

WM R/F
101.3
101.4

MAY 27 1983

WM: 101

Send to
DCS as 101.3.

MEMORANDUM FOR: To the Files

THUR: Joseph O. Bunting, Jr., Chief
Licensing Process and Integration Branch

FROM: Catherine F. Russell,
Licensing Process and Integration Branch

SUBJECT: TRIP REPORT

Enclosed you will find the trip report with appropriate attachments
for the April 19-21, 1983 trip to Washington State.

151

Catherine F. Russell
Licensing Process and Integration Branch

cc: HMiller
MBell
LHigginbotham

DISTRIBUTION

Attached list

OFFICE	WMPI	WMPI				101.3	00453
SURNAME	CRussell:as	JBunting					
DATE	83/05/26	83/05/				101.4	00455



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MAY 27 1983

WM: 101

MEMORANDUM FOR: To the Files

THUR: Joseph O. Bunting, Jr., Chief
Licensing Process and Integration Branch

FROM: Catherine F. Russell,
Licensing Process and Integration Branch

SUBJECT: TRIP REPORT

Enclosed you will find the trip report with appropriate attachments for the April 19-21, 1983 trip to Washington State.

Catherine F. Russell

Catherine F. Russell
Licensing Process and Integration Branch

cc: HMiller
MBell
LHigginbotham

DISTRIBUTION

WM s/f
NMSS r/f
RMacDougal
JSurmeier
JBunting
HMiller
Wolmstead, ELD
WKerr, OSP
RBrowning
MKearney
DMattson
JDavis
DMAusshardt
DKunihiro, RV
CRussell
FYoung, OSP
RUleck
RWright
SCoplan
PATomare
JFouchard, PA
EFay, CA
SWeissberg
RVoegeli, ELD
NHaller, OCM
PDR

TRIP REPORT FOR WASHINGTON STATE - APRIL 19-21, 1983

On Tuesday, April 19, Joseph Bunting, Chief, Licensing Process and Integration Branch, WM, Susan Weissberg, Office of State Programs, Deane Kunihiro, NRC's Region V office, and myself met with representatives from the State of Washington. Present at the meeting were David Stevens, Special Assistant to Governor Spellman for Natural Resources, Nicolas Lewis, Chairman, Washington State High-Level Nuclear Waste Task Force and Mr. Lewis' Assistant, Brad Erlandson. The purpose of the meeting was twofold: to discuss the NRC's procedural rule, 10 CFR Part 60, Subpart C in relation to the recently passed Nuclear Waste Policy Act of 1982; and to discuss appropriate areas for Washington State's participation and consultation in NRC's reviews of the Hanford site.

Mr. Bunting began the meeting by emphasizing the need for continued cooperation and interaction between the State of Washington and the Nuclear Regulatory Commission in the NRC review of the Hanford Reservation as a potential candidate site for a high-level waste repository. He emphasized that the NRC shares the State's desire to maintain a continuing and close relationship throughout the site characterization process in order to assure that important issues are raised and resolved early. This is particularly important given that a high-level waste repository is a unique, first-of-a-kind facility.

Mr. Bunting explained that the Nuclear Waste Policy Act (NWPA) requires a sustained and systematic exchange of views and information between the States and DOE at each step of the site characterization process. With regard to federal interaction with States, he said there may be some areas of duplication and overlap between DOE activities under P.L. 97-425 and NRC activities under 10 CFR Part 60, Subpart C. Mr. Bunting said that NRC is assessing whether any modifications to Subpart C appear warranted consistent with the need for close interaction between appropriate States and the NRC. However, he stressed that NRC intends to preserve the relationship we've established with the State of Washington to ensure this continued consultation and participation in the NRC's review of DOE activities at Hanford.

