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NUCLEAR REGULATORY COMMISSION

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LSNARP MEETING

Embassy Suites
Riveria Room
4315 Swenson Street
Las Vegas, NV

Wednesday, October 13, 1999

The above entitled meeting commenced, pursuant to notice, at
8:45 a.m.

PARTICIPANTS:

- JOHN C. HOYLE, Nuclear Regulatory Commission
- CHIP CAMERON, Nuclear Regulatory Commission
- PAUL BOLLWERK, Chief Administrative Judge, Atomic
Safety and Licensing Board, NRC
- DAN GRASER, Licensing Support Network
Administrator

PARTICIPANTS: [Continued]

- ROBERT HOLDEN, Nuclear Waste Program, National
Congress of American Indians
- MAL MURPHY, Nye County Regulatory and Licensing
Advisor
- CLAUDIA NEWBURY, Department of Energy, Yucca

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RODNEY McCOLLUM, Nuclear Energy Institute
 ABBY JOHNSON, Nuclear Waste Adviser, Eureka County
 DENNIS BECHTEL, Planning Manager, Clark County
 Department of Comprehensive Planning, Nuclear
 Waste Division
 STEVE FRISHMAN, Technical Policy Coordinator,
 Nevada Agency for Nuclear Projects
 JASON PITTS, Lincoln County
 BILL REAMER, NRC/NMSS/DWM
 TOM NARTKER, UNLV/ISRI
 LEW ROBERTSON, MTS, DOE/YMP
 DAVID HEENT, MTS, DOE/YMP
 JAN VERDEN, MTS, DOE/YMP
 DAVE KELLER, M&O, DOE/YMP
 JEROME WEISER, M&O, DOE/YMP
 ROB KEELE, M&O, DOE/YMP
 HARRY KELMAN, Clark County Nuclear Waste Division
 SAM HOBBS, M&O, DOE/YMP

PARTICIPANTS: [Continued]

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JACK WHETSTINE, NRC/ASLBP/ISN Project
 TOM MOORE, NRC/ASLBP
 JOE SPEICHER, LABT-Anderson
 TONY NEVILLE, LABT-Anderson
 GLEN FOSTER, LABT-Anderson
 RUSSELL IRISH, NRC/OIG
 TOM BARCHI, NRC/OIG
 HARVEY SPIRO, NRC/OCIO
 JOHN GANDI, DOE/YMP
 KAZEM TAGHRA, UNLV/ISRI
 JUNE BOSSACK, UNLV/ISRI

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JACKIE WALLACE, Mineral County

JUDY TREICHEL, Nevada Nuclear Waste Task Force

REX MASSEY, Churchill County

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[8:45 a.m.]

MR. HOYLE: My name is John Hoyle. I'm very pleased to welcome you to the first meeting of the Licensing Support Network Advisory Review Panel.

As many of you know, this is a successor panel to the Licensing Support System Advisory Review Panel, which I think, this is October, we're just two months shy of the first meeting of the LSS Advisory Review Panel plus 10 years. I think that was in December of '89. And I recognize the body of knowledge and experience that we have with us today that were with us for those meetings of the other panel, Steve Frishman and Dennis, Mal Murphy and Robert and Claudia. So I appreciate the fact that you all are still with us. I tried to escape, but I'm back, it seems.

Before we go around the table to introduce ourselves, I do recognize that we're in serious competition with other agencies and other committees for your time.

MR. FRISHMAN: And your own agency, too.

MR. HOYLE: And other agencies.

MR. FRISHMAN: Your own agency, too.

MR. HOYLE: Yes, our own. That's right.

I was thinking of our brother committee. And you wish you were being able to attend their meeting this morning.

We recognize that. We've tried to coordinate as best we can our time with your time, but this is the way it's worked out this time.

In spite of that pressure of other meetings, I am very pleased that you all have been able to come this morning, and I hope you

ANN RILEY can stay as long as your time allows.

&
ASSOCIATE With that, let's go around the table and introduce
S, LTD. ourselves. As I said, I'm John Hoyle of the Nuclear Regulatory
Court Reporters Commission. With me today at the table are Chip Cameron on my right,
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1 Judge Paul Bollwerk on the far left, and Dan Graser, the Licensing
 2 Support Network Administrator. We are very, very pleased to have
 3 captured Dan in this role. He also has much experience to bring to us
 4 from the start. So with that, unless my colleagues want to reintroduce
 5 themselves, let's go to Robert.

6 MR. HOLDEN: Good morning. I'm Robert Holden. I work with
 7 the Nuclear Waste Program, National Congress of American Indians, a
 8 national tribal government organization representing around 225 tribes.

9 MR. MURPHY: Mal Murphy, the Nye County Regulatory and
 10 Licensing Advisory.

11 MS. NEWBURY: Claudia Newbury, Department of Energy, Yucca
 12 Mountain Project.

13 MR. MCCOLLUM: Rodney McCollum, Nuclear Energy Institute.
 14 You may recall Steven Kraft has been sitting in on these meetings in the
 15 past. I work for him. Joined NEI about eight months ago.

16 MR. HOYLE: Welcome, Rod.

17 MS. JOHNSON: Abby Johnson. I'm the Nuclear Waste Adviser
 18 for Eureka County.

19 MR. HOYLE: Abby, good morning.

20 MR. BECHTEL: Dennis Bechtel. I'm the planning manager for
 21 Clark County Department of Comprehensive Planning, Nuclear Waste
 22 Division.

23 MR. FRISHMAN: Steve Frishman. I'm the Technical Policy
 24 Coordinator for the Nevada Agency for Nuclear Projects.

25 MR. HOYLE: Very good. As you can see, Abby, I apologize
 for not having a name tag for you down there. We'll have to make one
 up.

ANN RILEY MS. JOHNSON: That's okay. I can do this myself. Thank
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MR. HOYLE: As you see, we have some empty chairs. We had
 invited all of those on the coalition of the local adjacent government

units to Nye County. Perhaps we will have more of them today. Perhaps not. They, too, of course are involved in many other meetings that are going on.

I would remind everyone that there are eight members, eight voting members on this panel, and I believe they are all represented here today. The State of Nevada, Nye County, Coalition of the Adjacent Counties, which I feel Dennis is representing, and Patty as well. The National Congress of American Indians, the Nevada Nuclear Waste Task Force is not represented yet today. I thought maybe Judy was going to be able to make it. She's at the ACNW meeting, or one of the others. The Department of Energy, and of course the Nuclear Regulatory Commission.

I believe I just want to mention some ground rules for the panel, since this is the first meeting, even though it's reconstituted from the LSS panel. I think the rules should generally be the same, unless the members want to talk about it and make some changes. Since there are eight voting members, I believe we'll need at least five voting members to conduct a meeting. I propose that decisions should be made by at least a majority of six voting members. So even though we would have five present to have a meeting conducted, I think any major decisions really need to have six of the eight.

Consensus decisions are sort of like unanimous decisions. I'll look around the table. If everybody seems to be in agreement or at least not in disagreement with an item, I will draw attention to that and assume that that is a consensus decision.

Recorded votes, of course, will be captured in the transcript of our meeting. As you can see, we have a court reporter

ANN RILEY & ASSOCIATES, LTD. The small mikes on the table feed the court reporter. The large mikes are for the P.A. system here in the room.

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Is there any discussion of the ground rules?

Okay. I'll assume then we have agreement on that and

consider them approved.

You have before you an agenda for the meeting. You have a book with a number of documents in them. You were sent the material there preliminarily ten days or so ago. I hope you've had a chance to look at it, but we will be going through it today.

At this point I think I will just introduce Judge Paul Bollwerk and ask him to begin his briefing.

Paul?

JUDGE BOLLWERK: All right. Thank you, John.

Welcome everyone. My name is Paul Bollwerk, as John mentioned. I'm the Chief Administrative Judge for the NRC's Atomic Safety and Licensing Board panel, which is the panel that's assigned responsibility for conducting agency adjudications for the Nuclear Regulatory Commission.

The first thing I guess I'd like to say, I really appreciate -- we appreciate everyone taking the time to come over here today. We recognize there's a lot of things going on right now. To some degree in setting this meeting I felt like we were a moving target, because every time we'd seem to find a slot where we could fit ourselves in, somebody else would change their meeting schedule, and all of a sudden we were having problems. In the end we just decided we needed to stick with what we noticed and to move forward, and I'm hoping that -- I'm sure that what you're going to -- what we're going to do today will be worthwhile and a timely use of your resources, because we do have some I think very important matters to talk about in terms of the LSN today.

I'm really on the agenda to talk about two things. First is

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 The role of the Licensing Board Panel in the LSN development, and then the roles that different folks from the NRC are playing in terms of the Court network. And I'm kind of probably going to just roll the two of those Reporters into one and talk a little bit about the panel and how we got
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responsibility for this and sort of what the roles and responsibilities are within the NRC now for the Licensing Support Network.

As many of you in fact were at the meeting -- I guess it's been over a year ago now that the LSN or the concept of an LSN was discussed, and I think given general approval by the old LSSARP, the Licensing Support System Advisory Review Panels, the idea of going from a centralized data base to a more Internet-based somewhat more diversified data base with the individual parties maintaining their document collections, which is then linked together through a network.

That idea was taken to the Commission, and in looking at the idea of an LSN, the Commission also began to look at the Agency in terms of the organization and how the LSN would be organized and run.

One of the concepts that came up was the question of a business sponsor for the Licensing Support Network. Many of you I know knew Moe Levin, who was the Licensing Support System Administrator, and you are probably aware that Moe in fact was wearing two hats. He was both the Licensing Support System Administrator, and also a Deputy Director of our Office of Chief Information Officer.

As it turned out, the management for the LSS to some degree had been split up in different -- to the extent that there was a committee of three, the Senior Management Committee that was actually kind of overseeing the project within the Agency. Moe was a member of that also and Associate General Counsel from the General Counsel's office, and also a Deputy Director from one of the offices at NMSS.

I think in looking at that, the Commission decided that they needed to refocus the project and to find what was referred to as a business sponsor. They looked at a number of different organizations

ANN RILEY within the Agency and decided that the Licensing Board Panel, because of & ASSOCIATED responsibility for the adjudicatory process with the Agency, because S, LTD. Court of our familiarity with the discovery process and all the other things Reporters that go into the hearing process, should be the group that has

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1 responsibility for carrying this project forward. And we were given
 2 that responsibility back in July, and as this meeting shows today, we've
 3 taken it on, and we're pressing forward with it. So that's basically
 4 how the ASLBP became sort of responsible for the LSN, the Licensing
 5 Support Network.

