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NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

JOINT MEETING OF THE
NUCLEAR REGULATORY COMMISSION

AND THE
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Place - Washington, D. C.

Date - Thursday, 8 December 1977

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

JOINT MEETING OF THE
NUCLEAR REGULATORY COMMISSION

AND THE
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Room 1130
1717 H Street, N. W.
Washington, D. C.

Thursday, 8 December 1977

The joint meeting of the Nuclear Regulatory Commission and the Advisory Committee on Reactor Safeguards convened at 2:17 p.m., pursuant to notice, Dr. Joseph M. Hendrie, Chairman of the Commission, presiding.

PRESENT:

Commission Members:

- DR. JOSEPH M. HENDRIE, Chairman of the Commission
- MR. PETER A. BRADFORD, Commissioner
- MR. VICTOR GILINSKY, Commissioner
- MR. RICHARD T. KENNEDY, Commissioner

ACRS Members:

- MR. MYER BENDER, Chairman
- DR. STEPHEN LAWROSKI, Vice Chairman

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MR. JOHN H. ARNOLD, Member
 DR. SPENCER H. BUSH, Member
 DR. MAX W. CARBON, Member
 MR. JESSE EBERSOLE, Member
 MR. HAROLD ETHERINGTON, Member
 DR. HERBERT S. ISBIN, Member
 PROF. WILLIAM KERR, Member
 DR. J. CARSON MARK, Member
 DR. DADE W. MOELLER, Member
 DR. DAVID OKRENT, Member
 DR. MILTON S. PLESSET, Member
 DR. PAUL G. SHEWMON, Member
 DR. CHESTER P. SIESS, Member

MINUTE PROCEEDINGS

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2 CHAIRMAN HENDRIE: May we commence. I am delighted
3 to see the Committee here again and welcome you all, new members
4 and old members, worn-out members --

5 (Laughter.)

6 CHAIRMAN HENDRIE: Traveling members. Let's see.
7 You have given me a folder to work through. If luck is with
8 us we will all have the same folder. And they do look the same
9 from here.

10 MR. BENDER: It happens sometimes.

11 CHAIRMAN HENDRIE: Okay. I think we have a fair
12 number of things to talk about. We may at least touch upon
13 some of them. Okay?

14 MR. BENDER: Fine.

15 Thank you, Chairman Hendrie and Commissioners. We,
16 as you said, we have a fairly long agenda to cover today.
17 My suspicion is that time won't permit us to cover everything.
18 What I would like to do is to concentrate on the first three
19 items specified in the meeting agenda first, and then if time
20 permits, to deal with things that may be covered in the ACRS
21 report which was submitted to you previously in draft form,
22 and it has some subject matter in it that may be of interest
23 to the Commission that you might like to have covered.

24 However, if it is suitable to you, I would like to
25 begin by some discussion of the ACRS vacancies and what is

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1 being done about them.

2 CHAIRMAN HENDRIE: Please do.

3 MR. BENDER: First I think it should be noted that
4 Dr. Bush, after 12 years of serving on the Committee, has
5 decided that life could be easier if he could spend his time
6 more in the Northwest and he is retiring this year. And the
7 Committee recognizing that he is one of our more hardworking
8 members, not the only one, but one of the more hardworking,
9 will miss him terribly and we need to have a replacement,
10 physically, for him. I know Dr. Shewmon is providing the
11 metallurgical skill that Dr. Bush had contributed to the
12 Committee when he stayed on permanently.

13 We also expect that John Arnold will be leaving when
14 his term expires and I must say for a guy that learned all of
15 his nuclear knowledge after he came on the Committee, he has
16 become surprisingly good and we are going to miss him.

17 CHAIRMAN HENDRIE: It's a shame to waste all that
18 education.

19 MR. BENDER: It shows it is not incomprehensible.
20 However, since they are both going, we clearly have to replace
21 them. We have instituted a plan to advertise the vacancies
22 and I think, as you will see in the tab, I think it must be
23 in Tab 3 or 2. I am not sure which. We have suggested some
24 capability that is needed in the Committee.

25 Primarily we are interested in getting some people

1 that have some industrial background and perhaps some skill and
2 knowledge of the codes that the nuclear systems are designed
3 to. People have suggested that if these people happen to have
4 systems engineering understanding, that would be helpful to
5 the Committee as well.

6 And the advertisement or the announcement that has
7 been prepared suggests those kinds of capabilities as being
8 the principal needs. I think the Committee does not rule out
9 the possibility it may find other capabilities might be useful
10 if people outside of the Committee offered names, but we see
11 our immediate needs in those directions.

12 At this stage, it is not clear that the method for
13 getting people will be successful, if this is the only avenue.
14 As you know from previous experience, we tried very hard to get
15 outside nominations and the nominations we got turned out to
16 be people that were not available, didn't have the right exper-
17 tise, and for various reasons didn't serve the purpose of the
18 Committee.

19 I think that is about all we have to say about that.
20 If you want us to respond to any questions, we will be happy
21 to do so.

22 CHAIRMAN HENDRIE: I think solicitation along this
23 line is appropriate. I do think the Committee has a diverse
24 enough membership and that the stature and reputation and
25 position in the field, in itself that the Committee has a

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1 rather good idea of the range of possible candidates.

2 Nevertheless, I think public solicitation is a useful
3 thing and may bring up some people that would not have occurred
4 to you. It seems to me quite a reasonable thing to do. Let's
5 see, this would be -- it's been done several times before.

6 MR. BENDER: I think this is the second time we
7 publically solicited.

8 CHAIRMAN HENDRIE: Well, the Commission is always
9 very reluctant to do precedent-setting things. As long as
10 this is the second one of these, it is probably all right.

11 MR. BENDER: By finding one by this method, we will
12 set a nice precedent.

13 CHAIRMAN HENDRIE: I think it is an eminently
14 sensible thing to do and we encourage you to do it.

15 MR. BENDER: Fine.

16 The second item we wanted to discuss briefly was
17 the fellowship program. As you know, that is in the bill
18 which will probably be signed. I don't think it will be very
19 easy to do, but who knows. Since the fellowship program is in
20 the bill, we are implementing, or planning to set up an opera-
21 tion to get some people on board. We have identified a group
22 of problems that the fellows would work on. I think we have
23 to screen the list. We realize that the role of the fellow in
24 our operation has to be one of information gathering and
25 analysis as opposed to one where the fellows create new

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1 information.

2 Clearly, to get the right kind of people, there will
3 have to be some creative element to the work and it has to be
4 structured in that way, but we envision that it will take a
5 while to get good people active and we probably won't have a
6 large number of them before the end of the year, but we are
7 pursuing the matter as diligently as we can with the Personnel
8 Staff and hopefully we will get some help within a reasonable
9 time.

10 COMMISSIONER GILINSKY: Is there a public announce-
11 ment associated with that or will there be?

12 MR. FRALEY: I think we will have to go out and
13 announce that these vacancies are available and call for people
14 to apply who are interested, so I think in that way, there will
15 be some sort of a public announcement, yes.