Mr. Stevens said he was disturbed by a perception that the NWPA puts DOE between the State and NRC, so that Washington would have to deal with NRC through DOE. He said a separate relationship between NRC and the State is still necessary and advisable. Mr. Lewis agreed and said he had envisioned a "dual-track" relationship between Washington and DOE and NRC. He said the agencies have "dissimilar roles to deal with similar issues" and that the Task Force would have no difficulty at all working with both agencies. He emphasized that there was no need for any "middle man" between the State and any Federal Agency. Lewis did indicate that there should be some coordination between the three groups (NRC, DOE and State) because there were times when it's more productive of everyone's

time to do business jointly (e.g. briefings). Lewis also added, on a separate note, that the Task Force would have a formal response around June 1 to the DOE on their Hanford Site Characterization Report, and would send a copy to NRC. He said the State has initiated the formal process specified by the NWPA to negotiate a written agreement with DOE for their consultation and participation in DOE's activities at Hanford.

Stevens said they had met with Robert Morgan, the Acting Director of DOE's Nuclear Waste Policy Act Program office, and Morgan indicated he will depend heavily upon the DOE field people for State/Tribal participation. Stevens said the most likely person from DOE to lead the effort in Washington would be Alex Fremling and this approach was acceptable to the State as long as DOE acknowledged that some issues are beyond Richland's scope and need to be dealt with at the National office level.

Both Mr. Stevens and Mr. Lewis expressed concern about DOE's proposed siting guidelines. They felt that DOE is allowing no time for comments after issuance of the proposed final guidelines in May. They said both the States and the Commission will have no time to work with DOE to assure that the final guidelines are acceptable and appropriate. Stevens said this would not fulfill the requirements of the law, and the State is still waiting to "consult" with DOE on the guidelines. He added, however, that the State was satisfied with DOE's announcement, faxed to them that day, that DOE would delay drilling of the exploratory shaft at Hanford until issuance of final guidelines and an environmental assessment based on those guidelines.

Lewis said the State felt it would be useful to have some sort of Memorandum of Understanding with the Commission. Both he and Stevens agreed with Mr. Bunting's suggestion that if the State is committed to seeking an MOU, it should consider a two-staged approach: first through the site characterization phase and later, if necessary, through the licensing process. Stevens felt this was a good approach, particularly in light of the possibility that if a plan were developed for participation for the entire process through closure of a repository, it would foster a public perception that selection of Hanford for the repository was a "fait accompli."

Lewis thought that NRC's perspective in the characterization phase was similar to the State's because both need to examine critically DOE's data and submissions to assure that potential licensing issues are addressed. He indicated that the State has been very satisfied with one of NRC's consultants (Golder) and would like to continue using them. Bunting told him that this should be discussed further because some assurance must be made that Golder isn't being paid twice for the same work. Lewis said he regarded the State's ability to use Golder at such a low cost as a "backdoor or supplemental use of NRC funding" since the State was "piggybacking" on Golder's work performed for the NRC.

Lewis suggested that NRC put together some "licensing models" for State participation in the NRC licensing process. He felt the models should cover the range of potential State perspectives from that of the traditional adversarial party status to that of a friendly, concurring party status. In any of the licensing models, however, Lewis recommended that the State sit on the Licensing Board as a voting member. This would be particularly valuable, according to Lewis, because the State representative would understand the State, site, and landscape thoroughly, while NRC would be less knowledgeable than the State. This would bring to the licensing process unique, useful, and necessary information to assure that the decision made by the Licensing Board considers all factors. Bunting made no commitments or languages to this effect.

Bunting asked whether the State plans to enter into an MOU or written agreement with NRC before or after the State's written agreement with DOE. Stevens said that working out an MOU with NRC should not wait until the written agreement is finalized with DOE. Bunting told the State officials that the next action is theirs - they must determine what they want to do and where they'd like to go from here. Lewis said the information for the DOE written agreement is due around May 20, and the next step is to start a similar process to get a written agreement with NRC after the DOE Agreement is "off the launch pad." Stevens agreed and said he felt that a mutually-assented-to policy is a very important step to recognize mutual interests and benefits. Bunting asked if the MOU could use the existing NRC/Washington umbrella agreement. Lewis said that was one possibility, but since the high-level waste repository is a newer, larger issue, it would probably be advisable to have a new document, or to redo the existing umbrella agreement, for Governor Spellman's signature.

