

ANDREA BEATTY RINKER
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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MINUTES OF THE NUCLEAR WASTE ADVISORY COUNCIL MEETING

October 16, 1987

EFSEC Hearings Room
Rowesix, Building 1
4224 Sixth Avenue S.E.
Lacey, Washington 98504

Council Members Present:

Warren A. Bishop, Chair
Pam Behring
Phyllis Clausen
Russell Jim
Aaron Katz
Ken Miller
Sam Reed
Eugene Rosa
Robert Rose
Betty Shreve
Gus Simpson
Michael Spranger
Shirley Tucker

87333424
WM Project: WM-10
PDR yes
(Return to WM. 623-55)

WM Record File: 101.3
LPDR yes

H/14.9

8712180053 871016
PDR WASTE
WM-10 PDR

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

A motion to adopt the September 18, 1987, Advisory Council minutes was made and approved with the following corrections to the Advisory Council meeting schedule.

When scheduled, joint Board/Council meetings will be held on the Thursday afternoon preceding the third Friday of the month, beginning at approximately 2:00 p.m. The joint Board/Council meeting will be preceded by the Advisory Council correspondence and current events review to be held at 1:00 p.m. Advisory Council meetings will continue to be held the morning of the third Friday of the month, while the Board meeting will continue to be held on the afternoon of the third Friday of the month. If no joint Board/Council is held, the Advisory Council correspondence and current events review will take place during the regularly scheduled Advisory Council meeting. The joint Board/Council correspondence and current events review, previously held at 1:30-3:30 p.m. on the third Friday of the month, has been discontinued.

The September 18, 1987, joint Board and Council minutes also were approved (1:30-3:30 p.m.).

Shirley Tucker abstained from voting, due to not having had an opportunity to review the minutes.

INTRODUCTIONS

Warren Bishop introduced the new Council members: Gene Rosa, Pullman; and Aaron Katz, Seattle.

NEW STAFF

Warren Bishop introduced Jerry Gilliland, the new Public Information Manager; and Linda Ahmuty, the new secretary for Public Involvement.

LITIGATION REPORT

Narda Pierce, Assistant Attorney General, reported on the progress of Washington state's litigation against the U.S. Department of Energy.

Ms. Pierce reported that she traveled with Council member Nancy Hovis and Assistant Attorney General Charles Roe to San Francisco to argue the case challenging the second-round repository suspension by U.S. Department of Energy. The Justice Department argued that the case was "moot" since on October 1 the Secretary of Energy announced he was resuming the search for a second repository. However, the same day Mr. Steven Kale, of USDOE, stated at a Texas states/tribes meeting that nothing was being done to resume the search for a second repository. The state asked the court to rule that the Secretary of Energy still has an obligation to continue the second repository siting process. Washington's attorney also asked for declaration by the court that USDOE had violated the law from May 28 to October 1, 1987. The state asked that USDOE be ordered to list its intentions and personnel who will be devoted to siting a second repository. A court decision date is uncertain.

The states of Texas, Nevada, Oregon, Idaho, and Nebraska; the Yakima Indian Nation, Clark County PUD, Environmental Defense Fund, Nuclear Waste Task Force, and the Texas National Parks and Conservation Association joined with Washington state in this litigation.

Status conferences were held in San Francisco on the cases challenging the guidelines and the May 28 decisions. In addition, the state of Nevada filed for a petition of rehearing on litigation funding on the grounds that the court did not acknowledge the broad policies of the Act and did not read the provision in light of the Act. Nevada was joined by Mississippi, Utah, Washington, and Wisconsin in this petition.

Phyllis Clausen inquired about the status of the litigation to keep the Taiwan spent fuel rods from being shipped through the Puget Sound. Ms. Pierce reported that an amicus brief was filed and an oral argument was held. She said the next step will be the Ninth Circuit Court of Appeals issuing an opinion.

CONGRESSIONAL UPDATE

Linda Steinmann (Office Staff) reported the support for the Udall bill which creates a moratorium on repository siting studies is weakening and a proposed substitute has been introduced. The substitute bill will shorten the review time for an oversight commission to only six months and direct the commission to look at a smaller number of issues and solutions.

Ms. Steinmann stated that U.S. Department of Energy has agreed to meet with the states and local governments rather than go to formal rule making on the subject of Payments Equivalent To Taxes (PETT).

Ms. Steinmann also stated that the Lower Columbia Consortium of Local Governments contract was approved for funding by the USDOE. The Clark County Intergovernmental Resource Center and Cowlitz-Wahkiakum Council of Governments are going to be involved in the socioeconomic research issues. USDOE has verbally approved

additional authorization to conduct PETT-related work and funding for local assessors to do an analysis on PETT payments.

Ms. Steinmann reported that the Pre-Exploratory Shaft Hydrology Task Force has been disbanded. She also reported that Basalt Waste Isolation Project has abandoned the approach of premature drilling of shafts down to the top of the basalt.

