

JOHN STELLMAN
Governor



WARREN A. BISHOP
Chair

STATE OF WASHINGTON WM DOCKET CONTROL CENTER
NUCLEAR WASTE BOARD

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

Regular Meeting

February 21, 1986
1:30 p.m.
EFSEC Hearing Room
Rowesix, Building 1
4224 - 6th Ave. S.E.
Lacey, Washington

AGENDA

- 1. Introductory Remarks Warren Bishop
- 2. Approval of January 17 Minutes
- 3. Correspondence Terry Husseman
- 4. Low-Level Waste Report Elaine Carlin
- 5. Public Involvement Report Sandra Chan
- 6. Monitored Retrievable Storage (MRS) Discussion Terry Husseman
- 7. Committee Reports
 - a. Environmental Monitoring Committee Dr. John Beare
 - b. Socioeconomic Committee Curt Eschels
 - c. Transportation Committee Dick Watson
 - d. Defense Waste Committee Andrea Beatty Riniker
- 8. Subseabed Disposal Research Funding Warren Bishop
- 9. Litigation Status Charlie Roe
- 10. Federal Legislation Status Charlie Roe
- 11. State Legislation Status Terry Husseman
- 12. Richland DOE Report Jim Mecca

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PDR WASTE PDR
WM-10

WM Record File

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WM Project 10

Docket No. _____

PDR

LPDR B

Distribution:

REB	MJB	DRM	CER
JOB	RDM	JLinehan	Gkerr
(Return to WM, 623-SS)		DKunibiko	SAC
To: Linehan		From: Bishop	

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| 13. Oregon Report | David Stewart-Smith |
| 14. Washington State Institute for
Public Policy | Max Power |
| 15. Other Business | |
| 16. Public Comment | |
| 17. 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.



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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

NUCLEAR WASTE ADVISORY COUNCIL

Regular Meeting

February 21, 1986

9:30 a.m.

EFSEC Hearings Room

Rowesix, Building 1

4224 - 6th Ave. S.E.

Lacey, Washington

AGENDA

1. Introductory Remarks Warren Bishop
2. Approval of December 20, 1985 and January 17, 1986 Minutes
3. Oregon's Hanford Advisory Committee Dan Saltzman, Vice-Chair
4. Discussion of Recent Developments Terry Husseman
5. Discussion of Public Involvement Plan - Overall Council
 - a. Committee Reports
 - b. Council Discussion
6. Discussion of Public Involvement Plan - Defense Waste EIS Council
 - a. Committee Reports
 - b. Council Discussion
7. Public Comment
8. 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.

ANDREA BEATTY RINKER
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

Contact: Marta Wilder or Don Provost
Information Officer/Technical Director

P R E S S N O T I C E

February 12, 1986

SUBJECTS: USDOE Presentation on Defense Waste EIS;
February 20, 1986 - 9:30 a.m.
Nuclear Waste Advisory Council and Board Meeting;
February 21, 1986 - 9:30 a.m. and 1:30 p.m.

PLACE: Energy Facility Site Evaluation Council Hearings Room
4224-6th Avenue, Building #1
Lacey, Washington

The Washington State Nuclear Waste Board and Advisory Council have scheduled a U.S. Department of Energy presentation on the soon to be released Hanford Defense Waste Management Program Environmental Impact Statement. This presentation will be made to the Board, Council, the state of Oregon Hanford Review Committee, and the public. The presentation has been scheduled for 1:30 p.m. on February 20th.

USDOE will give a historical perspective on Hanford operations, describe the current situation, discuss alternatives considered, describe new disposal technologies and explain the public involvement process.

On February 21st, the Nuclear Waste Advisory Council and Board will conduct its regular monthly meetings at 9:30 a.m. and 1:30 p.m., respectively. Both meetings are open to the public. Please call 459-6670 if you have any questions.

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NUCLEAR WASTE BOARD/NUCLEAR WASTE ADVISORY COUNCIL
INFORMATION MEETING

February 20, 1986
1:30 p.m.
EFSEC Hearings Room
Rowesix - Building #1
4224-6th Avenue S.E.
Lacey, Washington

U.S. DEPARTMENT OF ENERGY PRESENTATION
HANFORD DEFENSE WASTE PROGRAM

- 1.0 INTRODUCTION (Department of Energy) - 10 Minutes
 - o Who we are
 - o Why we are here
 - o Purpose of presentation
 - o Presentation format
- 2.0 BACKGROUND (Rockwell Hanford Operations) - 30 Minutes
 - o Historical perspective
 - o Origin of waste
 - o Current waste status
 - o Readiness of waste for disposal
 - o EISs prepared to date
- 3.0 HANFORD DEFENSE WASTE-ENVIRONMENTAL IMPACT STATEMENT OVERVIEW (Battelle, Pacific Northwest Laboratory) - 60 Minutes
 - o Scope
 - o Content outline
 - o Alternatives considered
 - o Approach to Environmental Analysis (bounding, scenarios used, exposure pathways, review of methods used)
- BREAK --
- 4.0 NEW DISPOSAL TECHNOLOGIES DEVELOPED (Rockwell Hanford Operations) - 60 Minutes
 - o Vitrification (Hanford Waste Vitrification Plant, Repository)
 - o Transuranic Waste Handling Retrieval System (Waste Receiving and Processing Facility, Waste Isolation Pilot Plant)
 - o Barrier and Marker System
 - o Grout
- 5.0 PUBLIC INVOLVEMENT (Rockwell Hanford Operations) - 30 Minutes
 - o Environmental Impact Statement Process (National Environmental Policy Act, reviews conducted, record of decision)
 - o Meeting schedule (open houses, workshops)
 - o Formal public hearings
 - o Communciations
- 6.0 CONCLUSIONS (Department of Energy) - 5 Minutes
 - o Summary of presentation

MINUTES OF NUCLEAR WASTE BOARD MEETING
January 17, 1986

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
Dr. John Beare, DSHS Designee
Senator Max Benitz
Curtis Eschels
Dr. William Funk
Senator H.A. "Barney" Goltz
Senator Sam Guess
Representative Shirley Hankins
Ted Hunter, representing Representative Dick Nelson
Phil Johnson, Department of Ecology Designee
Ray Lasmanis, DNR Designee
Elaine Rose, representing Senator Al Williams
Richard H. Watson

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

Mr. Bishop called on Curt Eschels for information released earlier today concerning the foreign waste shipments. Mr. Eschels said last September the state became aware of the proposal to ship foreign wastes from the Orient through the U.S. West Coast to South Carolina. He said he was advised this morning a decision has been made on those shipments and the choice for the primary port is Long Beach, California, and the back-up port is Oakland. Neither Tacoma or Seattle is any longer under consideration as the port to receive this fuel. Mr. Eschels reminded the Board that the Energy Facility Site Evaluation Council was the body assigned the responsibility for looking after both foreign and domestic shipments for research purposes, which do not come under the Nuclear Waste Policy Act, and this effort will continue.

Mr. Bishop asked Russell Jim of the Yakima Indian Nation and member of the Advisory Council to give a brief report on the presentation made yesterday by the Yakima, the Umatilla, and the Nez Perce Tribes. Mr. Jim said the presentation yesterday was a little more extensive than the one given in Oregon recently, and covered a much broader area. He said they welcomed the opportunity to further educate and promote better understanding between the legislative body and the Indian tribes of this state and this nation and stood ready to work out something between them. Mr. Bishop thanked Mr. Jim for his efforts in coordinating the presentation and in helping those present to understand the problems those affected tribes face.

He said Mr. Jim's presence on the Council would help to strengthen the relationship and enable the Advisory Council to distribute information explaining to the public the nature of the interests of the affected Indian Nations.

The minutes of the December 20, 1985 meeting were approved as published.

Mr. Bishop pointed out that because the Legislature was in session, many of the Legislators would find it difficult to attend the meetings. He asked staff representatives of those unable to attend to sit in the members' seats and take back materials passed out to the Board.

Correspondence

Terry Husseman referred to the Summary of the Quarterly Meeting of States and Indian Tribes held in Atlanta, Georgia on December 3, 1985, with USDOE Headquarters representatives. The report contained a list of sixteen commitments by USDOE, with a summary of the commitments made at the prior meeting and progress on them. Don Provost was the Moderator of this meeting, which was considered a worthwhile process.

Mr. Husseman said the new clause in the USDOE proposal for the crystalline project stated that anyone who was successful in securing a contract in any USDOE portion of the repository process would not be eligible to bid or to accept any state contracts, and vice versa. Although the state agreed that conflicts of interest must be carefully avoided, the state felt that USDOE was using the "meat-axe" approach and a less severe method could be utilized. This issue was raised by the tribes and first-round states at the quarterly meeting, and a letter has been received from William J. Purcell, Associate Director for Geologic Repositories, Office of Civilian Radioactive Waste Management, addressed to Warren A. Bishop. The message was that they agree USDOE was being too restrictive in the conflict-of-interest policy, and now will not contain an absolute bar that prohibits USDOE contractors and subcontractors from performing work for other organizations. They indicate that reliance should be placed on the USDOE Acquisition Regulations that are intended to avoid organizational conflicts of interest. The regulation is being reviewed to understand the implications of the new approach.

In response to Dr. Funk's question, Mr. Husseman replied Enviro-sphere will not be the contractor for the Board. Their work has been completed as of now. Dr. Funk said, speaking for the research and academic community, he was not pleased to see that about half of those reviewing the initial Environmental Assessment would no longer be able to do that, as some have been involved with the geology and hydrogeology of that region.

Another item of interest was a USDOE News Release announcing twelve proposed potentially acceptable sites for a second high-level waste repository, should Congress eventually direct construction of such a facility. The focus is on seven states, with twelve potential sites: Georgia, Maine, Minnesota, New Hampshire, North Carolina, Virginia, and Wisconsin. Mr. Husseman said that means there will now be seven more states involved in the process, along with four affected Indian tribes.

Also of interest was news received that USDOE has officially delayed the issuance of the Final Environmental Assessment (EA) from February 20 to late April, 1986. The reason for the delay is to comply with requests by the National Academy of Sciences which is doing an independent review. USDOE has canceled its meeting with NAS, which was to be held in January, and has scheduled its next meeting with NAS for March 24-26. USDOE has also indicated they will be meeting with the states and tribes some time in March to discuss the ranking methodology as it is being applied. Whether this action will meet our request for consultation rights is not known at this time, he said.

In response to Curt Eschels' question, Mr. Husseman said he thought the NAS would not have issued its report before the states and tribes meet with the USDOE.

A letter was received by Governor Gardner from Ben C. Rusche, Director of the Office of Civilian Radioactive Waste Management, advising USDOE would allow ample time for review of the ranking methodology.

Mr. Husseman referred to a series of letters between the Governor and USDOE, Richland, regarding transportation of spent fuel, and the assignment of EFSEC to carry the responsibility to review the plans, policies and procedures for the near-term transportation of high-level nuclear waste into and through the state of Washington.