16 CHAIRMAN HENDRIE: I guess that while you will end
17 up circularizing universities and other places that seem like
18 reasonable centers of interest in this kind of thing, I assume
19 those announcements will be noted in the Commission News Re-
20 lease and in the weekly collection of these things and so on,
21 so that it will get out to the whole mailing list one way or
22 another.

23 MR. BENDER: If we can go to the third item then.
24 As you know, the bill also includes -- the Congressional bill --
25 includes a requirement that the ACRS perform a review of the

1 NRC safety requirements and anticipating that requirement in
2 the bill, we have been carrying on a review process for
3 several months.

4 COMMISSIONER GILINSKY: Is that a one-time review or
5 is this supposed to be an annual?

6 MR. BENDER: Annual review is our interpretation.
7 I don't know that we have looked at it in detail. Let me
8 suggest this mode for discussion.

9 Dr. Siess has been carrying the effort and pretty
10 much running the review. I suggest we let him summarize what
11 the situation is and then because there is particular interest
12 in the matter of the ECCS, bypass experiment, which the
13 Committee has not come to a final conclusion on, I thought it
14 might be useful for you to hear the pros and cons of the
15 experiment as the Committee understands them today.

16 Now, we are still trying to sort out the matter and
17 the Committee does not have a final position on this yet.

18 DR. SIESS: First, I am not chairing it. I am
19 cochairing it. Dave Okrent is the regular chairman of the
20 Reactor Safety Research Subcommittee but in his occasional
21 absence I have taken on some of the responsibility.

22 MR. BENDER: In the real sense, he is sharing it.
23 Not honorary cochairman this time.

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1 DR. SIESS: In an anticipatory manner, we began
 2 working on this thing back in May by enlarging the standing
 3 ACRS Subcommittee on Reactor Research to include all 15 members
 4 of the Committee, divided up into six working groups, and we
 5 divided up the research programs into what looked like logical
 6 groups and assigned those to each of the six working groups.

7 At this particular time we have draft chapters
 8 covering all the areas of research and including one --
 9 some comments on research management and introduction,
 10 of course.

11 We will be spending most of our time at this
 12 meeting, except for time devoted to D. C. Cook, going over
 13 those drafts, and I hope arriving at some level of consensus.

14 We expect to make the 31 December 1977 deadline,
 15 and just hope that the law gets signed before that time.

16 I don't think the data on our report should precede
 17 the data on the bill.

18 CHAIRMAN HENDRIE: There is also the terrible
 19 thought that suppose in some fashion it falls out of the bill
 20 in the last minute, and you have done a report that you didn't
 21 need to?

22 DR. SIESS: If that happens, we can send the report
 23 to the Commission, and I am sure you will find it useful.

24 CHAIRMAN HENDRIE: We will find it useful.

25 DR. SIESS: That is where we stand. As I say, we are

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1 shooting for the end of this year. Beginning January 1, I
2 think we will start on next year's report.

3 CHAIRMAN HENDRIE: It seems no more than timely
4 to do so.

5 DR. SIESS: We think we know a little bit better
6 how to do it. Before the year is out, we expect to use some
7 number of the Fellows to assist us in that.

8 So I think in terms of the general situation,
9 that is it, Mike.

10 MR. BENDER: Do you have any general questions or
11 comments on the status prior to this other discussion?

12 CHAIRMAN HENDRIE: No. We are just encouraged to
13 know that you have sort of anticipated what was coming and have
14 gone ahead so effectively to coalesce the Committee opinion
15 around these.

16 DR. SIESS: It is about two days ahead of us.
17 We have gone ahead, how effectively, I don't know yet.

18 COMMISSIONER GILINSKY: Can you tell us what the
19 categories are?

20 DR. SIESS: They are listed on the second page of
21 our report to you. They essentially apply -- These are the
22 branch designations, systems, engineering analysis, development
23 is principally ECCS research, then there is fuel behavior
24 branch, metallurgy, material, site safety. These are basically
25 the branches within the Office of Nuclear Regulatory Research.

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1 That seemed to be the way they had it divided up, and
2 we divided up essentially the same way.

3 COMMISSIONER GILINSKY: Research management is what,
4 kind of an overall assessment?

5 DR. SIESS: It is looking at a number of things.
6 The Committee hasn't read the draft I wrote last weekend
7 yet, but one thing that I am sure it will cover, because I
8 have selected this from individual chapters and put it into
9 one chapter, is that the size of the office staff seems awfully
10 small for the amount of work that-- the amount of research
11 that they are administering and monitoring, and what we think
12 they should be doing.

13 We think they should be spending quite a bit of
14 their time knowing what the problems are, knowing what other
15 people are doing to solve those problems, helping to set up
16 research statements, problem statements, and not spend all their
17 time managing research.

18 Responsive research that is going on there, is
19 something like \$2 million a man. That seems pretty high
20 by almost any standards.

21 CHAIRMAN HENDRIE: You say you drafted this last
22 weekend. Sol Levine didn't?

23 DR. SIESS: No. Sol didn't have anything to do
24 with this. The individual working groups pretty much had this
25 perception individually. The actual ratios, dollars per man,

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1 varied tremendously through the organization, but they all seem
2 to be rather excessive, and it just doesn't look like the Staff
3 was large enough to do all the things that they think they
4 ought to do, and certainly, that we think they ought to do.

5 MR. BENDER: Let's recognize the Committee as
6 a whole has not looked at Dr. Siess' draft. We may temper his
7 views a little bit.

8 DR. SIESS: Those statements I made were culled
9 from individual working group drafts. I think there is a
10 certain amount of agreement in the general area. The other
11 things I won't mention, the Committee hasn't seen them, but
12 they were secondary things.

13 MR. BENDER: With respect to the ECCS bypass
14 experiment, as you know, there are many views concerning that
15 experiment, its value, and the Committee spent the better part
16 of this morning hearing the Staff's discussion of it, and hear-
17 ing the views of the members concerning it.

18 We have elected to ask Dr. Plesset to outline
19 the potential criticisms of it, and Dr. Isbin to express the
20 thoughts that support the experiment.

21 We think it would be useful to have that done.
22 I will ask Dr. Plesset to start off.

23 DR. PLESSET: I am supposed to accentuate the
24 negative and let Isbin accentuate the positive. You know, of
25 course, that that is not enough time, one morning for the

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1 Committee to get a consensus. It usually takes quite a bit
2 longer. So I am just presenting one facet of the question.
3 I think that what is involved in asking for this facility goes
4 to the heart of a lot of the problems of two-phase flow, which
5 appear here, but in other parts of ECCS analysis. I also
6 think it is worth saying that the fact that we could use more infor-
7 mation on bypass shouldn't be taken to mean that we have any
8 reservations about the conservatism of Appendix K, so far as
9 the ECCS performance goes.

10 Now, there are several things that might be asked
11 about this program. It is a large facility, and these often
12 tend to not be adaptable to what you learn, nor flexible and
13 sometimes one is saddled with a facility which guides the
14 program rather than the reverse.

15 So that one should ask, is it a cost-effective
16 thing to do?

17 I am sure we will learn something from the facility
18 but will we learn all that we should learn?

19 I don't believe it that this facility will
20 establish scaling laws which will make it possible to
21 extrapolate to full-scale with any great degree of certainty.

