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MINUTES OF NUCLEAR WASTE ADVISORY COUNCIL MEETING

March 19, 1987

1:00 p.m.
First Presbyterian Church
4300 North Main Street
Vancouver, Washington

Council Members Present:

Warren A. Bishop, Chair
Philip Bercano
Pam Behring
Phyllis Clausen
Nancy Hovis
Russell Jim
Terry Novak
Sam Reed
Robert Rose

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

Minutes

It was moved, seconded, and carried that the minutes of the February 19, 1987 Informal Council and Joint Board/Council meetings be approved. The minutes of the February 20, 1987 regular Council meeting also were moved, seconded, and carried as published.

Significant Recent Developments

Terry Husseman reported on Waste Management '87, an annual conference held in Tucson, Arizona. He stated that approximately 1,400 people involved in high and low-level waste issues throughout the country attended and participated in various ways. The conference was dominated by the technical personnel. This year, the first round states and affected tribes had a much more significant role compared to previous years. States and tribes representatives were able to present issue papers on their respective positions and opinions on the status of the nuclear waste repository program. In another session, a panel was dedicated to hear the perspectives of various actors regarding the status of the program. In his opinion Mr. Husseman reported, the technical personnel would have preferred not to hear the process problems and go forward with their technical work. However, attention was received and utility representatives came to the realization that serious problems do exist in the program. Mr. Husseman said that one goal was to make the utilities aware of the problems which was accomplished to some extent at the conference. Approximately ten to twelve papers were presented from representatives of Washington State and the three affected Indian Tribes. He noted that Ben Rusche, director of the Office of Civilian Radioactive Waste Management; Dixy Lee Ray, former Governor of Washington State; Jim McNulty, a former Congressman; and Russell Jim, a

Washington State Nuclear Waste Advisory Council member presented papers at the Waste Management '87 annual conference. Nancy Hovis of the Advisory Council also attended.

Side-Looking Airborne Radar Program

Mr. Husseman called upon Dr. William Brewer to discuss the status of the side-looking airborne radar (SLAR) program. Dr. Brewer reported that the state had lobbied Dallas Peck, director of the U.S. Geologic Survey for the last three years to have the Hanford site covered in a national program of mapping through the side-looking airborne radar. Dr. Brewer stated that the radar produces another dimension and technique for investigation of fault and fracture patterns in basalt. He emphasized that the program is an agreement between the state of Washington and the U.S. Geological Survey, exclusive of the U.S. Department of Energy.

Dr. Brewer said that the flights occurred within two and one half days in early March. A great deal of unexpected attention was given by the media, local and national, to the SLAR flights. Assurance was given that very high quality information from the in-flight data was recorded. The digital tapes from in-flight data will now be computer enhanced and should be available some time between early May to late September. Results of the SLAR flights will be published in late 1987. Over 100 square miles were covered and this data will be very valuable tool in the state's regional geological studies, said Dr. Brewer. New information as well as confirmation on older information received by surface mapping such as photo interpretation studies will be revealed. The utility of radar mapping for geology is that it tends to cut through vegetation which looks like clutter in a photographic image.

Equipment which is currently in use is particularly suited for post-mission enhancement. That is, an image can be produced which will optimize for a certain type of feature by the use of a computer. It is not known if new structures will be found. Mr. Brewer pointed out that regional geologic studies are synergistic. If one has five or six sets of data from diverse study approaches, an accurate and complete picture can be drawn in the analysis of that data. The data will give targets for surface inspection, shallow trenching and shallow drilling.

Litigation

Mr. Husseman referred to the memorandum from Narda Pierce regarding litigation. He alluded to the recent ruling from the Ninth Circuit Court on motions filed by the State of Washington. The court denied the motion to appoint a special master at this point in time, however, a three-judge panel was appointed. The panel will be responsible for all of the motions as the state's case goes to trial. Also, the motion was denied for discovery, but it was suggested the state return after USDOE indicates what information and documents they will make available. If the state is not satisfied at that point a renewal on the motion for discovery will be reviewed. Mr. Husseman said that the most significant decision of the court was to grant the request to expedite the hearing on the indefinite postponement of second round. Ms. Narda Pierce indicated in her memorandum that the briefing should be complete by July, a hearing possibly during fall and unknown when the court's decision would be made.