Status of Low-Level Compact Process

Elaine Carlin from the Department of Ecology reported President Reagan signed the bill that amends the Low-Level Radioactive Policy Act of 1980. She said Allen Miller of the Attorney General's Office has completed a legal review of the bill, which grants the state of Washington three new authorities: (1) the state, in accordance with the provisions of the Northwest Interstate Compact, may limit the volume of low-level waste disposed at Hanford; (2) the state may deny access to non-sited states and regions which do not meet site development milestones; and (3) the state is empowered to impose surcharges on out-of-region wastes.

Legislation has been drafted to implement the federal Act. The proposed bill would empower the Governor to assess surcharges, and give the Department of Ecology the responsibility for implementation of the federal Act. In addition, the bill proposes to transfer responsibility for issuance of site-use permits from the Department of

Social and Health Services to the Washington Department of Ecology; to empower DSHS to suspend and reinstate site-use permits; and to raise the upper limit on site surveillance fees collected by DSHS from 3% to 4% of the basic minimum disposal fee. The bill would also appropriate monies to fund Ecology's Low-Level Radioactive Waste Management Program, to fund three studies related to management of the Hanford disposal facility, and to fund the purchase and development of a computerized information system. It is expected the bill will be introduced some time within the next few days, Ms. Carlin said. It is now on the calendar of the House Energy and Utilities Committee for hearing next Tuesday at 9:30 a.m.

Public Involvement Report

Marta Wilder mentioned the Advisory Council has now formed three committees, all dealing with interrelated parts of the public involvement program. They are: Public Involvement, chaired by Sam Reed; Local Government, chaired by Bill Sebero; and the Science and Technology Committee, chaired by Phil Bereano. All committees have met during the past month. Some of the areas the committees will be looking at will include the academic science and technology area, local governments, including schools, libraries, hospitals, PUD's, and the general public. They will be working closely together to develop additions to the work plan now in place.

Some of the suggestions made this morning were developing new Fact Sheets concerning the Indian tribes, developing a video library, and conducting better interaction through the news media, Ms. Wilder said. The desire was also expressed at the Council meeting to encourage public involvement and public participation and comment at both Council and Board meetings.

Ms. Wilder announced an Editorial Assistant has been hired for the Office, and Sandra Chan will report for work in this position on January 22.

Subseabed Disposal Research Funding

Mr. Bishop introduced Dr. Ross Heath of the University of Washington. Dr. Heath is the Dean of the College of Ocean Fisheries and Sciences, and by training he is a geologist with a graduate degree in Oceanography. Since 1973, he said, he has studied the feasibility of disposal of high-level nuclear waste in the geology underlying the deep sea. Other involvement with radioactive waste included working on the Navy's assessment of disposal of defueled, decommissioned nuclear submarines, and recently he has been serving on the National Academy's Radioactive Waste Management Board. He added that Washington State is the only state with two representatives on the Board, Dr. Kai Lee being the other.

Dr. Heath said the subseabed disposal program started about thirteen years ago, resulting from hypothetical discussions among a group of oceanographers. He said there are a number of characteristics which

make it attractive, including its great environmental stability compared to land areas. Eight nations and the Commission of the European Communities (CEC) are involved in the investigation, with each nation and the CEC supporting its own research project effort. The projects are coordinated by the Seabed Working Group (SWG), which was established under the auspices of the Nuclear Energy Agency (NEA) of the Organization of Economic Cooperation and Development (OECD). In the United States less than 50% of the project is funded by the U.S. Department of Energy, managed by Sandia National Laboratories, with most of the research conducted by Principal Investigators (PIs) at universities and other research organizations.

With the use of overheads, Dr. Heath gave a graphic description of the extensive research that has been done. He described in some detail the work done to narrow sites determined geologically and tectonically stable, avoiding conflicts with other resources such as fisheries, and avoiding sites that might be affected by another ice age. Two areas in international waters in the Atlantic and areas in the Western Pacific between Hawaii and Japan have been identified.

Dr. Heath emphasized this project has been a scientific program from the beginning. It was set up by scientists and has never been under any political pressure to show success, or even success on any time scale. He said it has been a very open program, with a great deal of exposure to the scientific community, the environmental community, as well as government groups and industry. However, the U.S. Department of Energy's budget for 1987 will have no money in it for this program. Although unfortunate from the scientific point of view, he thought it was unfortunate for the state of Washington for three major reasons:

1. Should USDOE eliminate the Subseabed Program, it is failing to adhere to its own guidelines. Section 222 of the Nuclear Waste Policy Act states that alternative technology should be pursued, and right now this program is the only alternative technology that is being pursued.
2. The Mission Plan contains sections describing plans for Subseabed.
3. The state of Texas has raised the issue that by eliminating the Subseabed Program, the only potential international option on the horizon, it virtually assures that international waste will have to be disposed of in U.S. repositories.

Dr. Heath said there are other issues to consider concerning international cooperation and international options. He said he realized the budgetary decision is not in Ben Rusche's control, but it could lead to some political effects which he felt USDOE would come to regret in the future.

Mr. Bishop asked what was the approximate level of federal support on an annual basis. Dr. Heath replied it ranged from about \$2 to \$10 million dollars, with the budget for last year of \$6.5 million. He said the individual overseas countries have their own appropriations, which for the last six or seven years have totaled more than that. The total program has run between \$13 and \$20 million dollars. The University of Washington involvement has been by direct contract with Sandia Laboratories. The program, he said, is managed out of the Albuquerque Operations Office of USDOE, with Sandia as their contractor, with subcontracts let by them to many academic institutions.

Philip Johnson inquired about some of the problems associated with the international politics of this issue. Dr. Heath said there is a whole spectrum of institutional issues on the international scene. One is a great deal of debate about whether or not this issue is covered by the present international treaty, called the London Dumping Convention. The reason for this is that this program was not even considered when the treaty was written. This controversial point would undoubtedly have to be resolved, he said. The United States position is that this is a moot question until the scientific feasibility of the option is determined. Should it be feasible, the U.S. has agreed that the London Dumping Convention would be the appropriate forum to regulate the program, and that it should not be implemented until it has been demonstrated to be environmentally acceptable.

In addition to this point, Dr. Heath said, there are international politics related to various countries' relationships with their fishermen. He said it is clear the fishing communities are the ones that react most immediately and negatively to this suggestion, as they are the groups that perceive they are most at risk. Therefore, countries with a minimal interest in the nuclear scene, but a strong fishing community in countries like Spain and Portugal, have tried to say they don't want to know the answer as they feel the program should be eliminated right away. On the other hand, he said the consensus now is that the research aspect of the program is not one that is subject to anyone's jurisdiction as freedom of research in international waters has been very strongly defended by both the Eastern and Western blocks. He thought the issue to be faced is should a lot of time and effort be spent to resolve the international legal, political situation wherein there is still the possibility the program might turn out not be scientifically feasible.

Senator Goltz said it seemed to him a lot of money on scientific research to find a subseabed repository should not be spent if it were internationally illegal or politically difficult. He thought it would be extremely difficult to sell considering U.S. dominance in the nuclear field and the fact that the U.S. has always been very suspect. He asked if Dr. Heath were suggesting that the state of Washington should itself try to come to support further research as an alternative so that its potential responsibility as a host state

would be diverted into a subseabed project, or was he looking for endorsement for federal support. He asked what was Dr. Heath's expectation of the Nuclear Waste Board.

Dr. Heath responded he thought the feeling of all the participants was that the subseabed program was very much of a backup technology and for this reason its budget relative to other nuclear budgets has been very small. In terms of the international legal situation, he thought that if the program were proven to be technically feasible, or an attractive option, and the other options proved not to be, then it would clearly be in the United States' and the other 24 nuclear nations' interest to negotiate to change the international regulations. He said at this stage they seek no more than the Act mandates, and that is that an alternative should be kept on the back burner just in case. He said from his knowledge of the geology of the various options, the probability of success with the hard-rock, land-based repository is very high, but it was not 100%. For this reason, he said, this was why he thought the state of Washington would want to have an involvement.

In further response to Senator Goltz, he said he meant involvement to be expressing concern at the decision to eliminate the funding of the program. Senator Goltz said he thought from the standpoint of international politics it would be imperative for the world community to be involved in the research and that it not be a U.S. project, but an international project from the very beginning and be set up under some kind of international commission, perhaps with United Nations' or some other endorsement. He said if he were in a national position he would absolutely not want the United States to spend dollar one on this project without having it under the umbrella of an international commission. Dr. Heath said it actually was under the international group called the Seabed Working Group, which is under the Nuclear Energy Agency. The Secretariat is in Paris and they provide the coordination. The countries involved include Japan, France, West Germany, Italy, Belgium, Holland, Switzerland, Canada and he thought the United Kingdom. It has been open from the beginning to any country wishing to be involved in the research, he said, with no restrictions on participation. From an international point of view he said there is some benefit to some countries that perhaps have unacceptable land geology. He said it would be better for everyone if those countries used a sound international option, rather than to dispose badly in their own countries, in which case it would get into the ocean anyway.

Senator Goltz asked if Russia had indicated any interest in the program, and Dr. Heath said Russia has been supportive in the London Dumping Convention, but has certainly not done cooperative research within that international forum. He said there was no way of knowing if they were doing any research on their own.

Ray Lasmanis asked, as a geologist, if Dr. Heath could send a complete bibliography on the Briefing Book and Dr. Heath indicated he would send several copies down to the Office.

Mr. Bishop inquired how long the project had been funded, and Dr. Heath replied it started in 1973, and is the oldest of the high-level nuclear waste programs. It predates the formal structure of all the other U.S. programs. Mr. Husseman asked if the funding had been coming from the Nuclear Waste Fund. Dr. Heath said no, as it was explicitly agreed at the time that the Act was being written that this was one program that would not be funded from the Nuclear Waste Fund. It has been coming out of the \$20+ million in Ben Rusche's budget which is generated from tax revenues. He said it was his understanding that would be cut back to about \$6 million in 1987, but with some high-priority items, such as cask design, etc., would leave nothing for the subseabed program. Mr. Husseman wondered if presentations such as Dr. Heath's made today were made to the Congressional Committees overseeing the repository process in the implementation of the Act. Dr. Heath said they had and generally speaking the Committees had been very supportive, particularly in the Senate. He said there had been regular briefings for the past six or seven years, with testimony presented at Committee meetings as well.

Mr. Husseman asked if the Board wanted to take a position on this program, whom should they contact. Dr. Heath thought the Secretary of Energy would be the appropriate person, although Ben Rusche is positive about the program, he is confined to his budget.

Mr. Johnson commented that in looking at the transportation system involved, and it was his observation that the weak link would appear to be when the canisters are actually deposited on the ocean floor. Working at sea and in that water depth would be an awkward proposition at best, and by dropping them they could be piled on top of each other. He said there would need to be all sorts of systems for retrieval if they were accidentally misplaced. Dr. Heath agreed and stated they have some demonstration from shipboard activities, there is the technology to locate each individual canister within three inches. There is demonstrated technology to retrieve a canister lying on the bottom and a conceptual technique for retrieving even a buried canister using the Glomar Explorer. However, it must be spelled out in more detail, but they could see nothing that requires going beyond the state-of-the-art technology.

