson, but no one could be found who thought there was any chance to pass a bill if it were done that way. He said the Justice Department is still saying the federal government has never submitted itself to strict liability, and never will.

Mr. Eschels thought that from the state's standpoint, Senator Evans is making improvements in the mechanism under Price-Anderson by which injured or damaged people can receive compensation. The state supports this effort to make the system less complicated and to make certain that everyone who handles it is covered by the indemnity agreement. Regardless of the caps in the various bills, Mr. Eschels said the state is looking for the promise of full compensation. He thought probably the most attractive legislation to date is that proposed by Representatives Swift and Morrison. He said the state's delegation, on both sides of the aisle, are pushing to make Price-Anderson more like the state of Washington wants it.

Mr. Roe concluded his report by stating a new bill has been introduced by Bentsen which would authorize a state or tribe to exercise its notice of disapproval prior to site characterization, and would extend the implementation date for the repository program by ten years.

USDOE-Richland Report

Jim Mecca of the U.S. Department of Energy, Richland, said he had nothing to add beyond the Albuquerque meeting, which had been discussed.

Oregon Report

Mary Lou Blazek, Hanford Program Coordinator for the Oregon Department of Energy, advised that the Defense Waste workshops will be sponsored by the state of Oregon and the Advisory Committee. She said the format had been worked out between the state and the U.S. Department of Energy, and one will be held in Pendleton and one in Portland on May 27 and May 28. A Moderator from the state of Oregon will open the session, explain its goals, the players and their roles, how the workshop will produce a product, and how the product will become a part of the hearing record. The participants will be able to answer questions and receive answers. A member of the

Nuclear Waste Board or Office staff from the state of Washington will be involved in a very limited manner, she said, as well as a member of a citizens panel from the state of Oregon, a representative from the USDOE, a member of the 17-member citizen panel of USDOE, and a member from one of the Indian tribes. Interested parties attending the workshops will join one of four working groups: transportation, geology and hydrology, radiological and ecological impacts, and alternatives and budget. Each group will convene for about 90 minutes, the first ten minutes being used by USDOE to outline the subject of discussion, and the next 60 minutes to be used for the public to ask questions and discuss the issues. The last 20 minutes of the workshops will be used to summarize conclusions of the group's discussions.

When the working groups finish, the audience will reconvene to hear the four summary reports, with a question and answer period to follow. Ms. Blazek offered a report to the Board following the workshops. She said the primary point was to simplify USDOE's proposed workshop plan and to provide adequate time for public concerns and questions.

Ms. Blazek said an Oregon Department of Energy Summary of Comment has been drafted on the draft Environmental Assessment. The purpose of the summary is to provide guidance to the Oregon Hanford Review Committee and includes the major concerns expressed by Washington, Oregon, NRC, EPA, USGS, the Yakima, Umatilla, and Nez Perce Indian Nations.

Senator Goltz inquired if the Oregon group interested in these issues is working with the Oregon Congressional delegation in Washington, D.C. in the same way that the Washington group is doing. Ms. Blazek assured him it was. Senator Goltz commented it might be very beneficial to the Board to have a report of the Oregon Congressional delegation's support or concerns about the federal legislation being urged by Washington State. Ms. Blazek responded she would be happy to provide such a report.

Mr. Eschels added he wished to make a statement of appreciation to Representative Wyden of Oregon, specifically, for his efforts to examine the level of funding for Hanford clean-up and the releases of material, both chemical and radiological. He said he was pleased he was investigating this.

Washington Institute for Public Policy

Max Power of the Institute mentioned that the National Conference of State Legislatures' High-Level Radioactive Working Group will meet on Friday, Saturday and Sunday, April 25, 26 and 27, in Richland. A number of Washington State Legislators and staff will attend those meetings as observers. On Monday, the 28th, there will be two tours, one general and one more technical, at Hanford for those attending the NCSL meetings, for Washington Legislators, and for members of the Nuclear Waste Advisory Council. Mr. Power encouraged any Board members who could to join in the meetings and tours.

The Institute is proceeding to initiate an exploratory study tapping some of the scholarly expertise in the state on the issue of potential economic losses associated with repository failure. He said he understood the U.S. Department of Energy also wants to begin to open the discussion with the state on this issue and are reviewing material from Brookhaven, with which they are not entirely happy. Mr. Power said the Institute was close to negotiating a couple of small contracts with individual scholars in the state to give them the extent of the subject and how some of the most current scholarly work fits the need there.