6 In terms of how the project is now being run, there is a tab
 7 in your -- in the materials that you were given -- Tab 1-1, that kind of
 8 gives a general description of the different organizations and
 9 individuals that are involved in the LSN and the LSNARP. But I think
 10 probably as I look down this head table, I think to some degree if I
 11 talk about the folks here, I can give you a good idea of exactly how the
 12 project is going to be run, and also I hope I can bring to you some idea
 13 and some confidence about the Agency's ability to complete this project,
 14 which many of you are aware has been going on now for ten years. And
 15 there's been a lot of discussion, there's been some progress, but I
 16 think we're now at the point where we're ready to move forward and
 17 actually get a network up.

18 In terms of the ASLBP, the organization that I'm the head
 19 of, I think we bring to the process our understanding and our desire to
 20 see that Agency adjudications are conducted properly, fairly, managed in
 21 an expeditious way for everybody efficiently, but also very fairly. And
 22 from my perspective, one of the things that I do on a regular basis is
 23 I'm a lecturer with the National Judicial College up in Reno, and I
 24 teach a course on conducting complex adjudications. And one of the
 25 things that I always emphasize with the classes I have are the
 importance of issues, issue presentation, and also discovery in any
 adjudication, particularly complex adjudications.

ANN RILEY That frankly is what the Licensing Support Network is all
 & about. It's an opportunity for the parties, the potential parties for
 ASSOCIATED S, LTD. the licensing support, for the high-level waste repository licensing
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1 proceeding begins, both so they can get familiar with what information
2 is available in terms of the other parties, also so that they can frame
3 their issues, which is a very important thing.

4 I emphasize to the classes that I teach that the more that
5 you can get the parties to sit down on their own to work on the issues
6 that they're going to put together to get their supporting material
7 together, the better off everyone would be in terms of the adjudicatory
8 process. It's a more open process, and it's frankly a more efficient
9 process if everybody knows what's going on. And that's why I believe --
10 I think the Commission was right when they set this process up
11 originally to get the discovery material out front for everyone and also
12 to -- that way everyone will have the information, and also can frame
13 the issues in the proceeding on a much earlier time and I think a much
14 better time.

15 It's an important process. It's an important project. And
16 it's one that the panel is very interested in, and we are putting our
17 full resources in frankly to getting it carried forward.

18 One other thing I should mention that we're interested in
19 and I think we bring to the process, some of you may remember about the
20 idea of the licensing support system that there would be electronic
21 interchange of documents, and that's something actually we've already
22 been working on within the NRC. We're part of a pilot project now for
23 electronic interchange of documents, fully electronically, both with
24 electronic signatures. It's a new thing we've started, but it looks
25 very promising, and it's something -- expertise we'll also bring to the
Licensing Support Network. So from my perspective and from the panel's
perspective I think that's why we're in a good position to bring this

ANN RILEY project forward.

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In terms of the other folks at the table, I think you have
some old faces here who have been around for a while. I've actually
been here before in another capacity. Your face is old, Chip, not you.

MR. CAMERON: I didn't like that "old faces."

JUDGE BOLLWERK: I think both John and Chip bring to the process a sort of background and a history in how this whole system came to where it is today and how it can move forward. And to some degree the feedback that we get from them, and I know we've had this already, is feedback that is good for everyone sitting at this table, because they're constantly reminding us look, you know, you want to press forward with this project, you want to get it done, but don't forget about the ARP, they're an important part of the process, you need to listen to what they have to say, take it into account, deal with it.

If you have a problem with it, let's talk it out, reach a consensus on it. That's the best way to handle this project, if we can.

And that's what we're here to do. That's what we want to do. We want to work with the ARP.

Both John and Chip bring that to the process, and they're constantly bringing that into the mix and reminding us that that's an important part of what we need to do here.

Sitting next to me is Dan Graser, who I am very happy to have as a Licensing Support Network administrator. Dan's been on the job about two weeks, three weeks I think, although again he's been part of this project for a number of years. He brings a tremendous amount of enthusiasm to this. He wants to get this done. He's going to get it done. He's convinced me of that.

When we first took this project on in July at the Commission's direction, I was somewhat concerned about that. The Licensing Board is not -- generally putting together discovery data bases is something that we don't do. But with Dan at our side now and

part of our office now, I have little doubt that this is going to get done, and we're going to get it done in a fairly timely manner. So I'm just delighted to have Dan Graser as a Licensing Support Network administrator.

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We're sorry Moe couldn't make it out here today, but he sends everybody his best, and he's moving on to other projects within the NRC, including the ATOMS project, which is a huge -- also has an impact on this project in terms of the Agency going to totally electric document intake and distribution within the Agency. So Moe is busy doing other things, I can assure you.

I guess there's one other sort of group or body that I'd like to mention, and that's the Commission itself. I've had any number of discussions with all the Commissioners, including Chairman Dicus, and also the incoming Chairman, Dr. Meserve, about the Licensing Support Network. I've emphasized to them the importance that I place on it in terms of the licensing, in terms of the high-level waste repository adjudication in that process. I've gotten support from them. I think they understand that the time is now, this project needs to move forward.

I know there was a recent briefing that the Department of Energy gave to the Commission on the draft EIS, and the Chairman, Chairman Dicus, and also Commissioner Merrifield raised with DOE the status of the LSN in terms of their document collection and how they were putting it together. I know they consider this important. They made that clear to me, and I just wanted to express that to you, that the Commission does know that this network is out there, this project has to be done, and they are interested in it.

The one other thing I guess I'd like to leave you with in terms of the remarks that I want to make this morning is that this is an important time. I recognize, as I said at the beginning, there's a lot going on right now. But in terms of this particular project, getting

ANN RILEY together a licensing support network, this is the time for you all to & ASSOCIATED your input in. Yesterday I was at the Technical Working Group S, LTD. Court meeting with Dan. He handed out a lot of material, talked about the Reporters 1025 plans for the system, the schedule that we're going to go over this Connecticut Avenue, NW, Suite 1014 Washington, D.C. 20036 (202) 842-0034

1 morning. And I know there were several of the counties were there, DOE
2 was there, but I'm hoping that everybody can put some time, can make
3 yourselves available, can give us the input.

4 That's what we need, is your input into this project at this
5 point. We're ready to move forward. We want to know what you think
6 about it. We want to know -- in the end, you all have to use this
7 system, and we need to know how it can be best set up to work so that
8 it's a useful tool for you in the high-level waste repository
9 adjudicatory process.

10 So I would urge you, recognizing, I know, that you've got a
11 lot going on right now, many thing on your plate, to give us the input.

12 There are Technical Working Group meetings tomorrow. If for some
13 reason you can't make folks available for that, we will have minutes
14 that we put together. We'll distribute those. Please look those over
15 when you get them. Give us your feedback. This is the time now for you
16 to give us the input that we need to move this project forward.

17 With that, I will turn it over to Dan or back to John, if
18 you want to say anything, or is it time for Dan to talk about the
19 Technical Working Group meeting?

20 MR. HOYLE: Okay. Let me interject before Dan gets started,
21 I noticed we have another member at the table, Jason Pitts, thank you
22 for joining us, from Lincoln County. And we have a number of other
23 folks who have followed the LSN and LSS over the years in the room. Why
24 don't we just take a moment and let those around the room introduce
25 themselves if they'd like to do that.

Bill?

MR. REAMER: Okay. I'm Bill Reamer. I'm a member of the
Nuclear Regulatory Commission staff in the Division of Waste Management.

MR. NARTKER: Tom Nartker. I teach at UNLV, and we do
research in information retrieval and other LSN-related technologies.

MR. HOYLE: And we'll be hearing from you this afternoon.

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1 Very good.

2 Lew?

3 MR. ROBERTSON: Lew Robertson, MTS, supporting Department of
4 Energy.

5 MR. HEENT: David Heent, MTS, supporting Department of
6 Energy.

7 MS. VERDEN: Jan Verden, MTS, supporting Department of
8 Energy.

9 MR. KELLER: Dave Keller with M&O contract supporting
10 Department of Energy.

11 MR. WEISER: Jerry Weiser, with the M&O.

12 MR. KEELE: Rob Keele with the M&O.

13 MR. KELMAN: Harry Kelman, Clark County Nuclear Waste
14 Division.

15 MR. HOBBS: Sam Hobbs from the M&O supporting the Yucca
16 Mountain Project.

17 MR. WHETSTINE: Jack Whetstine. I give administrative
18 support for NRC for the LSN.

19 MR. MOORE: Tom Moore. I'm a judge on the licensing panel.

20 MR. SPEICHER: Joe Speicher with Anderson, supporting the
21 Licensing Support Network administrator.

22 MR. NEVILLE: Tony Neville with Anderson supporting the
23 administrator.

24 MR. FOSTER: Glen Foster with LABT.

25 MR. IRISH: Russell Irish, Inspector General's Office, NRC.

MR. BARCHI: I'm Tom Barchi. I'm the Assistant Inspector
General at NRC.

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As you know, our office has followed this project pretty
closely for the last couple of years, and in fact we have work currently
under way to get an assessment of where we are as an agency relative to
the project. We would hope to have that body of information available

probably by the end of next month.

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MR. SPIRO: Harvey Spiro, NRC Office of the Chief Information Officer.

MR. GANDI: John Gandi, Department of Energy, Information Management.

MR. TAGHRA: Kazem Taghra, UNLV/ISRI.

MS. BOSSACK: June Bossack, UNLV/ISRI.

MR. HOYLE: Thank you very much. Unless there's any other comment, following Paul's introductory remarks, we'll turn to Dan.

Dan?

MR. GRASER: Okay. Thank you very much, John.

I'd like to spend a little --

MR. HOYLE: Excuse me. I'm going to interrupt one more time. I'm starting a signup sheet down both sides of the table. If everyone would please sign it.

Thank you.

MR. GRASER: I'd like to spend a little time this morning going over the Technical Working Group premeeting that we had yesterday, and to just fill the Advisory Panel in on the sorts of things that were discussed at that meeting and some of the groundwork that was laid in order to get the Technical Working Groups off the ground and running when we reconvene Thursday and Friday of this week.

We went through four or five major areas during the course of the afternoon. One of the first things that we did was go back and revisit the revision to the charter for the LSN Advisory Review Panel that is included in the three-ring binder tab, probably Tab C, and I just pointed out to everybody who was present yesterday that the changes

ANN RILEY the charter were made essentially to reflect Licensing Support & ASSOCIATED Network as opposed to the Licensing Support System. Substantively there S, LTD. Court were not that many other changes in the charter. But I did want to Reporters 1025 bring that to everybody's attention. Connecticut Avenue, NW, Suite 1014 Washington, D.C. 20036 (202) 842-0034

1 We also went through the charter for the Technical Working
 2 Group which is included in the three-ring binder as Tab D, and I walked
 3 through very briefly for all those who had not been involved in the
 4 Technical Working Groups before a history of the way the Technical
 5 Working Groups have operated in the past. Essentially that is that the
 6 Technical Working Groups are really comprised of members of the ARP
 7 group or their designated representatives, and the Technical Working
 8 Groups will go off and they will pursue research, study, analysis,
 9 whatever is directed by the Advisory Panel as a whole.