Council Discussion

There was extensive discussion by Council members on the following issues: 1) exploratory shaft; 2) appropriation process; 3) site specific work and activities; and 4) proposed Monitored Retrievable Storage systems. Office staff replied to Council members inquiries and

made clarifying statements on each of the four issues.

Following the conclusion of the discussion on the four issues, Mr. Bishop suggested that a joint Board/Council meeting be scheduled to further discuss the proposed Monitored Retrievable Storage system and other alternatives discussed by Council members. He stated that the purpose of the meeting would be to structure the alternative methods, not necessarily to arrive at a final solution, but to have a better understanding of the many proposals under consideration. Also, Mr. Bishop said that Office staff will discuss ways to maximize participation and involvement with the Congressional Delegation.

Socioeconomic Issues

Mr. Bishop stated that he requested Claude Lakewold of the Energy Facility Site Evaluation Council (EFSEC) to be present at this meeting to report on the Board's Socioeconomic Committee's interface with local governments. Mr. Lakewold reported that since October 1986 the Committee has been in discussions with three different local communities in Washington to provide memorandums of agreement to give them the capacity to participate in Washington's socioeconomic study. The participating areas of local government are: Mid-Columbia County Consortium, including Benton and Franklin Counties; Cowlitz, Clark and Skamania Counties. Mr. Lakewold stated that the Socioeconomic Committee plans to recommend to the Board that they approve the memorandum of agreement and enter into agreement with the local governments.

Basically, the agreement is two-fold: It would give the local governments the capacity and resources to participate in the socioeconomic study. Also, it would give them the resources to react to the public in terms of either public involvement sessions or telephone contact.

The Intergovernmental Resource Center Board, who represents Clark County, has approved the proposed \$57,000 contract. Therefore, if the Nuclear Waste Board approves the contract it will be ready for signature. The contracts are for the remainder of 1987 and are renegotiable for 1988. He stated that with the exception of Walla Walla, all counties on the Columbia River and the Tri-Cities are included in the agreements.

Mr. Bishop interjected that there is an outstanding invitation to the Association of Washington Cities and Association of County Commissioners to enter into memorandums of agreement. Thus far, no response has been received from either party. Mr. Lakewold added, the Spokane area has yet to develop and submit a proposal.

Mission Plan

Mr. Bishop called upon Robert Rose to report on the Mission Plan Review Committee meeting. Mr. Rose proceeded to request that Don Provost comment and reiterate the Committee activities. Mr. Provost stated that the approach to the amended Mission Plan began with Office staff developing draft comments. On March 12th a meeting was conducted with the Mission Plan Review Committee to review the draft comments. The group evaluated the comments and many additions, corrections and other comments were made. Committee members then requested Pat Tangora of the Washington State Energy Office and Committee staff to develop a list of priorities of the comments on the draft amended Mission Plan. Mr. Provost then referred to the document which was distributed to Council members as the product of the Committee's work. He said several attachments and a cover letter will accompany the document. The attachments will include the following: 1) comments on the December 19, 1985 unsolicited response to the previous Mission Plan; 2) consultation and cooperation (C&C) report to Congress; and 3) a

letter from Mr. Bishop concerning the size of the exploratory shafts. The cover letter will detail one or two of the major issues, but will basically be a transmittal letter.

