

MINUTES OF WASHINGTON NUCLEAR WASTE ADVISORY COUNCIL AND  
OREGON ADVISORY COMMITTEE SPECIAL JOINT MEETING

July 17, 1986

9:30 a.m.

Red Lion Inn at the Quay  
Expo Room

100 Foot of Columbia Street  
Vancouver, Washington

Members Present:

Washington Advisory Council:

Warren A. Bishop, Chair  
Harry A. Batson  
Pam Behring  
Philip Bercano  
Phyllis Clausen  
Nancy Hovis  
Russell Jim  
Estella B. Leopold  
Valoria Loveland  
Sam Reed  
Robert Rose  
William H. Sebero  
Betty Shreve  
Jim Worthington

Oregon Advisory Committee:

Dan Saltzman, Vice-Chair  
Dick Belsey  
Tom Donoca  
Joan Dukes  
Michael Eyer  
Norma Jean Germond  
Peter Green  
Edith Henningsgaard  
Curt Keedy  
Ray Paris  
Ralph Patt  
Mark Sussman  
Tom Walt

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Mr. Bishop noted that the two Advisory bodies were seated in a mixed fashion so the members could get better acquainted. He called on each individual to identify and give a brief summary of his or her background. Mr. Bishop stated that this would be a good opportunity for the members, as well as the public, to obtain more information about the panel members. He went on to introduce Mr. Saltzman, the Vice-Chair of the Oregon Advisory Committee, and called on Mr. Saltzman to make a few remarks.

Mr. Saltzman marked this as a historic meeting and noted that it was particularly appropriate that the meeting was being held near the Columbia River. He stated that it was the river that divides Washington and Oregon, and is the basis of concern over the potential impacts that unites the two states. He stated his appreciation that the two bodies could meet and hoped that it would be the first of many. Mr. Saltzman expressed the need to keep the lines of communication open, and that over time the citizens of both Washington and Oregon will need to act collectively on the repository issue and ensure that the Congressional delegations also put up a united front.

The Oregon Hanford Advisory Committee represents citizen groups, utilities, business, labor and local elected officials. The mission of the committee is to advise the state's interagency technical group on the issues of public concern with respect to Hanford, particularly the cleanup of military wastes and the potential siting of a repository. The other purpose of the committee is to assist in the public outreach and development of a

WM Record File

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WM Project 10

Docket No.

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From: Dept. of Ecology  
Olympia, WA

public information program. He referred to the U.S. Department of Energy's public hearing in Portland, and said that this was a prime example of the citizens' interest in the cleanup of defense wastes, and that the concern has only been tapped and will most certainly grow over time.

Mr. Bishop stated that Washington has two panels that oversee the USDOE's study of Hanford. He said that both are statutory bodies. The Nuclear Waste Board is the policy board for Washington, and has fifteen members. The Board consists of eight Legislators, four from each House and political party, five agency directors, the director of the Water Research Center and a citizen Chair. The Chair of the Nuclear Waste Board is also Chair for the Advisory Council. Mr. Bishop reported that the Nuclear Waste Advisory Council is a citizens group which also has fifteen members. The members of the Council are appointed by the Governor of Washington, for three-year terms, from areas throughout the state. The Council's role is to advise the Board on all matters related to the nuclear waste repository program, with the prime responsibility to provide outreach for public involvement. Mr. Bishop then requested the Washington Advisory Council members introduce themselves and give a brief summary of their background. Staff members of the Office of Nuclear Waste Management from Washington State also introduced themselves. Mr. Bishop acknowledged the presence of Vancouver Mayor Brice Sytle's representative, Ms. Julie Fisher.