Senator Benitz said there was a question in his mind on this same point. There are people, he said, who have an interest but not as much knowledge as is available, who wonder why the wastes can't be buried at the bottom of the sea or shot into space. However, he pointed out there are many valuable elements in it that society is going to need later on, and both of these options pose problems on retrievability and would be very expensive. Dr. Heath said he could agree, and the same is true of land burial. Once the mine is closed, any retrieval technique, whether it be subseabed or terrestrial, is going to be very expensive. For this reason, he said, one could have some sympathy for the European position for storing the stuff for fifty or a hundred years until it is certain there was no need to extract any element from it.

Committee Reports

Environmental Monitoring. Dr. Beare said their committee did not meet, but in response to the Board's Resolution 87-7, requesting USDOE react to a proposal to invite the Centers for Disease Control to work with the state in conducting an evaluation of the epidemiological studies to date on the Hanford site in terms of the health effects of the operations there, a letter was received from Michael J. Lawrence, Manager of the Richland Operations Office. Mr. Lawrence indicated USDOE is interested in pursuing this and in supporting the Nuclear Waste Board's request for CDC to conduct such a symposium. Dr. Beare said during the interim contact has been maintained with Dr. Vernon Houk, Assistant Surgeon General and Director of the Center for Environmental Health. He said the Center was awaiting a formal request from the Board to come to Washington State to plan such an effort. Dr. Beare presented a draft letter of invitation to Dr. Houk. If approved, Dr. Beare said it was planned to have two members of Dr. Houk's staff come out to meet with the Committee at its February meeting to plan the details of such a conference. They are ready to act positively to such a request, which would be supported by USDOE. Dr. Beare moved that the Board approve the draft letter, with certain editorial changes. Motion was seconded.

Mr. Bishop inquired if there were any indication if the Centers desired a grant to flow through the Nuclear Waste Board, or if they preferred a direct contract. Dr. Beare said it was his understanding in his conversations with the Centers, they are not looking for money and are willing to fund this through the Centers themselves. Mr. Husseman said that was also his understanding as this is part of their function, and if the Board desired to do some incidental participation in this process to ensure public input, that would be funded out of the state's grant. Terry Strong of the Radiation Control Unit, DSHS, said if the state wanted someone on the panel in addition to CDC's choice, any additional cost would have to be paid by the state of Washington. For the CDC staff to come to the state and work with the Department, there would be no charge. The same procedure was used in connection with the Savannah River and Oak Ridge Laboratories studies, he said, using the same people.

The motion was called and passed unanimously.

At this point, Mr. Bishop expressed the Board's appreciation to Max Powell and those in the USDOE Richland Operations Office for expediting their response.

Transportation. Richard Watson reported the committee held a brief meeting yesterday focusing initially on workshops that the Western Interstate Energy Board is planning for February 6-7 on cask design and testing. He said the workshop would be conducted by USDOE personnel and any Board members interested in attending should contact Pat Tangora of the Washington State Energy Office staff for details.

One of the issues discussed at the meeting was the importance of moving public understanding of cask design and testing and verification beyond the movies of casks being crashed into trains, etc., to a more factual kind of understanding of what is really involved. Accordingly, Mr. Watson said, discussions will be held with the USDOE staff on what arrangements might be made to interject a component of public information on the cask design issue into the state's public information program. This will be coordinated with Ms. Wilder and the Advisory Council.

Also reviewed were several pieces of proposed and introduced federal legislation concerning the transportation of nuclear waste. A draft bill sponsored by Representative Wirth of Colorado addresses many of the concerns that states have raised on, not only high-level nuclear waste transportation, but on hazardous waste materials. A second draft is due very soon and will be carefully reviewed by the committee with a detailed report being brought to the Board, if it is felt important enough for the Board to take a position.

Mr. Watson said there is a draft report on transportation risk assessment and its role in the site selection process which the committee is reviewing now. This will be brought to the Board at the next meeting.

A discussion of the MRS facility and its impact on transportation issues was held, and the report by Jerry Parker on this will come later in the meeting.

Senator Guess remarked he had attended the transportation meeting in Atlanta, attended by 500 people. He said the conference was divided into ten groups which addressed various component parts of transportation. His group identified the issues involved in the transportation of both civilian and defense waste, and identified approximately 47 issues. He said he had received a preliminary draft from the Washington office of USDOE, and in approximately a month a final report should be issued. He advised that particular attention should be paid to the reports on those ten groups when the document is received. Senator Guess stated it was a new experience to him to act as reporter for his group with intense brainstorming in the sessions.

Radioactive Defense Waste. Bill Sebero, Advisory Council member serving on the committee, reported on behalf of Andrea Beatty Riniker, Chair. A meeting was held on January 10, and since there was no quorum, most of the meeting was discussion. The committee reviewed the background of defense waste and the Defense Environmental Assessment. Mr. Sebero pointed out it took a letter from the Governor to USDOE to release even limited grant funds to examine these defense waste issues. The limited funds were approved for very specific purposes. The Defense Waste EIS was originally scheduled to be released in November, 1985, but the date has now slipped to some time in March, 1986.

After the EIS is issued, USDOE will conduct ten public meetings, followed by four hearings, at which testimony will be taken for their review. The committee has requested informally that there be a staff representative at each one of these public meetings. The committee also recommends that the state hold some of its own meetings primarily to indicate to the populace of the state of Washington that the state is interested in the defense waste issue and it is not entirely a USDOE show.

Mr. Sebero said Terry Husseman had discussed with the committee staffing and contract support for the EIS review, and indicated that the staff person would not necessarily be an individual with technical background. Don Provost and Bill Brewer will still be the representatives on the technical issues.

The committee proposes to work closely with local elected officials and put together a review and coordinating group with representation from both the House and Senate in an effort to build a plan to add strength and credence for the state's request for grant funds to continue the defense waste study.

Another meeting is scheduled in February.

Mr. Provost added that the committee would like the Board to set up a working group to oversee the review of the EIS during the 120-day comment period to make sure the major issues are covered. The group should include legislative staff members, as well as DSHS and Department of Ecology dangerous waste representatives. This would augment the Radioactive Defense Waste Committee to ensure the policy and technical issues are covered, and assist the contractor selection.

Mr. Bishop suggested this recommendation be added to the staff agenda for review at the February meeting.

Mr. Provost stated discussion had been held concerning a detailed of the Defense Waste EIS on the Thursday before the February Board meeting. Mr. Bishop said this would be a worthwhile session if USDOE were prepared to do it this early. Steve Gano of Rockwell said it was hoped the Draft EIS would be issued in time and there would be enough material ready to go over the EIS in detail with the Council and Board members. Mr. Bishop said plans would be made accordingly.

Socioeconomic. Curt Eschels said the committee met on the 14th with a competent and informative group from USDOE Richland, headed by Jim Mecca, to explain how the federal department is looking at socioeconomic impacts. He described their organization and a meeting scheduled to be held in Dallas. Their presentation was in two parts, site characterization and repository construction, if it proceeds to that. The department has some numbers on the work force, population effects, etc, and those will be in a report available for the committee and the Board. The federal department described what it wants out of the Grants Equivalent to Taxes, largely a matter of

uniform interpretation as it is looking at a number of states and would like as much uniformity as possible. The committee pointed out each of the states has different constitutions, different laws, and different tax structures.

While it looks at the grants program, USDOE has contracted with Touche Ross to advise as to how the taxes should be viewed in awarding these grants, and to advise headquarters on how to interpret state laws. The state, he said, does this all the time through the state Department of Revenue. This will be an item for discussion at Dallas and in the future.

Following the federal presentation, the state Department of Revenue reported on its status in looking at the same question. Don Taylor from the Department has written a report, which was distributed to the committee and will be distributed to the Board. The Department has identified five likely sources of taxes eligible for grants. The Department has taken a uniform approach typical for the kind of taxation and the kind of decisions it makes regularly in deciding levels, rates, and items to be taxed. He said the Department has applied those interpretations just as it would to a business which is operating on private property.

Mr. Eschels said the same kinds of efforts are being made by the committee to reach local governments. First, it is necessary to identify what is a unit of general purpose government at the local level, and whether activity that is conducted in Richland still qualifies to be on the "site" for purposes of local taxation. Generally speaking, he said, general government is being advised to use an interpretation favorable to them.

With regard to the contract for the consultant to aid in drafting the RFP, the contract has been sent as a draft and approval by USDOE is being awaited. The committee plans to meet with those consultants all day, January 30, to work out understanding and guidance they will need to prepare an RFP.

Max Power also gave a short presentation on the Institute for Public Policy's work examining the economic damage question.

Foreign Shipments

Mr. Eschels reported the U.S. Department of Energy contacted the administration this morning stating that the decision on the foreign waste fuel had been made and the port of entry will be Long Beach, California, with the back-up port of Oakland. He said a representative from Greenpeace had called him this afternoon to say it was his understanding that the ship carrying the spent fuel to Long Beach would call at Seattle as that was its normal route. Mr. Eschels said he then called USDOE and learned that in fact is true. Although he was not happy about that, he said, he thought the efforts expended so far have reduced potential risks to the citizens and state environment because the fuel will not be unloaded and transported on roads within Washington State. However, he said, it

was not satisfactory that the risk is at the lowest level it could be, because the loaded ship will be calling at a state port. For that reason he recommended some extraordinary protective measures be required while the ship is within Washington State waters.

Monitored Retrievable Storage

Jerry Parker of the Office staff referred to the memorandum of January 10 prepared by Pat Tangora of the Energy Office and him on the Preliminary Proposal by USDOE to Congress for Construction of a Monitored Retrievable Storage Facility. Also provided to the Board was a briefing done earlier in the year by the Institute for Public Policy. (Copies are available from the Office upon request.)

Mr. Parker said basically USDOE has proposed an MRS facility at the Clinch River site in Oak Ridge, Tennessee, and has distributed a preliminary version of the proposal for review. They propose surface storage in sealed cement casks with an alternative system of dry-well storage. Two alternate sites are located in Tennessee. There is no EIS on the proposal, he said, but if Congress authorizes such a facility there will be one prepared.

Mr. Parker said the proposal is now in the hands of the state of Tennessee, the NRC, and the EPA. When the NRC and the EPA complete their review it will then go with the proposal to Congress. This is scheduled for some time in early February. The proposal, he said, was due under the Act June 1, 1985, it was delayed until January 15, 1986 because of the shift in approach from a back-up facility to an integral element in the overall waste management scheme, and the January 15 date will be missed by approximately one month.

As an integrated part of the whole waste system, the MRS would take all waste from the Eastern part of the United States. It would be packaged at the facility into casks and shipped in unit trains to the repository. A detail to note is that the major function would be rod consolidation and placement of rods in canisters. Another function not emphasized in the overview is the actual aging of the fuel at the MRS facility, which would make it less radioactive when shipped and might allow different configuration in the repository. No fuel would be shipped from Western reactors to the facility.