10 The role of a Technical Working Group is to respond
 11 essentially to whatever that request is and come back, and in cases in
 12 the past, the Technical Working Groups have developed some products that
 13 have been accepted into a lot of the design assumptions of the old
 14 Licensing Support System.

15 We've had Technical Working Groups deal with bibliographic
 16 header development, which was a very productive Technical Working Group
 17 with Kirk Balcolm especially taking a lead role in that activity. We've
 18 had Technical Working Groups focus on developing the high-level and
 19 secondary-level functional requirements for the Licensing Support
 20 System, Fielden Dickerson from TRW, the DOE M&L contractor, did an
 21 admirable job in pulling that together. And in all of those and other
 22 cases, Technical Working Group meetings have come back and been called
 23 upon to present their findings back to the ARP.

24 It is really the Advisory Review Panel that takes those
 25 reports or analyses under consideration, and it's really the Advisory
 Review Panel that is in the position of looking at them and determining
 is this the direction we want to go. So the Technical Working Groups

ANN RILEY really just serve as the research and analysis and evaluation arm of the
 & smaller Advisory Review Panels. So I walked through some of that history
 ASSOCIATE S, LTD. Court for individuals who were not involved with any prior Technical Working
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1 The overall objectives of the Technical Working Group we
 2 walked through and essentially outlined that there is a substantial
 3 amount of work that needs to be done in terms of redefining the vision
 4 of what an LSN should look like. Under the old Licensing Support System
 5 it was a mainframe-based system. Everybody had a pretty good mental
 6 construct of what that meant. And in the revision to the rule that now
 7 made it a Licensing Support Network, which is hopefully an Internet
 8 Web-based-type approach to doing -- to meeting the mission. We need to
 9 go back and redevelop in our mind's eye what this system is going to do,
 10 how it's going to do it, and how this newer generation of technology can
 11 be made to meet what we believe is necessary to fulfill the mission
 12 outlined in 10 CFR 2.

13 So I think we laid that out pretty well yesterday. In terms
 14 of the ground rules, what I laid out for all of the individuals is that
 15 the Technical Working Groups typically will keep meeting minutes of the
 16 discussions on a daily basis. We will maintain a list of who attended.

17 And as part of the meeting minutes, if there is any tasking that comes
 18 out of it, or if there are open issues that have been identified that
 19 we're asking somebody to go off and do some further investigation on, if
 20 there are any additional sorts of assignments that may be made, all of
 21 that is documented in the meeting minutes. And meeting minutes together
 22 with all of the handouts are going to be made available to everybody
 23 who's on the list that we have for the Advisory Review Panel plus the
 24 individuals on the Technical Working Group.

25 So there will be a fairly extensive communication out to
 everybody, so that even if a participant or potential participant does
 not have anybody sitting in on the Technical Working Group, we will make

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the documentation available so that you can at least keep abreast with
 what was discussed and what progress is being made. And I just want to
 reemphasize for everybody that that will be an ongoing routine sort of
 thing. It's my intention to make all of that information available.

Another thing that was discussed yesterday also related to that the Technical Working Groups, we certainly want to have as much involvement as we can. They are really very informal in terms of the procedure, sitting around a table, plowing through ideas, concepts, issues, and everybody really chips in and adds to that discussion. And I did emphasize to the folks who attended yesterday that if we're going to be meeting here Thursday and Friday, if somebody wanted to come in half a day or one of the two days or part of any of that, I didn't have any particular problem with that, and in fact if other, you know, other members of the general public felt like they wanted to sit in, they were certainly welcome to sit in. If they can stand the technojargon, they're quite welcome to sit in on that.

So in general that is the nature of the Technical Working Groups, and we did go over a lot of that groundwork in the initial part of the meeting yesterday afternoon.

We then began the process of going through some of the preliminary materials that the LSN Administrator sent out initially to collect information about where all the potential parties stand in terms of plans for automation or where they stand in terms of actually having automation already available, and we wrapped all of that information up, and that is included again in the three-ring binder as Tab E, the preliminary results to date of the survey that we sent out.

We had a fairly good response, and it's not too late for other individuals to go ahead and provide that similar sort of information. We can add it to this matrix, and I would certainly be more than happy to continue to maintain and update this document as more information is received from all of the parties.

ANN RILEY The survey itself, you know, I indicated yesterday I thought
 &
 ASSOCIATE was fairly -- I was fairly optimistic about it because the survey
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 Court results in general indicate that participants and the participants all
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 1025 have a pretty good handle on this technology already, and that means
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1 we're already one step up in terms of having everybody understand the
2 nature of this technology that we're dealing with, and we can kind of
3 dispense with Web Pages 101 and move right along to the next course in
4 that regard. At least that's the preliminary indication.

5 And essentially we walked through the matrix and the results
6 of the information that is presented in there, and we did make some
7 observations on not just the nature of the technology, but also in terms
8 of the reports back about the volume of documentation and the potential
9 impact that the volume of documents may have on a system design. Only
10 in a very general way, because that's really going to be the work that
11 we pick up on tomorrow morning.

12 The next item on my agenda yesterday was then to move into
13 looking at the overall project schedule, again included in the
14 three-ring binder under Tab F. The schedule that's presented there I
15 outlined for all of the members of the Technical Working Group
16 yesterday, and I would like to reiterate it here in the more general
17 audience, that it really is just a very initial cut at developing a
18 project management plan for the LSN development. And given the fact
19 that we don't know what the target technology is going to be and what
20 the target solution is going to be, and that really won't be determined
21 until we've finished the work of the Technical Working Group, but given
22 the fact that we don't really know what the target solution is going to
23 be, everything from about line 15 on down is fairly speculative at this
24 point in time.

25 Maybe a better way to characterize it, it's fairly generic
in terms of the sorts of things you would normally anticipate in a
system development and integration activity. This again is going to be

ANN RILEY living document, and I hope to be able to share on a fairly routine
&
ASSOCIATEDS, LTD. basis providing updates on this schedule back to everybody who's
Court involved with the development of the Licensing Support Network.

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The other issue that came up in regards to this schedule as

1 presented, and you will also find it discussed later on in some of the
 2 items under Tab G, some of the guideline-type documents and discussion
 3 papers, is the fact that in order for us to be able to implement a
 4 system and to have some meaningful tests of getting the Licensing
 5 Support Network connected with the various participants' collections,
 6 and in order to be able to conduct some tests that will allow us to look
 7 at the system performance, for example, do performance tuning, and do
 8 other sorts of validation testing before we declare the system to be
 9 ready and to be operational, well, in order to do all of that testing,
 10 we really are going to need to have access to some participant
 11 collections, and we would need to have them in advance of the time frame
 12 that is called out in 10 CFR 2 for when participants must have the
 13 systems available. So you see the distinction I'm making here.

14 The rule says you must have it -- your system available by x
 15 date, for example DOE and NRC earlier, the participants a little bit
 16 later on in the process, but if we're going to be able to do the system
 17 integration and the testing, I'm going to need some access to some
 18 candidate collections with some percentage of documents in them to allow
 19 us to do the meaningful tests, and that time frame for when I do the
 20 tests is going to need to be in advance of when it is required. And
 21 that's going to involve a certain amount of collaboration and
 22 cooperation on the part of the various participants to help make that
 23 happen.

24 We did walk through that particular issue yesterday.

25 Again, until we know what the system design is going to be I
 can't really tell you how big that collection will have to be, and I
 can't really tell you exactly when I am going to need some of that type
 access, but I think it is a fair assumption to make going into the
 process that that is something we should anticipate.

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The other issue that came up in regards to the overall
 approach to things was that we outlined three general scenarios that we

presented in a very brief form yesterday to the individuals who attending the technical working group meeting.

Those three general scenarios may in fact be only the straw man, if you will, to get us started, and there may in fact be additional scenarios that are proposed by people sitting in on the Technical Working Group and if that is the case we would have to walk through them just about as rigorously as we would the three that we are using as our straw man documentation.

Now I do not anticipate that examining a fourth or a fifth or a sixth scenario is going to add all that significantly to the schedule of the work that needs to be done upfront.

The other aspect of the overall schedule, and again this is something that is kind of an education thing and I will just walk through it, as painful as it may be for everybody who was here yesterday, I am going to walk through this one more time.

In the overall process of getting a system up and operational, there are some administrative procedures that the Government procurement process is going to require that we walk through.

One of those procedures is identified as line item Number 10 in that Gantt chart. That particular item has been rolled up. You don't see the level of detail beneath that.

At line 10 -- it is titled NRC Project Authorization -- you will see a parenthesis (CPIC). The CPIC process is an outcome of the Information Management Reform Act of 1998, I believe -- right? 1996 -- 1996 -- and also Paperwork Reduction and a few other Government sort of initiatives.

Essentially what is required in the CPIC process -- CPIC

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benefit analysis.

Under the ITMRA this has now become a cost benefit analysis on steroids for all intents and purposes. It is a cost benefit analysis but it also includes risk assessment of multiple options and alternatives, risk perceived values and benefits.

It will go through a number of different sorts of analyses to be able to present the information to a management team within the agency who can then look at the project and have some degree of assurance that the project has been thought out, that there is a project plan, that the sponsors of the system have looked at all of the issues of the total system life cycle development, and that document needs to go before, within NRC it needs to go before the Executive Committee.

The Executive Committee is the Chief Financial Officer, the Chief Information Officer, the Executive Director of Operations, and I believe the General Counsel, Karen Cyr, so as a group they review all of these proposals for fairly large system integration or development activities and they are the ones that actually need to give us the blessing to go forward.

That process -- it is a required stop along the way for us and we really need to go through that process before we can get the blessing to proceed and then put the contracts in place to begin the high level design work and so forth and so on.

I am just drawing this to your attention to that you understand that for us to have a meaningful CPIC document to present to the Nuclear Regulatory Commission in this particular context that meaningful document does need to reflect the thinking of the Advisory Review Panel and it needs to be able to represent what the ARP feels,

ANN RILEY believes, thinks, recommends in terms of desirable technical solutions, & ASSOCIATED it lends that much more credence to the analysis if we can in fact S, LTD. Court say this has been examined by a Technical Working Group, the analysis of Reporters the Technical Working Group has been presented to the full Advisory Connecticut Avenue, NW, Suite 1014 Washington, D.C. 20036 (202) 842-0034

1 Review Panel. The Advisory Review Panel has looked at all of the
2 alternatives, looked at the options. Their opinion on Option A is that
3 it may be too complicated. Their opinion on Option B may be that it is
4 lacking in some critical functionalities, whatever the case may be.