Ms. Fisher read a letter from Mayor Sytle directed to the Washington Nuclear Waste Advisory Council and the Oregon Advisory Committee. In the letter, Mayor Sytle commended the advisory bodies on their efforts to join together to deal with an issue of mutual interest to the citizens of both states. The Vancouver City Council felt that the nuclear waste repository siting process decision is of paramount importance and that the final decision should be based on sound technical data, not political expediency. She continued that the Vancouver City Council has gone on record as opposing Hanford for a storage site until the geologic and technological concerns are addressed to the satisfaction and assurance of the residents of the city of Vancouver and the greater Columbia River region. The statement referred to an attached letter written to the U.S. Department of Energy in March, 1985. Ms. Fisher then read from the letter which expressed the reliance of the city of Vancouver on the Columbia River to supply water to the urban area of Clark County, of approximately 100,000 people. She stated that the city fully relies on groundwater as a supply source for Vancouver's municipal system. The major part of the water source and the strongest well fields receive a significant recharge effect from the Columbia River. Any contamination of the river water would have disastrous effects on the entire urban area of Clark County. Mayor Sytle's letter continued, saying the Columbia River is also viewed as a major recreational resource and currently three parks are located on the river. Contamination of the river would have obvious detrimental effects on the recreational capabilities of those parks. The issue is complex and requires a great deal of analysis in order to reach a responsible decision. The people must ultimately rely on the technical analysis performed by experts. The Vancouver City Council urged the USDOE to conduct a thorough study of the potential impacts on the Columbia River before final decisions are made. The final decision should be made on sound technical data and not on political expediency, especially since Hanford is an existing disposal site. The City Council also urged that the final plan require the recycling of dangerous materials to the maximum extent possible, thereby minimizing the amount of material which will have to be stored for extended periods. The Vancouver City Council opposes the designation of Hanford as a permanent site for the storage of nuclear waste until the geologic and technological

questions are satisfactorily answered. The City Council took the position that a quick political decision is not in the best interest of the residents of the City of Vancouver and Clark County. Mr. Bishop requested that copies of the letters to be given to staff members.

Mr. Bishop also acknowledged Representative Ray Isaacson's presence.

Mr. Bishop announced that the first item on the agenda was to be a review and briefing on the critical issues by Mr. Husseman and Ms. Mary Lou Blazek of Washington and Oregon, respectively. Mr. Bishop called on Mr. Husseman to give the Washington report.

Mr. Husseman highlighted what actions have been taken, and proposed actions to be taken by the state of Washington Nuclear Waste Board and the Governor of Washington, since the release of the Final Environmental Assessment on May 28, 1986. Mr. Husseman reported that on May 28, 1986, the U.S. Department of Energy announced the selection of the three finalists for site characterization and the "indefinite postponement" of the second round site selection process. The state, Board, and Governor contend that the postponement of the second round repository is a direct violation of the Nuclear Waste Policy Act, which requires that USDOE carry out that process, and leave the decision to Congress whether a second repository will be needed. Immediately following the release of the EA, Governor Gardner and the Nuclear Waste Board requested the State Attorney General to commence litigation. Three lawsuits have been filed by the state of Washington and another is likely to be filed within the next two weeks. Mr. Husseman continued, reporting that the Governor announced that although he felt the state has a strong case in the courts and will prevail, rather than wait until the end of litigation, which could possibly go on for years, that the state begin to find a solution. He said that everyone agrees that high-level nuclear waste needs to be disposed of, but the problem is that the U.S. Department of Energy is leading the way, yet currently verging on total collapse because of the actions they have taken. The Governor made a proposal shortly after the May 28th announcement by USDOE. The proposal basically is broken down into five steps. The first step would be to immediately bring the site selection process to a halt. The restructure of the site selection process would be along the following lines: allow scientists into the decision-making process directly and in a significant way. That is, bring independent scientists into the studies and allow them to make scientific decisions rather than having the decision be made on a political basis. Secondly, combine the first and second rounds and conduct a nationwide search for the safest repository. This would include the granite sites in the East, where 85 percent of the waste is generated, rather than limiting the sites to locations in the West. The third element of the Governor's proposal is to eliminate the statutory deadlines which are within the Nuclear Waste Policy Act. Mr. Husseman reported that once the process is restructured according to this proposal, the process would restart and the search for a repository could resume. Parallel to the implementation of the proposal, the Governor suggested that the state do an independent study as to the need for a second repository. The final step in the Governor's proposal would authorize and construct a Monitored Retrievable Storage (MRS) facility so that there will be a means of temporarily storing the high-level waste which is currently accumulating at the reactor sites.

Mr. Husseman said that Governor Gardner's proposal has been presented to Congress, in testimony by the Governor to the Subcommittee chaired by Senator Dominici from New Mexico, and is currently in the final stages of drafting.

There is a bill which will be introduced shortly by Congressman Swift, from Northwest Washington, and Congressman Morrison, whose district includes the Hanford site. Mr. Husseman said he expected the bill to be co-sponsored by many other congressmen in addition to Swift and Morrison.