Lewis told the group that, for the first time in quite a while, the Yakima Indian Nation has been willing to talk with the State on the Hanford Repository issue. Lewis attributed this to the efforts of the State with DOE to arrange for a briefing to the Tribe. He said Jim Hovis, the Yakima legal counsel, called him prior to DOE's hearings on the guidelines and the Hanford EA to compare testimony by the State and the Tribe. Lewis said, although not in writing, the State has informally agreed to consult with the Yakimas on this issue, although both parties would have their own independent decision-making process. In matters of litigation, Lewis told us that the Indian communities in Washington have been very successful in matters against the State, particularly in fishing and water rights matters. Historically, Lewis said they've done better against the State than the Federal Government in the tribal litigation matters.

Stevens asked whether NRC had funds available to the State to assess licensing issues. Bunting replied that NRC had no source of funds other than through an RFP contract for the limited purpose of supporting NRC licensing reviews. Such a State contract proposal would have to meet the

competitive bidding requirements of the Federal Procurement Act and, even if it did, there would be a danger of a conflict of interest with the State as both a contractor and potential intervenor. Lewis expressed concern about the possibility of a licensing issue which DOE chose to do nothing about. Bunting assured him that all legitimate licensing issues would be brought to DOE's attention and addressed to the satisfaction of the Commission.

Stevens pointed out that pending State legislation would create an independent seven-member Commission to deal with Hanford Repository issues. Responsibility for the technical analysis would be transferred to the State's Department of Ecology and the High-Level Waste Task Force established by the Governor would be simply an advisory group. He said it was doubtful if the bill would pass during this session, since the legislative session was to end on Sunday, April 24, but if the legislature went into an additional special session the outcome would be uncertain.

At the end of the meeting, it was agreed that NRC and Washington would continue with routine briefings and exchange of information. The State officials acknowledged that any request for assistance from NRC would be their responsibility. Lewis said the State would submit documents to NRC identifying major technical issues that would necessitate intensive consultations with NRC.

On Wednesday, April 18, Joe Bunting, Sue Weissberg, and myself met with Randy Scott, formerly with the State of Washington's Office of Indian Affairs. He told us that the Governor had appointed a new representative to the Office of Indian Affairs, Leo LeClair. Scott indicated we should coordinate with LeClair, but on the day of our meeting, LeClair was attending a conference.

Scott said the Yakima Indian Nation has a General Council and a 14-member Tribal Council. Both bodies are composed of elected officials. The Tribal Council terms of office are four years, and the Tribal Council handles the Tribe's business matters. The General Council is composed of all Tribal members over the age of 18 with an elected governing body. These terms are normally life-long and they handle the everyday policy decisions of the Tribe. NRC has been dealing primarily with the Tribal Council. Randy said the Tribe also employs some staff personnel, such as Erlene Reber, but their role is strictly to present information to the Councils, and the Councils make the decisions.

Scott said the Tribe, given past experience, has been very distrustful of Federal Agencies or the State, because in the Tribe's experience initial meetings would be friendly and acquiescing, but the Indians would ultimately be "stabbed in the back." Scott said he has been advocating, among the State legislature and the Tribes, an attitude of listening and talking. He explained to the Tribes that they do not have to agree with or adopt the State's policies, but they should try to talk and work with

the State to find areas where agreement can be reached and where they could mutually support one another.