Mr. Provost proceeded to refer to specific notations in the state comments on the draft amended Mission Plan entitled, "OVERVIEW: The Role of the Mission Plan." He reviewed several portions of the document and explained the reasons and basis for development of the comments. He also alluded to the Mission Plan and described how the comments and recommendations would impact the original document. Mr. Provost's outline addressed the following topics: 1) role of the Mission Plan; 2) USDOE's "Significant Recent Achievements in the Waste Management Program"; 3) C&C negotiations; 4) oversight of USDOE to address the timing or process for future plan amendments; 5) site selection process; 6) management changes in the geologic repository program; 7) short-term contingency plans; 8) USDOE's assumption on obtaining a license; 9) estimated incurred costs; and 10) transportation and socioeconomic issues. He concluded his report by reviewing state recommendations to USDOE on future direction for the repository site selection process and stated that comments are due on April 3, 1987.

Mr. Bishop stated that the document will be presented to the Nuclear Waste Board at its regular meeting on March 20, 1987. He emphasized the need for the Council members to expand upon the draft comments, clarify issues and possibly make recommendations to the Board.

Council members and the public submitted their verbal comments and made inquiries on the document. Mr. Provost accepted their suggestions to be considered and incorporated into the draft document to be presented to the Board. (See attachment.)

Mr. Husseman stated that USDOE is expected to submit the final draft to Congress by July 1987 and will consider the state's comments. He said they are not required to specifically address the state's comments. Sam Reed then asked that the Office staff make a formal request to USDOE for a copy of the final draft of the amended Mission Plan submitted to Congress. Mr. Provost suggested that the request be made in the cover letter which will accompany the state's comments.

Russell Jim reported that the Yakima Indian Nation is currently in the process of developing comments on the Plan, as are the Nez Perce and Umatilla tribes. Mr. Bishop called upon Steve Hart consultant for the Council for Energy Resource Tribes in Denver, Colorado. Mr. Hart reported that the two tribes are currently reviewing the Plan, basically in terms of changes in the schedule which were proposed. Plans are to comment on the scheduling changes, not on the document as a whole. However, he reported, if Washington State is commenting on the entire document, the tribes may follow suit.

Mr. Hart stated that after listening to previous discussion by the Council, regarding the possibility of Washington supporting a Monitored Retrievable Storage Facility at Hanford, it may create problems for the tribes, particularly the Umatillas. The Umatillas' main concern regarding the repository issue is transportation of the nuclear waste through the reservation. He said the transportation studies done by personnel at Oakridge, Tennessee indicate that if the MRS facility were constructed at Tennessee, approximately 90 percent of the consolidated waste would pass through the Umatilla Reservation via rail. If the MRS facility is not built, approximately 90 percent of the waste would pass through the reservation on interstate 84 and five percent on interstate 90. He concluded by saying if the state would indeed support an MRS facil-

ity at Hanford, it could be the basis for the termination of the relationship between the Umatillas and the state. Another concern of the tribe is the potential for contamination of the Columbia River system. Mr. Hart suggested that the Umatillas' concern about the MRS facility be given full consideration in any proposal to accept such a system in Washington.

Mr. Provost mentioned a transportation session is scheduled on April 17, coincidentally the same day as regular Council and Board meetings. The session is hosted by the tribes. He stated that Ms. Tangora will definitely attend and Office staff is attempting to make arrangement to be present. Mr. Provost said that the session is designed to facilitate a working relationship with the tribes on issues common to all parties. Mr. Bishop urged Mr. Provost to involve both Council appointees to the Board's Transportation Committee in the transportation session.

Mr. Husseman addressed Mr. Hart's comments saying that in effect, until a permanent repository is constructed, Hanford is currently a Monitored Retrievable Storage site. He said there is a distinction between handling current wastes at Hanford and bringing additional waste into Washington. Mr. Provost interjected that after the vitrification plant is built, the plans for Hanford and Savannah River, South Carolina are to have a defacto MRS facility to contain the canisters of glassified waste until they can be placed in a permanent repository. This is different than what is being proposed for commercial waste.

Mr. Bishop inquired to the Council on their position how they wanted their views concerning the draft comments to be brought before the Board. He added that since the comments have to be submitted prior to April's regular meetings, the Board is likely to take action immediately. The Council moved, seconded

and carried the motion for the Chairman to transmit and communicate the Council's comments and concerns regarding the draft amended Mission Plan in the form of incorporation into the original draft document and verbalization to the Board on March 20, 1987 at its regular meeting.