In another related issue, Mr. Husseman reported that recently the House Appropriations Committee dealt with the U.S. Department of Energy's budget. The action the House committee followed was to fully fund the first round repository process, provide no funding for the MRS facility and provide no funding for site specific work for the second round, but they funded generic work for the second round sites. He said that this followed exactly the basic proposal of the USDOE when they indefinitely postponed the second round site. If such an appropriation should go through both Houses and be the final enactment of Congress, Mr. Husseman stated, in effect USDOE would claim that their position had been ratified. The state of Washington intends to work very closely in the House and Senate to bring the two rounds into agreement by zeroing out site specific work for the first round. This would bring the process to a halt, and would give Congress enough time to review the Nuclear Waste Policy Act and the process. Mr. Husseman stated that this was receiving good support in Congress with many key senators and congressmen. He said that Congressman Morris Udall, who was the key figure in the House when this Act was passed, has written a strongly worded letter to USDOE saying that they had no authority to indefinitely postpone the second round sites. In his letter, Congressman Udall also told USDOE to return to Congress with a proposed amendment to the NWPA, or to restart the second round.

Mr. Husseman stated that by working closely in Congress through the appropriations process, this will be the ideal approach to stop the process long enough to straighten things out, if that can be done.

A issue of importance is a recent letter from Congressman Markey and Swift sent to John Herrington, the Secretary of Energy. The basis of the letter was that several months ago, the Subcommittee on Energy and Power, chaired by Congressman Markey, requested that the Department of Energy provide the committee with all documents related to the site selection decision. The Subcommittee on Energy and Power is an oversight committee on the entire site selection process and has regular meetings to find out how the process is developing. Following the May 28th decision, Secretary Herrington responded to the request from the committee concerning the request for the documents by saying that they had no documents related to the decision. In the letter, the committee resubmitted questions, demanded responses and wrote that if satisfactory answers are not received they will require the key USDOE officials to go before the committee and provide sworn testimony.

Mr. Husseman said that the action of Congressman Markey and Swift is key to the litigation issue in the state of Washington. Mr. Husseman continued, stating that throughout the decision-making process it has been clear to all parties that the state has considered the ranking methodology and the application of the ranking methodology to be the key step in the entire process. The state has tried to be involved in that process, but has not been able to do so. The USDOE did submit the ranking methodology to the National Academy of Sciences, but only to the extent of reviewing the appropriateness of the methodology, not as to the full application or the final recommendations. Mr. Husseman stated that in order to properly litigate the issue, the state must be able to have documentation as to what in fact took place as USDOE went through the decision process. If, in

fact, the documents have been destroyed, clearly the state will argue that when a party destroys evidence they know would be relevant to a decision, it would be presumed that the evidence would have been detrimental to their own case. The Attorney General's office is reviewing this and is confident that the rule of law would prevail.

Mr. Saltzman followed Mr. Husseman's statements by saying that approximately two weeks ago a congressman from Oregon and Congressman Norm Dicks tried to zero out funds in the House Appropriations Committee for the first round search, but were unsuccessful in that endeavor. However, Mr. Saltzman said, they are determined to pursue it either on the House floor or in Senator Hatfield's appropriations committee.

Mr. Saltzman then introduced Ms. Mary Lou Blazek, Oregon's Hanford Coordinator, to provide an update on Oregon's significant activities.

Ms. Blazek reported that Oregon has been active within the last two months on similar issues to Washington's, following the May 28th release of the EA. Specifically, on June 3rd Governor Atiyeh announced his intent to take legal action on USDOE's decision to recommend the Hanford site for characterization. On June 27th the state of Oregon filed the first of two legal challenges to the Hanford selection. The Attorney General will seek judicial review of the guidelines which lead to the final selection. In addition, the manner in which Hanford was re-ranked from the last among five to one of the final three will be challenged, Ms. Blazek reported. Governor Atiyeh met with Mr. Ben Rusche in Washington, D.C. on June 17th. The Governor requested direct USDOE funding for Oregon. Mr. Rusche assured the Governor that an agreement on funding would be reached by mid-August.

Ms. Blazek continued, reporting that Congressman Wyden initiated a letter to Mr. Rusche indicating support for Oregon's direct funding request. The letter was signed by all Oregon members of the House of Representatives. The USDOE grant request would allow the Oregon effort to increase from approximately four employees to seven. The increased funding would also allow for expansion of the following: advisory activity support, public information, legal support, socioeconomic impacts review, structural geology review, and support from Oregon State University on waste form transportation issues.