Ms. Steinmann said that the state Department of Ecology is still reviewing the temporary water rights permit requests by USDOE to drill several deep test wells at the Hanford site.

Ms. Steinmann reported that staff met with a contractor who, (pending U.S. Department of Energy funding approval), will assist the state in reviewing Iodine 129 documents received from the Department of Energy. The contractor will assist the office in a document review focusing on how the I-129 documents relate to the repository and what should be done in site characterization to address any issues that have been identified by the end of year.

Linda Steinmann reported on the Basalt Waste Isolation Project (BWIP) quarterly meeting. She said that a new BWIP staff member was appointed (Ron Izatt, assistant to John Anttonen), and that the BWIP may be receiving a cut in funding and reduction in work force.

Council member Russell Jim (of the Yakima Indian Nation) commented that Ron Izatt said that the cuts in funding could reduce Basalt Waste Isolation Project staff by up to 50 percent and reduce funding to other affected parties by approximately 20 percent.

Mr. Jim reported that the USDOE is increasing the size of water pipes used

on Gable Mountain (at Hanford) from 4 inches to 10 inches in diameter. He said that USDOE said it needed larger water pipes for better fire protection.

ADVISORY COUNCIL COMMITTEE ASSIGNMENTS

Chair Warren Bishop explained the proposed policy for Board committees. There will be two levels of committee activity: one dealing with the policy aspects of the committee and one with technical working groups. The Committee policy-level group will meet quarterly and technical working groups will meet more often. This will involve the following committees and their staff:

Board Committees:

Defense Waste Committee: Don Provost, Joe Stohr, and Dr. Bill Brewer

Environmental Monitoring Committee: Joe Stohr

Transportation Committee: Max Power and Pat Tangora

Socioeconomic Committee: Max Power, Jerry Parker, and Pat Tangora

Hanford Historical Documents Review Committee: Joe Stohr and Terry Husseman

Advisory Council committees also have been restructured as follows:

The Unsolicited Proposal Review Committee: Jerry Gilliland and Marta Wilder

Local Government Committee: Linda Steinmann and (to be determined)

Curriculum Review Committee: Marta Wilder

Betty Shreve (of the Council) suggested having a public involvement committee, which Phyllis Clausen and Sam Reed also agreed should be created. Warren Bishop stated that this idea was still under consideration.

Linda Steinmann has become the local government liaison and will work with local governments to involve them in the Board and Council activities.

ADVISORY COUNCIL ORIENTATION

Jerry Gilliland (Office Staff) reported that the Advisory Council Orientation was proposed to begin on Tuesday afternoon, November 17 and conclude at noon on Thursday, November 19. The orientation will be held in the Olympia-Tacoma area. On Tuesday afternoon a description of Hanford, the federal repository program, and the state's actions will be covered.

On Wednesday morning, (November 18) a discussion of Board and Council roles will be included. Wednesday afternoon is reserved to discuss and set goals and objectives.

Warren Bishop stated that the tour of the Hanford site will be conducted in the near future.

INSTITUTE FOR PUBLIC POLICY CONFERENCE

Carolyn Pendle, Washington State Institute for Public Policy, spoke to the Council about a conference on December 1, at 9 a.m. at the Olympia Community Center. The conference will deal with nuclear waste and nuclear waste repository issues. The title of the conference is "Nuclear Futures-What Does Our Experience With the Nuclear Policy Act Suggest About the Future of Nuclear Power in the United States." Speakers will be from Congress, the regulatory side of the nuclear industry,

the legal profession, utilities, and public involvement.

TOWN MEETINGS

Susan Hall, Hall & Associates, reported that the Toppenish town meeting was co-sponsored by the Yakima Indian Nation Nuclear Waste Program. Council member Russell Jim moderated the Town Meeting in Toppenish.

Ms. Hall reported that the Walla Walla Town Meeting was moderated by Council member Jim Worthington. The meeting in Walla Walla was mainly attended by students. Several compliments were made about the materials in the packets.

Ms. Hall stated it appeared that people left the meeting with an understanding of the state's position and more knowledge on nuclear waste disposal.

She reported that the last town meeting in this series will be in Pullman, October 21 at the Washington State University. Council member Pam Behring will moderate this meeting. Council members Dr. Eugene Rosa and Gus Simpson plan to attend the town meeting, along with several Board members.

Council member Shirley Tucker suggested that incorporating concerns expressed by the Indian tribes into the state's Town Meetings might be a good idea.

PUBLIC INVOLVEMENT REPORT

Jerry Gilliland reported that at the Western Washington Fair in Puyallup 800 people signed up for the newsletter and approximately 1,500 packets were passed out.

Mr. Gilliland reported that a rough cut of the 30-minute documentary on the

proposed nuclear repository at Hanford will be viewed after the Advisory Council meeting. The second public service announcement has also been completed. Council members received copies of the documentary script and were asked to provide comments by Friday, October 23.