The Institute hopes to issue within the next month or so a couple of new information reports. One will be on foreign reactor fuel returning to the United States, and one a revised paper on Monitored Retrievable Storage, using information gathered by the state of Tennessee and information provided in the Environmental Assessment for that proposal.

Public Comment

None.

There being no further business, the meeting was adjourned.

WASHINGTON STATE NUCLEAR WASTE BOARD

RESOLUTION 86-1

April 18, 1986

WHEREAS, the state of Washington has identified the choice of appropriate methods and the applications of such methods to evaluate sites for consideration as candidate sites for characterization for the first geologic repository as significant key events in the implementation of the Nuclear Waste Policy Act; and

WHEREAS, on August 1 Governor Gardner, in testimony before Congress, requested a review by independent experts on the methods and the application of methods used to evaluate sites; and

WHEREAS, on August 29, 1985, USDOE requested that the National Academy of Sciences' Board on Radioactive Waste Management (NAS Board) conduct an independent review of methodology used to evaluate sites; and

WHEREAS, on April 26, 1985 and on October 10, 1985, the NAS Board recommended that independent experts be brought into the assessment process itself, as well as into the review of the process; and

WHEREAS, on October 30, 1985, USDOE requested that the NAS Board conduct a comprehensive analysis of the implementation of the ranking methodology; and

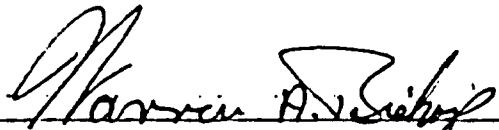
WHEREAS, on November 15, 1985, the Nuclear Waste Board passed Resolution 85-6 which included an expression of appreciation to USDOE for allowing ample time for an independent review of the implementation of the ranking methodology; and

WHEREAS, in an April 10, 1986 letter to USDOE, the NAS Board emphasized the critical nature of the ranking process and expressed its strong recommendation that independent experts be brought into the assessment process itself.

NOW, THEREFORE, BE IT RESOLVED by the Washington State Nuclear Waste Board that:

1. The Board expresses its appreciation to the NAS Board for their careful, expeditious review of the methods to evaluate sites for characterization.
2. In spite of USDOE's desire to meet a rigid schedule, public confidence requires that the Environmental Evaluation schedule be adjusted to allow an impartial application of the ranking methods.
3. The Board reiterates its contention that the sensitive and critical nature of the ranking process requires the utilization of independent experts in the application of ranking methods.
4. The Board urges USDOE to implement the NAS Board's recommendations:
 - a. to utilize independent experts in the application of ranking methods;
 - b. to utilize independent experts to make value judgements which are inherent to the ranking process; and
 - c. to incorporate the potential consequences of any given releases to the accessible environment, in addition to the results of the decision aiding methodology.
5. The Board reiterates its contention that the independent review of methods and application of methods is a critical and key event which requires consultation with the state of Washington, other first round states, and affected Indian tribes.
6. The Board directs the Nuclear Waste Board Chair to transmit this resolution to appropriate persons in the USDOE, the NAS Board, and the state of Washington Congressional delegation.

Adopted at Lacey, Washington, this 18th day of April, 1986.


WARREN A. BISHOP, CHAIR
WASHINGTON STATE
NUCLEAR WASTE BOARD

WASHINGTON STATE NUCLEAR WASTE BOARD

RESOLUTION 86-2

April 18, 1986

WHEREAS, large amounts of high-level, transuranic, and low-level radioactive wastes and chemical wastes associated therewith, have been temporarily stored on or discharged to soils of the Hanford Reservation in Washington State;

WHEREAS, this accumulation of radioactive and associated chemical wastes resulted from U.S. Department of Energy atomic energy defense operations;

WHEREAS, Washington State Nuclear Waste Board is seriously concerned about the effect of such wastes on the health, safety, and environment of the citizens of the region;

WHEREAS, the federal government has the responsibility to provide for permanent disposal of such wastes in accordance with the Nuclear Waste Policy Act;