Ms. Blazek reported on the legislative actions the state of Oregon was aware of at the present time from the Oregon Congressional delegation. She said Congressman Weaver and AuCoin have introduced a new bill, H.R. 5148, which is an amendment to the Nuclear Waste Policy Act of 1982. The bill would provide Oregon with the same rights as Washington for site selection review and the approval process. The bill would also nullify the President's May 28th decision and require a new recommendation by January 1987. The rock diversity guideline in the NWPA would be deleted. She continued, reporting that if the second repository is not deemed necessary by January, 1987, USDOE's recommendation of three sites would be delayed for two years, and USDOE would choose from a minimum of seven sites, including two crystalline sites. The legislation would also require USDOE to prepare an environmental impact statement prior to site characterization. The committee chairman, Morris Udall, is to hold hearings on the Weaver/AuCoin bill in the near future. Ms. Blazek stated that in addition to H.R. 5148, three amendments to the energy and water appropriations bill will be initiated soon. Congressman Weaver's bill will deny funding for the N-Reactor. Congressman Morrison's bill will request that more funds be diverted to the second repository and the MRS be refunded. She stated that the Environmental Compliance Bill, which would place the EPA as the oversight agency for repository related activities, is still pending.

Mr. Bishop acknowledged that Ms. Blazek and Ms. Clausen were responsible for most of the organizational tasks of arranging the joint meeting and expressed his appreciation to them. Ms. Blazek also expressed her appreciation to the Office staff.

Mr. Bishop stated that the next order of business would be to accept a comment from Congressman Bonker, represented by Mr. Jeff Ash, staff assistant. In his comments, Congressman Bonker stated that the decision of USDOE seemed to be based more on politics than on science. He stated that confidence in USDOE has been so badly damaged that strong corrective steps are needed to get them back on track. Congressman Bonker expressed his support of Governor Gardner's recommendations that: USDOE temporarily halt the selection process, extend the deadlines in the NWP, have independent experts oversee the site selection process, reinstate the characterization selection and review the need for a second repository. He also said in his statement that a monitored retrievable storage facility is essential for safe storage of nuclear waste until a final solution is in place. In addition, research into promising alternatives to deep geologic disposal, such as subseabed disposal, should be stepped up, rather than cut back. There is an obligation to future generations to base the decisions on technical merit, not that of politics.

Mr. Bishop offered the opportunity for the public to comment.

Representative Ray Isaacson presented a paper to the Office staff and read a portion of it to the panel. In his statement, Representative Isaacson referred to the compliments paid to the U.S. Department of Energy by the National Academy of Sciences (NAS) in relation to their study of USDOE's decision-aiding methodology. He said that the NAS found the methodology represented the state-of-the-art and was adequate and appropriate for the purpose. He inquired about the real motives behind those who question the USDOE's credibility and said that these people's credibility must also be questioned. Representative Isaacson then requested the panel to keep an open mind, review the scientific data whereupon USDOE made its decisions, understand the scientific opinions of the data and move on from that point.

Ms. Karen Gale-Valenzuela, a citizen, stated that she supported Governor Gardner's proposal, and in addition to the Governor's three points supported the idea of stopping the production of nuclear waste. She also voiced her concern regarding USDOE's lack of addressing the issue of transportation of military defense wastes in the DEIS, in terms of transporting across the highways and interstate, and the potential of accidents. She stated that if the Columbia River were to be further polluted by radioactive waste it would adversely affect agriculture, fishing, drinking water, commerce and human life. Ms. Gale-Valenzuela said the Department of Energy has not adequately addressed the alternative of simply stopping the production of nuclear waste.

Ms. Phyllis Hansen, another citizen, cited the example of Chernobyl, stating that there is no control over radiation. She commended the state upon the pending legislation. Ms. Hansen said that the commercial waste should remain in its place of origin, where people are benefiting from commercial nuclear energy.

Another citizen, Mr. John Pandrea, thanked the panel for allowing him and other citizens to speak out on the issue of nuclear waste. Mr. Pandrea addressed the issue of nuclear weapons and nuclear waste as a constant threat to the nearby population, first, and second to the world population. He stated that regardless of all the safeguards, the dangers are just too great. He said the nuclear wastes produced are impossible to deal with safely. Mr. Pandrea said that nuclear power plants should be shut down. The nuclear waste that now exists, he said, should be stored in a place where it will cause the least damage to the

environment. The waste should be moved to a safer geographic location, meaning one that is not geologically active (i.e. no volcanoes) or near a major waterway (such as the Columbia River), or near groundwater sources and/or near a population area. He said considering the contamination that has occurred thus far, it is irresponsible for USDOE to even consider placing more radioactive high-level nuclear waste at Hanford.