USDOE is proposing that there be no waste acceptance at an MRS until there is a construction authorization for a repository. Another key provision is that the waste would travel on dedicated trains. In earlier versions there was a question of whether it would go by train, truck, or however the shipper chose. The approximate cost would be \$970 million, plus the cost of financial assistance to the state. The life-cycle expenditure would be about \$25 billion (this figure is erroneous, correct figure is \$2.9 billion), with employment of approximately 600 workers. Unclear in the overview document is whether the proposal means one cask used at the retrievable storage, another for shipment, and another for burial, or whether they mean a dual cask or multi-purpose cask. USDOE claims fuel could be

accepted in 1996 with the MRS which would be five years ahead of the time they could accept it without an MRS.

USDOE proposes financial assistance comparable to that which would be received by a repository state, such as grants equivalent to taxes, and in addition impact assistance based on actual costs to local and state government. They also commit to making some payments to the state of Tennessee for infrastructure to improve the roads and rails, which is of interest to Washington as USDOE is committing to improving transportation.

Transportation details are laid out in some specifics by Pat Tangora in the memo. Briefly, Mr. Parker said, USDOE feels this is one of the major advantages of having an MRS as shipments could be controlled more easily by having the waste go on unit trains from a specific site to a specific site.

Mr. Parker said according to the report one of the advantages of the MRS was that it would create a sense of credibility for USDOE by showing they could begin work on a facility now rather than waiting for the ultimate decision on a repository. The conclusion, he said, is that an MRS facility can enhance the overall performance of the entire waste management system and can be completed consistent with all environmental land use requirements of federal, state, and local governments. Mr. Parker pointed out all the conditions discussed were subject to Congressional review and change.

Mr. Parker said he observed there was very little mentioned on the advantages of a MRS in terms of storing the fuel and thereby reducing the radioactivity and the resultant risk in transportation. This should be pursued. He said it was also not clear whether the casks are dual purpose, and the overall proposal has no hard data that can be examined. It is a statement of perceived advantages, assumptions, and conclusions. Following Congressional perusal, the proposal will be assigned to six different committees.

There are lawsuits filed by the state of Tennessee claiming the USDOE did not consult with the state in any manner in developing the MRS proposal. USDOE attempted to get a change of venue, and apparently was unsuccessful, so the suit is proceeding. The state of Tennessee has not completed its review of the proposal, although its preliminary documents are skeptical and perhaps negative on the concept. The Oak Ridge Task Force, composed of the governments of the city of Oak Ridge and adjacent county are very thorough in their conditions applied to an MRS, but conclude that subject to conformance with these conditions an MRS is acceptable to local and county government.

Mr. Parker said the considerations the Board may wish to examine are: (1) whether the state will be advised to testify at the Congressional hearings; (2) how the Board would wish to prepare testimony; (3) our relation with the other states in that certain states are very concerned about an MRS and may not share our perception of its advantages; and (4) how we address the question of linkage to an

authorization for a repository in that to Washington State one of the advantages of an MRS is it would take the pressure off having a repository meet the 1998 deadline. If there is this linkage, are possible advantages reduced or eliminated?

Senator Goltz asked if USDOE anticipated having a response team for emergencies on the dedicated trains. Mr. Parker said that was not addressed in the overview statement, but may appear in the EA. They do address commitment to fund local response and they list the ability to target corridors as one advantage. Senator Goltz said he thought the transportation issue was not necessarily solved by the dedicated train between the MRS and the eventual repository as the material bound for the MRS before being containerized and transshipped involves many miles through different states. Mr. Parker thought that was addressed in Volumes II and III in somewhat more detail, and he thought their conclusion was the problem is not eliminated but the amount of transportation in terms of total cask miles is reduced. He said this is one of the points being examined by the Tennessee state government, and their conclusion appears to be that they could get the same advantages by encouraging on-site storage at repositories and possible rod consolidation. They imply USDOE did not look seriously at this alternative.

Senator Guess asked for an explanation of the \$25 billion life cycle expenditure. Mr. Parker said annual costs were estimated to be \$70 million for operation, and over a 26-year lifetime would not amount to \$25 billion. He said this was stated, and not examined, and offered to examine the EA and Program Plan to get an accurate answer.

Nancy Kirner of the Department of Social and Health Services commented the tie-in between the acceptance of waste and the construction permit for an MRS was very important. She said 1998 will come very fast and if there is not an MRS facility ready for that waste, there is no place to put it. One of the state's continuing themes is that it really does not care how long it takes, as long as it is done correctly.

Mr. Bishop said he was considering establishment of a working group to start to examine the material in preparation for possible testimony and for coordination with the other states. He wondered if there were an estimated schedule for such hearings. Mr. Parker said these hearings would have to be established by the committee.

Senator Guess expressed his opinion that the establishment of an MRS is the best thing that has happened to the state of Washington, and thought the state should take no position. He said the Congress in its wisdom will establish it or not establish it, and if they establish an MRS it is very much to the state's advantage because the transportation of the waste will then be in dedicated trains. He said the greatest concern had been the dedicated train question, and with them it will take the wastes off the highways of the state and the intervening states between the West and the East Coast. He thought the proliferation of committees and subcommittees to take

positions on matters of no concern to the state was not necessary. Should the USDOE not have the repository ready in 1998, the MRS would take it for holding in water storage on the East Coast.

Mr. Bishop commented that Senator Guess' position might not be the position of other members of the Board, and the Board had normally expressed its position being one of the affected states. Senator Goltz said he thought Senator Guess had expressed a position he would like to see relayed to the Congress as one of the benefits of the MRS from the standpoint of the state of Washington. He was not certain the Board had to take a position, but he thought it should be pointed out how a potential host state views the MRS as an advantage to the national problem. He thought the Board had something to say. Mr. Bishop said they would definitely have something to say if the state becomes involved in the linkage. If they tie the construction of the repository to an MRS before construction funds could be authorized for an MRS that could seriously constrain the period of time needed to go through the total evaluation process for a repository. There would be both favorable and unfavorable comments that should be made, and it might not be necessary to have a working group. However, these issues should be reviewed from a staff standpoint with discussion at Board meetings. The state's appearance at any hearings will depend to a large extent upon what position the state wants to take on the critical issues of construction, etc.

Mr. Husseman wondered if the Board would like the staff to begin to prepare policy positions to bring to the Board for consideration in anticipation of invitations from the six committees to present testimony. The Board agreed this would be an acceptable approach.

Litigation

Charlie Roe reported there is no late-breaking news with regard to the Siting Guidelines litigation.

Referring to Tennessee v. Herrington concerning Monitored Retrievable Storage, Mr. Roe said in this case the United States moved to dismiss on the ground of lack of jurisdiction. That motion was denied by the Federal District Court and ruled in favor of Tennessee. The United States then appealed that District Court decision to the Court of Appeals in the 6th Circuit.

Mr. Roe said he would be preparing for submission to the Chair a memorandum dealing with the subject of Preliminary Determination of Suitability (Section 114(f)).

Federal Legislation

Mr. Roe said identical bills relating to transportation of high-level wastes and spent fuels were introduced on December 12, 1985, in the Senate (S.1927 by Senator Proxmire) and in the House of Representatives (H.R.3932 by Representatives Moody and Obey). The

bills both contain two elements: (1) Nuclear Regulatory Commission Licensing; and (2) Right of States and Indian Tribes.

Price-Anderson activity has been on hold at the Congressional level, Mr. Roe said, and no new bills have been introduced. Informally, advice has been received that the earliest possible date for any hearings on the Udall Bill in the House Interior Committee would be in March.

Mr. Husseman recalled the Udall Committee did not accept the position of the state on the liability legislation, as discussed last month. Since then work has been done to develop a new approach, maintaining the state's basic concepts. Letters from Governors of other states are being received in response to the Board's Resolution 85-8 concerning liability, which was sent to Governors of all other 49 states. All comments have been supportive of the Board's position. Meetings have been held with some of the members of the State's Congressional delegation and others will be scheduled with the hope they will be willing to take the lead on a new approach to this issue.

Public Comment

Jim Madison referred to the Council's discussion about increasing the public input at both the Council and Board meetings, and said he was pleased at this approach. However, he said there was no discussion or comment about Mr. Eschels' announcement of the foreign wastes going to California, but stopping in Seattle enroute. Now that it was known the ship planned to make a stop in Seattle, he thought the Board should go one step further to try to eliminate this stop and prevent the ship from coming through the Straits of Juan de Fuca. Mr. Bishop assured him that on action items the intention was to have public comment, as that was the recommendation of the Council.

Richland, USDOE

Max Powell of USDOE Richland verified the date for the issuance of the Environmental Assessment had been extended to April, 1986. He said the Richland Office does support the CDC study. A BWIP Quarterly Meeting involving the states and tribes will be held on January 22-23 in Richland. He said during the Quarterly Meeting in Atlanta, USDOE committed to involving the states and the tribes at the Institutional/Socioeconomic Coordinating Group (ISCG) meetings, and the next one will be held in Dallas February 4-6.

Mr. Powell said he received a call from the Inspector General's Office in Washington and a representative will be out for a survey the week of February 10. As information comes with details, he said, he would forward it to the Office. He said at this point he only knew this would be a survey to find out if there were any potential audit areas they should examine.

Representative Hankins said she would like to talk with those people coming out from the IG's Office.

Mr. Roe asked if Mr. Powell knew the status of any review that might be going on in light of the Nevada v. Herrington case on funding. Mr. Powell replied they were to have received guidance from Headquarters a week ago, but none had yet been received. From what he understood, he said, USDOE did not plan to appeal the decision. Mr. Roe said, assuming the decision stands, what would be the impact on the printed policy that was held to be too limiting in nature. Mr. Powell said he did not know.

Mr. Roe asked if there were any status report on the timing of the Preliminary Determination of Suitability. Mr. Powell said he did not know, but could find out.

Dr. Beare said because of the nature of the funding not being connected with the federal general tax, any funding of the state in support of its activities would not be affected by the federal government's deficit reduction program, Gramm-Rudman. Mr. Powell said that was correct, and there was an article in the paper yesterday that said it was not felt that the repository program would be affected by the budget cuts.

Washington State Institute for Public Policy

Max Power of the Institute said arrangements were made for a joint meeting of the House and Senate Energy Committees and other interested Legislators from Washington State with a joint interim Committee on Hazardous Materials of the Legislature and representatives of the three affected Indian Nations. The meeting was held in Vancouver on January 8. He said it was a very lively and productive morning.

Senator Goltz commended those who arranged this meeting, and as a participant, he said he was very impressed by the involvement of the Umatillas, the Nez Perce, and the Yakimas. Mr. Jim of the Yakimas made the statement that this was the first time in all of the history of the state of Washington where the state of Washington and the Yakima Nation have stood side by side with a common purpose. Senator Goltz said he received the impression that the involvement of the three Indian tribes alongside the state of Washington, particularly with the cooperation with the state of Oregon, gives the state a reason to be heard more loudly than any of the other potentially-designated states. He said Nevada to his knowledge did not have another state with which to share the same kind of concern that Oregon does with Washington, and Nevada does not have a single affected Indian tribe involved in its review. For these reasons, he said, it was a very good reason and it is well to keep in touch with them. An invitation to the tribes would be in order to tell the Board what was said in Vancouver.