5 I would like to be able to include that as part of the
6 documentation package that goes forward to the Nuclear Regulatory
7 Commission's Executive Committee.

8 So that you all understand that this Technical Working Group
9 and then the subsequent ARP statements or findings about these technical
10 solutions is going to be part of the process, and it will be reflected
11 in what the management at the Nuclear Regulatory Commission is presented
12 with, I just want to emphasize that this does have some standing. It is
13 going to be highly visible in this particular CPIC process.

14 That is pretty much the story and the message on that Gantt
15 chart. It may in fact be -- this is another thing that came up
16 yesterday -- it may in fact be looked at as a fairly aggressive schedule
17 insofar as we may need more time for system integration if a solution
18 that is recommended requires a significant amount of custom code
19 development. This schedule does not have a lot of slack in it right
20 now, so in that regard you can look at it and say where is your
21 contingency, where is your slack time, in case you run into something
22 unanticipated.

23 I want to be forthright with you that right now this
24 schedule doesn't reflect that simply because I don't know the nature of
25 which technical solution it is and I cannot give you an analysis of the
impact at this point in time, but just to let you know that that is
certainly something somebody may look at this and say, well, if this is

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1025 into the CPIC process this will have to be baselined and once the
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1 schedule is baselined and we know what solution we are recommending, the
 2 schedule can be firmed up. I will be updating the schedule to
 3 everybody.

4 I alluded a few minutes ago to the three general scenarios.

5 We have gone through and started to do some thinking about the level of
 6 sophistication for the types of Internet and web-based presentations
 7 that we could look at, and this is something that the Technical Working
 8 Group is going to have to wade through in quite some detail in terms of
 9 the degree of sophistication, the degree of the ability to meet the
 10 overall mission of making documents available, of supporting motions
 11 practice, of populating documents into the official docket.

12 Each of the solutions, each of the potential solutions need
 13 to be looked at and examined to see if there are any potential
 14 show-stoppers. In addition to that, each of the solutions that the
 15 Technical Working Group looks at are really going to require that
 16 somebody play the part of the devil's advocate on behalf of the general
 17 public and continue to ask the question how could this solution, how
 18 will this solution look to a person coming in from the general Internet
 19 environment? Is this going to be too difficult for your normal John Q.
 20 Public user coming in who has a PC at home and a relatively low-speed
 21 modem and are you asking them to download huge files that are going to
 22 clog up their system and their performance is going to be terrible? So
 23 we do need to keep in mind that some of our users will have fairly
 24 sophisticated computer systems and computer environments in their office
 25 environment, but there is another large class of users out there who
 will not have that level of sophistication, will be using the system in
 the stance of an individual from the general public.

ANN RILEY So during the course of going through the Technical Working
 & Group meetings we have a couple of different things we have to keep
 ASSOCIATES, LTD. Court paying attention to, and of course the level of sophistication is going
 Reporters to be one of them, and asking how is this going to work for the normal
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user.

The other aspect of that is when we sit down and examine the various options and alternatives one of the things we need to do is to pull on the loose thread, so to speak, and start pulling on that thread and say, for example, if we follow Solution A and Solution A has a certain way of addressing a participant's website and requires a certain amount of ability to write or copy to a participant's website and that participant's website has some security issues in terms of saying it is outside the fire wall and nobody except the Administrator has any right authority -- well, as we go through the functional requirements and we look at a functional requirement like having the ability to save a search and re-run the search on a weekly or monthly basis, we have to address how are you going to do that.

What is the implication if in the web environment you have got all of these fire wall and security issues, so there are lots of detail operational issues that, as I said, if you start pulling the string it may result in one of the technical solutions having a glaring problem that for all intents and purposes makes it a nonstarter from a technical point of view.

That is the nature of things that I outlined for the Technical Working Group yesterday afternoon. There is a substantial amount of work that needs to be done.

We had a fairly interesting discussion on the old functional requirements from the Technical Working Group and last week as I was going through them it became pretty evident to me that a lot of those functional requirements are going to have to be looked at again in light of the technology and we are probably going to have to redevelop the functional requirements and probably going to need to redevelop them in

Terms of what the web technology can support.

In addition, some of the functional requirements, if you look at them from doing the testing and acceptance of the system would

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be very difficult in the test and acceptance type environment because I don't have a method of saying have I passed or failed, so some of the statements that were included in the original functional requirements because they are nontestable will need to be rewritten so that they can be represented as something that is testable.

We went through those sorts of discussions yesterday, the bottom line being that there is a lot of work to be done by the Technical Working Group. I laid out at that point in time and it is also reflected in the Gantt chart schedule that we may in fact need to have a second round of Technical Working Group meetings and in that case again the staff that supports me -- and we would all be coming out here to Las Vegas and pursuing additional Technical Working Group's meetings as needed, and we may in fact need a third Technical Working Group meeting. I can't really say right now. We probably will have a better handle on that by the time Friday afternoon rolls around this week.

Given that scenario, that there may be a couple iterations of Technical Working Group meetings here coming up, we in all likelihood will wrap up a certain amount of work to the point of being able to say here are viable technical solutions and we are ready now to bring this back before the advisory review panel, and you will see that one of the things that I included on that Gantt chart, a schedule, when I developed it quite some time ago, was I put a placeholder in there for a follow-up ARP meeting. I think that is something that we'll be talking about this afternoon toward the end of the session here in terms of identifying when in fact that may be and how do we do it.

So that was essentially the gist of what we covered yesterday just in a very preliminary way. We did not go down into a

whole lot of detail on these things because that is really going to be the work for the next two days' worth of meetings.

The folks who were there yesterday, if there was anything that I missed in particular, feel free to chime in and mention it. I

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would certainly appreciate that because my memory is not infallible on all those things. I think we have pretty well covered that that was what was covered yesterday.

In that regard that is pretty much what was done yesterday and it was somewhat irregular that we went ahead and started the Technical Working Group meetings before we actually briefed the issue and got the Advisory Panel to go ahead and send us off on our mission, but I did feel that it was important to get that started so that we can use the next two days to maximum benefit.

At this point in the agenda one of the things that we did want to address was the process now of actually getting the Advisory Panel to speak out and to provide the Technical Working Group with the specific direction in terms of here are the things that we would like to have the Technical Working Group address.

I have presented my view of things but my view is not the only view, and if there are other issues or other subjects or other topics that any of you do want to have included in the work of the Technical Working Group this would be a great time to speak up and put that on the table.

I think that is pretty much my two cents' worth, John.

MR. HOYLE: Okay. I think Dennis is prepared to talk.

MR. BECHTEL: Could you maybe just describe the scenarios you went through, the three?

MR. GRASER: The scenarios are -- there is a good narrative description of them back in Section 12 or Tab 12-1, a fairly comprehensible description. It was not written by a bureaucrat.

MR. BECHTEL: I went as far as 10, I guess. I missed that.

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MR. GRASER: I can go ahead and for the benefit of the rest of the group I can categorize them in a very general way here, no Court problem. The simplest capability that we started to look at, for all

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intents and purposes it is establishing a web page that would be called
The Licensing Support Network Home Page, and essentially that very
simplistic solution sets a bunch of links, URL links from that home page
over to each of the participants' collections of material, and it does
not necessarily provide a whole lot of functionality in terms of meeting
the very unique requirements of the old Licensing Support System
functional requirements.

Whatever printing and downloading you could do is the
printing and downloading that your local PC would allow you to do,
okay? -- so it is really a very rudimentary approach.

The second category or the second level is I guess best
characterized by some of the portal sites that have been recently
developed and what portal software does is it provides a middleware tool
that goes from the participant's site and this middleware tool is used
to establish the LSN home page, but these portal tools allow you to
start adding some features that will allow us to better organize access
to these diverse collections.

We have some participants who may have an Oracle structured
database. Other participants may have HTML pages sitting on a website.

Other participants may have a very robust document and records
management system using a document management commercial software
package. Some parties will have Fulerum full tech search engines.
Other parties may have Verities, Topic or Excalibur of some other flavor
and the portal software goes to each of those sites and mines the data
and builds its own index and essentially allows you, just like if you
were going to YAHOO -- YAHOO My Page -- allows you to construct your own
page, target your own preferences, identify which collections you are

most interested in searching, although you could search them all, and it
gives you a uniform search interface.

The way it does that is by setting up a data dictionary so
that if one participant names a field document date and the other

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1 participant names it date dot doc or some other naming convention it
 2 builds a data dictionary and as far as the end user is concerned all you
 3 see is document date, no matter what the underlying collection called
 4 it, and in that regard it provides us with one of the things we are
 5 looking for in the LSN environment, which is a simple, uniform interface
 6 so that a general public searcher on the Internet can come and learn one
 7 way of searching the database, doesn't need to learn all of the
 8 specifics about each participant's collection.

9 The third scenario or the third option that we talked about,
 10 just very generally, simply takes that and expands that down and adds on
 11 top of that second alternative, and it adds additional power and
 12 additional control type features and for example it may include a
 13 significant amount of custom code development.

14 This is something that we felt needed to be put on the table because it
 15 directly addresses the question of providing some mechanism to ensure
 16 that when we are in the hearing phase that individuals who really need
 17 to have access to that data because they are going up the next morning
 18 before the hearing, before the Presiding Officer, those individuals
 19 really need to know they are going to have access when they do have the
 20 access, and there are some steps that can be taken at the portal site,
 21 might potentially be taken at the portal site to help ensure some of
 22 that is at least within our control.

23 Now the reality of the situation is if you have got a PC at
 24 home, I can't control how many megahertz machine you have at home. It
 25 may be slow. I can't control how big a model you have on your machine,
 so you may already have two strikes against you on your machine coming
 from home, and then you may dial in to your Internet service provider

ANN RILEY and find that all of the dial-in ports happen to be busy that night
 &
 ASSOCIATED because it is Super Bowl night and everybody is on the Internet. I
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 Court can't help that either, so you may have encountered three roadblocks
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 1025 before you ever even get to a portal page.

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1 But it is certainly something that I would like to entertain
 2 the thoughts and feelings of all the other participants in terms of what
 3 steps could be taken and is it worthwhile to do it, is it cost effective
 4 to do it, is it something that we need to exercise our best efforts to
 5 minimize the risk of some level of denial of service at a critical point
 6 in the hearing process, and if I am not going to exercise as much due
 7 diligence as I can, I don't want to do that without everybody nodding
 8 their head and saying yes, we recognize that this is something that we
 9 could have put more effort into it but the cost was not justifiable or
 10 whatever the case may be, so that is not a decision that I feel
 11 comfortable making unilaterally.