Marta Wilder (Staff) reported that the office has not received a response from the Superintendent of Public Instruction about an interagency agreement for the school curriculum project. Staff have collected some names of interested individuals who might want to serve on a working group that would help to develop a curriculum content and approach to developing these work plans. The office will speed up progress on the curriculum project after meeting with the Council's Curriculum Review Committee.

Jerry Gilliland reported that 21 calls have been received on the toll-free line and most were from the Puget Sound area. They seemed to increase around the time of a public service announcement. It was also noted that the office's toll-free number will need to go into next year's Washington State listings in the telephone book.

Mr. Gilliland reported that the quarterly newsletter will be printed next week, and he stated that the Network Program's first "letter" to participants was sent out.

He said Jenifer Howell will be a new representative for the office's subcontractor, Triangle Associates.

Mr. Gilliland stated that no new unsolicited proposals for public involvement have been received.

RESOLUTIONS

Pat Tangora brought forward Resolution 87-10 for adoption by the Nuclear Waste Board, to forward to Congress. Ms. Tangora reported that the Resolution emphasizes amendments that need to be added into any revision to the Hazardous Materials Transportation Act.

The resolution noted that USDOT and other federal agencies need to develop stringent safety regulations for hazardous materials transportation. It also states that planning for and regulation of transportation of these fuels is necessary. The resolution stated that federal agencies (including USDOE) should abide by the same transportation safety laws and regulations required of commercial spent fuel shippers. The resolution stated that federal legislation should establish criteria for routing and transport mode selection through a cooperative process with states, tribes, and local governments; maintain the rights of these parties, and establish federal arbitration procedures to resolve interstate conflicts. The Council approved Resolution 87-10 as amended.

COMMITTEE REPORTS

Transportation Committee: Phyllis Clausen reported that the committee met October 15. A resolution for the Board to adopt was created.

Ms. Clausen reported that at the recent Western Interstate Energy Board's High-Level Waste Transportation committee meeting no consensus was reached on the specific legislation now before Congress that the whole Western Interstate Energy Board (WIEB) would want to support. The second part of the WIEB meeting involved emergency response training.

Pat Tangora (Office Staff) reported on the U.S. Department of Energy's

Transportation Coordination Group meeting. She noted that the slowdown of the entire Nuclear Waste Program while Congress decides what to do is expected to cause a slowdown in the cask design contracts.

Environmental Monitoring Committee

Council member Sam Reed reported that a team has been formed to evaluate the monitoring programs of Oregon, Washington, U.S. Department of Energy, and WPPSS. The team will submit its draft report in January and the final report in March.

Mr. Reed also reported that USDOE's intercontractors' working group met to reach conclusions on the Iodine 129 which was possibly traveling between aquifers at Hanford.

The state Department of Social and Health Services has developed an in-house task force to review the Iodine 129 situation. The task force will release a report soon. Mr. Reed said that findings from the draft task force report show there is no evidence that exposure levels at the present time constitute any health risks.

Joe Stohr (Office Staff) reported the State Department of Social and Health Services is still in the process of reviewing the question of aquifer contamination and how it relates to a repository's ability to isolate waste over a long-term period.

Mr. Reed also noted that the DSHS Quality Assurance Task Force would be meeting in Richland the week of December 14-18 to review monitoring programs. On December 18 the meeting will be open to the public when the task force presents its conclusions.

Socioeconomic Committee

Staff reported that the Socioeconomic Committee will meet on October 23.

Hanford Historical Documents Review Committee

The Hanford Historical Documents Review Committee will meet November 10 and 18, as reported by Joe Stohr.

Other Meetings

Linda Steinmann reported that the State Senate Energy Committee will hold a hearing to discuss radiation protection funding and other issues on October 19, at the Vancouver City Hall Council Chambers, from 9:30 a.m. until 12:30 p.m.

PUBLIC COMMENT

Rich Shepard, Pierce County Representative to the Washington State Libertarian Party Executive Committee, commented on Resolution 87-10. He said that states traditionally regulate transportation, including paying for regulation. He objected to the resolution because it requests federal government resources for enforcement of the safety standards. Mr. Shepard said state governments can retain control of the regulation if they are not tied to federal funds.

Russell Jim noted that because the state is eligible for funding under the Federal Emergency Management Agency, and the tribes are not eligible, that this change proposed by the resolution may affect the tribes.

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October 16, 1987

1:30 p.m.

EFSEC Hearings Room
Rowesix, Building #1
4224 Sixth Avenue S.E.
Lacey, Washington 98504

Board Members Present:

Warren A. Bishop, Chair
Senator Max Benitz
Curtis Eschels, EFSEC
Dr. William Funk, Water Research Center
Representative Shirley Hankins
Representative Louise Miller
Representative Dick Nelson
Senator Irving Newhouse
Representative Nancy Rust
Richard Watson, State Energy Office
Senator Al Williams

Board Designees/Alternate Designees Present:

Roger Stanley, Department of Ecology Designee
Terry Strong, DSHS Alternate Designee
Ray Lasmanis, DNR Designee

The October 16, 1987 Nuclear Waste Board meeting was called to order by Warren A. Bishop, Chair.