Max Power mentioned the Institute had been working briefly with Cheryl Runyun of the National Conference of State Legislatures, who

was in Olympia this week, and with representatives of the tribes, and Senator Benitz in planning a meeting of the NCSL Working Group on High-Level Waste at Richland. This is set tentatively for April 26-28. Senators Benitz and Williams and Representative Nelson invited them to come to the state, and the invitation was accepted. The Indian tribes will be involved in making presentations and will host Legislators from all over the nation at the Yakima Cultural Center.

At the same time, arrangements will be made for any interested Washington State Legislator to join NCSL on the tour of the facilities. More detailed information will be distributed, he said.

Mr. Power said in their legislative grant, they had proposed to do some initial reconnaissance in the economic risk issue. He said the Institute was prepared to go ahead with this review using a team of economists from universities within the state to answer the basic methodological question of how to look at the question of economic risk, given some real sources of uncertainty. The major ones are the timeframe, the perceptual problem, and equitable comparison of sites. He said the Institute would proceed to put together a formal proposal with a team of recognized economists. Mr. Power said he had a preliminary concept paper he would be pleased to share with anyone interested. Also, he welcomed suggestions by anyone acquainted with economists with a background or interest in the subject who might be willing to serve.

Representative Shirley Hankins said, as the new Chair of the Science and Technology Planning Resources for the Assembly of the Legislation (AOL) of the National Conference of State Legislatures, she would appreciate an invitation being extended to the AOL for the Richland meeting in April.

Senator Benitz added that they are trying to coordinate the visit to the Yakima Indian National Cultural Center with a trip into the Washington wine industry. He pointed out going from Richland to the Cultural Center, then to St. Michelle, and back to the Tri-Cities would involve over 200 miles of traveling in a half day.

Oregon Report

David Stewart-Smith from Oregon introduced their Hanford Program Coordinator, Mary Lou Blazek, hired under contract the state of Oregon has with the Nuclear Waste Board. In the future, she will be more involved in working with the Oregon Advisory Committee, coordinating the work of the Technical Review Committee, and be the Oregon liaison to the Board's Transportation Committee. Mr. Stewart-Smith said Oregon would also be providing for an informational liaison to the Environmental Monitoring Committee of the Board, as provided for in the contract work plan.

Mr. Stewart-Smith said Oregon is also looking toward the efforts that will be necessary to review and comment on the Defense Waste Draft Environmental Impact Statement. In addition, they will be

looking at how Oregon's comments on the Draft Environmental Assessment on BWIP have been incorporated into the final document. Along those lines, he said, they have begun general discussion with Board staff on Oregon's coordination with Washington.

Oregon is also interested in working with the Board staff and the Council to jointly sponsor public information workshops in Washington and Oregon. He thought the two states could sponsor such workshops on defense wastes, inviting USDOE, the Washington Department of Ecology, the Oregon Department of Energy, perhaps the Institute for Public Policy, and other interested groups. Mr. Stewart-Smith explained he had not intended this morning to imply public hearings would be state sponsored. He only meant that the public information meetings could be most appropriately sponsored by the states, with USDOE and these other groups being invited.

Oregon has recently met with the Confederated Tribes of the Umatillas to begin what is hoped will be a worthwhile relationship. Oregon is exploring the possibility of the tribes allowing Oregon to participate in their affected tribe review program. He said Senator Goltz' suggestion to work more closely with the tribes was well taken and Oregon had perhaps not done as much as they should to learn what they could do with and for the Umatillas. He said they hoped to improve upon this record in the future.

State Legislation Status

Mr. Husseman said since it is early in the Session there is not a lot to report on yet, but there is a Joint Memorial in the House Energy Committee sending the message to Congress that USDOE should include all reasonable host media in the first-round selection process. The sponsors of this measure believe that granite should be considered in the first round. He said he also understood there may be an amendment that would shift the focus of that Joint Memorial to support the Board position on preliminary determination of suitability and that may be discussed at the next House Committee meeting.

In the Senate a bill concerning transportation will be heard in Senator Williams' Energy Committee on Tuesday at 3:30 p.m. in Hearing Room 4 in the Public Lands Building.

The low-level implementation bill, mentioned by Elaine Carlin which will be introduced soon, is under consideration.

Public Comment

David Tarnas with Abatronics, a non-profit education group in Seattle, said he had recently received his Master's Degree from the University of Washington. His thesis was written on the site selection process for the high-level waste repository, resolving conflict within that process. Senator Goltz expressed an interest in reading the thesis, and Mr. Bishop said when he had finished reading his copy, copies would be made available for those interested.

Mr. Tarnas wanted to encourage the Board to develop policy statements on MRS. He thought it was very important for the state to have that policy discussed and determined for guidance, not only for people in the state, but also in terms of cooperation with other states. In addition, he thought it would behoove the Board to discuss a possible Resolution concerning the Subseabed Disposal Program, having worked with Dr. Heath on the project at the University doing studies on the political implications of subseabed disposal option. In terms of the program itself, he said, they are relatively close to the preliminary engineering, environmental, and scientific feasibility decision point, and he thought it would be most useful for the research in subseabed disposal to continue. Mr. Tarnas said perhaps the only action appropriate for the Board would be to express concern that the USDOE is reneging on its responsibility under Section 222 of the Nuclear Waste Policy Act and the section in the Mission Plan that states the future of the subseabed disposal program. By cutting the program in total it no longer can continue in the international scientific cooperative research being done right now.

Marie Harris of Bacon & Hunt in Portland said she wanted to clarify her statement this morning in which she indicated since Oregon had such a strong program going, Washington might want to send a representative from either the Nuclear Waste Board or the Advisory Council to attend their meetings, in order to brief their committees on what Washington was doing. She said she in no way meant to imply that she was representing Washington as she attended the meetings. She happened to be the only Washington State citizen there, but she did not want to imply she was representing the Board.

Other Business

As a matter of information, Mr. Bishop said some discussions had been held with KCTS, Channel 9 Public Broadcasting. Mr. Husseman said they were in the Office last week to notify the Office they were recently informed they were successful in obtaining a \$130,000 grant to do a one-hour documentary on the Nuclear Waste Policy Act implementation. They will be starting to film very soon, with the first filming to begin at the Yakima Tribal presentation on January 27. He said it is possible they will contact Board members for interviews, and the Office has offered to open the Reference Center to cooperate with them to contact people who could be helpful in putting their documentary together.

Mr. Provost added this would be a national project, and they would be going to the other sites, New Mexico and Tennessee.

There being no further business, the meeting was adjourned.

MINUTES OF NUCLEAR WASTE ADVISORY COUNCIL MEETING

January 17, 1986

9:30 a.m.
EFSEC Hearings Room
Rowesix - Building 1
4224 Sixth Avenue S.E.
Lacey, Washington

Council Members Present:

Warren A. Bishop, Chair
Harry A. Batson
Pam Behring
Professor Philip Bereano
Phyllis Clausen
Nancy Hovis
Russell Jim
Dr. Estella B. Leopold
Terry Novak
Sam Reed
Robert Rose
Commissioner W. H. Sebero
Betty Shreve
Jim Worthington

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

Mr. Bishop said because the minutes of the December 20 meeting were recently mailed, approval would be postponed until the February meeting.

Mr. Bishop announced a call from the U.S. Department of Energy in Richland had been received this morning informing that the decision has been made to bring the foreign wastes shipments through the Port of Long Beach, California, with Oakland as a backup.

Mr. Eschels affirmed the news Mr. Bishop reported. He said he thanked Mr. John Anttonen who made the call and expressed his belief it was a very positive development that fits in with the objectives of the administration to assure the public safety and protection of the environment.

Legislative Update

Mr. Husseman said monthly reports on pending legislation in the Washington State Legislature would be given while the Legislature is in session.

At the Governor's request, a bill is being drafted to implement the federal Low-Level Act authorizing the Governor to levy a \$10 per cubic foot surcharge on all low-level waste coming into the Hanford site operated by U.S. Ecology from out of the Northwest Compact area. Mr. Husseman said the bill will provide that the revenues generated by the surcharge will go to the General Fund.

A House Joint Memorial is currently in the House Energy Committee recommending to Congress that the U.S. Department of Energy include in its first round process for siting a repository all host media. This means a granite site should be included. Mr. Husseman said this Memorial may be amended.

Some legislation dealing with transportation of both low- and high-level wastes is being introduced in the Senate. No hearings have been held on this as yet.

Mr. Husseman said as other bills in the waste area are introduced they will be reported on at future meetings.

Bill Sehero moved that the Council go on record as recommending, encouraging, and supporting the Washington State Legislature to memorialize Congress to explore other media sites for a repository. The motion was seconded. The motion was carried unanimously.

Discussion

Philip Bereano asked what action had been taken on the Council's recommendation to the Board to open up its opportunities for public comment. Mr. Bishop replied a test run was done at the December 20 Board meeting and it will be discussed again this afternoon.

Professor Bereano asked what progress had been made on the legal inquiry to support fiscally intervenor groups involved in the public information process. Mr. Husseman said Charlie Roe is studying this issue and there should be some report by the next Council meeting.

Sam Reed said in connection with the first question, this issue had been discussed in the Public Involvement Committee meeting, and they recommended an announcement concerning public comment be made at the beginning of the meeting. This would allow the public time to consider their comments. Mr. Bishop recalled the proposal by the Council narrowed to the action items of the Board.

Betty Shreve suggested some notice could be added to the agendas rather than just an announcement.

Review of Presentation by Indian Nations

Russell Jim expressed his gratitude for the opportunity given to the Indian Nations to help educate those uninformed about the Treaty obligations of the United States government. As a consequence, he

said, the supporting federal agencies also have a fiduciary obligation to carry out much of the implications that were in the treaties, regardless of their age. The Indian Nations consider that the Treaty of 1855 is still a viable treaty. Mr. Jim said although quarters were somewhat cramped, he thought it was a successful meeting. He said he was very impressed with the reports by the archeologist and the anthropologist which gave strength to many of the Treaty implications and the terms of ceded areas and their true meaning. This education would be continued at every opportunity so that there will be no misunderstanding one day in the future, regardless of what the content of any legislation may be. This would assure, he said, that his son and sons and grandsons of those present could grow up together realizing that there are yet treaty obligations made long ago by the non-Indian people who were honorable people and the Indian people, who were also honorable. It is hoped the promises will be lived up to and both will assist each other and preserve and protect Indian culture.

Again, Mr. Jim said the Indian Nations are grateful to the Council, the Board, and the support staff for the opportunity to make the presentation yesterday, and will again if necessary.

Mr. Bishop assured Mr. Jim they were most welcome to advise the Council and Board anytime they wish to make a similar presentation. He said he understood their funding grant does not allow the Indian Nations to make those kinds of presentations off the Reservation, so the opportunities afforded through the Council and Board become more important.