Committee Reports

Environmental Monitoring Committee

Pam Behring reported that the Environmental Monitoring Committee members recognized a problem with the Hanford Health Effects Panel; the issue of funding. She stated at the time of the meeting, there was no commitment by USDOE to authorize funding for the studies. Reciting from notes taken at the meeting she reported that the Institute for Public Policy will publish a progress report on the Hanford Health Effects Panel recommendations. The publication will be coordinated with a press release to the affected tribes. Also, a "readers' digest" version will be available to the public. Basalt Waste Isolation Project Operations office has not, as yet, approved the scope of work for 1987. However, she said the \$1.1 million grant has been approved verbally. A problem with the lack of funding is the issue of continuity. That is, monitoring has begun as a recommendation by the Panel, although some of it is being delayed because the lack of funds. She stated that the Committee members believed this problem serious enough to be sent to the Governor through the Board.

A Quality Assurance Task Force has been formed and will be coordinated with the states and tribes. A draft document will outline the grouts' efforts. She alluded to a report on hot water authored by Tim Connor of the Hanford Education Action League. USDOE said in a summary statement that there is not enough documentation to support or refute the theories in Connor's report.

Ms. Behring continued to report that the Hanford Historical Documents Review Committee (HHDRC) is reviewing the implementation of a thyroid morbidity study and dose assessments. The dose reconstruction is a proposed four year study costing approximately \$1 to \$2 million per year. The thyroid morbidity study is estimated to take two years to complete approximately \$2 to \$3 thousand per year. Committee members recommended the studies be conducted concurrently. However, the location may vary and staff is being selected by the HHDRC and Panel.

The Hanford Education Action League has requested for the release of about 400 documents through the Freedom of Information Act. One of the concerns of the HHDRC which arose with the document release was radon gas and public awareness. On May 6 in Spokane a panel will address this issue.

Mr. Bishop announced that Nancy Kirner of the Department of Social and Health Services, Designee to the Board and Chair of the Environmental Monitoring Committee will be taking a position in the private sector. Therefore, a new replacement will assume her role and duties. He also endorsed a suggestion by Mr. Reed to have a discussion to concentrate on the various overall aspects of the environmental monitoring program.

Defense Waste Committee

Mr. Husseman reported that an issue the Committee will be dealing with is the redefinition of high-level waste. He referred to Joe Stohr's presentation to the Council in January regarding the redefinition. The Nuclear Regulatory Commission has published in the Federal Register the concept they are reviewing for developing the redefinition of high-level waste. The proposed redefinition will change from a processed definition to the level of risk.

Transportation Committee

Phyllis Clausen announced that the Transportation Committee meeting had been postponed until April 2.

Local Government Committee

Nancy Hovis reported that the Local Government Committee did not meet in March.

Public Involvement

Marta Wilder reported on the USDOE's Institutional and Socioeconomic Coordinating Group (ISCG) meeting in Albuquerque, New Mexico. The meetings are designed for the USDOE to have discussions with their project offices from Washington, Texas, Nevada, contractors, and affected tribes. Issues usually focus on the following topics: public outreach, socioeconomic issues, transportation, and financial issues. Highlights of the meeting were: 1) grant process; 2) development and implementation of a staff intergovernmental resource center; 3) "participation plans" (public outreach guidelines for USDOE's regional and headquarter offices; 4) public involvement and distribution plans on the Site Characterization Plan Report; 5) next meeting of the ISCG is scheduled for July 14 through 16 in Seattle.

Ms. Wilder also referred to the memorandum distributed to the Council members regarding public information activities during 1986. The memorandum listed activities such as presentations, publications, surveys and other public outreach activities. She stated that the Office has applied to state fairs in King, Kitsap, Clark, Central Washington Counties. The Office display board, slide show, and information materials would be brought to the fairs. She said Office staff are scheduled to attend the association of cities and counties conventions during June.