Scott urged us to be honest and straightforward with the Tribe. They may not like what is said, but the Tribe will have an honest view of where they stand and can determine how to proceed. A major concern of the Tribe, according to Scott, will be why Hanford was selected for characterization in the first place, and, if selected as the repository site, why it was chosen over all other sites. We explained that DOE had responsibility for those matters. On another matter, Scott told us he would check to see if other Tribes (Umatillas and Warm Springs) would be petitioning BIA for affected tribe status.

On Thursday, April 21, Joe Bunting, Sue Weissberg and myself were joined by Rob MacDougall, Licensing Process and Integration Branch, and Mike Bell, Chief, HLW Licensing Management Branch, to meet with the Yakima Indian Nation on their Reservation in Toppenish, Washington. The purpose of the meeting was the same as the meeting with the State of Washington, with the addition of a briefing by Mike Bell and a discussion of a Resolution sent by the Tribe to the NRC. The Yakima Indian Nation had several members present at the meeting, in addition to their attorney, James Hovis, and staff members. A complete list of all attendees is attached.

Mr. Hovis began the meeting by giving the news about DOE's decision to delay sinking the exploratory shaft at Hanford until the DOE guidelines are finalized and an environmental assessment based on the finalized guidelines is completed. He felt that NRC's DSCA was well done and will be very helpful to the Tribe. Hovis was concerned about the inordinate delay between NRC's mailing of a document and the date it is received by the Yakimas. As an example, he said the DSCA went out of NRC's mailroom on April 7, but was not received by the Tribe or himself until April 23. Hovis said they needed to get documents more expeditiously to allow adequate time for review and comment before something is finalized, since BIA has determined that the Tribe is affected under the NHPA. Hovis said they are more of a participant than a member of the general public. Bunting promised to check into the problem and report back.

Bell briefed the Tribe on NRC's comments on DOE's proposed siting guidelines for high-level waste repositories, and on aspects of the Nuclear Waste Policy Act of 1982 that will affect the environmental review process for a repository. A copy of the briefing package is attached. Mr. Hovis explained that the Tribe was very concerned about the range of times expressed for groundwater travel and about the long life-span of radionuclides. He said the Yakimas had been there over 15,000 years and expected to be there another 15,000 years and so projected time periods were of crucial importance to the Tribe. The Tribe felt very strongly that no burden should be passed on to generations yet unborn, and yet the long-lived toxicity of radionuclides, combined with the uncertainties about groundwater travel time, would

result in just such a burden. Bell explained that the concerns expressed were part of the EPA's Proposed Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Wastes issued on December 29, 1982. He told them they could still comment on the proposed EPA standards as the comment period doesn't end until May 2, 1983. Bell said the definition by EPA of the accessible environment is a key point for all the concerns expressed by Mr. Hovis and the Tribe.

Bunting explained the relationship established with DOE and the Tribe under the NWPA, and how it related to NRC's procedural rule, 10 CFR Part 60, Subpart C. Hovis said both he and the Tribe have a good understanding of their new role with DOE under the Act, but felt that it would be effective and helpful for the Tribe to work with NRC early on in addition to DOE. He emphasized that they didn't want to give up their relationship with NRC just because the Act established a new, separate relationship with DOE.

Hovis told us that any concurrence by NRC on the DOE guidelines would require publication, comment and hearings on the concurrence as provided for in the Administrative Procedures Act. Hovis said he was "putting the NRC on notice" that anything less is a violation of the Administrative Procedures Act and would require review. Hovis went on to say that the NEPA-related changes in the Waste Policy Act do not nullify the statutory requirements of the NEPA. He said he went through the complete legislative history of P.L. 97-425 and could find no indication that other laws should be "put on the back burner" just because the Waste Policy Act was enacted. Hovis said he understood it was a legal question and said they would be glad to work with NRC's Counsel on resolution of this matter.

