

From: Michael F. Weber (MFW)  
To: WN5:WN4:PH1:WN1:WN2:FXC  
Date: Friday, December 18, 1992 3:50 pm  
Subject: ALTERNATE DATES FOR SIMULATION WORKSHOP

Recommend keeping the dates as 1/11-12/93 for the simulation workshop. I've passed along those dates to the regions and IMNS and they are planning to participate on those dates. At this point, if Keystone can accommodate the revised dates, it would be better to stick with them, rather than to reschedule for 1/12-13/93. I have not polled the Regions, but will do so if needed.

Regarding the execution of the simulation workshop, did you intend to identify and invite specific HQ people to represent different viewpoints in the workshop? Is Cool doing the presentations in the beginning? Any agenda yet from Keystone?

Mike Weber

CC: wr1,jha

88

B-5

UPDATE ON THE ENHANCED PARTICIPATORY RULEMAKING ON  
RADIOLOGICAL CRITERIA FOR DECOMMISSIONING

*December 23, 1992*

This is the weekly update on the status of the Enhanced Participatory Rulemaking on radiological criteria for decommissioning. This note covers plans for the simulation workshop, locations for the first three workshops, an update on the planning associated with the rulemaking workshops, and a series of anticipated questions about the rulemaking. I would appreciate hearing from you on any of these topics.

*Simulation Workshop*

The simulation workshop will be held on January 11-12, 1993, in the Pennsylvania Room of the Holiday Inn in Bethesda, MD. In the simulation workshop, we will dry-run the agenda, format, and content of the workshops to be conducted around the country in January - May, 1993. The simulation workshop, at this time, will only involve NRC and EPA staff and Keystone Center, the contract facilitator for the workshops. We would appreciate **Regional participation** and HQ participation in the simulation workshop because we will be exploring the cross-cutting approach we have tentatively selected for structuring the discussions and would appreciate the insights, issues, and innovative thinking of colleagues who have been involved with decommissioning actions. A number of regions have already signaled their willingness to participate and we appreciate the support. If you have any questions, please contact Chip Cameron (301-504-1642 or FXC) or me (301-504-1298 or mfw).

*Locations of First Three Workshops*

Chicago, IL, January 27-28, 1993 -- Park Hyatt Chicago, 800 North Michigan Avenue, 312-280-1963, deadline date: 1/8/93

San Francisco, CA, February 23-24, 1993 -- Sir Francis Drake Hotel, 450 Powell Street, 415-392-7755, deadline date: ?

Boston, MA, March 12-13, 1993 -- Hyatt Regency Cambridge, 575 Memorial Drive, 617-492-1234, deadline date: 2/12/93

All hotels should be available at Government per diem rates; these rates should also be available to participants in the rulemaking workshops because the workshops are being sponsored by NRC and Keystone has negotiated contracts with the hotels including per diem rates as a condition. I will forward additional information on the hotels for the remainder of the workshops as it becomes available.

B-6

### *Planning for Workshops*

On December 22, 1992, we had a conference call between OGC, RES, NMSS, and Keystone on the structure and agenda for the workshops. The preliminary working draft agenda is as follows:

#### Day 1

9:30	Coffee
10:00	Welcome and Background (Why are we doing this and What are we doing?) - Chip Cameron, OGC
10:20	Workshop Format - Keystone Center
10:30	Participant Introductions
11:15	Break
11:30	<u>Brief</u> review of Issues Paper, Case Studies, etc. - Don Cool and Bob Meck, RES, and Mike Weber or Bill Lahs, NMSS
12:15	Lunch
1:30-6	Discuss Issues

#### Day 2

9-3	Discuss Issues
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Keystone was interested in our reaction to 4 basic questions about the format for the workshops; a brief discussion of each follows:

A. What broad topics could we open the discussion with to get participants talking? Examples included the following:

- Are generic standards needed or should we continue with applying site-specific standards?
- Should the goal of decommissioning be to release sites for unrestricted use?
- How best can practicality be addressed in establishing the standards?
- What is an acceptable level of risk from residual contamination?
- What is the risk associated with residual contamination?
- Why shouldn't NRC defer to EPA to set the standards?

B. What cross-cutting issues exist that could be used to compare the four primary options identified under issue number 1 in the Rulemaking Issues Paper and could they be used to guide workshop participants in developing a matrix of the rulemaking options vs. cross-cutting issues? Examples included the following:

- To what extent will the standards provide for finality of decommissioning?
- Who or what is protected by the standard and when?
- What level of protection is achieved?
- Can compliance with the standard be economically achieved or what is the balance between cost and benefit for each approach?
- What technologies are needed to achieve compliance with the standard and are they currently available?
- How well does the approach "fit" with other established programs (e.g., Superfund, RCRA, Dose standards in Part 20)?
- What are the waste management implications of each option?

The group agreed that a "matrix" approach employing these cross-cutting issues would be a reasonable way to structure the discussions and to focus the participants on the multi-dimensional nature of the issues associated with cleanup. It may also engage participants in the discussion and exploration of the options and discourage them from merely voicing their positions on the Issues Paper and then withdrawing from the discussion.

C. What Issues have to be discussed in the workshop (recognizing that 1 and 1/2 days is not a lot of time to discuss so many profound issues among a group of 20+ people)? A few topics such as groundwater protection and radon were specifically mentioned. I commented that the Issues Paper already identified the issues that the staff believes need to be discussed at some point during the workshop. We could use the Paper as a checklist throughout the workshops to ensure that at some point in each workshop the issues are discussed. The group tentatively agreed with this approach.

D. To what extent should the workshop discussions be tailored to address regional and local interests? The group tentatively agreed that NRC should not tailor the workshops to regional or local interests (i.e., use a consistent format for each workshop), but expect that regional and local issues will surface as participants use them to illustrate and explore positions on the issues. I mentioned that we plan to consult with each region immediately preceding each workshop to be alerted to any significant local/regional issues and this would prepare us for engaging the participants in the discussions of the issues.

I would appreciate your comments and thoughts on this discussion. Keystone will be preparing a document on the format for the workshops and we will have

additional opportunities to comment on this format and reflect on how best to structure the workshops over the next two weeks.

#### *Anticipated Questions*

Chip Cameron has identified several questions that we anticipate people may raise either at the workshops or in their comments on the Rulemaking Issues Paper. These questions include:

- What is the relationship of the site cleanup rulemaking to the BRC Policy/Isn't this an attempt to sneak through a BRC Policy?
- What are the implications of the BRC provision in the National Energy Policy Act for the site cleanup rulemaking?
- How and when will the NRC address the issues of the disposal of waste and the recycle of radioactive material from site cleanup efforts?
- How and when will the issue of state compatibility in the site cleanup area be addressed?
- What is the EPA-NRC risk harmonization program and what are the implications for the site cleanup rulemaking?
- How will the public be involved in efforts to establish the compliance methodologies, models, environmental impact statements, and other actions that are necessary supplements to the rulemaking?
- Will the NRC develop a draft text of the proposed rule for participant review? Will the draft proposed rule that is submitted to the Commission for review be provided to workshop participants?
- Why isn't the EPA developing these rules?

We plan to prepare answers to these anticipated questions. If you would like to contribute your answers or identify (and answer) additional questions that you believe may be raised, please contact Chip or me.

Thanks for your continued participation. We are looking forward to a productive series of workshops. If nothing else, the discussions at the workshops should certainly be lively and interesting.

Mike Weber (301) 504-1298 or mfw