Paul Korsmo of the URS Corporation alluded to the public involvement status report distributed to Council members. He reported that the March 1987 issue of the "Nuclear Waste Reporter" was published and distributed. On-going projects consist of the following: fact sheets, revision of display boards, issues documentary, public service announcements, school curriculum, toll-free telephone line, and a poster of Hanford.

Susan Hall of Hall & Associates reported on the regional meetings around the state. She stated that ten responses were received from Board and Council members to assist with moderating the regional meetings. Coordination will begin shortly on arrangements for radio, television, and newspaper interviews for the moderators and Office staff. Other publicity will include newspaper advertisements, flyers, and announcements in various organizations' newsletters. The moderators, prior to each meeting will receive a packet of all the publicity and network system contacts. Following each meeting, an evaluation form will be distributed to attendees to identify their means of notification of the meeting and subject matter of the presentation. A postage paid evaluation form may be used to receive a greater rate of return. Ms. Hall stated that confirmation on the places and dates will be completed within two weeks.

Betty Shreve commended Office staff on their work on the local government survey and follow-up to the survey respondents. She requested a listing of those in her local area who did not respond. Ms. Wilder stated that Office staff would follow-up on her request.

Ms. Wilder also stated that informational materials and the survey results will be distributed to the survey respondents.

Site Characterization Plan Report

Jim Mecca of the U.S. Department of Energy reported on two documents distributed to the Council, "Site Characterization Plan Status Report" and "Issues Hierarchy for a Mined Geologic Disposal System." Referring to the documents, he stated that they contain an annotated outline of the Site Characterization Plan Report. He explained that the USDOE had mulled over the definition of what constitutes a site characterization program. The result is a plan called issues resolution. By using the Mission Plan issues along with all the regulatory requirements in 10 CFR 60, 10 CFR 960, EPA 41, 40 CFR 191, comments and commitments which were made in the Environmental Assessment, Nuclear Regulatory technical positions and prior comments on the Site Characterization Report the issues resolution plan was developed.

Mr. Mecca stated that in his opinion a draft of Chapter Eight will be available for review by late-May 1987. He expected that the document will not be formally published before September 1987. Along with the draft document will be approximately 50 study plans, per agreement with the Nuclear Regulatory Commission. The Site Characterization Plan Report and study plans will be approximately 8,000 and 3,000 pages, respectively. He stated that there will be a 90-day review between the USDOE and Nuclear Regulatory Commission of the information needed prior to drilling the exploratory shaft. There has been discussion of a 90-day review for the states and

tribes on those elements which need to be in-place prior to drilling the shaft. The remainder of the document would receive the usual time period for review to include workshops and hearings. Mr. Mecca indicated that the drilling of the exploratory shaft would begin at the earliest in mid-1989.

Mr. Bishop requested of Mr. Mecca to make a presentation to the Board and Council on more identifiable elements of the Site Characterization Plan Report as soon as possible. Mr. Mecca responded affirmatively and asked for a minimum of one week's notice.

Mr. Bishop introduced Jane Hope of the Washington State Institute for Public Policy. She referred to information notebook entitled "Nuclear Waste: A Briefing Book for Legislators." Ms. Hope stated that copies will be made available to the Nuclear Waste Advisory Council and Nuclear Waste Board members. The notebooks are intended to provide the basic background information to be used as a reference document. An information brief also is being prepared on subseabed disposal program which will be available in about two weeks. Another information brief will be available in the distant future on a survey of international waste disposal.

Public Comment

None.

There being no further business, the meeting was adjourned.

WASHINGTON STATE NUCLEAR WASTE BOARD
COMMENTS ON THE JANUARY 1987 DRAFT MISSION PLAN AMENDMENT

OVERVIEW: The Role of the Mission Plan

In its comments of the 1985 Draft Mission Plan, Washington's Nuclear Waste Board expressed its strong concern that the role of the Mission Plan was not clear. USDOE's presentation of the draft amendment has not resolved that issue. For example, the Nuclear Waste Board, in its earlier comments, asked to what extent is USDOE bound to follow the Mission Plan. The question was not answered. As a result of the latest document, the Board asks to what extent is the USDOE bound to follow the Nuclear Waste Policy Act and the Mission Plan.