### Status of Litigation

Mr. Bishop called on Washington's Assistant Attorney General, Charlie Roe, to report on the current status of litigation. Mr. Roe reported that there are three basic areas of litigation in regard to the Nuclear Waste Policy Act, i.e. siting guidelines, decision of USDOE on May 28, 1986, and the states' entitlement to funds to carry out litigation. The litigation in regard to siting guidelines has been continuing for more than one year, beginning in December, 1984. Siting guidelines litigation began when the USDOE adopted the primary guidelines which they were to rely upon in making the site selections. Mr. Roe reported the states' had a 180-day period in which to challenge the USDOE on those guidelines. In March, 1985, the state of Washington filed a lawsuit against the guidelines, shortly after nine other states filed similar lawsuits. In the summer of 1985 the U.S. courts moved to dismiss the lawsuit on the grounds that the Ninth Circuit Court of Appeals did not have jurisdiction because of concepts of lack of finality with regard to the decision made by USDOE. The motion of dismissal is still pending. On June 2, 1986, the U.S. Court of Appeals held a status conference with more than twenty attorneys, in which two items of importance developed. The U.S. Court moved to transfer all the litigation that is currently in the Ninth Circuit Court of Appeals to the Washington, D.C. Court of Appeals. The state of Washington has until the end of July to oppose that transfer. The second item of importance is that even though Washington is one and one-half years into the litigation, and has not started the discovery phase, there have been motions filed to determine the state's entitlements on discovery with regard to that case.

Mr. Roe reported that following the May 28th decision by USDOE, the state of Washington filed lawsuits against the U.S. Department of Energy over nominations, recommendations, issuance of the Environmental Assessment, Presidential approval, preliminary determination of suitability and second round repository suspension. No action has been taken in the Ninth Circuit on the lawsuits. He said that six states--North Carolina, Virginia, New Hampshire, Maine, Wisconsin and Minnesota--and 21 utilities, all of which are located in the eastern part of the U.S., have moved to intervene. The Washington Attorney General's Office is currently conducting an in-depth evaluation of how the state believes the case should be reviewed, especially in the area of interim relief. In the petitions for review the state requested relief in two categories beyond declaring the actions by USDOE invalid: either stop the entire repository process pending the completion of the litigation, or that the second round repository process be reactivated. Washington is now in the process of developing strategies with regard to processing those interim relief remedies.

Mr. Saltzman introduced Mr. David Stewart-Smith to provide the panel with an update on the status of Oregon's litigation. Mr. Stewart-Smith stated that Oregon has filed two motions in the guidelines case which Mr. Roe mentioned earlier. A motion to expand the timeframe in which Oregon would be able to intervene and a motion to intervene were filed concurrently. No decisions have been made regarding these motions as yet. He stated that he served as the technical person on the litigation team. Other litigation which Oregon is working on, but has not filed as yet, is on the May 28th decision on site selection. Oregon did consider to filing earlier, but opted for strategic reasons, which are

important to them, to detail the reasons why they have significant and unique reasons for being concerned about the selection of Hanford. In cooperation with the attorney team in the Oregon Department of Justice, the Oregon Department of Energy staff will be working during the next several weeks compiling technical reasons that can be relied upon by the litigation team. Oregon expects to file the lawsuits within the next two months.

Mr. Bishop introduced Mr. Bruce Pickett from the Washington's Department of Social and Health Services to present a brief report on their monitoring of activities related to the Chernobyl nuclear incident. Mr. Pickett referred to the document compiled by the DSHS titled "DSHS Activities Relating to the Chernobyl Nuclear Accident". He stated that the document is divided into four main sections which cover an executive summary, chronology of events, lessons learned and figures. Mr. Pickett presented the figures with DSHS' data to the panel, and the state's long-term sampling plan. He explained that final copies would be sent to those who wished to receive them.

#### Defense Waste Draft Environmental Impact Statement

Ms. Paulette Yuro, a citizen, commented that nuclear waste is hazardous to peoples' future. She proposed that each state dispose of nuclear waste that they produce. Ms. Yuro said that she did not believe that all of the effects of nuclear waste were known and especially was concerned over the effects on future generations. She concluded by saying that she could not understand why the state is allowing the disposal of nuclear waste in Washington.