Introductory Remarks

Mr. Bishop acknowledged that Max Power was present at the afternoon meeting to represent Terry Husseman, Director for the Office of Nuclear Waste Management. He then announced the recent appointment of two new Advisory Council members. They are Aaron Katz (Seattle, WA) and Eugene A. Rosa (Pullman, WA).

Correspondence/Developments

Mr. Power briefed members on the following correspondence and recent developments:

- Hearings on *H.R.2888* (Representative Udall's moratorium bill) and *H.R.2967* (moratorium bill with special negotiator) were held on October 15-16, by the House Energy and Commerce Subcommittee on Energy and Power. Terry Husseman, on behalf of Governor Gardner, appeared before the Subcommittee to present testimony in support of legislation (*H.R.2888* and *H.R.2967*) that would bring the site selection process to a temporary halt and provide an opportunity for Congress to establish a mid-course correction.

Additional testimony was presented: (1) Ben Rusche, on behalf of the U.S. Department of Energy (USDOE), endorsed the Johnston-McClure bill for sequential characterization, *S.1668*; (2) Victor Stello, Staff Director for the Nuclear Regulatory Commission (NRC) did not oppose the Johnston-McClure bill yet noted serious concern over possible delays in the selection process; (3) Dan Smith, Texas Nuclear Waste Policy

Program, expressed support of the Udall moratorium approach; and (4) Bob Halstad, geologist and nuclear waste expert, on behalf of the state Wisconsin supported the moratorium approach.

Representative Udall had proposed a substitute of *H.R.2967* as a compromise to the earlier moratorium bills and the Johnston-McClure bill. The proposal would:

- establish a commission to review the nuclear waste program, while allowing USDOE to conduct all site-specific work (except the drilling of exploratory shafts) at the Washington, Nevada and Texas sites during the study period;
- prohibit USDOE from working on the second repository program until six months after the commission finished its six-month study; and unless directed otherwise by Congress, USDOE would have to ignore the list of semi-finalists for the second round repository and start over;
- would not change NWPA deadlines for the second round repository; and
- provide for a special negotiator to offer incentives to a host state or tribe.

The House Interior and Insular Affairs Subcommittee on Energy and Environment has re-scheduled its mark-up of *H.R.2967* for October 20.

On September 14, 1987 the NRC submitted its comments on the Johnston-McClure approach (*S.1668*)

for sequential characterization to the Nuclear Regulation Committee Subcommittee on Environment and Public Works.

- The quarterly USDOE/States/Tribes meeting was held in Dallas, Texas on October 1. During the meeting USDOE acknowledged its intent to enter into informal negotiations with affected states and local governments. The negotiations will center around PETT issues/concerns and are anticipated to begin within the next 2-3 months.

The subject of Site Characterization Plans (SCPs) was the next issue addressed. The USDOE revised its approach to releasing the SCPs as follows: (1) SCPs will be released simultaneously for all three candidate sites as consultation drafts in January 1988; (2) at the same time, draft MMPs for all three sites will be released; (3) consultation workshops with state/tribes/NRC will be held in January - March 1988; (4) prepare the SCPs with release date determined by the results of consultation period; (5) a formal NWPA process will follow with public review and hearings; and (6) prepare and release a comment response document.

Secretary Herrington had publicly announced that the Department will resume the second repository site-selection process from the point at which it had been suspended in May 1986. At the October 1 USDOE/states/tribes meeting, however, USDOE representatives denied any knowledge of this action.

- The U.S. Department of Energy, Richland Operation Office has approved funding requests involving

local government support and review rights of the socioeconomic impact study for Cowlitz/Wahkiakum Counties and Clark County.

Joe Stohr reported on the subject of iodine-129 present in the Hanford environment.

- To date, the Office has received over 630 iodine-129 documents from the U.S. Department of Energy. There are approximately 10 additional documents that are yet to be located and forwarded. All of the documents will be included in the pending review project aimed at assessing their significance to the siting of a deep geologic repository. A contractor is on board to review and incorporate the iodine-129 information into a digitized mapping data base and also make recommendations on future work that is deemed necessary. The recommendations will then be used as a guideline for the state's review of the SCP on the iodine issue. The iodine-129 documents will also be reviewed by legal staff to assess their pertinence to issues described in the Environmental Assessment (EA). In addition, the Department of Social and Health Services has also reviewed the iodine information and a report on health and environmental significance will be issued in the near future.

- USDOE had presented an option paper to the NRC, states, and Indian tribes during an April 1987 meeting on the geohydrology testing program for the Hanford site. The strategy report contained view graphs on issues, disqualifying conditions, parameters, evaluation criteria, and tests for the pre-exploratory shaft geohydrology program. An I-129

concentration of 10^{-8} picocurie per liter (pCi/L) had been given in the report as one of several criteria related to the presence of disqualifying conditions. Higher iodine values measured during pump testing was thought to suggest vertical groundwater communication that might indicate rapid groundwater travel.