Mr. Reed commented he learned a great deal of new and useful information at the presentation yesterday. He suggested a Fact Sheet be prepared, together with the Indian Tribes, to inform the public on the whole concept of Indian rights, etc. Mr. Jim said he was indebted to Mr. Reed for making this suggestion which he fully supported. He said he hoped that eventually these Fact Sheets would impress upon the Washington State Education Association and the legislative bodies, and perhaps one day across the nation, to include in the institutions and the schools a true history of the indigenous populace of those regions. This would help the children to understand consistently up through all those institutions the terms "Indian government", "sovereignty", "Indian Nation", "ceded lands", "treaties", etc. This might avoid so much money being spent on litigation when a piece of legislation is passed, he said, and would create a better understanding among people of the unique status of the indigenous populace of this land. Perhaps eventually it would be seen in this ever-growing smaller world that is being so densely populated that there are also indigenous populace throughout the world affected in many ways, not necessarily by nuclear waste, but somewhat by the 300 million tons of toxic wastes that are produced--the base for dioxins, herbicides, pesticides, fertilizers, etc. applied upon the land and the water and in the air for economic reasons.

The place to start, Mr. Jim said, is here at home and follow up on Mr. Reed's suggestion, and place these Fact Sheets in the public institutions. He welcomed the joint effort to produce such Fact Sheets.

Mr. Bishop asked Mr. Reed to put this on his Committee list for development.

Phyllis Clausen hoped the printed information distributed at the meeting yesterday could also be distributed more widely. Mr. Jim said they would see that the appropriate libraries and offices receive much of this information.

Mr. Bishop mentioned the series of articles on Native Americans that appeared in the Seattle Times, which were distributed to the Council members. He asked Mr. Jim's reaction to the articles, and Mr. Jim said he read the front page and the back page, and from what he had seen it partially follows the lines suggested by Mr. Reed. Mr. Jim said the media is naive in many ways, but sometimes they are very helpful.

Mr. Sebero asked Mr. Jim if it would be possible to have a short Fact Sheet for the Council members only, more on the legal aspects of the Treaty in the next month or two. He said perhaps it could explain how the Tribes and Reservations were created and give some background on the rights as far as the "usual and accustomed" policies were concerned. From that a Fact Sheet should be prepared with a better understanding. Mr. Jim agreed and said they would be pleased to create a Fact Sheet for the Council and perhaps the general media, if necessary. He agreed all tribes are not the same, but do seem to have mutual concern. Today, he said, he was late as he had been asked to make a phone call to an attorney in Minnesota where two tribes will be full participants in the second-round repository. They are somewhat excited, but somewhat scared and are asking for advise. Mr. Jim said he thought they could be of assistance throughout the nation on nuclear issues, but this will eventually tie into other issues also. He said he would suggest the the Tribal Council to produce a Fact Sheet for the Advisory Council, and others, if necessary.

Mr. Husseman added that the most current Newsletter which will be released very shortly will feature the Tribal concerns about the repository process. He said given the limitation of the space in the Newsletter, it cannot go into the detail of a presentation such as was given yesterday.

Mr. Bishop announced the session yesterday was taped, and tapes could be copied if anyone interested would send a blank cassette.

Mr. Reed said in their discussions at the Public Involvement Committee meeting they talked specifically of building a video tape library which would be available and actively promoted. This would involve taping segments of Council or Board meetings, meetings on special subjects, etc. This would call for a staff resource for

making the tapes, editing them, and developing a circulation process and promotion. Professor Bereano said there was also a need for material for Cable TV, and he thought it worthwhile to explore the use of electronic media to reach people. It was agreed this was an issue for all three committees of the Council.

In connection with this Mr. Bishop said, KCTS public television has just received a grant to develop a one-hour documentary on the repository process to be shown nationally in the fall. Mr. Jim said they planned to start filming on January 27th, where the Yakimas Nuclear Waste Program will have a technical presentation by all of their nuclear waste contractors about their findings at Hanford. That will be held at 1:00 p.m. at the Yakima Tribal Auditorium (Eagle Seelatee Auditorium, named for a past Tribal Councilman who served 33 years) in the Yakima Nation headquarters in Toppenish. This will be approximately three hours of slides, overheads, videotapes, etc., with an hour or so to answer questions. He said this will be a more extensive program than the overview presented yesterday. The telephone number there is (509) 865-5121, with Mr. Jim's extension being 393.

Defense Waste Issues

Policy. Don Provost related the background of the defense wastes now stored at Hanford since World War II. It had been shrouded in secrecy because of military involvement, and when the Nuclear Waste Policy Act was passed in 1982 it was viewed as a key element in learning about the wastes. One of the provisions of the Act was that the President had to make a decision on whether to commingle the defense wastes with the commercial wastes at a repository. The decision came down to commingle the wastes. Concurrent with this was the ongoing Consultation and Cooperation discussion between the state and USDOE, allowed under provisions of the Act. One of the issues was the defense waste disposal. The state's position was that defense wastes should be covered under the Act, but the USDOE position was that they were not, only when the wastes were in a canister and ready to ship.

After eighteen months of discussion Governor Gardner wrote a letter to Secretary Herrington, USDOE, asking for a definitive statement with regard to USDOE's position on defense wastes. On April 12 USDOE responded that issues relating to pre- and post-closure activities and performance of a repository would be eligible for financial assistance under the NWPA. However, USDOE made it clear that funding for potential decision-making under the Atomic Energy Act on defense waste management and disposal would not be authorized. The Board disagrees with this USDOE position. The Nuclear Waste Board has approved staffing and contractor assistance to ensure a meaningful review of the USDOE Draft Defense Waste EIS.

Professor Bereano inquired if the inability to obtain this information in detail early would hamper the state's analyses of the Draft Defense Waste EIS. Mr. Provost said he thought the state would have access to all the technical information needed. Analyses will only

be limited by staff and resources necessary to address it. The area of concern is the policy side, he said, and whether the state has input and consultation rights as to which wastes go to a repository, etc.

Reports of Council Representatives to Board Committees

Transportation. Terry Novak reported the Committee met yesterday morning at the Energy Office. Pat Tangora of their staff presented a four-page report on pending state and federal legislation. Four federal bills were reviewed:

1. One bill was introduced by Representative Wirth of Colorado concerning transportation of hazardous materials. This would solve the jurisdictional problem and set elaborate guidelines for the Department of Transportation. This bill appears to have the best chance of any of moving through the Congress.
2. Senator Proxmire has proposed an amendment to the Price-Anderson Act which would make an NRC license to transport spent fuel or high-level nuclear waste campaign a condition of coverage under the liability provision. This bill might move and the Committee will monitor its movement.
3. Senator Hart's bill, S 1162, requiring the USDOE to intensify its research on transportation impacts in the process of making a decision, apparently will not move. It was felt whatever energy was behind this bill would be devoted to Representative Wirth's bill.
4. Another bill by Representative Biaggi of New York relating to the localized issue in New York of moving material from the Long Island plants through the City of New York, appears to be dead.

In Washington State Legislature SB 3426, providing for permit fees for the transportation of radioactive materials, will be heard next week. He said he would have a Councilman at the hearing in support of the bill on behalf of the City of Spokane.

Socioeconomic. Jerry Parker of the staff reported on Tuesday meeting of the Committee on behalf of Jim Worthington. The major focus on the meeting was a presentation by representatives of the U.S. Department of Energy in Richland concerning their planning on the socioeconomic impacts. He said they wanted to discuss the general concerns of the state prior to a meeting that will occur early in February to review the status of the socioeconomic planning being done by the U.S. Department of Energy.

The USDOE representatives did summarize socioeconomic considerations and statements made in the Environmental Assessment and their plans to validate and monitor the projections of socioeconomic impacts. A key point was that the monitoring plans for socioeconomic impacts

will be released at the time of the Site Characterization Plan in January of 1987. Another point was that the scoping of the Environmental Impact Statement will occur after site characterization. The EIS is due at the end of site characterization. The state will be involved in that scoping, he said, but not until site recommendation, which could occur as early as late spring and as late as fall.

In the discussion the state emphasized its concern for economic risk. Numerous letters have been written to USDOE asking this be studied and it be a factor in Environmental Assessments. It is known that USDOE has some studies underway, but there has been difficulty in determining the status of these studies and the meeting on Tuesday did not provide any more information. This will be a big issue in Dallas, Mr. Parker said. It became clear that USDOE does not consider evaluation of economic risk as a relevant consideration in the EA.

Another issue discussed was the meaning of "general purpose local governments", as used in the NWPA, to get some idea of USDOE's thoughts on what qualifies for grants equivalent to taxes. The Committee concluded that USDOE was no further ahead than they, and perhaps slightly behind in that area.

Next Don Taylor of the Washington State Department of Revenue presented a paper he has written for the Committee on how to look at the issue of grants equivalent to taxes. The Act provides two sources of socioeconomic impacts: (1) Grants Equivalent to Taxes for activities during site characterization; and (2) payments for impacts during repository construction and operation. The impacts are to be based on what the state asserts the impacts to be. The grants equivalent to taxes are based simply on the fact that a government exists in an area and would otherwise be able to collect taxes if the activities were conducted by a private company. Mr. Taylor's paper will be reviewed by the Committee to see how the state will approach the grants equivalent to taxes issue. Once an approach is accepted by the Committee the Committee plans to meet with local governments in Benton County which are tied to the site of the repository. Mr. Parker pointed out the distinction of the grants equivalent to taxes tied to Benton County and the socioeconomic impact payments which are available for the state and local government that is impacted.

Another topic of discussion at the meeting was the contract the state is negotiating with Bill Freudenburg of Washington State University to assist in drafting a very complete Request for Proposals to look at the issue of socioeconomic impacts. A report will be prepared during site characterization to be submitted to the USDOE at the end of site characterization. It will lay out the state's estimation of total socioeconomic impacts. This report will be the basis for any payments to the state and local governments for mitigation or compensation. The RFP should be out in June with the study occurring over the following three years. The contract with Freudenburg will begin the 30th of January when he will meet with the Committee to discuss the issues to be reviewed in that study.

Max Power of the Washington State Institute for Public Policy summarized an RFP that the Institute is preparing on economic risk methodology. He is proceeding with this as the information may be useful in commenting on the revisions to the Price-Anderson Act. The Committee is working with the Institute to coordinate efforts.

The final element was a presentation of socioeconomic recommendations made by the U.S. Department of Energy in its proposal to Congress for the Monitored Retrievable Storage program. There are numerous accommodations of local interest and reflection of local concerns for economic impact, and gives an indication of the way the USDOE may be thinking on those issues although they take great pains to state their proposals for Tennessee should not be interpreted as precedent.

In response to Professor Bereano, Mr. Parker said there were two people who would be working on the contract--one would be Dr. Freudenburg, whose focus is the social and cultural aspects, and the other is a subconsultant who would handle the economics. Professor Bereano offered his services to the Committee as he said his area of work is impact analysis and assessment activities. He requested some of the materials discussed by the Committee be sent to him and would be interested in making comments and observations to assist the Committee. He pointed out that many of the studies in existence, in his estimation, were flawed by some of the initial assumptions. Mr. Parker agreed about the importance of clear assumptions and said for this reason a five-month period is being taken to draw up the RFP. Professor Bereano expressed his concern about USDOE falling into conventional patterns, whereas this is a unique situation which requires an approach going beyond the conventional wisdom of the past, at least in the exploratory stages. Mr. Parker replied that is where Mr. Power's studies should be quite useful, to examine methodologies to look at impact over time periods.