Bunting outlined Subpart C and discussed some of the areas of duplication and overlap NRC has with DOE which may need to be changed as a result of the NWPA. In response to Hovis's concern, Bunting assured him that NRC would get the Tribe's suggested comments on the changes to Subpart C before issuing them in final or coming out with a proposed rulemaking. Hovis said that minor changes correcting duplicative activities were not important to them, but they want to retain provisions to get help from the NRC staff. This would include access by the Tribe's technical people to NRC's information and computer codes to allow them to make their own assessment, according to Hovis. He asked to whom they should send a letter requesting the things the Tribe wants from the NRC. Hovis suggested a written document such as an MOU with NRC for the Tribe's participation and explained that the Tribal Resolution to NRC on their participation and consultation would be replaced by the provisions of a more specific MOU. Hovis indicated the Tribe would likely want to have NRC staff available to help them develop a proposal to participate. As a beginning, Hovis requested a list of specific technical areas and skills that would be needed by the Tribe to assess independently the material and data concerning Hanford.

According to Hovis, some former employees of the NRC have expressed interest in working with the Tribe on Hanford, and the Tribe already has a contract with a firm in Washington, D.C. which it hopes to continue. He asked when the Tribe should start working with the NRC on these matters. Bunting told them that if they already have things they want NRC to do, we would be happy to sit down and work with them when they make the request in writing.

Bunting suggested that the Tribe may want to use the same two-staged approach as the State, first an MOU for the site characterization process, then a revised MOU for licensing. Hovis said the Tribe would take a separate approach from the State and desires to have a separate, independent relationship with NRC. Hovis said this approach would be best for both the State and the Tribe. In response to a question from Bunting, Hovis said it would be fine if NRC provided briefings to the State and Tribe at the same time, but emphasized that the participation and consultations with the NRC by the Tribe must remain separate.

Hovis then asked where NRC felt changes to Subpart C and the procedural rule would be necessary, and asked who in NRC's Legal Division would be responsible for the rule changes. Bunting told him it would be the Office of the Executive Legal Director, who is Guy Cunningham, and the responsible Division Director within ELD would be William Olmstead .

MacDougall then gave a briefing on possible areas where changes to Subpart C might be advisable, such as for elimination of duplication. He told the Tribe that the meeting was most opportune because NRC was very much in the formative stages of determining where and if changes are necessary. Hovis told us that he felt they could be very helpful to NRC in this regard and would be happy work with us.

MacDougall explained that Bunting's staff was the first line staff responsible for drafting recommended changes to Subpart C. Russell Jim explained that the Yakimas have the most to lose if a repository is sited at Hanford. He said the Yakimas have been there since time started and they intend to stay there forever. We were asked to keep this in mind when drafting changes to our rule. Mr. Jim emphasized that NRC must understand there were factors other than technical which the Yakimas can help the NRC to understand.

One area where MacDougall explained some inconsistencies had to do with adjacent states. NRC's procedural rule provides for input by adjacent states but the NWPA does not provide for any input by adjacent states. MacDougall indicated some revisions might have to be made. Hovis advised us, in the case of Hanford, that Oregon has a vested interest in the siting of the repository: the Columbia River is contiguous to most of their populations areas; and, Hovis also pointed out, Oregon's Senior Senator Mark Hatfield is Chairman of the Senate Appropriations Committee. Another consideration is the anomaly that could develop if any adjacent State were precluded from participation and a tribe within its borders

were determined to be affected and eligible to participate with DOE under NWPA.

Hovis concluded the meeting by telling us that he intends to work with the attorney hired by the State, Mr. Malachai Murphy, to effect appropriate, or challenge any inappropriate changes to Subpart C. He said there were areas of mutual interest between the State and the Yakimas concerning Subpart C and he was concerned about both parties doing without NRC's services unless an effort was made to emphasize the need for such services.

On Tuesday, April 26, 1982 in the Willste Building 9th floor conference room, Mr. Bunting, Mr. MacDougall, Ms. Weissberg and myself met with Mr. Davis, Director, NMSS, Mr. Kerr, Director, OSP, Mr. Olmstead, ELD, and Ms. Comella, RES to provide a debriefing of our trip to Washington State. We provided the details of what transpired on the trip, as well as responding to questions about the meetings which took place in Washington State.

