

MINUTES OF NUCLEAR WASTE ADVISORY COUNCIL INFORMAL MEETING

July 16, 1986

6:00 p.m.

Red Lion Inn at the Quay
100 Foot of Columbia Street
Vancouver, Washington

WM DOCKET CONTROL
CENTER
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Council Members Present:

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

WM Record File

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WM Project 10

Docket No. _____

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From: Dept. of Ecology
Olympia, WA

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

Discussion of USDOE Siting Process

Terry Husseman, Director of the Office of Nuclear Waste Management, reviewed a letter from U.S. Department of Energy Secretary Herrington regarding the site selection process. Mr. Husseman explained that the Congressional Subcommittee on Energy and Conservation and Power to the Committee on Energy and Commerce is concerned and needs additional documentation regarding the siting process ranking Hanford as one of the top three sites, as opposed to its ranking in fifth place. Further discussion of this issue was referred to the regular Council meeting, July 17.

Funding of Proposals Received by the Council

The Council spent a considerable amount of time discussing three memos from Assistant Attorney General, Charlie Roe, which related to guidelines for funding certain proposals received by the Board and Council to support special activities. In summary, requirements listed included: the contracting agency must only use funds as appropriate under the law (Chapter 42.300 RCW); The Board may contract for projects, but can use only funds within the scope of the grant agreement with the USDOE; and there is nothing in the state statute authorizing a funding role for the state Attorney General. The contract with the state of Texas Department of Public Safety and a public group was discussed, and Mr. Roe said it was possible within the power or scope of the statute to allow the Nuclear Waste Board to do something similar. Mr. Roe said he would check on this first.

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Sam Reed asked if the Office of Nuclear Waste Management received money from the state legislature for litigation, and Mr. Roe responded that \$250,000 was provided by the state to fund litigation.

Alternative funding processes were reviewed, such as using personal service contracts. He said the Board has authority to contract with the Department of Ecology, since the Ecology Department has that role in statute.

Personal services contracts must undergo a 10-day review before the contract is in effect, according to Terry Husseman. He said that the state Office of Financial Management (OFM) and the Legislative Budget Committee (LBC) must review the proposed contracts, but if the contract is less than \$2,500 or is bid competitively, it does not have to be filed with OFM or the LBC.

Charlie Roe said that competitive bidding is the preferred method of the present administration. Three samples of competitive bidding were reviewed. There are also limits in federal and state funding of these contracts.

Role of the Board and Council in Contracting

Mr. Roe listed the following as the role of the Board and Council in contracting:

- The Council provides advice and recommendations to the Board.
- The Council cannot enter into a personal services contract.
- The Board can enter into contracts which are subject to constraints of the state and federal restrictions.
- The Board can enter into a personal services contract without going through the competitive bidding process, but this is under extraordinary circumstances.

Pam Behring asked if it were possible to contract with the Harvard School of Public Health to oversee the Centers for Disease Control epidemiology studies. Mr. Roe said that if it was inside the scope of the law, it was possible.

Further discussion included mention by Philip Bereano that competitive bidding versus personal contracts isn't the only problem with contracting; that perhaps, for example, the School of Public Health would be the only group qualified to do such a study.

It was recommended that the Council recommend to the Board proposals for consideration, and whether the proposal(s) is worth a competitive bid or personal services contract. Additional discussion involved what types of projects (such as studies or meetings) would be funded. Betty Shreve said definition of "studies" needed to be clarified.

A process to review proposals was discussed. Jim Worthington mentioned that the Public Involvement Committee would be the appropriate committee to review proposals. Warren Bishop said maybe other committees would be appropriate too. Mr. Bereano said that proposals have been coming to him because he called and asked the groups for proposals. However, he agreed it may be appropriate to send them to a committee. Sam Reed suggested developing an Ad Hoc Committee to review proposals.

Additional discussion included concern that groups with "opposing" views have a more difficult time getting money for their projects, and that the Advisory Council should not advocate any certain group. Phyllis Clausen proposed that the concept should be developed, and that the public should be encouraged and taught how to be more involved. She said that such encouragement and education in how to be involved in these processes would help the public to become more effective.

Mr. Bereano questioned how to rate and fund proposals. Mr. Reed asked if the proposals were clearly what the Council was interested in. Mr. Bereano said that several specific proposals were discussed, such as studying soil at Hanford, by the Hanford Education Action League. Other proposals Mr. Bereano received included a series of exhibits to be developed from different points of view by the Seattle Non-Violent Action League. Greenpeace proposed to seek independent research, education, and technical assistance to review historical documents. The Friends of the Earth proposed to study documents. WashPIRG was interested in funding to collect information and provide more informed opinions. Estella Leopold provided a formal proposal from the University of Washington.

Various options in funding were discussed, such as block grants or grants with more flexibility. Funding received by different states, such as Texas and Nevada, was discussed and the Office grant request for 1987 was mentioned by Mr. Husseman to be about \$5 million, with a substantial amount to be for public involvement.

Ms. Clausen suggested that the state needed the assistance of professionals to reach out to all areas of the state and that possibly the extension services from the universities or the League of Women Voters could assist. She said the League of Women Voters would be developing guidelines for training for workshops, and would set up meetings with formats of short presentations in September as a pilot program. Ms. Clausen stated that the lay public needs assistance in defining terms regarding the repository. She suggested that a general program should be considered and located in different areas, instead of only in Olympia.

Ms. Loveland said that in her opinion, no comments were received from the public that could be accepted as an actual comment on the DEIS. She questioned who would teach the public and how would they learn to separate the two issues. Ms. Clausen replied by stating that Washington State University has a public involvement program managed by Artis Allen. This program offers public participation in many different areas and on different issues. She said that people feel cheated because the public involvement process came about late in the game and is not only applicable to Hanford but also to defense wastes.

Mr. Sebero suggested that the proposals be reviewed first by the Public Involvement Committee and then brought before the entire Council. Mr. Reed responded by saying that the proposals should be brought before the Ad Hoc Committee and considered. He stated that no formal action could take place this evening because it is not a formal meeting. Mr. Reed said that the guidelines and concepts for the proposals need to be known before they can be presented to the Council. He stated that the Public Involvement Committee could develop the guidelines for the proposals.

Ms. Shreve stated that the idea of proposals originated with Mr. Bereano, and that each subcommittee should analyze the proposals in its specific area. Mr. Husseman stated that staff will develop guidelines for the proposals. Mr. Bishop said that then the guidelines will be submitted to the committees.

Mr. Bereano said that there should be announcements made to the public, perhaps a "concept letter" in the newsletter, that would state that the Office is accepting proposals and open to independent studies. He said that all the Advisory Council members have a public involvement responsibility and that there was a problem with the division of sub-committees by title. He concluded by saying that the proposals are not just a responsibility of the Public Involvement Committee.

Mr. Bishop stated that Mr. Husseman had volunteered and assigned to his staff the task of developing guidelines. He also said that Mr. Roe will assist with the preamble of those guidelines.

Mr. Bishop inquired as to how long the Council was interested in meeting during the informal discussion meetings. He announced that the agenda item for the next informal meeting in August would be "the role of the Council in relation to the Board".

There being no further business, the meeting was adjourned.