22 Essentially, as I understand it, we are going from a
23 two-fifteenth scale facility which we have now and which is
24 operating, to a three-fifteenth scale, which is not a very
25 large change in scale.

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1 It is true there is in the program a third scale
2 facility, but to my mind, this is not a true one-third scale
3 facility. It is reduced from what a true one-third scale
4 facility should be, inasmuch as it doesn't have the steam
5 requirement that such a facility would need.

6 I think one could learn a great deal without
7 plunging into this large expenditure and large facility at
8 this time, by further work with the two-fifteenth scale
9 facility, at Battelle-Columbus, and perhaps I would like very
10 much to see some basic studies of two-phase flow, of a quite
11 general nature which would give us a very useful background
12 for understanding the physical laws and physical behavior of
13 such flows, not necessarily limited to the bypass question,
14 which in many ways may not be one of the most important
15 questions in the whole system of reactor behavior.

16 I think that is as much as I would say at this time
17 and if you have any more questions later on, I would be glad
18 to answer them.

19 MR. BENDER: Let me suggest then that Dr. Isbin
E2 20 present the other aspects of it.

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1 DR. ISBIN: With that introduction, let me add Milt
2 and I are cochairmen of working group 1, which deals with
3 this systems analysis and ECCS. And that perhaps one of the
4 difficulties that face us now is in part due to some of your
5 rules.

6 In February of this year, the ECCS Subcommittee
7 met to discuss with the Staff this end of bypass test facility
8 and we were told at that time that until the documents had been
9 presented formally to the Commission as far as a recommendation
10 on the Staff, we would not have --

11 COMMISSIONER GILINSKY: Which document?

12 DR. ISBIN: Documents that would present a position
13 paper of the Staff which would explain in detail what the objectives
14 and test matrices and plans might be for this end of bypass test
15 facility.

16 So as a consequence, neither the ECCS Subcommittee
17 nor the working group through this past year have re-reviewed
18 the material on this subject.

19 COMMISSIONER GILINSKY: The Staff had a group of
20 consultants looking at this. Did you ever meet with them?

21 DR. ISBIN: All right. We met in February, which
22 initiated this discussion.

23 You had a review group in April in which some of our
24 consultants also participated, but it is my understanding that
25 the progress between February and April was not very much.

1 That some of the questions which our Staff, our consultants
2 had raised, were not really thoroughly answered and addressed
3 even in the April meeting, and it is understandable from my
4 point of view to see some of the negative comments, which arose
5 from that April meeting.

6 Since that time, there has been considerable work done
7 by the NRC, both by the regulatory group and by your safety
8 research group. Much of this information has not been discussed
9 by the full Committee, and it was only today that we had a chance
10 to be brought up-to-date as to the status. So we are not in
11 the position to give you a formal conclusion or a consensus or
12 a collegial conclusion of the end of bypass at this time.

13 It is my personal point of view that the Staff work
14 that has been done subsequently is very significant, and
15 indeed does justify going ahead with this large-scale experiment
16 that this would be the first time in which such instrumentation
17 of local phenomena would be measured, which is important in
18 developing your advanced codes, which work on the premise that
19 if you know the local conditions, then indeed you can test the
20 flowable conditions. This is all part of scaling.

21 I don't think that we and our consultants have had a
22 full opportunity to appreciate all of the background work that
23 has gone into the current study. You have available to you
24 some of the best experts in this field, not only in terms of
25 your own people, but also the contractors that are involved in

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1 this undertaking.

2 I have been very much impressed by the development of
3 this TRAC Code and its ability to use such information and the
4 need for additional information is quite obvious. All of the
5 Committee members have been on record as always advocating a
6 better understanding of the two-phase flow phenomena.

7 We have not been exposed in such depth to give you
8 a collegial answer as to the accomplishment of this particular
9 facility, but the principal objective, as I understand it, of this
10 facility is not so much in trying to answer a specific question
11 on safety conservatism in Appendix K, but it is more broadly
12 addressed in fundamentals. This is something that the ACRS
13 in general has long advocated.

14 Perhaps I should stop at this point.

15 CHAIRMAN HENDRIE: I think a good summary of the
16 points of view.

17 I suspect the Committee has more Subcommittee meetings
18 scheduled.

19 How will you gather your thoughts together from here
20 on out?

21 MR. BENDER: Well, I hesitate to speculate on what
22 the Committee will do, but I offer some possible actions.
23 Since we have to write our report to Congress this month, we
24 are going to meet Dr. Siess' goal. We may have to partially
25 beg the question concerning the final Committee view. It is

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1 possible we, of course, will try to come to some consensus but
2 if it turns out we are uncomfortable with the amount of informa-
3 tion we have been able to develop in the time frame, it would
4 be undesirable to express an opinion that wasn't well based. Even
5 if we don't come to a conclusion, I think it is a fair judgment that
6 we would encourage our Subcommittee to do some further review of
7 the proposal, prior to taking a position.

8 It is clear that Dr. Plesset's view is not unique
9 to him. There are many people that think that more general
10 kinds of studies might be more useful than the large facility;
11 but it is also true there is another school of thought that
12 favors the facility; and the Committee is not unaware of the
13 possibility of a dichotomy of positions, either of which might
14 turn out to be a useful way of going and you may be constrained
15 by time and money.

16 I think that is probably as much as we can say about
17 that particular problem at this stage.

18 CHAIRMAN HENDRIE: Okay. Fair enough.

19 MR. BENDER: If there are no further questions, or
20 if there are things -- Mr. Kennedy has come in, things that
21 you might want to ask about.

22 COMMISSIONER KENNEDY: I am sorry I am late.

23 I appreciate your going forward without me.

24 MR. BENDER: We excuse you.

25 COMMISSIONER KENNEDY: As I understand it, you were

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1 discussing the bypass proposal and the Committee is not of one
2 mind on the question.

3 MR. BENDER: It is not rare for the Committee.

4 COMMISSIONER KENNEDY: Even for the Commission.

5 COMMISSIONER GILINSKY: Have you had an opportunity to
6 discuss this further with our own consultants?

7 MR. BENDER: The Staff consultants?

8 COMMISSIONER GILINSKY: Yes. I gather they were
9 rather unenthusiastic about this in April.

10 What Mr. Isbin seems to be saying is that things have
11 happened since then?

12 DR. ISBIN: In my judgment, there has been consider-
13 able progress since April, which our own ACRS consultants have
14 not had the advantage of reviewing. I can't speak as to what
15 conclusions they would come to, but I would be optimistic.

16 MR. BENDER: But we haven't had the benefit of that
17 information that Dr. Isbin has talked about put on the con-
18 sultants as a basis for changing their judgments. What we
19 know about them now is based on what they have had, what,
20 from April and prior to that. Is that right, Herb?