NRC STAFF COMMENTS ON
DOE'S PROPOSED SITING GUIDELINES
FOR GEOLOGIC REPOSITORIES AND
THE NWPA ENVIRONMENTAL
REVIEW PROCESS

M. J. BELL

APRIL 21, 1983

NUCLEAR WASTE POLICY ACT OF 1982

- ENACTED JANUARY 7, 1983
- ENDORSED MANY ASPECTS OF NRC REGULATORY PROGRAM
 - HLW DISPOSAL LICENSED BY NRC
 - MULTIPLE SITE CHARACTERIZATION
 - SITE CHARACTERIZATION AT REPOSITORY DEPTH/IN SITU TESTING
 - NRC/DOE CONSULTATION PRIOR TO LICENSE APPLICATION
 - MULTIPLE BARRIER APPROACH
 - RETRIEVABILITY OF WASTES
- SET DEADLINES FOR FEDERAL AGENCY ACTIONS
 - NRC TECHNICAL CRITERIA BY JANUARY 1, 1984
 - EPA STANDARD BY JANUARY 7, 1984
 - DOE PROGRAM IN GENERAL
- SET UP PROCESS FOR SITE SELECTION AND STATE/INDIAN TRIBE PARTICIPATION IN DOE PROGRAM

INITIAL NWSA SITE SELECTION PROCESS

- DOE TO PUBLISH SITING GUIDELINES BY JULY 6, 1983
 - CONSULT WITH GOVERNORS, EPA, CEQ, USGS
 - CONCURRENCE OF NRC

- DOE TO NOMINATE FIVE SITES AS CANDIDATES
 - EACH NOMINATION TO BE ACCOMPANIED BY ENVIRONMENTAL ASSESSMENT (EA)
 - DOE TO CONDUCT SCOPING HEARINGS FOR EA

- DOE TO RECOMMEND THREE SITES TO THE PRESIDENT FOR CHARACTERIZATION
 - PRESIDENT APPROVES/DISAPPROVES IN 60 DAYS
 - IF PRESIDENT FAILS TO ACT OR REQUEST MORE TIME, SITE CONSIDERED APPROVED FOR CHARACTERIZATION

- SITE CHARACTERIZATION PLAN
 - BEFORE SINKING SHAFTS, DOE MUST SUBMIT SITE CHARACTERIZATION PLAN TO NRC AND STATE/INDIAN TRIBE
 - SCOPE OF REVIEW MORE LIMITED THAN PART 60 LICENSING PROCEDURES

NUCLEAR WASTE POLICY ACT

SEC. 112(A) GUIDELINES - NOT LATER THAN 180 DAYS (JULY 6, 1983) AFTER THE DATE OF THE ENACTMENT OF THIS ACT, DOE, FOLLOWING CONSULTATION WITH CEQ, EPA, USGS, AND INTERESTED GOVERNORS, AND THE CONCURRENCE OF NRC, SHALL ISSUE GENERAL GUIDELINES FOR THE RECOMMENDATION OF SITES FOR REPOSITORIES.

CONTENT OF GUIDELINES

SEC. 112(A) OF THE ACT STATES THAT THE GUIDELINES SHALL SPECIFY:

- DETAILED GEOLOGIC CONSIDERATIONS THAT SHALL BE PRIMARY CRITERIA FOR THE SELECTION OF SITES IN VARIOUS GEOLOGIC MEDIA
- FACTORS THAT QUALIFY OR DISQUALIFY ANY SITE FROM DEVELOPMENT AS A REPOSITORY

QUALIFYING OR DISQUALIFYING FACTORS

FACTORS THAT WOULD QUALIFY OR DISQUALIFY ANY SITE FROM
DEVELOPMENT AS A REPOSITORY INCLUDE:

- NATURAL RESOURCES
- HYDROLOGY
- GEOPHYSICS
- SEISMIC ACTIVITY
- ATOMIC ENERGY DEFENSE ACTIVITIES
- PROXIMITY TO WATER SUPPLIES
- PROXIMITY TO POPULATIONS
- EFFECT ON WATER RIGHTS
- PROXIMITY TO NATIONAL LAND AND WATER RESOURCES

ADDITIONAL CONSIDERATIONS IN THE GUIDELINES

- TRANSPORTATION COSTS AND IMPACTS
- REGIONAL DISTRIBUTION OF REPOSITORIES
- VARIOUS GEOLOGIC MEDIA

PROGRAM FOR SELECTION OF FIRST REPOSITORY

AFTER ISSUANCE OF THE GUIDELINES, DOE SHALL:

- NOMINATE 5 SITES THAT ARE DETERMINED SUITABLE FOR SITE CHARACTERIZATION
- RECOMMEND 3 OF THE NOMINATED SITES FOR SITE CHARACTERIZATION TO THE PRESIDENT BY JANUARY 1, 1985
- RECOMMEND A SITE FOR THE FIRST REPOSITORY TO THE PRESIDENT BY MARCH, 1987

APPLICATION OF GUIDELINES

- AN ENVIRONMENTAL ASSESSMENT FOR EACH NOMINATED SITE (SEC. 112(B)(1)(E))
- A SITE CHARACTERIZATION PLAN FOR EACH CANDIDATE SITE BEFORE SINKING SHAFTS (SEC. 113(B))
- A RECOMMENDATION THAT THE PRESIDENT APPROVE A SITE FOR DEVELOPMENT OF A REPOSITORY (SEC. 114(A))
- A PRELIMINARY DETERMINATION THAT THE 3 ALTERNATIVE SITES THAT WILL BE CONSIDERED IN THE EIS ARE SUITABLE FOR DEVELOPMENT AS REPOSITORIES (SEC. 114(F))

PROPOSED GUIDELINES

- ISSUED FOR PUBLIC COMMENT ON FEBRUARY 7, 1983

- PUBLIC HEARINGS:
 - CHICAGO - MARCH 4
 - NEW ORLEANS - MARCH 7
 - WASHINGTON - MARCH 10
 - SALT LAKE CITY - MARCH 14
 - SEATTLE - MARCH 21

- WRITTEN COMMENTS REQUESTED BY APRIL 7, 1983

- ISSUE FINAL GUIDELINES BY JULY 6, 1983

NRC STAFF CONCLUSIONS ON PROPOSED DOE GUIDELINES

- THE PROPOSED GUIDELINES
 - APPEAR TO ACCOUNT FOR THE SITING FACTORS IDENTIFIED BY THE ACT
 - SHOULD LEAD DOE TO REASONABLE CANDIDATE SITES
- IT APPEARS THE PROPOSED GUIDELINES AND 10 CFR 60 ARE COMPATIBLE
 - DOE SHOULD EXPLAIN DIFFERENCES IN WORDING
- CLARIFICATION REQUESTED ON HOW AND WHEN GUIDELINES WOULD BE APPLIED