Dr. Brewer reported on the results in the technical analysis conducted by the contractor on the Defense Waste Draft Environmental Impact Statement. He said that the technical report was one portion of Washington's technical comments, which will be supplemented by reports by other state agencies and committees of the Nuclear Waste Board. Dr. Brewer explained that it was a fundamental portion of the state's comments in that it identifies sections of the DEIS the state questions for technical validity: six policy and six technical concerns. Mr. Brewer addressed two of the concerns. He referred to the references cited in the DEIS which supported the technical assertions, specifically Appendix B. In Appendix B, which refers to the mechanical recovery of single tank wastes, a potential bias effect was induced by describing very complex and risky machinery that would be necessary to recovery those wastes. He reported that it would take a long time and have a great risk of operator exposure. In cooperation with USDOE, the state intends to work with them to bring in other technologies which may be superior and less expensive, if this is the alternative chosen on defense wastes. Dr. Brewer went on to explain Appendix M, which deals with the effectiveness of the "engineered barriers". The engineered barriers would be required over any waste site regardless whether it is single shelled tanks or TRU sites. The intent is to keep the material in the ground. He stated that in communication with USDOE, they have said if the engineered barrier concept is not shown to be perfectly feasible and effective, the entire approach will be questionable of stabilizing wastes in place. During the reference checks, 20 substantive exceptions were raised. It is the belief that the technical literature cited did not fully support the assertions. Dr. Brewer stated that while it may prove possible to build an effective engineered barrier, mostly with soil and fine grain sediments, which will endure to 10,000 years, the validity of USDOE's approach has not been established in the DEIS.

Mr. Mark Schaffer, a technical consultant to Washington State from Converse Consultants, explained how the review of the DEIS technical concerns was done and evaluated a few of the conclusions for the benefit of the panel. Mr. Schaffer stated that the basic issue

addressed by the contractor was whether or not the DEIS assessed the performance and consequences of the various disposal alternatives in a reasonable, conservative manner. Mr. Schaffer reported that the review consisted of the following: evaluation of the references and the basic data cited in the DEIS, examination of the manner in which the data was combined in the analysis of the appendices, and review of the implications of the appendices as presented in the main document. He stated that it would not have been practical to recalculate the figures USDOE calculated. The preliminary draft report focused primarily on specific technical issues in the appendices, subject to changes. A modification will be a generalized summary of the overall conclusions. Mr. Schaffer said that major conclusion was that many of the assumptions related to the most probable release pathways were not conservative; therefore the adverse impacts of defense wastes on Hanford may be significantly underestimated in the DEIS. Another conclusion was that, contrary to the thrust of the DEIS, a conservative approach to defense waste disposal, based on present knowledge, would place minimum reliance on protective barriers and maximum reliance on geologic disposal. Mr. Schaffer reported that it was also concluded that contrary to the DEIS conclusion, it is believed that given reasonably conservative assumptions and analysis that neither the reference alternative nor the in-place stabilization alternative would meet the EPA containment standards.

Mr. Mike Alsworth, Manager for Reactor Safety from the Oregon Department of Energy, gave an update report on Oregon's position on the Draft EIS. Mr. Alsworth reported that the bulk of Oregon's response to USDOE consisted of comments from citizens and state agencies, and the Oregon Department of Energy. He said that the Oregon position paper states that the double-shelled tank wastes and the post 1970 plutonium wastes should be placed in the deep geologic repository. However, it is Oregon's position that more evaluation needs to be conducted for the disposal alternatives for wastes generated prior to 1970. This evaluation should study alternatives other than the engineered barrier and in-place stabilization, and should be completed within five years. He continued, saying that considering the length of time the defense wastes have already been stored as they are and the nature of the wastes, it would be considerably safer to allow those wastes to remain as they are another five years. He stated that another concern of Oregon's was handling of the hazardous wastes, which was not documented very well in the USDOE's DEIS. The state of Oregon intends to support Congressman Wyden's initiative to fund and make USDOE fully subject to federal requirements on hazardous wastes. Another issue of concern is the funding to finance the disposal of wastes. He stated that no plutonium production should occur unless funds are budgeted concurrently as the wastes are produced. Mr. Alsworth said that the final version of the Oregon comments will be completed within the next week and it will be provided to Washington. Mr. Alsworth said that following a discussion with Dr. Brewer, it was decided that Oregon's comments can be attached to Washington's comments as one document.

Mr. Bishop announced that public comments would be accepted at this time.