12 I think that is something I really do want to have a lot of
 13 the input from the Technical Working Group in terms of saying are these
 14 the sorts of issues that it is going to be worth doing a significant
 15 amount of customization to try to remediate those situations, even
 16 though we recognize we won't be able to remediate every aspect of web
 17 communications and interactions. Those are certainly going to be
 18 somewhat out of our control but there are some other aspects that we
 19 should be looking at that are in our control, and those would be server
 20 based, portal based sorts of issues.

21 That is the short answer.

22 MR. HOYLE: Any other questions or comments? I guess, Dan,
 23 I do want you to tell us what you plan to cover in your next item after
 24 we formally task the TWG that you haven't covered.

25 MR. GRASER: Oh, well, do you want me to do that now? The
 one after the break?

MR. HOYLE: Why don't you do that? It's still about a

ANN RILEY: Quarter to 10:00.

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Court you want me too. I can talk for four hours but I can't talk for 40
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MR. GRASER: Oh, okay. All right -- I can talk as much as

1 There's also an item on the agenda that is listed out on the
 2 agenda as something that I was going to address after the break, but
 3 since we have the time, I will go ahead and launch into it right now.

4 The participant involvement in the Technical Working Group
 5 and the design process -- I just want to emphasize to everybody that I
 6 can live with whatever degree of participation or, conversely, whatever
 7 degree of authorization that the Advisory Panel and participants and the
 8 potential participants choose to give. If you all say we really want to
 9 have somebody there and participate in it, that's wonderful. I am very
 10 comfortable, very happy to hear that. If somebody says we would love to
 11 be involved in the Technical Working Group but resources are scarce, we
 12 can have some degree of oversight but we cannot actively be involved in
 13 it, but that we certainly want to be kept informed of what is going on,
 14 so be it. That is fine as well.

15 I just want to make sure that everybody understands that I
 16 am not viewing participation in the Technical Working Group as something
 17 that you absolutely have to do or, you know, Dan is just going to go off
 18 and do what Dan is going to do. You know, I certainly don't want it to
 19 be viewed that way, but we are going to be moving forward and I have a
 20 mission and I have a goal of having at least the portal capability and
 21 the connection to the DOE and NRC collections in place by July, 2001.

22 That is my goal. That is my objective. I am going to just
 23 be very insistent on moving this thing forward and ensuring that the
 24 milestones on the schedule are met and I am going to do whatever I need
 25 to do to keep that moving forward.

If we get good involvement upfront, there is probably going
 to be a period of two or three or four more months now where there is a
 lot of interaction going on and wherever possible we are going to be

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1 Once we baseline the design, however, the design is going to
 2 be the design that we follow as we move forward. Now if you are
 3 involved in the process upfront and we are able to address all of your
 4 concerns and all of your issues in the design, that's wonderful. If,
 5 however, some time in the future some other participant came to the
 6 table and said, well, gee, you know, we weren't able to be involved in
 7 designing the system. Once the system is baselined and designed and
 8 tested and delivered, at that point in time there is very little that we
 9 may be able to do in terms of accommodating a participant coming to us
 10 and saying, gee, I have this special unique requirement.

11 I guess what I am saying is that once the system is built,
 12 if somebody then comes and has something that is of particular -- a
 13 particular issue or concern or technical problem that needs to be
 14 addressed, well, at that point in time the portal system or whatever
 15 other solution we put in place for the LSN, it will be in place, and at
 16 that point in time it is kind of incumbent on the person coming in two
 17 years from now to come up to speed with what we have, so I guess I am
 18 saying once you build the system and it is there, it kind of becomes the
 19 new participant's responsibility to come up to speed with what we have
 20 in place once we have it in place.

21 Like I said, I would certainly entertain all of the input
 22 upfront that I can possible get -- the more the better, because the more
 23 diverse and more broad input that I get upfront and the more of those
 24 systems that I can design to accommodate, the better chance I have that
 25 this won't happen in the future, that people won't come to me with
 something that, you know, is throwing a curve ball and dropping in the
 dirt in front of home plate on us -- so I think we are probably going to

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The portal -- everything that I have done in researching and investigating these portal technologies leads me to believe that this is the place you should be buying stock right now, if you are playing the stock market. These guys are going in there and they are projecting tremendous, tremendous growth in portal software technologies and I think it is reflected by the early companies that have been involved in this sort of thing.

Earlier I alluded -- not that I am giving them sponsorship or anything here -- but I mentioned earlier the YAHOO My Home Page -- My Page type technology.

For all intents and purposes that is a portal. That is a portal, and YAHOO is not a company that is going to be going away, and they would not have invested in these particular solutions, so I think this sort of technology is going to hold us in quite good stead for a long period of time here.

The other interesting thing about the portal technologies and making sure that people are not precluded some time downstream in the future because of technology constraints and so forth, the thing you need to understand is that the portal software is the place where the majority of the change risk is incurred because it is at the portal site where all of the accommodations need to be made into existing legacy collections.

That means that your collection as you put it up right now is an investment that may not need to be substantially upgraded beyond what you would normally do for good ADP practice anyhow. You may freshen or upgrade your technology and your operating systems. You may bump up a generation of Oracle databases or whatever you may be using.

ANN RILEY & ASSOCIATES, LTD. Court maintenance type investments, and it is really in terms of staying abreast with technology it is the portal software that makes that
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1 accommodation for the technology advancement, so we are really focusing
 2 all of that risk in terms of will this be a satisfactory and useful
 3 technology eight years from now?

4 Again, as I said, the place where all of that risk is placed
 5 is on my shoulders. It's my portal site. It is the thing that I am the
 6 one who has to make sure that we have stayed technologically current and
 7 that the interface environment, this portal software, continues to keep
 8 abreast of the configuration that you are using at the participant site.

9 So it does focus a lot of the risk here.

10 I think that this sort of technology is going to allow us to
 11 accommodate a lot of future systems that may be in the process of being
 12 developed right now or haven't even started to be developed right now.
 13 They give you a lot of latitude and a lot of flexibility in the types of
 14 underlying databases that you can go into and utilize and mine, and as
 15 long as you stay relatively technologically current at your own site, we
 16 are going to be okay. That is the short message there, so I just want
 17 to make sure that everybody understands that participation upfront is
 18 wonderful. It gives me a good baseline, a good comfort level of saying
 19 if I can handle this I should be able to handle anybody who comes into
 20 the process later on downstream, and I have a fairly good comfort level
 21 in that regard.

22 That is essentially it. If anybody has any questions on
 23 that we could certainly go around the table and handle those right now.

24 No? Good.

25 MR. HOYLE: Thanks, Dan. I appreciate that very much.

I do just want to emphasize that all the hard work of the
 Technical Working Group will result in recommendations and a briefing

ANN RILEY for the panel later on at its next meeting --

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MR. GRASER: That is correct.

MR. HOYLE: -- where the decisions on what advice we should
 be giving you as a panel will take place.

1 Let's do the work that we need to do to get you going
2 tomorrow and the next day and that is let's formally ratify the charter
3 for the Working Group, which is Tab D, I believe, in the book, and let
4 the Working Group become officially established because at the present
5 time Dan had to go ahead and get you started yesterday.

6 Do I have any discussion of ratification of establishment of
7 this Technical Working Group?

8 MR. MURPHY: Do you want a motion? I will move to ratify
9 the charter.

10 MR. HOYLE: Is there a second?

11 MR. BECHTEL: Second.

12 MR. HOYLE: All in favor?

13 [Chorus of ayes.]

14 MR. HOYLE: Anyone opposed?

15 [No response.]

16 MR. HOYLE: Okay. We approved the charter. Dan, you are in
17 business for two more days.

18 MR. GRASER: Thank you.

19 MR. HOYLE: And whatever it takes to come back with
20 recommendations to the full panel at the next meeting.

21 As you said earlier, we shall talk about that later this
22 afternoon as to what timeframe we should focus on for another meeting.

23 I understand, Dennis, you are going to have to excuse
24 yourself for awhile and be back. I think Mal needs to leave this
25 afternoon.

 MR. MURPHY: This afternoon --

 MR. HOYLE: So I think we can take a short break.

ANN RILEY Let's try to limit it to 15 minutes, and be back at 15 after
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ASSOCIATED:00, please.

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[Recess.]

MR. HOYLE: The schedule shows that we are going to have

1 comments by Dan Graser on the overall schedule, which we have talked a
2 little bit about, and the development of the guidance documents, what
3 you have in your package. So, Dan, why don't you kick off, please.

4 MR. GRASER: Okay. Well, unless somebody feels a very
5 strong inclination to go back into the GANTT chart and the schedule, I
6 think we are just going to move past that, because I think I have
7 pointed out all of the germane issues on that. And I would like to move
8 into the development of guidance documents, and I know we have some of
9 the representatives here today who are going to have to move out this
10 afternoon.

11 So I am going to wing it a little bit here in terms of the
12 next couple of items on the agenda and try to get a little bit more of
13 the coverage that I was intending to present this afternoon at least out
14 so that those of you who can't be here this afternoon will have at least
15 some briefing on that before you have to leave.

16 The guidance document is represented in the three ring
17 binder as a series of tabs, 1-1, 2-1, 3-1 and so forth, through 12-1 at
18 the very end of the binder section. And what we are trying to do with
19 the guidance type documents is to go back through a lot of the history
20 of the LSS and to focus in on issues that had been raised in the past
21 that we felt we wanted to give you the benefit of the thinking and the
22 way we were looking at that, and the way we are interpreting some of
23 those things based on going through the transcripts from previous ARP
24 meetings and previous documentation, and so forth.

25 And my motivation there is that, you know, this overall
development process here is going to be fairly complex anyhow. It is
going to be fairly complicated. And what I wanted to do was to start

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1 the first guidance documents. I fully expect that there should be
2 additional guidance type documents that will need to be issued.

3 And, as I said, I would like for this to become a method of
4 our documenting the decision process, how we came about to certain
5 assumptions that have been incorporated in the design process, and I
6 drafted up these guidance documents with the support of the guys from
7 LBAT-Anderson, and, again, with Paul and Tom and some of the other
8 members of the NRC staff, and put together these guidance documents
9 essentially covering, as I said, about a dozen topics upfront.