Perhaps USDOE's most blatant disregard for the Act centers around its May 28th decision to indefinitely postpone site-specific work on a second repository. Shortly after the draft amendment was issued, the Secretary gave conflicting and confusing testimony on this subject to Congressional committees. At first he testified that USDOE would proceed as described in the January 1987 draft amendment unless Congress specifically disapproved. Later he shifted to the position that unless Congress takes some affirmative action in regard to postponement of site-specific work on the second repository, USDOE will immediately proceed with second round site-specific work. It is evident that USDOE credibility has been wounded by such blatant maneuvers. The draft amendment has been used to coerce Congress into ill-timed and inappropriate actions. USDOE must go back to the drawing board to develop a Mission Plan which carries out a legal, scientifically-sound program which is required under the Act. USDOE must also work with the affected parties to develop a legitimate process for updating the Mission Plan.

SPECIFIC ISSUES

- A. The Draft Mission Plan Amendment conveys a misleading and inappropriately one-sided view of the progress made by USDOE in implementing the Nuclear Waste Policy Act (Act).**
1. The "Significant Recent Achievements in the Waste Management Program" section presents a misleading appraisal of the USDOE program. The Board strongly recommends that the section be deleted from the final document. If the section is retained, USDOE should clearly present information concerning each of the lawsuits which have been filed, a description of stop work orders at Hanford and Nevada because of on-going quality assurance problems, a concise history of program and project cost increases since passage of the Nuclear Waste Policy Act, and a figure showing how USDOE schedules have slid since passage of the Act. If the section remains, the text should describe the technical range of debate over the site selection process and should indicate that USDOE did not take the National Academy of Sciences advice, offered in writing several times, to involve independent experts in the site ranking and selection process.
 2. The Draft Mission Plan Amendment similarly misconstrues USDOE's consultation with affected states and tribes. For example, the reasons listed for extension of the schedule for the first repository are inaccurate and misleading. Delays were

not a result of the consultation process per se, but delays were caused by a lack of early and real consultation with affected parties as envisioned in the Nuclear Waste Policy Act. Effective, honest consultation with the states, affected Indian tribes, and other parties would have significantly reduced the delay.

B. USDOE has been unclear about the amendment process, has attempted to inappropriately use the Mission Plan as a vehicle for justifying actions that do not comply with the Act, and has presented the draft amendment as a fait accompli to Congress without the appropriate consultation with affected states and tribes.

1. The Draft Mission Plan Amendment seeks to justify the Secretary of Energy's May 28 decision concerning indefinite postponement of the second repository. The proposal was contrary to the Nuclear Waste Policy Act on May 28, and an administrative decree in the Mission Plan will not legalize the decision.
2. The proposed amendment was published for state, tribal and public comment eight months after the Department arrived at the key decisions concerning nomination of first repository sites and postponement of the second repository search.
3. Though in draft, the amendment was sent to—and defended before—Congressional committees at the same time it was made available for comment by affected parties.
4. The amendment does not address the timing or process for future Plan amendments.

C. The decision to postpone site-specific work on a second repository, in addition to being in conflict with the requirements of the Act, is being justified on the basis of highly uncertain waste volume estimates. The estimates of wastes to be accommodated have not been revised to reflect the possibility of geologic disposal of Hanford single-shell tank wastes, the possibility that concentration of wastes at the Idaho National Engineering Laboratory will not be achievable, and other potential sources of increased defense waste volumes.

D. The site selection process for the first repository has been plagued by the appearance, and perhaps the reality, that the justifications for site selection are being developed after, rather than before, the fact.