On September 8, 1987, the Hydrology Section Site Group (BWIP) presented a draft proposal to change the iodine-129 concentration evaluation criterion given in the USDOE hydrology option report. The proposal recommended using a new value of equal to or less than 10^{-5} pCi/L for water discharged during the first pump tests. This value would be identified as the "likely background concentration" for iodine-129 and the previous value of 10^{-8} pCi/L would remain in the option report as the "best analytical sensitivity" for iodine-129 detection. The following conclusions were noted in the draft proposal:

- standard drilling and groundwater sampling procedures were not adequate to assure collection of sufficiently pure water samples;
- natural flow system interconnection and/or man-made mechanisms by which I-129 was introduced into the confined aquifers from Hanford waste water disposal operations were not fully understood;
- naturally occurring I-129 background levels in a basalt-groundwater environment were uncertain; and

- above groundwater levels of I-129 were already present in portions of the confined aquifers near the 200 Areas and had been introduced from past drilling operations when hundreds of thousands of gallons of mud and Columbia River water were lost into basalt flow tops.

USDOE has stated that a decision on the proposed iodine-129 concentration change would most likely be made after pre-ES drilling has commenced, but *prior* to drilling into the first confined aquifer.

Board discussion followed. Concern was noted in regard to changing the iodine-129 threshold at approximately the same time drilling and sampling was to begin in the pre-ES test program. Further information on the decision making process would be made available to the Board members.

Minutes

Mr. Bishop entertained a motion to approve the August 20, 1987 Nuclear Waste Board minutes. The motion was moved, seconded and carried. He then called for a second motion to approve the September 18, 1987 Nuclear Waste Board minutes. The motion was moved, seconded and carried. The minutes of both meetings were approved as written.

European Waste Management Tour

Legislative members of the Board had recently toured Europe to meet with European high-level waste managers. Each of the members were called upon to give a brief report.

Representative Nancy Rust stated the group's travels included countries such as Sweden, Germany and

France. The trip proved to be interesting in that the countries visited were all involved in the reprocessing of nuclear waste and that there was great amount of effort and money being spent on low-level waste. She noted that a site has been picked for high-level waste in Germany and that Switzerland was currently testing for such a site.

Senator Al Williams commented that European governments assume responsibility to both high-level and low-level waste, in contrast to the U.S. federal government assuming responsibility to only high-level waste; in terms of the process, both Germany and Sweden have shown a clear separation between scientific and political decisions.

Senator Max Benitz noted the European countries were ahead of the U.S. in their disposition of high-level nuclear wastes, however he felt they were putting too much emphasis on low-level wastes. He said that Germany will totally reprocess its nuclear wastes and stated that this is an issue the U.S. Government, nuclear industry, state legislators, etc. would have to decide upon in the near future.

Senator Irving Newhouse commented that he would like to learn more about the European countries' reprocessing and their decision not to commingle defense waste and industrial waste. He also acknowledged Germany's experiment using salt mines.

Representative Dick Nelson said that European countries appeared to be far more flexible in their ability to handle both technical and political issues. He felt the trip had been a

very beneficial experience in terms of being able to observe work being done in Europe that may be repeated in the U.S. as we look at our various geologies during site characterization.

Representative Shirley Hankins stated the tour had been enlightening in several ways. She commented on the large amount of money being spent on low-level waste and that she was inclined to believe this was partly due to obtain answers to solve high-level waste problems. Furthermore, she was greatly impressed with Germany's openness to share information on what had been learned thus far. Representative Hankins informed members that a West German representative might be traveling to the U.S. and recommended that he be a guest speaker to the Board and Advisory Council.

Representative Louise Miller commented that most of the information obtained about France's program had been obtained during an overview meeting. She noted that Sweden has a national policy in which they will attempt to cease using nuclear power by the year 2010. They have designed a ship to carry the spent fuel rods to the UK for reprocessing as they will not be reprocessing all of their fuel. She added that Germany has an additional category for nuclear waste known as an "intermediate level".

In conclusion to the discussion it was acknowledged that various printed materials brought back were available for circulation to those who were interested.

GAO Report

John Ridgway presented a slide show of graphs and a summarization of the GAO report, *Nuclear Waste: Information on Cost Growth in Site Characterization Cost Estimates*.