21 DR. ISBIN: This is the recorded comment, yes.

22 MR. BENDER: Dr. Plesset has talked to them.

23 DR. PLESSET: I can't speak for all of them, but I
24 think there are some of them who have not changed their views.

25 COMMISSIONER GILINSKY: These are the Staff's?

1 DR. PLESSET: No. Our consultants'. I can't speak
2 for all of them.

3 COMMISSIONER KENNEDY: All of them have not changed
4 their views.

5 DR. PLESSET: I know all of them have not.

6 MR. BENDER: There is a group of people that think
7 the large facility can't quite do what it is claimed to do,
8 and that it is very costly. There might be better ways of
9 getting comparable information.

10 COMMISSIONER KENNEDY: Could you briefly elucidate
11 why they think it can't do what it is supposed to do, in what
12 regard can't it do what it is supposed to do?

13 MR. BENDER: I will leave that to one of the experts.

14 DR. ISBIN: The difficulty we have in speaking for
15 our consultants at this stage is a remark that I made to start
16 with, the consultants have not had the benefit of the recent
17 Staff work which, in my mind, would make the difference.

18 That is probably as far as we can go.

19 MR. BENDER: Dr. Plesset could probably say something
20 about what some of the reservations are.

21 It is too short a meeting to cover them in great de-
22 tail, but in a qualitative sense maybe.

23 DR. PLESSET: I think one of the ways of expressing
24 the reservations, Mr. Commissioner, is that the problem is,
25 what are the scaling laws for the complex phenomena involved in

1 this two-phase flow in ECC bypass, and there is some scepticism
2 which is serious, on the part of some people in the field of
3 thermalhydraulics, that one can get these laws by going from,
4 say, 2/15 to 3/15 or even to the third scale which even in
5 the third scale, which in many respects is not a true test.

6 COMMISSIONER GILINSKY: You would do what, do a series
7 of smaller-scale experiments?

8 DR. PLESSET: Yes. Though I would like to leave that
9 to a few of the academic experts in this field, if they are
10 given this problem and an enormous amount of money and some time
11 to do the kind of experiments that would elucidate the unknown.

12 At the same time I would encourage a lot of empha-
13 sis on the present two-fifteenth scale test.

14 CHAIRMAN HENDRIE: Moving to smaller scale goes the
15 wrong direction. The uncertainty in terms of scaling the reactor
16 systems on the upside, not the downside. If you went down
17 from 2/15 to 1, from that to 1/30, to 1/1000, where you were
18 sure you could scale in that range, you still wouldn't have
19 dealt with what to me seems like to be an intellectual diffi-
20 culty that we are able to be very sure or as confident as we
21 would like to be in moving toward full scale.

22 So it seems to me, you have to move upward instead
23 of down and unfortunately you rise into a dollar ceiling and
24 practicality ceiling very rapidly.

25 DR. PLESSET: If you limit yourself to trying to scale

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1 to the reactor type situation you do run into what you are
2 speaking of and that is a difficulty, but there are other kinds
3 of experiments not tied to a particular geometry or trying to
4 duplicate a reactor in some small scale, still can tell you
5 a great deal.

6 CHAIRMAN HENDRIE: But is that a replacement for
7 having the best information you think you can get, about the
8 object about which the questions arise?

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9 DR. PLESSET: Hopefully it would be.
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1 CHAIRMAN HENDRIE: If it would be, why do we
 2 have large hardware in the field at all, experimental
 3 hardware?

4 You know, the same argument would say that
 5 LOFT, which has not been a notably efficient expenditure
 6 but is turning out to be a very interesting, integral
 7 experiment, we could have done without that and done a
 8 series of isolated, small-scale things on the laboratory
 9 bench and that would have been fine.

10 COMMISSIONER GILINSKY: There's a difference of
 11 time and money, though. In other words, if you can do
 12 small-scale for a comparable amount for less, with
 13 comparable time, or less money and less time --

14 COMMISSIONER KENNEDY: It seems to me that the
 15 product is what is important. If you are not going to
 16 get a product that is going to be useful in terms of what
 17 you set out to do, then no amount invested in this work
 18 will be worth putting in it.

19 On the other hand, if you can get the product and
 20 you concluded the product itself is important, and I'm
 21 persuaded it is, then it seems to me if you can put money
 22 in it and get it, get that product, then you have a simple
 23 cost benefit analysis to draw. You can say to yourself,
 24 "I know I'm going to get the product now and it's a
 25 product that will be satisfactory now. Am I willing to

1 spend that kind of money? I'm not willing to spend the
2 money at all if I don't think I'm going to get the
3 product."

4 That's the point.

5 So the question is: Where does one go in this
6 project? Where does one get to a confidence level that's
7 halfway reasonable in the scientific sense, that he's
8 going to get a product that's going to be genuinely useful
9 and can be extrapolated, if necessary? Where do you have to
10 go in scaling to do that?

11 DR. PLESSET: If I could try to answer that very
12 briefly. I don't think we can determine a scale experiment
13 now on the basis of what we know. We certainly would
14 learn something by this expenditure, but we can't be
15 certain that we will get really acceptable answers from
16 the point of view of the reactor itself.

17 If we could get the scaling laws, then we
18 would be certain. But I question whether we will out of
19 this program.

20 In connection with LOFT --

21 COMMISSIONER KENNEDY: Would a larger scale
22 experiment make that more likely?

23 DR. PLESSET: Oh, yes.

24 COMMISSIONER KENNEDY: How large?

25 DR. PLESSET: I think half scale would be nice,

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1 but that's kind of ridiculous. That's just out of sight.

2 COMMISSIONER KENNEDY: That's what the
3 experiment started out to be a year-and-a-half or two
4 years ago, as I recall.

5 MR. BENDER: Since only money stands in the
6 way —

7 DR. BUSH: A quarter of a billion dollars.

8 CHAIRMAN HENDRIE: We recycled this last piece
9 of conversation in order to get Mr. Kennedy up to speed,
10 and I make a finding that he's now up to speed.

11 MR. BENDER: It was probably worthwhile.

12 COMMISSIONER KENNEDY: To me it was and I
13 appreciate it.

14 MR. BENDER: If we can go to the ACRS activities
15 report which is in Tab 1, I suggest that you just let me
16 select topics to be covered in some order and that will
17 save you a lot of fumbling around.

18 CHAIRMAN HENDRIE: Appreciate it.

19 MR. BENDER: The first item I would like to
20 deal with is the status of our generic items evaluation.
21 Dr. Bush made a valiant effort to develop a new position.

22 CHAIRMAN HENDRIE: I assumed he solved them.
23 Surely we won't let him retire without having solved
24 them.

25 MR. BENDER: We will leave it to Dr. Bush to

1 see if he will accede to that request.

2 DR. BUSH: This report, at least the 95
3 percent of it, follows the pattern which was developed
4 in the first 2 or 3 reports; namely, a reiteration of
5 the resolved and unresolved issues, and, of course, an
6 indication of those issues resolved since the preceding
7 report, namely, number 5.

8 It differs in one significant aspect and it
9 got part way to the goal, only part way. But at least
10 it was a step. And that is, in the final pages, we have
11 attempted something that hasn't been done before and
12 I personally felt was needed; that is, to attempt to
13 place priorities on the resolution of these items that
14 will tell us where to put your money.