PART 60 PROCEDURES FOR SITE SELECTION

- PART 60 IMPLEMENTS P.L. 95-601, "NRC AUTHORIZATION ACT OF 1979"
 - DOE "SHALL NOTIFY THE COMMISSION AS EARLY AS POSSIBLE AFTER THE COMMENCEMENT OF PLANNING FOR A PARTICULAR PROPOSED FACILITY. THE COMMISSION SHALL IN TURN NOTIFY THE GOVERNOR AND THE STATE LEGISLATURE OF THE STATE OF PROPOSED SITES WHENEVER THE COMMISSION HAS KNOWLEDGE OF SUCH PROPOSAL."
 - SUBMISSION OF SITE CHARACTERIZATION REPORT (SCR). BY DOE SATISFIES THIS REQUIREMENT
- SCR IS REQUIRED TO ADDRESS
 - THE CRITERIA USED TO ARRIVE AT THE CANDIDATE AREA
 - THE METHOD BY WHICH THE SITE WAS SELECTED FOR SITE CHARACTERIZATION
 - ALTERNATIVE MEDIA AND SITES
 - DECISION PROCESS FOR SITE SELECTION, INCLUDING MEANS TO OBTAIN PUBLIC, INDIAN TRIBE AND STATE VIEWS

NWPA SITE SELECTION/CHARACTERIZATION PROCESS

- DOE TO NOMINATE FIVE SITES
 - EACH NOMINATION TO BE ACCOMPANIED BY AN ENVIRONMENTAL ASSESSMENT
- ENVIRONMENTAL ASSESSMENTS SHALL INCLUDE:
 - EVALUATION OF SUITABILITY OF SITE FOR CHARACTERIZATION UNDER THE GUIDELINES
 - A COMPARATIVE EVALUATION WITH OTHER SITES AND LOCATIONS
 - A DESCRIPTION OF THE DECISION PROCESS BY WHICH THE SITE WAS RECOMMENDED
- THE ACT SPECIFIES PROCEDURES FOR DOE AND STATE AND INDIAN TRIBAL PARTICIPATION
- DOE'S SITE CHARACTERIZATION PLAN SUBMITTED TO NRC ADDRESSES PRIMARILY DETAILS OF THEIR TECHNICAL PROGRAM TO INVESTIGATE THE SITE

FINAL ENVIRONMENTAL IMPACT STATEMENT

- o PREPARED BY SECRETARY OF ENERGY
- o COMPLIANCE WITH NWPA CONSTITUTES ADEQUATE CONSIDERATION OF:
 - NEED FOR A REPOSITORY
 - TIME OF INITIAL AVAILABILITY
 - ALTERNATIVE ISOLATION METHODS
- o ALTERNATIVE SITES TO BE CONSIDERED ARE THE 3 CANDIDATE SITES FOR WHICH
 - SITE CHARACTERIZATION HAS BEEN COMPLETED
 - SECRETARY HAS MADE A PRELIMINARY DETERMINATION THAT SITES ARE SUITABLE FOR DEVELOPMENT AS REPOSITORIES CONSISTENT WITH THE GUIDELINES
- o NRC SHALL ADOPT DOE'S EIS TO THE EXTENT PRACTICABLE

<u>Name</u>	<u>Organization</u>	<u>Tel #</u>
Mike Bell	Chief, HLW Licensing Branch	(301) 427-4175
Pat MacDonnell	Licensing Process & Integration Branch	(301) 427-466
Sue Weissberg	Office of State Programs	301-492-9877
Cathy Russell	Licensing Process + Integration Branch	301-427-4020
Joseph Bunting	Chief, Licensing Process + Integ. Br.	301-427-4590
Joe Sampson	Chairman of Land Committee Yakima Tribals	
Don Taliffel	Natural Resource Analyst Yukon Nation	
Watson Futura	Tribal Vice Chairman	
Moses Dick Sr.	Tribal Council Yakima Tribals	
Harvey E. Akema	Tribal Land Committee Member	
Russell Jim		865-5121
James B Houis	TRIBAL ATTORNEY 70 Box 487, Yakima, WA	(509) 575-1500
Eveline Reber	YIN	865-2800
Lois Roberts	YIN	
Robert Ony	Water Code Administration	YIN
Ed Birdstead	Oil & Gas Liaison Office	YIN
Joe J. Pinkham	Vice Chairman Gen. Council	YIN
Hatter J. Speedie	Chairman Gen. Council	
Russell Jim	Tribal Councilman	509-865-5121