The GAO fact sheet contained information on USDOE's cost estimates for characterization of three sites that were under consideration for the permanent disposal of high-level nuclear waste. In 1981 USDOE estimated that site characterization for all three sites would cost \$180 million to \$240 million. In 1984, after enactment of the Nuclear Waste Policy Act (NWPA) cost estimates increased 10-fold to \$2.2 billion (1983 dollars). The cost estimates from 1984 through 1986 remained relatively stable. However, in 1987, cost estimates for exploratory shaft activities reached \$4.8 billion (1986 dollars). When the effects of future inflation are considered and the estimates are adjusted to year-of-expenditure dollars, the cost for site characterization are about \$5.8 billion for the three sites, including as much as \$2.4 billion at the Hanford site. (USDOE has noted that its most recent site characterization cost estimates were developed for use in the fiscal year 1989 budget, and as such, have not yet been finalized or released outside the Department.)

Several high-cost activities were introduced into the site characterization phase after the enactment of the NWPA and identified as: (1) exploratory shaft activities that take in the requirement of a second shaft at each of the three sites, changes to larger diameter shafts, and additional drift (cost estimates

reached \$516 million in 1986); (2) technical site testing that consist of studies concerning the geology, hydrology, and geochemistry of the proposed sites (in 1986 estimates increased to over \$550 million); (3) development of a site characterization quality assurance program; and (4) grants to states and affected Indian tribes.

Hanford's largest single increase in costs are contained in the "repository" category. Estimated costs went from \$149.5 million to \$479.6 million during 1986-1987, showing a 221% increase. The "site" category is projected to increase by \$115.3 million (74%). "Systems" and "project management" cost estimates went from \$61.4 million (140%) and \$69.5 million (156 %), respectively. The projected increase for Hanford is \$833.8 million (110%) and is the largest total increase projected for any site.

Representative Nelson inquired as to what specific costs had been included in the "repository" category. Mr. Ridgway responded that the report did not address this issue specifically and that several of the compliance regulations were categorized under "regulatory" and "institutional" costs. Representative Nelson requested that a clear definition of the cost categories be obtained. He questioned the fact as to whether or not the estimates might have been inflated for political reasons. Mr. Ridgway stated that GAO's report clarified the estimates were based on the budget submitted by USDOE and the offices at each site. Further verification of the cost estimates was requested by the Board.

Representative Hankins asked if part of the increased costs for Hanford were contributed to staff already on board.

Mr. Ridgway said there was no reference to number of persons employed or the pay level received. She requested further information on this issue.

Hazardous Materials Transportation Act

Pat Tangora reported that several nuclear waste transportation issues were before Congress. One such issue was the Hazardous Materials Transportation Act of 1974 (HMTA), which authorized USDOT to regulate hazardous materials shippers and carriers. It was currently being considered for reauthorization. She proceeded to outline USDOT's proposed HMTA authorization bill to the Board members.

Mr. Bishop informed members that the Transportation Committee had prepared a draft resolution for the Board's review. It applauded Congress' efforts to address nuclear waste and hazardous materials transportation issues and encouraged passage of comprehensive and consistent legislation to ensure public safety.

The resolution was brought before the Board for consideration as recommended by the Advisory Council. Discussion followed. The second "resolved" was eliminated and the third "resolved" was renumbered accordingly. A motion was made to adopt Resolution 87-10, as amended. The motion was moved, seconded and carried. (See attached Resolution 87-10)

Litigation Status

On October 1, 1987, the Secretary of Energy filed a motion to dismiss for mootness, accompanied by Ben Rusche's declaration to resume the site-specific activities for the second repository program as of October 1. The Court had

been asked to consider this motion on October 9, 1987.

Narda Pierce reported the state of Washington presented oral argument on October 9, 1987, in challenge to the suspension of a second repository. The state submitted a declaration, by Linda Steinmann, in reference to the October 1 resumption of site specific activities. Currently, the case is under advisement by the Court and a decision had not yet been issued.

On September 30, 1987, petitioners (Washington, Oregon, the Yakima Indian Nation, the Sierra Club, and the Clark County PUD No.1) moved for a stay of site characterization at Hanford. This motion was based on the invalidation of EPA standards, as vacated by the First Circuit Court of Appeals.

On September 17, 1987, the Ninth Circuit issued an opinion concluding that judicial review is not a state review activity which is required to be funded from the Nuclear Waste Fund. On September 30, 1987, Washington has joined with Nevada, Mississippi, Utah and Wisconsin in a petition for rehearing.

Committee Reports

Transportation Committee: (Refer to "Hazardous Materials Transportation Act".)

Environmental Monitoring Committee: Terry Strong stated the committee met on October 9. The DSHS Quality Assurance Task Force working with the committee has appointed a group of three national experts to evaluation Washington, Oregon, USDOE, the Washington Public Power Supply System, and the three affected Indian tribes environmental monitoring programs. The group will meet with the committee in Richland on

December 14, 1987 to begin Phase 1 of the evaluation program. He requested that an article be published in the next Nuclear Waste Board's newsletter in reference to this issue.

The DSHS iodine-129 Task Force completed its investigation into I-129 at Hanford. A dose assessment has indicated there are no adverse health effects expected from exposure to I-129 to the environment, however additional environmental sampling is needed to further assure the public and help complete an adequate baseline. The finalized report will be distributed in early November.