#### Public Involvement

Ms. Marta Wilder, Information Officer with Washington's Office of Nuclear Waste Management, reported on the Defense Waste public meetings and the future plans for the public involvement program. Ms. Wilder stated that Washington held five public meetings during June--in Kennewick, Yakima, Spokane, Vancouver and Seattle--to receive public comments on the Defense Waste DEIS. She said that a contractor, Hall & Associates, and the League of Women Voters assisted in conducting the meetings. The purpose of the meetings, Ms. Wilder stated, was to inform the public about USDOE's DEIS and to obtain

public comment on those issues. Approximately 850 people attended the five meetings; 115 presented verbal comments, and 92 submitted written comments and evaluations. Ms. Wilder reported that the major concerns addressed in the public comments were regarding environmental issues, the Basalt Waste Isolation Project and the siting of a repository at Hanford. The comments were numerous and often intense and emotional. There was significant support in the Tri-Cities area for nuclear waste disposal, but participants in the other areas of the state were almost unanimously against storing nuclear waste at Hanford. She said that the defense waste issue was confused with the commercial waste issue and not very well understood. However, many of the people had done a considerable amount of study and gave prepared statements. Others gave comments on the state presentation, or on emotional issues and a wide range of concerns about nuclear waste. Major concerns were also expressed on the decision-making process that is used in the selection of a repository and deciding what will be done with the defense wastes at Hanford. There was considerable distrust of the U.S. Department of Energy. Many of the people felt the decision has been made and that the public does not carry much weight in the decision. Ms. Wilder said the comments were prepared in a draft form and will be finalized within the next few weeks. She stated that copies would be sent to those who requested it.

Ms. Wilder reported that proposals were being reviewed from various contractors for assistance in expanding the public involvement program, such as developing additional video presentations, publications and outreach for Washingtonians. She mentioned the probability of adding staff to carry out expansion of the outreach program.

Mr. Alsworth stated that Oregon's workshops on the defense waste DEIS were in conjunction with the USDOE, but sponsored by the Oregon Hanford Advisory Committee. He said in general the workshops were fairly successful, although there is a need to provide information to attract the public to the meetings. Two main concerns were addressed at the workshops: USDOE credibility and the aspect of the location of the repository. Mr. Alsworth stated that although the turnout was small, the comments received from those who participated were numerous. He said the workshops were also successful, in the light that USDOE was present to give the people a better understanding of the DEIS. Oregon watched over the USDOE to assure that only information was given to the public. Another reason for having USDOE present was to allow people to express their frustrations and concerns. The data gathered from the workshops will be evaluated to find new and better ways to conduct future workshops to inform the public and maximize information received from them.

Another Oregon committee member viewed the Oregon workshops differently. He stated that the USDOE acted as though Oregon was not present at the workshops, which could have been perceived as a carry-over of their attitude towards the affected regions. He also said that USDOE, as well as the states, have not effectively translated the highly technical and complex issues into vehicles which are understandable by lay persons. He suggested materials should be developed to reach them and that, quite possibly, a larger fraction of people would become informed. He stated that practically and politically that is the goal. He said the decisions will only be affected by an informed populace.

Discussion continued on both the states' workshops, such as the comparison of the two different formats, improvements that could be made, publicity to increase the attendance figures, simplifying technical terms, and other suggestions were made by the panel members.

Mr. Bishop announced that public comment would be accepted at this point.

Ms. Kathryn Snook, a member of the League of Women Voters, addressed two questions to the panel. She inquired if both groups considered themselves adequately funded for the public involvement programs and if student involvement had been considered.

Mr. Victor Overstreet, a Washington State Advisory Council liaison, expressed his concerns on where the USDOE stands on the issues of nuclear waste, and what the basis is for that stand. Mr. Overstreet stated that the public must depend on people such as the panel members to give the public an honest evaluation of where the state stands on the nuclear waste issue. Another concern he expressed is that certain issues are kept secret from the citizens by groups with authority, such as the various federal agencies.

Mr. Alsworth stated that people cannot be forced to attend the workshops, nor speak only on a specific topic. He said that once things are laid out, we can only give them the information and if those people change the agenda, or voice emotional concerns, it is their prerogative and we need to honor that.

Ms. Betty Shreve responded to Ms. Snook's questions and expressed appreciation to her and all of the League of Women Voters for their assistance with the public meetings. Ms. Shreve explained that the Washington State Advisory Council is currently working on developing lesson plans for schools. Mr. Jim also emphasized the need for lesson plans to inform the younger generation on nuclear issues.