1. The lack of comparable approaches to early site screening for the first repository, differential early treatment of potential sites, and the use of apparently informal evaluation criteria continue to constitute the basis for serious concern about the repository site selection process.
2. The May 28th decision process has elevated this level of concern and we find that the draft amendment continues to misrepresent USDOE's use of the Multi-attribute Utility Analysis in the selection of sites for characterization.
3. In fact, the recent fact sheet on Management Changes in the Geologic Repository Program states the following: "Prior to the NWPA, the Geologic Repository Program had many of the characteristics of a competition among three distinct projects, where each was managed by a different project office located under a different DOE operations office. The program's strategy was that the repository

would be built by the project office that first produced a satisfactory site." The actions leading to the May 28 decisions made it clear that this flawed program strategy was still in place and was a major factor in USDOE's decision not to follow ranking recommendations resulting from the Multiattribute Utility Analysis. Today, program competition continues and the strategy has not changed. USDOE should pause long enough to implement an integrated, scientifically-based program.

E. The waste acceptance schedule is perilously dependent on a tenuous and arbitrary MRS schedule.

1. USDOE, in the final document, must address in detail other possible short-term solutions such as on-site dry cask storage and rod consolidation at reactor sites. The utilities short-term nuclear waste storage problems must be recognized and resolved. The unavailability of short-term storage options must not be used to rush site characterization and site selection.
2. Although the Nuclear Waste Board has not taken a position on specific short-term storage options, the Board has taken a position which opposes any linkage between short-term options such as a possible MRS and the repository program. The contingency plans listed in Appendix F.3 are wholly inadequate and should be entirely redone. The Draft Mission Plan Amendment indirectly acknowledges Hanford's technical problems when it describes the reasons for schedule delays.

F. USDOE appears to be proceeding to build its characterization program on the assumption that all sites will indeed be licensable, rather than establishing strategies to actively search for fatal flaws.

1. The proposed issue hierarchy and issue resolution process tends to obscure site specific technical problems which would lead to early identification of fatal flaws. USDOE must develop a program-wide system which emphasizes early, open, and consistent problem reporting. BWIP has experienced problems with free gas during drilling operations and with leaky piezometers. Significant problems developed because the problems were not reported program-wide in a timely manner, such a "bottom-up" system would complement the "top-down" approach suggested by USDOE.

G. The technical difficulties and associated added costs of constructing a repository at Hanford were inappropriately discounted by USDOE in its selection of sites for characterization. These difficulties and costs continue to be underplayed in USDOE's technical planning for site characterization.

1. In fact, the Draft Mission Plan Amendment is the latest USDOE document which reports a continuing trend of adding "engineered fixes" in order to justify a repository at Hanford. These fixes will add to the repository cost. The BWIP exploratory shaft has grown from one six foot shaft to two six foot shafts and finally the draft amendment calls for the second shaft to have an inside diameter of 10 to 12 feet. The final amendment should not only give the design basis for the size of the shaft, but should document cost increases over time for shaft costs and overall costs.

2. USDOE, without prior consultation with affected parties, announced in the draft amendment that it is planning to increase the size of the second shafts at the sites in basalt and tuff. The document gives no design basis, no technical rationale, and no cost information for the plan. The number of shafts and the size of the shafts were major issues raised by the state of Washington during the review of the Draft Mission Plan. Specifically, the state sought an explicit limit on shaft diameter in order to prevent the availability of a shaft large enough to justify using the site as a repository.

On February 6, 1987, Nuclear Waste Board Chair Warren Bishop requested specific information on the design basis for the decision to change the size of the second BWIP exploratory shaft. The state of Washington needs the information in order to conduct an adequate review of the draft amendment. USDOE must demonstrate that the plan is consistent with the provisions of the Act which restricts site characterization activities to those necessary to provide data required for evaluation of the suitability of the candidate site.