15 And we benchmark on the staff priorities, on
16 the comparable issues. Obviously, they have more priorities
17 because they have more issues. There is a difference to a
18 degree in that we were considering priorities within
19 priorities; but, finally, back off from that, so our
20 AEs are comparable to the staffers' AEs and their numbers
21 are just an indicator.

22 The report does not go a step further and
23 establish what to do with the resolution, but that's another
24 matter.

25 MR. CASE: I thought there was fairly good

1 coordination between our AEs and yours.

2 DR. BUSH: I didn't mean to indicate there
3 wasn't. There are very few issues where we would place
4 higher priorities.

5 MR. BENDER: We plan during the next year to take
6 a very hard look at the implementation action associated
7 with generic items; both those which are in the resolved
8 category and those which are in the unresolved category,
9 with the anticipation that we will be in a little better
10 position to evaluate the effectiveness of our advice.

11 We may report to you later on that subject.
12 That's all we have on the generic items business.

13 If there is nothing more you want to comment on,
14 I would like to turn now to a matter which the committee
15 has decided it should examine: that is, the application of
16 ALARA principles, of things other than the environmental
17 effluents.

18 I would like for Dr. Moeller to comment on
19 that.

20 DR. MOELLER: As the commissioners well know,
21 the staff has looked at the ALARA criteria, has developed
22 ALARA criteria for the environmental releases from nuclear
23 power facilities, commercial nuclear power facilities
24 into various regulatory guides; notably, No. 8.8. They
25 have developed guides and criteria for in-plant control

1 of exposures, keeping them as low as reasonably
2 achievable.

3 The committee, and I'm sure the staff, has
4 looked at other areas. But we thought at this time it
5 might be a wise move to do this in a formal way through
6 a series of subcommittee meetings, and to look at the
7 application of ALARA principles, topics such as waste
8 disposal, reprocessing plants, if that would be applicable,
9 or fuel fabrication plants, enrichment, and particularly
10 decommissioning of commercial plants that are no longer
11 needed.

12 That is, what would be a wise system of rules
13 and guides to apply in determining whether you kept the
14 doses or whether you are keeping the doses within the
15 ALARA criteria.

16 We would like both at public and occupational
17 exposures in this regard. We are particularly interested
18 in finding out what the staff is doing, the size of its
19 effort in this area, their priorities and their goals.

20 I think that pretty much wraps up what we have
21 in mind.

22 MR. BENDER: If there are no comments, then I
23 would like --

24 CHAIRMAN HENDRIE: I guess I would just remark,
25 and I'm sure you already have it well in mind, that I

1 would expect that your interest would be one of radiation
2 protection, radiation safety aspects.

3 The committee in the past, in part on its own
4 inclination and in part, it seems to me, on the inclination
5 of the commission, has not moved into the area of
6 reviewing the broad aspects of the commission's
7 environmental analysis of plants.

8 Those cover a very broad range under a series
9 of subjects, it seems to me, the committee would find
10 itself really overextended trying to cover.

11 So I understand your interest in ALARA matters,
12 as I have indicated. You can tell me if I'm wrong.

13 DR. MOELLER: We agree.

14 MR. BENDER: I think you sensed our intent.
15 As a matter of fact, it makes a very convenient
16 transition to the next topic, which is proposed legislation
17 to reform the regulatory process.

18 We have not had time to look at the proposed
19 new legislation that has been drafted, I think, by the
20 commission staff or perhaps by some combination of
21 commission staff and other people.

22 CHAIRMAN HENDRIE: Actually, it's a combination
23 of other people, parents, and the commission staff, close
24 parents.

25 MR. BENDER: We are looking at it from the

1 standpoint of what the demands are on the committee
2 in terms of what it will be expected to review. It seems
3 to be a backing away somewhat from our original suggestion
4 that we have the option of when to apply the committee
5 review process, but it doesn't back away entirely.

6 The sense of it is fairly close to what was
7 originally intended. There is one point, though, that
8 I think we should take note of.

9 Since you suggested that we are very limited in
10 our safety review processes, it's not really clear to us
11 that there is great value in changing the name of the
12 committee to something which has the term "safety" in it,
13 and offers the opportunity for us to expand our role.

14 I think the committee still prefers that it
15 retain its name and not have to explain that "safety"
16 means safeguards, and vice versa, on a continuing basis.

17 PROF. KERR: We are prepared to get our placards
18 out and march around the table.

19 CHAIRMAN HENDRIE: Down in front on the street
20 is the proper place to do that. Up here nobody will know,
21 but down there you can do better. You can get the networks
22 and everything down there.

23 We will come back to that in a second. First,
24 I want to say about the draft legislation, a good part of the
25 draft legislation that concerns the NRC flows fairly

1 directly from past legislative proposals which the
2 commission has made. So that by the time it's sorted
3 out and so on, why, it looks very much -- it ends up
4 being very much like proposals that the commission has
5 made in the past -- early site reviews, and so on.

6 In the section on the advisory committee role,
7 I can remember -- my God, it must be 1969 or something like
8 that -- I can remember going to see the joint committee
9 with somebody and talking about legislation to relieve
10 the committee of the mandatory review requirement and
11 leave it in an arrangement in which either the commission
12 might request your review on a project or the committee
13 might say that it thought it ought to review, and either
14 one of those would then be binding.

15 You know, establish that the review ought to
16 be done and sort of every year since then it comes around.

17 Now, current language backs a little bit away
18 from relieving all the mandatory things. In fact, all it
19 relieves you from, gives us the option, again, in terms of
20 your wanting to review and saying so, or the commission
21 wanting you to review and saying so -- that's limited to
22 thermal power reactor plants.

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1 So that all of the other facilities in the fuel cycle
2 that you look at are mandatory reviews, advanced reactors.
3 The language, "thermal neutron," -- I think I am responsible
4 for putting "neutron" in. The language started out to be
5 "thermal power plant," and I can perceive that it might be hard
6 to decide what exactly that applied to and I was prepared to
7 have the Staff begin to write regulations for coal-fired sta-
8 tions, which they clearly would do under that kind of language,
9 but I put "neutron" in. It is rather clumsy language.

10 HTGRs would fall into that category and then, of
11 course, the light water machines. That is a pretty fair frac-
12 tion of the business, so I think even though it isn't as broad
13 a relief as we asked for in previous years, in terms of its
14 effectiveness, if you should ever need it and want to exercise
15 it, then it is pretty good.

16 I do suspect that advanced reactors, experimental
17 machines, other fuel cycle facilities are sort of going to be
18 enough of a one-of-a-kind proposition so that the Committee
19 would very likely want to look at them, whether it had relief
20 of the mandatory provision or not. There are people who are
21 very -- who feel that relieving the mandatory requirements
22 of the Committee is a loss from the overall Commission safety
23 review process.

24 MR. BENDER: As I say, we don't see what is in the
25 proposed bill as being a major variation from what had been

1 originally proposed. What we are mainly planning to look at is
2 whether there are implications in the law, in the proposed law,
3 that we haven't understood, that ought to be examined more
4 carefully. It turns out legal people often put things -- put
5 interpretation on things after they come into existence that
6 you didn't expect at the time the laws were prepared for
7 passage.