10 And this afternoon I intended to walk through them and just
11 point out the salient aspects of each one of those particular guidance
12 documents. What I wanted to try to do this morning, however, was to put
13 on the table, and this was for the time block from about 10:50 to 11:45
14 this morning, to give everybody an opportunity to focus in on their
15 reading on those guidance documents in terms of, you know, how do you
16 feel about those. Do you feel that this is going to be a useful tool
17 for us to be working with? And, basically, open it up to all the rest
18 of the members of the panel. And as I said, then this afternoon, I was
19 going to walk through them in some more detail, but I did want to have
20 an opportunity for an open discussion.

21 Now, given the fact that some of the panel members won't be
22 here this afternoon, I thought maybe what we could simply do is to walk
23 through at a very high level the guidance document papers that we put
24 out. The first guidance document, Tab 1-1, essentially deals with the
25 licensing support network, the roles and responsibilities, and this
pretty much reiterates some of the things that Paul had mentioned this
morning about the role that ASLBP is now playing in the licensing

ANN RILEY support process.

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I will also provide some additional information about the
Court expectations that the various other parties are all going to be playing.

1025 And this is, you know, a fairly straightforward sort of document for us
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1 to present to you, and I just think it is important that you all know
 2 the lay of the land. And we didn't see anything particularly, you know,
 3 at that point, that was any sort of issue involved in this one.

4 But I would just like to, you know, do a quick round-robin
 5 around the table to see if there was anybody who did have any additional
 6 comments or discussions on the roles and responsibilities issues or on
 7 the paper itself.

8 [No response.]

9 MR. GRASER: No. Okay.

10 MS. NEWBURY: I have one question.

11 MR. GRASER: Okay.

12 MS. NEWBURY: As I read the roles and responsibilities of
 13 the LSN ARP, they read to me almost as if we are a technical working
 14 group in and of itself. There is very little here that is anything but
 15 what a technical working group would do. Is that the intent?

16 MR. GRASER: No. Particularly which aspect of it are you
 17 focusing in on it there?

18 MS. NEWBURY: Well, I am looking at the bullets and it says,
 19 "Advice to the NRC on the fundamental issues of type of computer system
 20 needed." To me, that is a technical issue.

21 MR. GRASER: Right.

22 MS. NEWBURY: "Operation and maintenance of the electronic
 23 docket." To me, that is a technical issue. "Solutions to improve the
 24 functions." I don't know if you mean functionality or the interactions,
 25 but it almost reads as a technical issue. "Format standards," again,
 pretty much a technical issue. And then, finally, "Procedures and
 standards for electronic transmission." In other words, there is

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MR. GRASER: Well, no. The way I look at the technical

1 working groups is the technical working groups are going to get down at
 2 a very detailed level that deals with core operational and operational
 3 support, and core design issues that really need to be thrashed out.
 4 And the object of the technical working group is to really go into all
 5 of those and thoroughly vet all of those issues and all of the technical
 6 aspects of the system design, the system implementation. So the
 7 technical working group is really going to be down in the weeds dealing
 8 with those particular sorts of issues.

9 But the role of the ARP under the revised LSN rule, you
 10 know, is still very, very much the same as the role that the ARP was
 11 fulfilling under the LSS rule, which, you know, is to provide the
 12 overall consensus guidance to us in the design and development of the
 13 system. And I just feel that the level of, you know, the level of work
 14 that the technical working group does is just down at a very much lower
 15 level.

16 MR. CAMERON: I just wanted to ask Claudia what her
 17 underlying concern was with that, and maybe there is a better way to
 18 address that concern.

19 MS. NEWBURY: I am not sure there is an underlying concern.
 20 As I read through this, it struck me as very technical in nature, and
 21 being a geologist, not an information technology person, I looked at
 22 this and I thought, am I even the right person to be sitting here to
 23 discuss these particular issues. Is the focus changing from what it
 24 was, which was, how are we going to implement? What is it we are going
 25 to be putting in there? How are we going to interact with each other,
 into this more technical area? And if that is the change in focus,
 then, you know, maybe DOE will relook at who is responsible for the

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MR. MURPHY: Well, being a lawyer, not a geologist, I read
 Court that language -- or I see that language as being able to be read as
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 1025 broadly or narrowly as you want.

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MR. GRASER: Thank you.

MR. MURPHY: I personally don't feel constrained from offering you high level policy advice if there is any doubt about that.

MR. CAMERON: And we would hate to lose you, Claudia, so I wouldn't read that the same way.

MS. NEWBURY: Well, I can read it either way. It is just, you know, how much -- where is the focus, what is the intent of the NRC for this group, I guess is my question.

MR. HOYLE: I don't see the focus having changed particularly. I read the words here more like Mel does, I think. The panel is going to have to depend on the technical working group input. But it is the panel that is going to give the advice ultimately to the licensing network administrator and, ultimately, to the Commission on ways to go. So I think the words that tend to look more technical to you are there because they are drawn from the rule, which is essentially unchanged from the LSS rule. This is still a panel of experts representing their agency and -- or their organization to come together and try to give consensus advice to the administrator primarily, drawing upon, as needed, technical experts to recommend to them positions to take.

So I think, I see it somewhat analogous to a commission that is made up of a variety of people with a variety of backgrounds, who have technical support from their staff. That is the way I see it.

Chip, do you want to comment further?

MR. CAMERON: No, I think that you have covered it.

MR. HOYLE: Any other comment on that?

[No response.]

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MR. HOYLE: I would hate to lose you, Claudia. Don't look
this as a way out.

MS. NEWBURY: Thank you.

MR. GRASER: The item under the second tab there, Tab 2-1,

1 is a guidance document that raises the issue of the government to
 2 support parties in their efforts to make their documents available on a
 3 web-based type enough, given the fact that we all have to live within
 4 budget constraints. And there has been some discussion -- there had
 5 been some discussion at the last advisory panel meeting. At that point
 6 in time I believe funding of the various potential participants and
 7 affected units of local government was something that was certainly the
 8 center of attention for a number of the representatives. And the
 9 guidance document, you know, here essentially just goes back and
 10 represents some of the research we did in terms of what we are able to
 11 do within the constraints we have, the statutory constraints that we
 12 have.

13 I won't read the text of all of this, but it does document
 14 for you where things pretty much stand. I did want to emphasize on this
 15 particular issue that one of the things that the LSN administrator can
 16 do, hopefully, is to be a little creative and do a little bit out of the
 17 box thinking here to explore other options and other alternatives. And
 18 I just wanted to make sure that everybody understood that I was making
 19 the offer to continue to facilitate exploring other options and other
 20 alternatives.

21 Now, that being said, I think there are probably still some
 22 of you who may like to add some commentary in terms of the status of
 23 budgeting and funding, simply because that will be a long-term issue,
 24 and I am sure it will continue to come up in the future. So, again, the
 25 document pretty much speaks to itself. And at this point I would just
 open it up to those of you who would like to add your comments about
 this particular issue and the ability to continue participating in the

ANN RILEY process.

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Court year. It is unavoidable unless Congress comes up with some alternative
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MR. MURPHY: Well, it is going to be an issue with us every

1 appropriation acts. So every September we are going to get nervous and,
 2 hopefully, every October we will relax. But it is not just a question
 3 of funding available for LSN participation, although that is part of it,
 4 it is a question of funding to participate in the entire program.

5 I mean, presumably, if we have -- if we are funded by
 6 Congress in any given year to participate in the program, well, I just
 7 thought about the state and its position, but I going to say,
 8 presumably, if we are funded to participate in the program, we will be
 9 funded sufficiently to participate at least on a minimum level in the
 10 LSN and in licensing. But that is not necessarily the case, because the
 11 state gets a significantly reduced level of funding.

12 MR. FRISHMAN: And then DOE puts further limitations on it,
 13 to where we could not use our federal money to participate in the LSN
 14 under current interpretation by DOE. And I think I have mentioned this
 15 to some of you before, and that is that way back in the program, the
 16 Commission did have provision for financial assistance and took it out
 17 of the rule, out of Part 60, because the assumption was that the
 18 department would make the affected states and counties whole under its
 19 requirements in the Nuclear Waste Policy Act.

20 MR. MURPHY: Yeah, that requirement was in Part 60 prior to
 21 the adoption of the NWPA, and then when Sections 116 and 117, which
 22 mandate, from our point of view, funding for state and local government
 23 participation, the NRC took that funding provision out of its licensing
 24 regulation. But it is a continuing concern. We have to just continue
 25 to move forward on the assumption that we will have some funding
 available, because if we don't have funding to participate in the LSN,
 it becomes irrelevant because we won't have funding to participate in

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 ASSOCIATES, from, you know, my county's point of view, that is certainly the
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I do have one question. Is there some timeline you have in

mind for when we should answer the questions you pose on page 2.1, estimated costs for establishing the web site, et cetera? Is there a date by which you want us to supply that information?

MR. GRASER: Well, in the big picture of the schedule, this is not the sort of question that anybody is going to be able to answer until we come to closure on what the design is going to be.

MR. MURPHY: Exactly.

MR. GRASER: Once we identify what the design is going to be, we can then look at that and say, what does this levy on each of the participants? What does this mean in terms of resource commitment? So, from a timeline point of view, it is really sometime after the advisory panel meeting where the technical working group makes it technical report, and between then and when we finish writing the CPIC document, because part of the assessment in the CPIC document is going to have to reflect the ability of the participants as one of the elements of the risk associated with that technical solution. If the technical solution represents a significant risk because of its costliness and the resource hit that it is going to levy on people, that needs to be factored into that CPIC analysis.

So I would say the timeframe is sometime between whenever the next ARP meeting is going to be, theoretically, sometime in January, versus when I need to have that CPIC document ready to delivery to the EC, which right now is looking to be about the middle of March. And so I would say it is probably sometime in the February timeframe where I would be going out and looking for these sorts of answers.

MR. CAMERON: I have two comments and one question of clarification for Steve. Mel talked about the scope of the funding

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1 I guess the second comment is that even though the
 2 Commission did revise Subpart C of Part 60 in terms of assistance to
 3 states and tribes and local governments, it was never clear to me that
 4 if that, the type of assistance contemplated there could be the type of
 5 assistance that might run afoul of the Appropriations Act prohibition
 6 anyway, but I guess that is sort of a moot point.

7 But the question of clarification, Steve, is what is
 8 specifically the prohibition that is in the funds, the language of the
 9 funding that you received that would prohibit it from being used for LSN
 10 activities? And why is that different than what the county, the local
 11 -- affected units of local government get in terms of their
 12 appropriation that doesn't seem to pose a problem?

13 MR. FRISHMAN: It is just -- it is language appropriate that
 14 states what the money is supposed to be used for and then the department
 15 making a further interpretation of what that means that at this point
 16 has got us to where, for instance, with federal money, we cannot review
 17 the transportation and socioeconomic parts of the EIS.

