



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON NUCLEAR WASTE
WASHINGTON, D.C. 20555

June 30, 1993

The Honorable Ivan Selin
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Selin:

SUBJECT: PRELIMINARY COMMENTS ON THE JUNE 8, 1993 MEMORANDUM FROM SAMUEL J. CHILK TO DADE W. MOELLER AND JOHN T. LARKINS REGARDING RENEWAL OF APPOINTMENTS AND ACNW CHARTER MODIFICATIONS

Members of the Advisory Committee on Nuclear Waste have conducted a preliminary review of the subject documents, paying particular attention to your charge that the Committee focus in greater depth on a smaller number of issues. We are seeking a better understanding of the meaning of these changes and their significance in terms of the Committee's activities and viability. We are developing a process for implementing these changes in order to serve the Commission in a more effective manner. As part of this process, we offer the following comments for your consideration.

We appreciate the Commission's guidance to help us focus on key issues. The revised charter directs us to concentrate on 10 CFR Parts 60 and 61 and to be responsive to Commission requests and directives. It is our understanding that we will continue to be responsible for analyzing and reporting to the Commission on significant topics that we identify related to waste disposal and research. We trust that you expect the Committee to identify emerging issues and to propose, as appropriate, topics related to nuclear waste that are outside this charter but are significant to public health and safety or could adversely impact the Commission's ability to conduct effective regulatory programs.

Another comment concerns the terms and qualification of members of the Committee. It may be useful to limit the term of members of the ACNW. However, the obvious need to maintain the institutional memory of the Committee, to provide continuity, and to ensure that the limited number of members on the Committee are able to function in a relatively uninterrupted fashion, leads us to a strong recommendation that no more than one member of the Committee be changed in any one year. Further, while the fields of expertise suggested in the subject document may be useful, the large range of technical and scientific topics encompassed by nuclear waste

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management may make it desirable to ensure that members are broadly knowledgeable in technical and scientific areas related to this field. We plan to obtain suitable nominations for candidates with several types of backgrounds.

We believe that a critical element in the operation of the Committee is an effective system for communications with the Commissioners. If the Committee is to be of most benefit to the Commission, it is essential that the Commission provide to the Committee its insights and help to identify priority issues. As part of this process, it would be advantageous for the Committee to have more opportunities for in-depth discussions with the Commissioners on significant topics. We look forward to working with you to enhance our methods for communications.

As noted in Mr. Chilk's memorandum, increasing activities in the general area of nuclear waste disposal are anticipated. Although we will make every effort to conserve resources, based on a preliminary assessment, we do not envision being able to meet the needs of the Commission, even under the revised charter, with any significant reduction in our budget.

In a continuing effort to be responsive to the subject documents, we plan to meet next month with several Commissioners to gain the benefit of their counsel and guidance. This will be followed in August by a Committee retreat during which we will develop a plan for improving the overall effectiveness of the Committee. We look forward to reporting the results of the retreat to you and submitting a list of potential candidates for Committee membership. This list will be prepared with due regard for the technical specialty areas that you have identified.

We look forward to the development of a mutually agreeable plan for future Committee activities. We believe and hope that the Commission concurs, that it is important to the Commission, the NRC staff, and the public to have a nuclear waste advisory committee to serve as a source of independent advice and technical support. Finally, while we recognize that we serve at your pleasure, it is essential that we have the full confidence and support of the Commission as we proceed toward our mutual goals.

Sincerely,



Dade W. Moeller
Chairman

Reference:

Memorandum dated June 8, 1993, from Samuel J. Chilk, Secretary of the Commission, for Dade W. Moeller, Chairman, ACNW and John T. Larkins, Executive Director, ACNW, Subject: COMIS-93-003, COMFR-93-001 COMFR-93-001 - ACNW Charter and COMSECY-93-018 - Renewal of Appointments of Advisory Committee on Nuclear Waste (ACNW) Members (LIMITED DISTRIBUTION)