WHEREAS, the President has determined that high-level commercial and defense wastes shall be commingled in repositories developed under the Nuclear Waste Policy Act;

WHEREAS, potentially hazardous defense installations or operations may adversely affect or conflict irreconcilably with the siting, design, monitoring, closure, or decommissioning of the geologic repository proposed for construction on the Hanford site;

WHEREAS, the U.S. Department of Energy has issued the Hanford Defense Waste Draft Environmental Impact Statement (DEIS); and

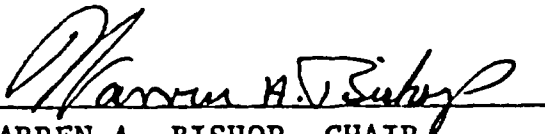
WHEREAS, resolution of issues raised in the DEIS are of the highest priority to the Nuclear Waste Board.

NOW, THEREFORE, BE IT RESOLVED that the Nuclear Waste Board establishes that the criteria for review of the Hanford Defense Waste Draft Environmental Impact Statement shall include:

1. A description and evaluation of the following for each alternative:
 - the impacts of such radioactive and chemical wastes on the health, safety and environment of the citizens of the region;
 - the effects of these wastes on the siting, closure, operation, monitoring, and decommissioning of a geologic repository;
 - equity of impacts on successive human generations;
 - the susceptibility to future additional or better cleanup actions; and
 - the impact of alternatives on Indian treaty rights.
2. An evaluation of whether one or more promising alternatives were omitted.
3. An evaluation of each alternative and recommended action to ensure they:
 - minimize environmental and health effects;
 - are consistent with applicable federal and state laws and regulations, including among others, the National Environmental Policy Act, the Atomic Energy Act, the Nuclear Waste Policy Act, the Resource Conservation and Recovery Act, the Comprehensive Environmental Response Compensation and Liability Act, the Clean Water Act, the Clean Air Act, 10 CFR 960 and 40 CFR 191;
 - use state-of-the-art technologies which have been proven safe; and

- minimize future releases to the environment from ongoing and future atomic energy defense activities.
- 4. Reviewers should ensure the DEIS considers economics, but economics must not drive decisions.
- 5. The Nuclear Waste Board Radioactive Defense Waste Committee is directed to review the Hanford Defense Waste Draft Environmental Impact Statement against the criteria listed above among others, and to report the results of such review to the Board.
- 6. The Board directs the Nuclear Waste Board Chair to transmit this Resolution to appropriate persons in the U.S. Department of Energy, and to ask for their assistance and cooperation in the review of the Hanford Defense Waste Environmental Impact Statement.

Approved at Olympia, this 18th day of April, 1986.


WARREN A. BISHOP, CHAIR

DEFENSE WASTE DEIS
TENTATIVE USDOE SCHEDULE
Based on a 4/11/86 FR Notice

4/4 DEIS Mailed

4/11 Federal Register Notice (comment period begins)

* 4/18 Regular Nuclear Waste Board/Council meeting date

5/15 USDOE answers DEIS questions (Board, Council, public)

* 5/16 Regular Nuclear Waste Board/Council meeting date

5/20 DEIS Information Workshop - Tri-Cities

5/21 DEIS Information Workshop - Yakima

5/27 DEIS Information Workshop - Portland

5/28 DEIS Information Workshop - Pendleton

6/3 DEIS Information Workshop - Spokane

6/10 DEIS Information Workshop - Olympia

6/11 DEIS Information Workshop - Seattle

* 6/13 Possible special Board meeting to review draft comment summaries

* 6/17 State meeting - Yakima (provisional)

* 6/18 State meeting - Tri-Cities (provisional)

* 6/19 State meeting - Spokane (provisional)

* 6/20 Regular Nuclear Waste Board/Council meeting date

* 6/24 State meeting - Vancouver (provisional)

* 6/25 State meeting - Seattle (provisional)

* 6/27 Possible special Board meeting to review Public Hearing testimony

7/8 USDOE Public Hearing - Richland

7/10 USDOE Public Hearing - Portland

7/15 USDOE Public Hearing - Seattle

7/17 USDOE Public Hearing - Spokane

* 7/18 Regular Nuclear Waste Board/Council meeting date

8/8 Comment period ends

* State of Washington Activities