18 MR. MURPHY: Well, you can't review them --

19 MR. FRISHMAN: And it is only through great insistence that
 20 we can even review any of their engineering work.

21 MR. MURPHY: Is that because of the restriction on spending
 22 that appropriation on state salaries?

23 MR. FRISHMAN: No. No, it is the one line that says, "to be
 24 used for scientific oversight." And the department has decided --
 25 decided originally that scientific didn't even include engineering.

MR. MURPHY: Yeah, see, the state's appropriation --

MR. FRISHMAN: But we are going to be in court over that

ANN RILEY probably.

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MR. MURPHY: The state's appropriation the last two years
 Court has been limited to scientific oversight and with a further restriction
 that they can't spend their money on state salaries.

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MR. FRISHMAN: Well, that has always been there anyway, or has been there for a long time.

MR. MURPHY: Well, it has never been in ours.

MR. FRISHMAN: But that, it is the department's interpretation. And my guess is that if pushed further, just given the nature of the relationship, if we slid by that one, it would be prohibition against using money for litigation, because LSN is part of litigation.

MR. MURPHY: No, don't -- now, Steve don't even give it --

MR. FRISHMAN: But I my guess is they would interpret it that way.

MR. MURPHY: No, I don't think they would.

MR. GRASER: So this -- okay, I wanted to get that clear, because when I read the language, and I read the litigation language, I didn't necessarily think that that would be a prohibition on LSN expenses. But you are speculating because of past DOE interpretations, that they might interpret that very, very conservatively.

MR. FRISHMAN: And my thinking is that there is some burden on the Commission, given our situation as being named a party in the rule. And if you took the responsibility of naming us a party, then maybe there is more responsibility that comes with that, because you didn't have to do that in the first place. I am sure we would have qualified ourselves as a party.

MR. HOYLE: Naming them a party, Chip, is that any different from naming the state a party in this case in this case? Is that different from language in the rules regarding state participation in other licensing activities in the Commission?

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governmental participant.

1 And, Paul, correct me if I am wrong on that, but I don't
2 think that state, there is -- I don't know of another licensing
3 situation where the state is specifically named as a party right
4 upfront.

5 JUDGE BOLLWERK: I am not aware of one.

6 MR. CAMERON: And I guess, keep in mind that I think that,
7 in this case, an affected Indian tribe, in other words, under the
8 Nuclear Waste Policy Act definition, is also specified as a party, as of
9 right. If you can fall within that very narrow --

10 MR. MURPHY: That is if the repository is within the
11 boundaries of an established Indian reservation.

12 MR. HOLDEN: Or unceded land.

13 MR. MURPHY: Or unceded, yeah.

14 MR. CAMERON: Or affected. Well, Robert, I am going to
15 leave that up to you. You may want to say something. But I note, we
16 noted your point, though, Steve.

17 MR. HOLDEN: All I can add is that, you know, the tribes are
18 in the netherworld once again in terms of their access to participation,
19 and as far as NCI's role goes as to what we provide and what we are able
20 to provide them as a member. And it remains to be seen how tribes get
21 access to funding to not only do the oversight, even scientific or any
22 kind of oversight. Once again, I am not sure how much NCI can assist
23 them as well because in the past we have been operating -- I have
24 operating under the cooperative agreement with the Department of Energy
25 in covering a lot of meetings, including this one. But that cooperative
agreement has gone by the wayside.

ANN RILEY I think we may be the only entity -- maybe there is another,
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ASSOCIATED maybe NCSL has some funding under the RW -- has a RW cooperative
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Court agreement, but I know that ours has not been refunded. It was not
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1025 refunded, but we were able to get some discretionary money, but we
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1 certainly don't have that again this year under this budget year. So,
 2 you know, it is went from bleak to completely dark for the tribes, in my
 3 mind.

4 MR. CAMERON: I guess I would just offer one comment on
 5 Steve's idea that there may be a burden on the -- or suggestion that
 6 there may be a burden, an additional burden on the Commission because
 7 the state is named as a party, of trying to facilitate their
 8 participation in the hearing, is that if the obstacle is conservative
 9 DOE interpretation of the litigation language in the appropriation, that
 10 one possibility, if the Commission was willing to step forward to do
 11 that, would be to try to influence DOE to not take that type of
 12 conservative position so that money could be freed up for the LSN
 13 expenses. Just a thought.

14 MS. NEWBURY: Let me comment, I have seen a letter in
 15 regards to the transportation issue. I have never seen anything from
 16 the state requesting LSN ARP participation, whether or not that falls
 17 under the guidelines.

18 MR. FRISHMAN: No, we just didn't -- we didn't raise it as
 19 an issue in that letter.

20 MR. CAMERON: You shouldn't put these ideas in their minds.

21 MR. FRISHMAN: Well, I didn't really even want to bring up
 22 the thing about the regulation because in Part 63 that can go away
 23 before it goes final, too. Naming the state as a party.

24 MR. CAMERON: I don't think there is any -- there is no
 25 evidence that the Commission is going to do anything about that, or
 change that.

MR. FRISHMAN: I didn't think so, but, you know,
 opportunities abound in this program.

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MR. HOYLE: Any further discussion on that point?

MR. PITTS: My comments are more technical in nature than
 this type of conversation, but our experience, we have been converting

our reports, we have got 47 of them for the public information side of our web site. We about 50 percent done. And the expense, as our friend from UNLP I am sure will share with us, hasn't been in the storage. This kind of storage on the web is very inexpensive, but not free. In some cases it has been in the conversion. And certainly not in the new documents, because once you are aware that you need those, or want those new documents electronically, you make that as part of the contract process when you are having documents developed by a technical contractor. You say them want them electronically.

But the problem has been in our receiving that data into the database off the reports that were given to us electronically, and having those converted. That has been very time-consuming and very -- it hasn't been really expensive, but it has been really time-consuming.

I really think that, as I look through these questions, that that is probably going to be one of the toughest parts to some of these folks that are just beginning this process, getting some documents that want part of license converted in a format that is acceptable to the NRC.

MR. GRASER: And the point that you raise, you know, it is well made, and it is timely, because it brings home the entire message that the clock is ticking. And if you are aware of what needs to be done, the sooner the better. If you can anticipate needing documents to be converted, it is in your own best interest to make sure you get them right from the original WordPerfect or the original Microsoft Word, or whatever the case may be.

Every document that you can retain now in an automated environment is going to save a tremendous amount of money. It has been recognized from back in the days when the LSS was a \$200 million price

ANN RILEY, that the document processing and conversion costs are the & ASSOCIATED, the dominant costs that are associated with the licensing environment. S, LTD.

Court Reporters One of the messages that I was hoping to be able to drive home is the clock is ticking and we do need to get people pointed in

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1 that direction and attuned to the fact that the earlier you can get
 2 things automated, the better off you are going to be, the less costly it
 3 is going to be. So, yes, that is very timely, and I agree entirely that
 4 it can be a very time-consuming and costly activity. Thanks for that
 5 comment.

6 MR. HOYLE: I would like to welcome at this point, Judy
 7 Treichel from the Nevada Nuclear Waste Task Force.

8 MS. TREICHEL: Dashing between meetings, NRC meetings.

9 MR. HOYLE: NRC.

10 MS. TREICHEL: Yes.

11 JUDGE BOLLWERK: Can I just make one other comment about
 12 that? In terms of the guidance document, I know that you talked about
 13 the need for -- at least on a couple of these, when the information is
 14 going to be coming in. The third one that is listed there is, what is
 15 the possibility that you can affiliate with other participants in a
 16 joint web site to defray individual expenses?

17 And one of the things that I saw come out of the survey,
 18 which I found useful, or hopeful, was the fact that Nye County indicated
 19 they might be able to sponsor other local participants on their web
 20 site. And that is certainly something that can go -- I mean it is an
 21 ongoing process, that doesn't have to wait necessarily for, you know, a
 22 technical development of the portal or however that is going to be done.

23 But if there are others out there, the offer I guess is on the table to
 24 some degree. That can certainly move forward.

25 MR. GRASER: Okay. I would like to move along and just move
 on Tab 3-1. 3-1 is a guidance document that discusses the whole issue
 of downtown and system availability. And the new web environment is

ANN RILEY being to raise some challenges in that regard. It is forcing us to have

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ASSOCIATES consider availability in a multi-point type situation where, if one
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Court piece of the system is available, but another piece is not, is the
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1025 system, quote-unquote, available, yes or no? And in that regard, this

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guidance document was the result of some internal discussions we had, especially with the legal staff and the Judges and, you know, folks down in ASLBP, in terms of the direction they saw this going in terms of trying to operate the hearing process. And this does reflect a lot of the input we got from them.

So, in that regard, you know, the critical components of the system are being identified as the docket machine that the NRC is going -- the machine that NRC is going to use to house the electronic docket, and in addition to that, the actual portal site. Those are the two components of the system that we are looking at and earmarking as the critical components of the system for marking availability or non-availability.

Now, this is a guideline that may, in fact, have to be revisited, again, depending on what the nature of the final technical solution is. If the final technical solution can be made to serve as an alternative or backup type -- or redundancy type of capability to the participant systems, so much the better. That removes one point of failure that, even a participant site is down, the portal site can compensate to some degree more or less, depending on the architecture.

So there are some issues here that were associated with it, and our first cut is to say, basically, it is the portal site and it is the docket itself sitting on an NRC resource, an NRC machine.

If there are necessary comments or observations on that particular issue, I will be glad to hear them.

Tab 4-1. This is focusing in on what the revised version of the rule reflects in terms of ensuring that the participant collections are populated with all of the documentary material that is called for

ANN RILEY & ASSOCIATES, LTD. Under the topical guidelines and the other definitions that are found in CFR 2, Subpart J.

Court Reporters And the point that we are highlighting in this one is that the revised LSN version of the rule places quite a bit of responsibility

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1 on the participants to be certifying that they have identified and have
 2 made available the documents that are called out to be placed in a
 3 publicly accessible collection, and that certification is something
 4 that, from the LSN administrator's point of view, I would be looking at
 5 to say, look, I am already asking these folks to certify that they have
 6 done what they have been asked to do, and they have, in fact, done that
 7 certification. And, you know, how much further do I need to carry that,
 8 if people are doing that certification?

9 That did have some ramifications in terms of how I am going
 10 to construct other aspects of compliance with the rule and the need for
 11 the amount of auditing that might be necessary. And so we just wanted
 12 to document that that aspect of compliance is something that we
 13 recognized, and that certification was something that we were going to
 14 be relying on fairly heavily.