Defense Waste. Bill Sebero reported that the Committee discussed the USDOE plan to conduct ten public meetings followed by four hearings concerning the Draft Defense Waste EIS. The Committee recommended that the state hold either public meetings or public hearings. The Committee also discussed placing a special effort on local elected officials during the comment period for the Defense Waste EIS. He pointed out the first line of communication to Legislators and on up to Congress is through the elected local officials. If they don't recognize what is being asked for and what is included in the Draft EIS, it is very difficult for them to carry anything forward. Mr. Sebero said other issues discussed were covered in the minutes of the meeting made available to the Council members.

Mr. Sebero restated the recommendation of the Committee that the state hold public meetings or hearings throughout the state during the EIS comment period.

Pam Behring expressed her approval of the recommendation. She recalled the confusion between the state entity and the federal entity when the workshops were held on the draft Environmental

Assessment last year. Mr. Bishop said discussions had been held by staff to determine what kind of statewide informational sessions the state would conduct. He commented USDOE will conduct its own hearings, preceded by the workshops, and prior to that Open Houses even before the EIS is released. He advised all three committees of the Council should be discussing how the state can best conduct its outreach programs to concentrate on the Defense Waste EIS.

Don Provost said he thought Director Riniker felt it was not the role of the Defense Waste Committee to get too specific, but to let the Public Involvement Committee look at the possibilities and see what the public reaction is at the time of the release of the EIS. The following 120 days would be ample time for the Council and Board to schedule appropriate public meetings. Mr. Bishop agreed, but said it was appropriate for the three committees to begin discussions on the best approach to follow.

Betty Shreve said it appeared to her USDOE was mounting a real public relations campaign on the Defense Waste EIS with all the events they plan. She inquired about the time frame and how would the state try to balance their project. Don Provost said the best estimate now is that the EIS will be released in early March and the 120 days will start at the time it is issued. Covering each of the USDOE meetings would be quite expensive in time and money, he said, but one of the recommendations has been to have at least one Board, Council, or staff member at each meeting, as a minimum. He said the state's role in the past has been that such a representative would sit in the audience and respond to questions on the state positions only if asked. Ms. Shreve thought the state should have its own program that would stand on its own feet, without copying the efforts of the USDOE.

Mr. Husseman said the recommended approach at this point would be to go out in the third month of the process with a series of possibly four workshops. Public comment would be sought to help develop the state's comments. Mr. Husseman said an outside consultant would be retained to review the technical matters. Draft comments must be presented to the Board during the third month, with the final draft presented for approval at the meeting in the fourth month of the comment period. Ms. Shreve states she was anti-workshop, but the whole concept could be discussed in the Public Involvement Committee.

Professor Bereano inquired if the draft comments would be coming to the Council for review and input. Mr. Husseman said the Council has access to everything the Board does and this could be made available to the Council.

Mr. Sebero said the prime thrust of the Committee's recommendation to have follow-up meetings was to let the general populace of the state of Washington know that the state is involved and needs their input.

Mr. Bishop said he had met with Dennis Bracy, one of the principals in the organization that is working with Rockwell, and in turn USDOE, to put together a public information program. Mr. Bishop suggested to them they make a presentation on a Thursday afternoon to the Council in order to understand the USDOE program. He said he also suggested to Mr. Bracy a similar presentation be made to the three affected Indian tribes. The Council agreed to this suggested presentation prior to a future Board and Council meeting.

Environmental Monitoring. Mr. Reed said the Committee had not met, but as a result of the Committee's recommendation to the Board that it ask USDOE to request the Centers for Disease Control to conduct a review of health effects studies being conducted at Hanford. The Board concurred, the request was made, and a letter has been received from Mike Lawrence, Manager of Richland Operations, indicating USDOE also concurred.

Mr. Reed added the Quality Assurance Task Force had been formed, and its first meeting is scheduled for February 7 in Seattle.

Mr. Bishop announced a meeting of the Chairs of all committees would be held at 1:00 p.m. in an effort to coordinate a system for scheduling their meetings.

Oregon Report

David Stewart-Smith, Manager of the Radioactive Materials Program for the Oregon Department of Energy, stated Oregon's Advisory Committee met yesterday. They established a Public Information Working Group with the intent of being able to cooperate with the public information work being done in Washington. He said they hope to put on at least one workshop before the end of June on the transportation issues of interest to both states. They proposed that such a workshop be done jointly with the Washington Advisory Council.

By the end of June the Group hopes to come up with a one-year plan for providing public information workshops from July 1, 1986 to June 30, 1987. Again, he said they would like to work with the Board and Advisory Council Public Involvement Committee on how to structure their program, building on a series of workshops in Washington and Oregon.

Mr. Stewart-Smith said Oregon had also been talking with the USDOE about workshops on the defense waste issues. The direction they hope to go is to sponsor those public information workshops and have USDOE come on Oregon's terms, with Oregon providing a forum for USDOE to present their views. They would also like to invite some members of the Washington State Advisory Council and the Nuclear Waste Board to appear at the workshops, along with some of the members of Mr. Stewart-Smith's staff. He said Oregon's concern is that if the U.S. Department of Energy provides a series of ten public

information workshops on defense waste issues and Washington follows with other ones, the audience may be depleted. Oregon would like to have a joint effort with the Oregon Advisory Committee sponsoring the workshop with USDOE as one of the invited parties to speak.

Mr. Stewart-Smith said his Advisory Committee has requested him to try to arrange a joint meeting with them and the Washington State Advisory Council in the Portland-Vancouver area. He offered this suggestion for consideration by the Council.

Mr. Stewart-Smith introduced Mary Lou Blazek, recently hired as Hanford Coordinator for the Oregon Department of Energy. He said the funds for her position have been provided for by the contract between the Oregon Department of Energy and the Washington Nuclear Waste Board. Part of her responsibilities will be to coordinate and staff Oregon's Public Advisory Group and serve as an informational liaison from Oregon's Advisory Committee to the Washington State Advisory Council. She will also be a member of the Washington Nuclear Waste Board's Transportation Committee and will be attending those meetings.

Reaction by Dr. Leopold to the proposed joint workshops sponsored by Oregon and inviting USDOE was positive. She considered this an extremely constructive suggestion and thought Washington should follow suit by contacting USDOE and ask for the same thing. Russell Jim noted the success of the meeting on January 8 with the affected Indian tribes, Legislators from the state of Washington, and representatives of the Joint Hazardous Waste Committee of the state of Oregon. He approved following up on joint sponsorship with the state of Oregon and said the Indian Nations would gladly participate. Professor Bereano was receptive to holding a joint meeting in southern Washington as this would provide an opportunity to hold a Council meeting in another part of the state, as previously discussed. Ms. Shreve supported Dr. Leopold's position of the states taking the lead in the proposed meetings. She hoped Oregon and Washington could have a joint approach whenever possible. Mr. Stewart-Smith added that Oregon has a very strong feeling that all parties have much to gain, including the U.S. Department of Energy.

Mr. Provost explained that should this be done, there is a danger of the states being perceived as supporting the U.S. Department of Energy. There have been examples of this before, he said. For this reason the Advisory Council and the Board have been very reluctant to be up front at USDOE sponsored hearings. They wanted to make certain the public not be confused as to the role of the state and the role of USDOE. He cautioned the Council to consider this possibility.

Mr. Stewart-Smith acknowledged this possibility, but their hope is that by advertising the meetings as being sponsored by the states, with individuals speaking, not only USDOE representatives, it would be seen as providing a public information forum with all points of view welcome.

Mr. Provost pointed out that the word "sponsor" is the key trouble word.

Advisory Council Committee Reports

Public Involvement. Mr. Reed said the Committee met for five hours on Wednesday. Regarding the work plan developed by the previous Council, he said it was reviewed and considered appropriate and one which should continue to be implemented, with elements being added with specificity as the program develops.

The survey was discussed and the Committee plans at the February meeting to develop a recommendation concerning the survey to bring to the Council. Three general areas are being discussed: (1) examine the extent to which it fulfilled the original need to know where the public was and to establish a baseline for Council activities; (2) determine if that baseline is sufficient to justify another identical survey to identify what progress has been made; and (3) try to assess what future informational needs of the Council might be met by a repeat of the initial survey, by an amplification or supplementation to it.

The Committee is looking at other ways to involve and inform the public. They dealt with the Newsletter, Fact Sheets, and slide shows, reviewing past performance and agreed it was good work with outstanding accomplishment by the previous Council, staff, and the consultant. Changes are being considered, he said, but for the moment the Committee continuance of the current activities.

Throughout the discussion Mr. Reed said the Committee felt there was a need to focus more sharply on all activities, particularly in reaching certain key individuals and organizations. He said they accept the obligation to identify agencies, groups, and individuals and to attempt to assign responsibilities within the Council and staff and elsewhere to establish contact and maintain liaison.

The Committee suggests to the Council the need to develop a Fact Sheet and slide show element dealing with the aspect of the national need for a repository to point up significance of the problem and the necessity for a decision.

Budget limitations were discussed, and the Committee felt it needed involvement in the budget process. They would like a concurrence by the Council and staff that it would be appropriate for the Committee to develop various projects and activities, a budget to go with them, and to work with staff to see they are included in the budget request to secure support for those proposals.

The Oregon issue was discussed Mr. Reed said, and acknowledged little was known about what was happening in Oregon. The Committee recommends to the Council that there be a meeting with the Oregon

Advisory Group. He said the Committee contemplated inviting representatives of the Oregon group to make a presentation at one of the Council meetings with the goal of working together where appropriate.

A toll-free number was discussed in a limited fashion, and the conclusion was that it should go on the back burner for the moment as there are not staff resources to implement it. It was agreed, he said, that if Washington were chosen for characterization the toll-free number would be needed.

Mr. Reed said concern was expressed that instead of having one committee dealing with public involvement, there are now three. The question was raised as to how they could communicate effectively with one another. He said they had a proposal, and that is that the Committee Chairs meet at 9:00 a.m. prior to the Advisory Council meeting to share the minutes of their meetings in order to provide the needed communication.

Mr. Husseman said concerning the budget process, a plan needed to be developed with some dollar estimates in order to go to USDOE with grant requests to fund the necessary activities to implement the plan. The only limitations would be that the activities planned are reasonable and needed to perform the function the Advisory Council is established to do. Professor Bereano concurred with the necessity to identify the need and submit the necessary request.

In response to Ms. Clausen's question on the time frame for the budget, Mr. Husseman said there is no deadline. A tentative schedule is set for a Final Plan in April, but should the Council need to take longer that would not create a problem. Mr. Bishop said if certain elements of the Plan can be identified now, even at the next meeting, that would require resources, it should be presented without waiting for a complete program. Mr. Husseman added there is now an existing grant from the U.S. Department of Energy. In the grant request it has been made clear, and the USDOE understands, that the grant is not inflexible. As new needs are identified a proposed grant amendment can be prepared for USDOE approval.