3. Finally, in the final document, USDOE should be candid and admit that technical issues, not budget appropriations, prevent drilling exploratory shafts at Hanford in fiscal years 1987 and 1988. USDOE must correct the statement on page 33 related to the Hanford exploratory shaft schedule. Congress and all affected parties must be informed that even if Congress appropriated the \$725 million requested by USDOE, construction of the Hanford exploratory shaft could not start in calendar year or fiscal year 1988. It should also be noted that the Draft Mission Plan Amendment indirectly acknowledges Hanford's technical problems when it describes the reasons for schedule delays.
4. Because defense wastes are an integral part of the Hanford physical environment, they must be dealt with in the Mission Plan Amendment. Issues such as which defense wastes will go to a repository, the waste quantities, the acceptance rate, and funding of defense waste activities should be clearly discussed in the final document.

H. USDOE should further detail the methods it will use to resolve transportation and socioeconomic issues.

1. There is one particularly murky paragraph in the proposed amendment concerning socioeconomic impacts due to perceptions and concerns people have about nuclear waste, so that even selection of a site for characterization may have some negative effects. Apparently, USDOE does not have a commitment to identify such impacts. The paragraph also leaves it to Congress to consider whether some form of financial assistance to offset these impacts is appropriate.
2. The draft amendment does not provide a schedule for resolving myriad issues associated with transportation and the MRS facility. USDOE should provide such a schedule and should also identify the long-term impacts associated with transportation and the MRS facility.

WHERE SHOULD WE GO FROM HERE?

The scheduling delay and the proposed change to a more centralized management structure provide a window of opportunity for restoring USDOE's credibility. The Board was critical of USDOE's Mission Plan for its lack of realism. USDOE should now candidly admit that, even with the proposed level of funding and an aggressive and "success-oriented" schedule, it cannot meet the intent of the Act if it continues in its current course. USDOE should strongly consider using the "window" for restoring program, policy, and legal credibility to the program. During this transition period the site selection process should be restructured and redirected. USDOE's May 28th decision must be retracted and a serious attempt must be made to reach a consensus among the interested parties on improvements to the site selection process.

Additional actions which USDOE should take to improve this situation include:

1. Openly involve affected states and tribes in its proposed management changes and clearly describe those changes to Congress in the Plan amendment. Shortly after the Draft Mission Plan Amendment was issued, USDOE announced significant management changes in the geologic repository program. It is evident that the management changes were under consideration at the time the draft amendment was being prepared. The final Mission Plan should describe the proposed structure, clearly delineate the responsibilities and accountabilities for headquarters, the project offices and the systems engineering and development (SE&D) contractor. The final Plan should describe how the transition will be accomplished, and describe the actions USDOE will take to ensure a credible, technically sound comparative evaluation of candidate sites.
2. Develop a thorough and systematic quality assurance program before initiating characterization. The state of Washington has continuing concerns about the overall USDOE quality assurance programs. The stop work orders at Nevada and Hanford illustrate the cost and schedule problems caused by inadequate quality assurance programs. USDOE and the affected parties cannot make informed decisions unless there is an integrated, comprehensive quality assurance program which covers field activities, the project offices, the SE&D activities, the Office of Geologic Repositories, the Office of Civilian Radioactive Waste Management, and the Secretary of Energy. Headquarters organization and problem reporting are major concerns. The stop work orders should not be lifted until such an integrated, comprehensive assurance program is in place.
3. Implement Governor Gardner's proposal for a national conflict resolution process necessary to rebuild consensus and get the repository program back on the right track. In contrast, USDOE's proposed new initiatives for consultation and cooperation (C&C) agreements have been discussed for a considerable time. The concept of generic negotiations has been turned down by all the states and affected Indian tribes. The procedure for adding to previously negotiated agreements any C&C provision that is later negotiated with a particular state or affected Indian tribe was an early issue in state of Washington negotiations. Later on, USDOE agreed to this provision, but formal negotiations were not rescheduled. The use of third-party negotiators have always been an option if negotiations are rescheduled. It is doubtful that the state of Washington can or will request the rescheduling of negotiations until USDOE takes significant actions which would improve its credibility.