Socioeconomic Committee: Curtis Eschels reported the committee will meet on October 23. He emphasized two major points of the committee's recent activities: (1) continuing efforts are being made with the the Mid-Columbia Consortium to acquire resources necessary for obtaining local perspective on socioeconomic and PETT issues; and (2) the research design for the Socioeconomic Impact Study is in draft form and has been circulated for comments by October 23, 1987.

Debbie Sturdevant of the Intergovernmental Resource Center was present to express appreciation to the committee for its efforts in obtaining grant approval for the Clark and Skamania counties in Southwest Washington. She reported that the IRC recently completed its review of the draft research design and distributed comments to local agencies and public officials in the area.

Hanford Historical Documents Review Committee: The HHDRC is in the process of finalizing the membership of the Technical Steering Panel (TSP). The panel was to be composed of nationally recognized experts that will be responsible for the project to reconstruct past

radiation exposures. Mr. Eschels stated that the study was expected to begin during the first part of 1988. The HHDRC is also working closely with the CDC to initiate the health study feasibility review and will meet with Dr. Rutenber in mid-November for a planning session on the project.

Washington Institute for Public Policy

Dan Silver presented an update of WIPP activities:

- a publication of the legislators' reflections on their recent European tour will be made available in the next few weeks;
- the Institute has re-scheduled the legislators conference (NWPAA and future of the nuclear waste industry) for December 1, 1987;
- a final report on the Socioeconomic research design will be presented to the committee next week;
- the Tri-Cities area tour for legislators has been re-scheduled for November 15-17.

Other Business

None.

Public Comment

None.

Adjournment

There being no further business, the October 16, 1987 Nuclear Waste Board meeting was adjourned.

WASHINGTON STATE NUCLEAR WASTE BOARD

RESOLUTION 87-10

October 16, 1987

WHEREAS, the Washington State Nuclear Waste Board has been established by the state legislature to oversee and advise the governor on nuclear waste policy issues; and

WHEREAS, Hanford, Washington, is one of three sites under active consideration for a high-level radioactive waste repository; and

WHEREAS, disposal of defense wastes now stored and generated at Hanford will significantly increase high-level waste transportation through the Northwest (even if Hanford is not selected for a repository); and

WHEREAS, the Congressional Office of Technology Assessment, during its review of hazardous and radioactive material transportation, found that "Because state and local jurisdictions feel federal regulations do not provide adequate safety, they have passed additional regulations to control risks. The resulting regulatory patchwork complicates enforcement and is burdensome to industry"; and

WHEREAS, Section 9 of the Nuclear Waste Policy Act states that "nothing in this Act shall be construed to affect federal, state or local laws pertaining to the transportation of spent fuel and high-level radioactive waste"; and

WHEREAS, Congress is now considering various bills, including amendments to the Hazardous Materials Transportation Act of 1974, that would alter the existing federal and state regulatory system affecting spent fuel and high-level waste transportation;

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

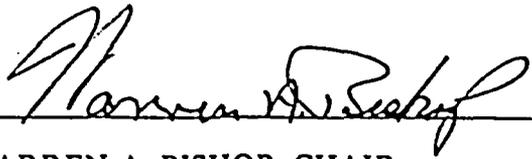
1. Applauds Congress' efforts to address nuclear waste and hazardous materials transportation issues and encourages passage of comprehensive and consistent legislation to ensure public safety;

2. Recommends that comprehensive legislation should:

- * Require USDOT and other federal agencies to develop stringent safety regulations for hazardous materials transportation in order to enhance public safety and confidence, and to require and provide adequate resources for the enforcement of these regulations;
- * Integrate planning for and regulation of spent fuel/high-level radioactive waste transportation within the overall framework of hazardous materials transportation;
- * Require federal agencies, including USDOE, to abide by the same transportation safety laws and regulations required of commercial spent fuel shippers;
- * Clearly uphold state and tribal authority to inspect and enforce, fund safety programs through fees, and oversee emergency response and cleanup;
- * Provide adequate federal support for state, local, and tribal governments to respond to hazardous and radioactive transportation accidents and require that federal regulations affecting emergency responders, such as placarding and shipping paper requirements, be revised after consultation with these responsible authorities.
- * Establish federal criteria for routing and transport mode selection through a cooperative process with states, tribes and local governments; maintain the rights of states and tribes to designate routes in accordance with these criteria, and establish federal arbitration procedures to resolve interstate conflicts;

3. Directs the Chair to transmit the Resolution to the Congressional delegation and appropriate Congressional committees.

Approved at Olympia this 16th day of October, 1987.



WARREN A. BISHOP, CHAIR
NUCLEAR WASTE BOARD

ANDREA BEATTY RINKER
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 459-6000

NUCLEAR WASTE ADVISORY COUNCIL

November 19, 1987
1:00 p.m.
EFSEC Hearing Room
Lacey, Washington

AGENDA

1:00 Introductory Remarks

Warren Bishop

1:10 Correspondence and Recent Developments

Terry Husseman

The Nuclear Waste Board and Nuclear Waste Advisory Council Joint Informational Meeting, a panel discussion on Monitored Retrievable Storage, is scheduled to begin at 2:00 p.m., November 19.