Mr. Bishop acknowledged Jim Mecca and Max Powell from the U.S. Department of Energy. He proceeded to introduce Jerry Parker, staff to the Nuclear Waste Board, to discuss the socioeconomic workshops.

Mr. Parker referred to the Nuclear Waste Policy Act's provision for payments equal to taxes for states and local governments affected by the site selection process. He reported that payments to the states will be proposed in a report prepared by the state describing social and economic impacts. The report would be used in the state's decision whether to exercise its disapproval rights under the NWPA. If the site is approved by the state, or if the state's disapproval is overruled by Congress, the impact statement would be used to determine what payments are due to the state. The report is due to the Secretary prior to the time when the recommendation is made to the President. The report will be a factor in the recommendation of the final site and will be balanced by a report prepared by the federal government in the federal environmental impact statement.

Mr. Parker reported that the Socioeconomic Committee has been working on the report for the past several months, scoping out the impact report which will be submitted to USDOE in approximately four years. He stated that it is very important that the impact report have credibility to the public, local governments, and courts, assuming the state's claims will lead to litigation. To ensure that the impact report addressed public concerns, workshops were conducted in April to receive public comment. The workshops were held in Vancouver, Seattle, Kennewick and Spokane. The idea was to receive raw public comments on what they were concerned about and what the state should review in its impact studies. People commented on all aspects of a nuclear waste repository. Mr. Parker said the document that categorizes the results was distributed to panel members. The themes were: the credibility of the repository program, potential health impacts, potential economic impacts from routine operation, the question of risk of accidents, uncertainty, loss of local control, and the potential for political and social polarization. Mr. Parker continued to summarize each of the seven themes. He stated that the Oregon Advisory Committee members were invited to attend the Socioeconomic Committee meetings, and it was

decided that Washington would not be the ones to speak for Oregon. Oregon will be conducting their own socioeconomic impact report with their new grant.

Mr. Bishop announced that there is a grant made in Washington to the legislative branch which has its own independent review staff. He then introduced Mr. Max Power from the Institute of Public Policy. Mr. Power explained that there is a grant under the Nuclear Waste Policy Act to the Washington State Legislature. The legislative leadership requested the Institute for Public Policy to carry out that role. Mr. Power stated that there are three reasons why the Legislature can profitably use a specially tuned program: the time frame of the Legislature, the limited funding of the Legislature and their unique role as intermediaries in their communities. The purpose of the Institute, Mr. Power stated was to make legislators competent spokespersons on the issue of nuclear waste management, resource people and leadership people for those who are located out of Olympia. The program provides a base level of information for the legislators in the form of newsletters, background papers and briefings. The Institute also assists in developing a basis of policy for the state in the long term.

Mr. Bishop referred to the appropriation measure, mentioned in the introductory remarks, which would discontinue the funding for site specific activities in the second round repository process. He said staff developed a proposed resolution regarding the appropriations measure. Mr. Bishop called on Mr. Reed to present it to the panel members.

Mr. Reed stated that it was understood that the Oregon committee wished to consider endorsing the resolution and recommending to the Washington Nuclear Waste Board adopting it.

Mr. Saltzman moved that the Oregon Hanford Advisory Committee unanimously support the resolution and requested that the Washington Nuclear Waste Board and Advisory Council make appropriate modifications, should the resolution be adopted, to include the Oregon committee as a supporter of the resolution. He also requested that the resolution be sent to members of the Oregon Congressional delegation. The motion was seconded and adopted.

Mr. Leonard Palmer, representing the Portland City Council and the Northwest Citizens Forum, stated that much more independent input is needed, and funding is also needed. He urged the panel members to seek independent input both from technical experts and from citizens. He expressed a hope that the Citizens Forum and the panel members could work together.

Mr. Bishop expressed, on behalf of the entire Council, appreciation for the opportunity to meet with the Oregon committee. He suggested that the Washington and Oregon bodies meet a minimum of once each quarter, or as often as possible. Mr. Saltzman concurred in Mr. Bishop's suggestion.

Mr. Roe referred to a letter addressed to Mr. John Herrington regarding availability or the destruction of certain documents dealing with NWPA. The litigation team in Washington, D.C. contacted the Department of Justice to determine if they would agree to an order, to be entered in the Ninth Circuit Court of Appeals, that would enjoin activity of the type if, in fact, it took place. If the Department of Justice is not agreeable, other options will be reviewed.

There being no further business, the meeting was adjourned.