8 CHAIRMAN HENDRIE: Legislation is wondrous stuff.
9 It can do all kinds of things.

10 MR. BENDER: I do hope you will join our march not
11 to change our name, however.

12 CHAIRMAN HENDRIE: On the name change, I am about to
13 slide back in my chair and say, "My colleagues will address
14 this subject."

15 Do you want to saying anything?

16 COMMISSIONER GILINSKY: It is sort of an historical
17 name, but "safeguards" has taken on a different meaning than
18 what it had originally. It is a useful thing to have things
19 called by what they do. I think the most important thing is
20 to keep the initials the same.

21 MR. BENDER: I will ask Ray Fraley to tell this story.
22 Ray.

23 MR. FRALEY: In order to help people understand, we
24 have told our secretaries to answer the phone as the Advisory
25 Committee on Reactor Safeguards instead of just using the

1 initials, and so usually they finish and somebody says, "Oh,
2 this isn't the ACRS office," and they hang up.

3 MR. BENDER: Your point about the acronym is right.

4 COMMISSIONER GILINSKY: You know, some companies just
5 drop the name.

6 MR. BENDER: Connotation of "safeguard" will change
7 with time. The Committee hasn't changed with time. It will
8 just retain its tradition. I think that is enough about that.

9 CHAIRMAN HENDRIE: It is duly noted. I trust the
10 Committee will have an opportunity -- if we get their bill
11 before the Congress, I assume in due time, the Committee
12 will have a chance to talk to the appropriate committees and I
13 assume the Chairman will step right up there and voice the
14 colloquial opinion.

15 DR. LAWROSKI: We have a large amount of paper with
16 the letterhead on it.

17 MR. BENDER: Which will serve no other purpose.

18 CHAIRMAN HENDRIE: We can postpone the effective
19 date until the stationery stocks are expended.

20 MR. BENDER: If Dr. Siess would mention briefly the
21 situation about the review of the transportation of radioactive
22 material.

23 DR. SIESS: I would remind you in January, 1976,
24 almost two years ago, Chairman Anders asked the Committee to
25 take on a couple of tasks. I just can't help -- I have got to

jeri 4. 1 say this -- most of these tasks involve safeguards to a small
2 degree, but the extent to which they involved safeguards was
3 even greater than the extent to which they involve reactors.
4 So if you are looking for an obsolete word --

5 CHAIRMAN HENDRIE: You fellows just won't quit on a
6 subject. I used to have the same trouble when I was chairman
7 of the Committee.

8 DR. SIESS: One of these tasks had to do with the
9 plutonium shipping package. We were asked to review the results
10 of the program and make comments to the Commission by mid-March
11 of two years ago, so that is a little behind schedule but we
12 are still working with the Staff. When they have something on
13 that, we review it with them.

14 The other charge given to us --

15 COMMISSIONER KENNEDY: Do you have anything on --

16 DR. SIESS: I understand the Staff is waiting for
17 something from the National Research Council, Academy of Science,
18 Academy of Engineering Committee, and we haven't met with them,
19 oh, I guess in almost a year. The Subcommittee met with them.
20 The full committee. We wrote a letter on it, said we thought
21 they had a pretty good package and they were going to qualify
22 it and come back.

23 They wanted us to look at the qualifying tests and
24 so forth. I guess the Academy of Science's committee wants
25 them to crash that airplane. I think it is silly. We told

1 them that. But then they can listen to two committees, and
2 they will get two views.

3 COMMISSIONER GILINSKY: What is this?

4 DR. SIESS: There was a proposal to get an old 707
5 and run it into something with one of these packages in it.
6 FAA did this. They ran it out off the end of a runway into a
7 barricade or something, they obviously don't fly it into the
8 ground, and they had that one cooked up. It was only going to
9 cost about a quarter of a million dollars.

10 COMMISSIONER KENNEDY: If they got the airplane free.

11 DR. SIESS: I think that is right. We didn't see
12 much point in it. It was one point on a curve and it might
13 not even be on the curve and not quite in the same category
14 as the bypass test.

15 CHAIRMAN HENDRIE: You can scope what will happen
16 in an aircraft crash in lot easier ways. It is a pretty mushy
17 frame.

18 DR. SIESS: It is a public relations gimmick as far
19 as I am concerned to crash an airplane with a package in it.
20 I don't think it proves anything one way or the other.

21 CHAIRMAN HENDRIE: Let's make sure if it is done,
22 why, we get good movies.

23 COMMISSIONER KENNEDY: If it is done, we have to
24 approve it, Mr. Chairman.

25 CHAIRMAN HENDRIE: I will be out of town.

1 COMMISSIONER KENNEDY: I will be, too. And that
2 means we can't possibly approve it.

3 DR. SIESS: The other matter, it says: "The Commission
4 has under way a more general rulemaking proceeding concerning
5 the packaging and transportation of plutonium and radioactive
6 materials. The Commission requests ACRS to keep informed
7 concerning the progress of these proceedings and to comment
8 on the proposed rules after issuance."

9 We have kept informed of the progress by reviewing
10 with the Staff its draft environmental statement on transporta-
11 tion of radioactive materials, and that included all modes and
12 all materials. We commented on the draft statement. We comment-
13 ed on the final statement.

14 You told them to come back to us after they finished
15 editing the final statement. That is NUREG 0170. We had our
16 Subcommittee meeting to review that. The Subcommittee felt
17 we put in just about as much as we would. The editing job had
18 been pretty good. And it was our understanding it was going
19 out for public comment on a 45- and 90-day basis.

20 We are kept informed.

21 The other thing we were asked to do was comment on
22 the proposed rules after issuance. I think we stand ready to
23 comment on proposed rules, if any.

24 NUREG 0170 concludes there is no need to change the
25 rules. If the Commission agrees with that and decides not to

1 change the rules, at least not now, then we would consider our
2 job done. We have kept informed; there is no rules to comment
3 on; we will go onto some other business. If you do propose to
4 change some rules, we will be prepared to comment on them.

5 Now, that was another Commission that asked us to do
6 that.

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1 CHAIRMAN HENDRIE: My thought here was, if the
2 Subcommittee had been keeping current on the matter --

3 DR. SIESS: It's been the Subcommittee.

4 It's not been to the full Committee.

5 CHAIRMAN HENDRIE: Pretty well agrees with the
6 substance of the Staff direction, and with the conclusion that
7 the rule change is not needed --

8 DR. SIESS: I didn't say that.

9 CHAIRMAN HENDRIE: You don't agree that --

10 DR. SIESS: We didn't address the question as to
11 whether their conclusion was adequate.

12 We looked primarily at the technical validity of
13 the record and had some comments of the organization of it,
14 but the question as to whether a rule change is needed was not
15 addressed as such and it's not easy to address in a very simple
16 manner.

17 That report lumps together all radioactive materials.

18 It separates modes of transport.

19 I look at 10,000 person rem exposure, 1975, and find
20 that 7000 of that, roughly, is radiopharmaceuticals.

21 You have to dig to separate out the radiopharma-
22 ceuticals from the spent fuel.

23 If the decision is, do you transport it by truck
24 or by plane or by rail or do you change it, I don't see how
25 that decision can be made without looking at the different uses,

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1 different kinds of materials.