Professor Bereano also pointed out that the entire Council had responsibility in the three areas of the committees and should take an active role and interest. Mr. Bishop remarked it might not be possible to achieve enough cross-involvement at the regular Council meetings, and all three groups should come up with a Plan of outreach without segmenting it. He said he hoped a time could be found for the three Chairs to meet as Mr. Reed had made a very important proposal.

Introduction of New Staff

Marta Wilder introduced Sandra Chan who will report for work next week as Editorial Assistant in the Public Information area. Sandra has a Bachelor's Degree and a background in public affairs, having

worked at the Pacific Science Center, the Red Cross, and as a Research Analyst at the Department of Labor & Industries.

Mr. Bishop introduced Gary Koshi, an Accountant hired to assist in perfecting the financial plan and to assist in grant administration.

Advisory Council Committee Reports (continued)

Local Government. Bill Sebero stated his Committee is actually a sub-group of the Public Involvement Committee, as they are involved in that program, zeroing in on a special interest group-- local governments. Mr. Sebero agreed to a meeting at 9:00 a.m. prior to the regular Advisory Council meetings. He said in their discussions yesterday it was determined it was vital he and Mr. Reed meet to avoid confusion in the activities of the two committees.

At the meeting yesterday the first order of business was to define local government. At this time, he said, the Committee's objectives are short range. They did determine some kind of outreach was needed to local government, whether it be cities, counties, school districts, PUD's, or whatever, and it was necessary to assess their knowledge level. The method for determining this will have to be decided he said, then a channel for the exchange of information will have to be found. Because of travel and other commitments and the majority of the Committee coming from Eastern Washington, Mr. Sebero said they would prefer to have their Committee meetings on the Thursday prior to the Council meeting.

Mr. Sebero said the Committee planned to involve local governments at the next meeting, inviting a representative from the Association of Cities and one from the Association of Counties.

Science & Technology. Philip Bereano, Chair, referred to the Committee Meeting Notes to the Council setting out the Committee's goals. A rough general goals statement read:

"Develop a process to exchange information on the state's high-level nuclear waste management program with the scientific, technical, academic, and professional communities. Advise the full Council on the aspects and results of the information exchange process and provide a forum for involvement of technically-oriented groups in the state's program."

He pointed out the Committee saw the need for close integration with the other committees so that outreach could be integrated and there would be no artificial segmentation of policy. He thought the three committees are not equivalent because the whole Council is more directly involved in "public information" than in specialized areas. He said his objection to having the three Committee Chairs meet at 9:00 a.m. prior to the Council meeting was that he thought the whole Council should deal for more than one-half hour at each session with what the committees have been doing.

Professor Bereano went on to say the Committee would have a special relationship with Max Power and the Institute for Public Policy as they are working on some specific programs under the grant to the Legislature for outreach to the technical communities. The Committee broadened the Science and Technology term to include the academic and professions, but there was still the question of other groups, such as hospitals, etc. In addition to disseminating information to the public, he said the Committee felt there was a need to create mechanisms for more input and involvement by citizens in the program.

The Committee also set the goal of providing networks to assist the technical community in their analysis of documents and all phases of the program as they evolve in an effort to assist the state's evaluations. Another point in the stated goals was some mechanism whereby unsolicited proposals could be received and evaluated. Professor Bereano asked that Council members give him any ideas they might have after they had an opportunity to study the goals statement in the memo.

Pam Behring added that some of the expertise being sought might not be available in the state. The cost in such an instance may be mushroomed, as the expertise might even be out of the country if the expertise was not available in the states.

Max Power, who had been unable to attend the Committee meeting, said the Institute is seeking a supplemental budget in order to do their share of the work. He said he would be working in close coordination with the Science & Technology Committee.

Dr. Leopold said it appeared to her that the differences between the three audiences the three Chairs are working with should not be a great problem. Good coordination among the three groups is a good idea, and she thought a meeting of the three Chairs in advance of the Council meeting was a good idea. Mr. Reed agreed there is a need for coordination, compatibility, and some consistency. He thought more work will get done and would get done better with three separate groups with independent responsibility.

Mr. Sebero added that with a three Chair meeting prior to the Council meeting coordination could be achieved without spending a lot of Council and public time on repetitious matters.

Mr. Bishop explained that because of criticism of the previous Public Involvement Group and the Chair, the three committees were formed. It came from local governments themselves, he said, as well as the scientific and academic community. The intention was to get some concentrated effort to develop outreach programs for those groups, with coordination by the Council.

Mr. Bishop suggested the agenda be altered to allow the Committee Reports to come first. He said this may cut some time for informational reports but that other means could be utilized to assure that the Council receives the information it needs.

Public Comment

David Tarnas, formerly with the University of Washington, now graduated, wrote his thesis for a Master's Degree on Conflict Resolution in the Site Selection Process for the High-Level Waste Repository. Among his recommendations he discussed the need for the specific liaison groups that have been set up by the Council, and he said he was very pleased to see they have been enacted. The way in which the groups are coordinated with each other is a primary question that should be addressed at the beginning. He thought it was important to have the Chairs discuss with each other the manner in which they plan to approach their responsibilities.

Mr. Tarnas said he thought any differences among the three committees would be clarified as implementation of their goals are discussed, with the ultimate goal of educating the public and each other.

Mr. Tarnas went on to say his thesis is complete and he furnished a copy to Warren Bishop. He thought it might be of interest to members of the Council and said he would welcome any review or comment on the paper. He added he is currently working as a consultant with a non-profit research and education group in Seattle called Habitronics, which is involved in a variety of environmental issues.

Marie Harris of Bacon and Hunt, a public relations firm in Portland, said she thought it would be extremely important for Terry Husseman, Warren Bishop, or one of the staff to begin attending the Oregon meetings. She said she had attended five of their meetings and noted the group is not so formal, well organized, nor as well educated. She felt an extreme lack of understanding of Washington's activities and the federal program. She said that the Oregon Council has a view of Washington citizens as all Tri-Cities people with no one in the state taking a stand challenging the USDOE. The media in Oregon tends to indicate Washington's Governor is the only Governor asking for review of the process. She said at the meeting yesterday she attempted to respond to some of Oregon's concerns about Washington. They were very concerned with defense waste, among other issues.

Ms. Harris questioned Mr. Stewart-Smith's suggestion of sponsorship of Defense Waste EIS hearings. She said her recommendation was that because Oregon had so little understanding of the defense waste situation and what the program would be they should meet with the Board's Defense Waste Committee, or have someone from the Board brief them.

Ms. Harris said at the joint meeting in Vancouver there seemed to be a real lack of understanding among the Oregon Legislators. Their general perception was that all Washington citizens were lobbying for a repository. She expressed her concern and felt Washington should be represented at their meetings to inform them what action is being taken in the state. In response to Mr. Bishop's question,

Ms. Harris said she would support a joint meeting of the two Councils, but she would also support representation at the Oregon meetings to speak Washington's voice. The Oregon Advisory Committee meets every two months and has recently set up their schedule through November. Professor Bereano supported Ms. Harris' suggestions.

Another event on Sunday, Ms. Harris said, was a presentation by KGW with some of the Oregon Legislators stating they should disenfranchise themselves from Washington State activities as they felt Washington was not doing enough for Oregon.

Ms. Clausen said as a resident of Vancouver she had noted over the years some competition between Washington and Oregon, and she heartily agreed with Professor Bereano that there is a need to work together. She said she is aware there are a number of concerned Oregonians who do understand the situation.

Max Powell from BWIP emphasized, as Mr. Husseman mentioned, that there is a modification process in place to fund additional activities not identified in the original grant application.

Other Announcements

Mr. Husseman called attention to a USDOE News Release circulated to the members. It announces the second-round finalists in the repository process. Eleven sites were identified in seven states, with an additional four affected Indian tribes.

Mr. Husseman then stated the state was contacted yesterday by USDOE Headquarters to announce that the final Environmental Assessment, which was scheduled to be released February 20, will now be delayed until late April. The primary reason is the National Academy of Science review of the ranking methodology. The meeting in January between NAS and USDOE has been canceled and the next meeting is scheduled for March 24-27. The state has continuously requested involvement with consultation rights on the ranking methodology, and USDOE indicated some process will be instigated whereby states will be briefed. It is unknown, he said, what that process entails, but it is a step in the right direction. USDOE has said they will meet with the states and tribes during the month of March. This could be on a one-to-one basis, he said, similar to the process involved when the comments to the draft EA were held.

Pam Behring asked if USDOE could furnish information on how they stored and dealt with by-product material under the Resource Conservation and Recovery Act. She said there had been confusion as to its nuclear content versus its hazardous materials content, and she wondered how the proposed changes will deal with such materials in the future. She said Tennessee and South Carolina are now in litigation on the issue, and she was curious as to how USDOE at Hanford wants to deal with this. Mr. Husseman said within the Department of Ecology there is another group that enforces the RCRA regulation and they have submitted comments on the regulations mentioned.

Marta Wilder said she had discussed this with Don Provost, who said he would follow through on this with Ms. Behring.

Ms. Clausen inquired as to the status on the MRS proposal. Mr. Husseman replied the final proposal to Congress has been completed and the Office has been furnished with a copy. Hearings will be held in Congress sometime in March. Discussion of the MRS is on the Board Agenda for the afternoon meeting, he said, and no doubt further action will be taken by the Board as to whether positions need to be taken, and if so what they should be.

Another item on the Agenda that may be of interest to the Council members he said, was a presentation by Dr. Ross Heath of the University of Washington, discussing subseabed disposal of nuclear waste. Dr. Heath's department has been involved in some of the research, and there is concern this research will not be funded in 1987.

Other Business

Dr. Leopold said she would like to follow up on David Stewart-Smith's discussion of Oregon's proposal to sponsor public meetings on Defense Waste EIS. As a recommendation from the Council to the Board she suggested the following:

"In order to further the best interests of the state of Washington in having hearings on a national issue, the Advisory Council strongly urges the state of Washington to take lead in holding public hearings on the Defense Waste EIS. USDOE should be invited to be present and to present statements at these Washington hearings."

Mr. Bishop questioned the use of "public hearings", as it is USDOE's responsibility to conduct hearings. Washington State's responsibility is to provide information to the greatest extent possible. He felt the Council would not want to encourage the state to conduct public hearings on the USDOE Draft EIS as that is DOE's legal responsibility. He suggested "public meetings" might be substituted.

It was agreed that this subject would be discussed at the next Council meeting.

Jim Worthington complimented Sam Reed on his work on the Public Involvement Committee, but he felt as a member of that Committee some direction from the Council is needed. He said he would like to see some Council action on the recommendation from the Committee to continue the original Plan, rather than treat it just as a report. Mr. Bishop said that was the intent, and from here on immediate and medium-range proposals will be developed to be taken to the Board.

There being no further business, the meeting was adjourned.