The Nuclear Waste Advisory Council welcomes and encourages public participation during the monthly meetings. The Chairman will invite public comment at various points during the meeting. In addition, if there are specific agenda items which you wish to comment upon please sign the sheet on the back table and you will be invited to comment when the Council reaches that agenda item.

WARREN A. BISHOP
Chair



STATE OF WASHINGTON
NUCLEAR WASTE BOARD

Mail Stop PV-11 • Olympia, Washington 98504 • (206) 459-6670

NUCLEAR WASTE BOARD/NUCLEAR WASTE ADVISORY COUNCIL
JOINT INFORMATIONAL MEETING
MONITORED RETRIEVABLE STORAGE

November 19, 1987
2:00 p.m.
EFSEC Hearing Room
Lacey, Washington

AGENDA

2:00 Panel Discussion on Monitored Retrievable Storage

Panelists

USDOE Proposal for Monitored Retrievable Storage (MRS)

Mr. Jim Carlson,
USDOE Headquarters

At-Reactor Dry Cask Storage

Mr. Thomas Snow,
Virginia Power

State of Tennessee Concerns Regarding the
USDOE MRS Proposal

Dr. William Colglazier,
University of Tennessee

Tribal Concerns Regarding High-Level
Nuclear Waste Transportation

Mr. William Burke,
Confederated Tribes of the
Umatilla Indian Reservation

5:00 Adjourn

The Nuclear Waste Board and Nuclear Waste Advisory Council welcomes and encourages public participation during meetings. The Chairman will invite public comment at various points during the meeting. In addition, if there are specific agenda items which you wish to comment upon please sign the sheet on the back table and you will be invited to comment during discussion of that agenda item.

ANDREA BEATTY RINKER
Director



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DEPARTMENT OF ECOLOGY

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NUCLEAR WASTE ADVISORY COUNCIL

A G E N D A

Regular Meeting
November 20, 1987
9:00 a.m.

EFSEC Hearings Room
Lacey, Washington

- | | |
|---|---------------------------------|
| 1. Introductory Remarks | Warren Bishop, Chair |
| 2. Litigation Report | Narda Pierce |
| 3. Discussion of strategy for SCP technical review | Don Provost |
| 4. Discussion of public involvement strategies for SCP review | Jerry Gilliland |
| 5. Public Involvement Report | Jerry Gilliland
Marta Wilder |
| 6. Committee Assignments | Warren Bishop |
| 7. Committee Reports | Committee Chairs |
| 8. Other Business | |
| 9. Public Comment | |
| 10. Adjourn | |

Please Note: The Nuclear Waste Advisory Council will hold a meeting at 1:00 p.m., November 19, to review recent developments. A joint Board and Council information meeting on Monitored Retrievable Storage will be held from 2:00 p.m. until 5:00 p.m., November 19. Both meetings will be at the EFSEC Hearings Room (see above for address).

The Nuclear Waste Advisory Council welcomes and encourages public participation at its monthly meetings. The Chairman will invite public comment at various points during the meeting. In addition, if there are specific agenda items which you wish to comment upon please sign the sheet on the back table and you will be invited to comment when the Council reaches that agenda item.

WARREN A. BISHOP
Chair



STATE OF WASHINGTON
NUCLEAR WASTE BOARD

Mail Stop PV-11 • Olympia, Washington 98504 • (206) 459-6670

NUCLEAR WASTE BOARD

Regular Meeting

November 20, 1987

1:30 p.m.

**EFSEC Hearings Room
Lacey, Washington**

AGENDA

1. Introductory Remarks Warren Bishop
2. Approval of October 16, 1987 Minutes
3. Correspondence/Recent Developments Terry Husseman
4. Report on Status of BWIP Cultural Resources Program Russell Jim,
Yakima Indian Nation
Robert G. Whitlam,
State Historic Preservation Office
5. Consultative Draft Site Characterization Plan (SCP) Don Provost
 - a. Technical review priorities
 - b. Workshop and meeting approach
6. Iodine-129 Status USDOE
 - a. Data collection plans
 - b. Procedure for changing criteria
7. Federal Legislation Status Terry Husseman
8. Litigation Status Narda Pierce
9. Richland USDOE Report Max Powell
10. Committee Reports Committee Chairs
11. Washington Institute for Public Policy Dan Silver
12. Local Government Reports
13. Other Business
14. Public Comment
15. Adjourn

The Nuclear Waste Board welcomes and encourages public participation during the monthly meetings. The Chairman will invite public comment at various points during the meeting. In addition, if there are specific agenda items which you wish to comment upon please sign the sheet on the back table and you will be invited to comment when the Board reaches that agenda item.