2 Some of our consultants felt the same way.

3 If a hospital in mid-Manhattan, there are only
4 certain ways you can get the radiopharmaceuticals out.

5 Helicopter or truck.

6 There's not any reactors in mid-Manhattan or fuel
7 reprocessing or fuel storage facilities there.

8 So spent fuel doesn't have to go through mid-Manhattan
9 in the same way that radiopharmaceuticals do, but this report
10 doesn't separate those out.

11 It looks at all of those materials, all the modes
12 of transport, generally concludes that the consequences to the
13 public are small, even including accidents factored into
14 a probability basis, and says, you know, there's some possible
15 changes.

16 Shipping everything by barge looks like it might
17 be economical.

18 Shipping certain things by airfreight instead of
19 passenger doesn't look economical.

20 You know. That kind of thing.

21 But it's much too complicated a question for us
22 to answer.

23 We have to have more specific questions.

24 MR. MINOGUE: May I add a comment?

25 The basic task attempted in this particular study

1 was to look at the rules across the board in a general
2 way to determine whether some massive restructuring might be
3 in order and doing the work and in some of the other work
4 that's going on within the Staff, a number of specific problem
5 areas have been identified that warrant further study.

6 So certainly the conclusion of the Staff is not
7 that no further work need be done, but no general reassessment
8 of the rules -- even that I think needs another round of
9 public comment.

10 I would certainly welcome comment from the ACRS
11 as a whole during that public comment period.

12 We are not prepared to make a recommendation to the
13 Commission.

14 The next step, the report goes to the printers this
15 week and the next step is to get public comment and on the
16 basis of that, assessing that, come to the Commission with
17 a recommendation, which will not be until next summer.

18 CHAIRMAN HENDRIE: Okay. Well, let's see, the
19 Committee's question is, what further instructions might the
20 Commission see fit to offer on this subject?

21 Have you fulfilled the request made, or what?

22 DR. SIESS: What advice do you want from us?

23 We are still an advisory committee, no matter what
24 else you change.

25 MR. BENDER: We are suggesting we don't do any more

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1 unless you ask us further and we are not proposing to do
2 anything voluntarily at this stage.

3 COMMISSIONER KENNEDY: That would be consistent
4 with the name change.

5 CHAIRMAN HENDRIE: I think you will want to keep
6 track of the ongoing --

7 DR. SIESS: We will be glad to look at the public
8 comment on NUREG 0170.

9 CHAIRMAN HENDRIE: And if particular studies flow
10 out of the examination, I assume the Subcommittee would stay
11 aware of those.

12 With regard to the present stage of things, it
13 seems to me that if the Committee doesn't feel within
14 itself any strong need to develop the subject in the full
15 Committee and come to a letter report, I wouldn't think that
16 the Commission would feel any inclination to ask you do do that.

17 If you want to do it, I'm sure the Commission would
18 be glad to have whatever report you might want to make.

19 What you might do is just note -- well, let's see --

20 DR. SIESS: It's in the letter. Page 2 of the
21 activity.

22 It says that we anticipate no further activity
23 in this area unless a decision is made to continue to consider
24 rule changes in the future.

25 CHAIRMAN HENDRIE: I think that's a reasonable enough

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1 note in the records between us and you have kept up to date
2 on it.

3 I would regard that as sufficient.

4 I don't feel any need for you to do more than that.

5 MR. GOSSICK: Mr. Chairman, before we leave this
6 area, I would just like to say there was never any serious
7 consideration on the part of the Staff to do this air crash
8 experiment.

9 There was some conversation at the lower level.

10 In fact, I think the suggestion came from the
11 National Assembly of Engineers.

12 I wanted you to know this was not in the serious
13 stage of consideration.

14 DR. SIESS: I said the NAE committee had
15 recommended it.

16 CHAIRMAN HENDRIE: There has been a lot of --

17 COMMISSIONER KENNEDY: It was also one of the
18 Staff's papers.

19 CHAIRMAN HENDRIE: We have a lot of aeronauticals
20 in NAE and they would like to see a little action in this area.

21 I can understand it.

22 MR. BENDER: Next item?

23 CHAIRMAN HENDRIE: If we can do it in five minutes.

24 MR. BENDER: If we have the option of dealing with
25 something in five minutes, I think I would like Dr. Bush to

1 just close up by summarizing the situation concerning the
2 tectonics of the Pacific Northwest which was reviewed last
3 month.

4 DR. BUSH: I might mention there's a lot more to
5 this letter than appears on first reading.

6 This is an outgrowth of comments regarding seismicity
7 as was relevant to the Skagit plant.

8 We did receive a letter on Skagit but because of
9 the phraseology that was developed in the official report
10 to the USGS it has much greater implications.

11 As written, it has the implications to influence
12 two operating plants, three under advanced construction, six
13 under early construction, plus a few reprocessing plants, in
14 a very larger area.

15 Briefly, obviously, we had to lean extremely heavily
16 on our consultant in this area.

17 The report ends up surprisingly enough being less
18 conservative, taking a lower intensity value than suggested
19 by the USGS, namely, an MM 8 as contrasted with a 9 or 10
20 that was discussed based on the use of the modified Mercalli
21 criteria.

22 With regard to the mobility, in other words, moving
23 it from one point to another, we were much closer to the
24 Staff position.

25 I think another message is that the letter or the

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1 report pretty much spells out that the Columbia Plateau
 2 tends to be either a different province or subprovince or at
 3 least is of much lower intensity.

4 The Columbia Plateau not only includes Hanford,
 5 but also that whole area down the Columbia River to the
 6 mouth, so it's a very large area indeed, which would encompass
 7 plants such as Trojan, Pebble Springs, et cetera.

8 Not necessarily picking up the WNP-35 plant or
 9 Skagit, but it does represent, I think, in some respects a
 10 milestone.

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1 CHAIRMAN HENDRIE: Spence, in discussing that
2 situation with the consultants, was there any discussion about
3 ways that one might go ahead and establish a basis for believing
4 that the province there is something less than the whole
5 northwest quadrant of the country?

6 DR. BUSH: Yes. Well, it is perhaps less of a pro-
7 vince, but more on the quake itself, which would get us back
8 towards where we were in Sundesert or some of the others.

9 There is ongoing work, with which I believe the
10 consultants are hardly -- the consultants are hardly in accord,
11 which indicates there is at least potential for structure
12 in an extremely wild area, very difficult to get into.

13 This is being explored further. I think Schlimmer,
14 some of his work is being pursued in this respect. That is
15 part of it. There was a great deal of work done which I think
16 tends to indicate inferentially, that, indeed, the Columbia
17 Plateau represents a distinctly different province. It has to
18 do with magnetic measurements, with pole structure, things of
19 that nature.

20 I think when you put all of that together, our
21 consultants, I believe, were pretty much unanimous with regard
22 to the plateau. There was not that degree of uniformity with
23 regard to the closure and with regard to the Cascades moving
24 across, so I kind of avoided that, and I tried to indicate
25 that, but I believe that -- well, it would be highly desirable to

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1 see some more work, to see if you can tie it to a fault
2 structure. I think otherwise it points in the same direction.

3 CHAIRMAN HENDRIE: Is there any sort of -- Is
4 there A and B, would there be any utility in sort of a micro-
5 seismic monitoring net out in that area.

6 DR. BUSH: There is one to a degree, as you probably
7 realize, in the Hanford area. You mean, a large one.

8 CHAIRMAN HENDRIE: On the Hanford Reservation.
9 But is it still operating, by the way?

10 I can remember that it was a matter of keen interest
11 in FFTF construction permit reviews.

12 DR. BUSH: To my knowledge, it is an I believe
13 there is also one west of the Cascades, because of the deep
14 quakes.

15 Now, whether it meets your criteria of being
16 a microseismic net, that is a question of how many stations,
17 et cetera, but by and large I would say there is reasonably
18 good instrumentation in that respect.

19 There are obviously some areas where there isn't
20 enough, particularly as you move up towards the Canadian
21 border.

22 CHAIRMAN HENDRIE: Very good.

23 COMMISSIONER GILINSKY: You said you had some problems
24 about getting staff documents, because of our rules or
25 something in the area we are talking about. Has that been

1 resolved or is that a continuing problem?

2 DR. ISBIN: When I went back to your February
3 meeting to see why we haven't gotten the follow-through infor-
4 mation, and it was indicated there the information would not
5 be available to us until it had been presented you. That
6 apparently these are your rules.

7 COMMISSIONER GILINSKY: And --

8 DR. ISBIN: If I am misquoting the Staff, perhaps
9 they can correct me.

10 COMMISSIONER GILINSKY: Do you have everything
11 now?

12 DR. ISBIN: We have everything now, yes.

13 CHAIRMAN HENDRIE: Was this connected with whether
14 or not it was going to be proposed in the budget.

15 MR. LEVINE: I don't know why we wouldn't furnish
16 it.

17 CHAIRMAN HENDRIE: The next time that happens, my
18 recommendation is an immediate resort to the Freedom of
19 Information Act.

20 COMMISSIONER KENNEDY: Who made that pronouncement?

21 DR. BUSH: It was predecisional information, I
22 suspect is what it is.

23 MR. FRALEY: I believe after some initial discussion
24 we probably were able to get these documents, but it may have
25 been a misunderstanding as to the degree to which we could
protect them, in view of the Federal Advisory Committee Act.

bw4

1 I do think we have all of the appropriate documents.

2 COMMISSIONER GILINSKY: Is this a problem of
3 proprietary information or what?

4 MR. FRALEY: It might have been. I am not familiar
5 with the problem.

6 CHAIRMAN HENDRIE: Do you know, can you protect
7 predecisional Staff papers?

8 MR. FRALEY: Yes, we can.

9 DR. SIESS: Not forever.

10 CHAIRMAN HENDRIE: I would think so, but the
11 Advisory Committee Act is not at odds with the Freedom of
12 Information Act. They do fit together.

13 MR. FRALEY: That is to protect the papers, but the
14 Federal Advisory Committee Act requires that they be discussed
15 in open meetings, which is a bit of a problem.

16 CHAIRMAN HENDRIE: We do it all the time.

17 COMMISSIONER GILINSKY: Don't the papers relate to
18 another advisory committee?

19 DR. PLESSET: You are thinking of a review group.
20 I was interested in getting consultants' reports. I got them
21 last night. I asked for them about a month ago. I don't know
22 why it took so long.

23 MR. BENDER: That doesn't have to do with restraint
24 on information. That is just a procedural problem.

25 PROF. KERR: I still insist that is a short-term

1 commitment.

2 CHAIRMAN HENDRIE: What is a large number, when you
3 hunt lions? Zero is a large number, when you hunt lions.

4 DR. SIESS: We are still having some trouble getting
5 documents out of the Staff.

6 DR. OKRENT: I find one of the best ways to find out
7 what Mr. Pollard has found.

8 CHAIRMAN HENDRIE: If you perceive -- At least in
9 principle it would be possible to sort of turn the faucet
10 toward the Committee and just, you know, give you a copy of
11 everything.

12 DR. SIESS: There was one stage where we said we would
13 like to see the FY '79 budget requests from research, and the
14 word got back to me now -- I was going through intermediaries
15 who were going through intermediaries, -- that we can't release
16 the FY '78 budget request, because OMB says we can't let it out
17 of this place, until they have accepted it or something.

18 We kept fussing about this, for about three months,
19 and then finally somebody said, well, that was in something
20 that was sent down to the ACRS office with a whole NRC budget
21 request four months ago.

22 Obviously, that was filed away somewhere else.

23 CHAIRMAN HENDRIE: Your problem may not be in
24 getting information, but in finding it and knowing when you
25 got it.

bw6

1 MR. BENDER: That's always been part of our problem.

2 CHAIRMAN HENDRIE: They're due to be getting
3 stages particularly in the closing days of the budget review,
4 when decisions are being made, at the different levels for
5 Staff for presentation to the Commission. These represent some-
6 times hard-fought decisions, which are not going to make everybody
7 happy.

8 Somebody's project got cut out, now the question is,
9 will the Commission accept or will the Executive Director
10 accept that, or whatever. I think there might be some time
11 when the limited amounts of that might be considered.

12 DR. SIESS: We have to find some way to work this
13 out for the report next year, because the Congress wants this
14 report from us, they said, by 31 December, because they want
15 to use it in considering the FY '79 budget.

16 Now, they are going to get a report from us that
17 is essentially not even based on the '79 budget.

18 CHAIRMAN HENDRIE: Sir, as Chairman of the
19 Commission, I assure you I do not know what the '79 budget
20 will be that will be presented to Congress. How you can write
21 a report --

22 DR. SIESS: We are trying to deal in enough
23 generality that it doesn't address a particular budget. We are
24 not trying to review the Staff's budget. We are trying to
review the research program as it exists, but we haven't seen

1 the five-year plan. I have seen about a third of it.

2 CHAIRMAN HENDRIE: I think we ought to be able to
3 get you a reasonable amount of information.

4 DR. SIESS: We are going to start January 1 on
5 next year's. January 2.

6 MR. LEVINE: On the five-year plan, if we had heard
7 that it had all not gotten to you, we would have sent down
8 another set.

9 COMMISSIONER KENNEDY: It is a pretty small
10 organization. It can't be that lost. If you say you sent it
11 and they say they haven't received it --

12 DR. SIESS: We have part of the five-year program,
13 but I have never seen the whole thing. It is a small organiza-
14 tion, but it generates a lot of paper.

15 PROF. KERR: There is a law about that.

16 CHAIRMAN HENDRIE: It suggests somewhere there is
17 a bus or truck filled with these things. We will try to do
18 better with the paper and perhaps next year, knowing now that
19 it is an annual event, one can look forward to a more orderly
20 sorting out.

21 I commend the Committee for being able to
22 manage it under the present circumstances.

23 Okay. Thank you very much for coming.

24 (Whereupon at 3:37 p.m., the meeting was adjourned.)