15 In Tab Section 5-1, the guideline document that we are
 16 presenting here is focusing on a couple of issues, dealing essentially
 17 with prioritizing documents in backfile collections. And there are a
 18 couple of different aspects of prioritization if you look at the overall
 19 project schedule, and the window of opportunity for when the documents
 20 are going to need to be made available. Under the current announced
 21 dates and under the current schedule that I have included here, the
 22 window of opportunity is really not that large.

23 If the window were ever to expand out into a longer timeline
 24 or a longer horizon, we may, in fact, wish to go back and revisit the
 25 issue of prioritizing the documents that are going in to the various
 participant collections. But in the current schedule, and in the
 current schedule that I have included in the binder here, the fact that

ANN RILEY have such a small window, and the fact that the prioritization can be

&
 ASSOCIATES a labor-intensive and costly process, especially for the

S, LTD. Court participants who have larger collections, that by the time everybody

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1025 went through their collections, combed through the collections and

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1 identified the most relevant, highest priority documents, I will have
2 the system up and built and operation.

3 You know, really, it can be a very intensive, very
4 exhaustive process, and we felt that the resources would be better spent
5 on being able to meet the obligation and the commitment of making the
6 documents available, let's do that first. That happens to be the
7 priority from my point of view. And, again, with such a short window of
8 availability from when we test the system and make it available, it just
9 did not seem to be, you know, a real good return on investment.

10 So that's, you know, essentially the view the we had on that
11 particular issue. Now one of the things that I mentioned here again, as
12 I mentioned this morning, in order for us to do effective testing and
13 have viable collections to do that it is going to require that we have
14 some target collections that are going to be available to allow us to do
15 the connection and to actually do some sizing and testing of the systems
16 performance in the overall network environment.

17 Did anybody have any comments or observations on this
18 particular issue?

19 MR. HOYLE: Dan, I don't on this particular issue. I would
20 like to take you back to the prior one. The last slide shows a
21 reference to PD Number 2. I think that is now 11-1.

22 MR. GRASER: Okay.

23 MR. HOYLE: Just to point that out.

24 MR. GRASER: Yes. I will bring that to the attention of the
25 person who is responsible for putting this together, John.

MR. HOYLE: No, I just didn't want someone to think there's
another document.

ANN RILEY MR. GRASER: No, I'm sorry. That's --

&
ASSOCIATE MR. HOYLE: Same book. It's 11-1.

S, LTD.
Court MR. GRASER: It is a cross reference that -- it is a
Reporters hyperlink that got changed and left an orphan behind. That is the

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Guideline Number 11, as John referenced. I'm sorry for that. It was late that night -- that's all I can say.

Moving right along, the Tab 6-1, again this is a foundation sort of guideline so that you all understand where I am coming from in terms of the documents that are going into the NRC docket. Everybody does need to understand that because those documents in that docket are going to be NRC official agency records, and that those records, the electronic versions of those records are some day going to have to be retired to the National Archives and Records Administration, that those documents need to be brought under the control of the agency and under the control of the agency's disposition schedule, approved disposition schedule for the National Archives.

The Federal Government's records management rules, regulations and guidelines have been in place for quite some time. They are going through some gyrations right now with e-mail but that is not a particular log that I need to saw here, but the issues that this raises for the design of the LSN go into what we can accept in terms of leaving behind hyperlinked strategies that may be perfectly appropriate at your website and work quite well at your website and even work quite well interacting with the portal software, but the point in time when those documents become earmarked for entry into the docket, at that point in time those documents are going to need to be represented in a free-standing type structure, i.e., the original source file or the original image file and the bibliographic header and things like hyperlinking are going to have to have some alternative strategy for those documents that are going into the docket.

This section also talks about digital signaturing, and Paul

ANN RILEY mentioned a little bit earlier this morning that NRC and ASLBP actually & ASSOCIATES involved right now in a pilot activity using digital signaturing, S, LTD. Court electronic signaturing capabilities to move documents from an external Reporters 1025 organization -- licensee in this case, I believe, right, Paul? Connecticut Avenue, NW, Suite 1014 Washington, D.C. 20036 (202) 842-0034

JUDGE BOLLWERK: Well, actually Intervenors and Applicant, yes.

MR. GRASER: All right, and to move those documents through the Internet and get them from Point A to Point B with some reasonable assurance that the document that left Point A is in fact the document that was received at Point B -- it hasn't been changed in between, and it was sent by the person who said it was sent, and it was received and you have reasonable confidence that that in fact occurred.

Also, as Paul indicated this morning, we have got that EIE process in pilot right now. That piece of meeting the LSN functionality is something that we are going to be able to say we have got one piece of that system already available and operational and test it out and in fact it should be ready well in advance of when it is needed, so that is what we are pointing out in that regard.

The question may come up in terms of what does it cost for a participant to utilize this sort of technology and the digital signaturing software and the issuance of the digital signaturing is something that NRC has purchased a block of enough certificate licenses to be able to stamp thousands and thousands and thousands of individuals at this point in time and essentially that cost is paid for. Really what it takes is about 15 minutes of your time interacting with our local license -- LRAA -- local registration authority, whatever it may be, the individual at NRC who issues the certificate authorities. There is some download software that goes along with it that is made available at the NRC website and linked also to the digital certificate website.

The download, depending on the speed of your modem, takes a few minutes, but again it is at no cost, and it works with just about

ANN RILEY & ASSOCIATES, LTD. Every computer system that we have tried it with including MacIntoshes and that, you know, so it is quite the multiplatformed type software, so Court that capability -- we have got that available.

Reporters 1025 It will be there. We can say that we have checked off that

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capability before we actually start the license proceeding.

1 Did anybody have any observations or comments on any of
2 those particular issues?

3 [No response.]

4 MR. GRASER: Good. Public availability of the documentary
5 material -- this guidance document highlights that there is a
6 fundamental philosophical change that we are all going to have to go
7 through and it is reflected in the LSN rule and the approach that the
8 LSN rule took to a number of the interactions here.

9 The whole system essentially moved from being
10 mainframe-based with 500 or 700 registered users in an environment where
11 the LSN Administrator would have substantial resources, would have the
12 ability to provide print products and lots of other responsibilities
13 that all come with operating a mainframe type resource capability.

14 The rule making this a web-based solution turns the world a
15 little bit on its head in terms of saying, well, there were things that
16 no longer made sense in terms of providing early access for certain
17 participants if certain criteria were met at a certain point in time.
18 Because everything is going to be web-oriented, a lot of that really is
19 no longer reflected in the LSN rule.

20 The documents for all intents and purposes -- this becomes a very public
21 system very early in its life and that simply means that the documents
22 are going to be out there. They are going to be web-accessible either
23 through the portal or for a lot of the participants through them making
24 their official records or their public documents readily accessible
25 right now in using the Internet technology.

 One of the things that is also included in this particular
guidance document is a lot of the background material about NRC's
& ASSOCIATED INITIATIVES and activities in developing an inhouse documents and
S, LTD. Court records management system that has been deployed at NRC. It is up. It
Reporters is operational. It provides document management, records management.
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1 It integrates work flow, e-mail, the whole nine yards. By next week NRC
 2 will have completed training 3,000-plus users in the first release of
 3 that software.

4 It is being used actively within NRC right now, and it is
 5 going to be going operational and public -- public external server for
 6 all the NRC documents -- within the next few months here.

7 One of the other things that I should also bring to your
 8 attention, and this is something that is a little bit out of synch in
 9 terms of the LSN rule is that as a result of NRC putting its official
 10 records, publicly accessible records, out on an external server, one of
 11 the byproducts of that is that the LPDR, Local Public Document Room,
 12 program that NRC had had put in place and operated for many, many years,
 13 sending microfilm copies out to various library locations across the
 14 country -- well, eventually when the NRC ADAMS System gets put in place
 15 the LPDRs are going to essentially be discontinued. NRC will not be
 16 supporting the LPDR approach to disseminating information at that point
 17 in time.

18 I believe there is still a reference in the rule to NRC's
 19 LPDRs and so this is really kind of a heads-up that as a result of what
 20 is happening in the ADAMS environment the LPDRs from the NRC perspective
 21 are going to become a thing of the past. We may have to look again at
 22 ensuring that there are publicly accessible access points into the
 23 Licensing Support Network, again especially in the areas that have been
 24 called out within the old version of the LSS rule and in the current
 25 version of the rule, ensuring that there is some strategy for delivering
 access, you know, across the state and across the areas of the affected
 units of Government here -- Reno, Carson City and so forth.

ANN RILEY That is one of the things that perhaps the Technical Working
 & ASSOCIATES Group can jump in and take a close look at that as well.
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Court Reporters Did anybody have any questions about any of those particular
 1025 issues? Do you all understand the ramifications of the LPDR? Okay.

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1 Changing and amending documents in the old LSS rule --
 2 changing and amending documents again was something that was under the
 3 control of the LSS Administrator almost exclusively because it was
 4 controlled, an environmentally controlled resource, and the web
 5 environment is going to raise a number of changes in the way we have to
 6 look at how we are going to administer this.

7 I think the key to a successful strategy in all of this is
 8 going to be defining a mechanism or strategy for identifying to all of
 9 the other parties when certain types of changes do occur, and for other
 10 certain types of changes making sure that the LSN Administrator has an
 11 opportunity to be told in advance prior to a change what is being
 12 proposed in terms of adding, deleting moving back, you know, documents
 13 back in and out of the system when it meets those certain conditions
 14 that would have fallen under the old LSN/LSS type approach of saying if
 15 you want to change a document after it has already been on the system
 16 for five days you have to place a new version of the document and put a
 17 reference back to the previous version, but you can't delete the
 18 previous version.

19 Well, those sorts of principles will still have to be
 20 adhered to. It is just a question of figuring out what guidelines we
 21 are going to use to ensure we have appropriate notification and in some
 22 of those cases get that done in advance upfront.

23 Anybody want to touch any further on that one?

24 [No response.]

25 MR. GRASER: I am really going to be going into these in
 even more detail this afternoon if I don't talk myself out here this
 morning, so I just want to make sure that if anybody did have any

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Comments on these guidance documents or guidelines you can go ahead and
 raise your points and raise your issues right now if you are not going
 to be available this afternoon, but I will be going into them in a lot
 more detail, I hope.

1 The monitoring system -- part of the roles and
 2 responsibilities of the LSN Administrator is to be able to report back
 3 to the Commission on certain issues in terms of the compliance with the
 4 more technical aspects of the rule to ensure that the document
 5 collections are being maintained in a stable environment, in a
 6 controlled environment and that we are aware of changes and
 7 modifications and so forth, so in that regard the LSN Administrator is
 8 going to be implementing a monitoring system that will be sweeping
 9 through the external sites on a fairly routine basis, collecting enough
 10 statistics for us to be able to look at the characterization of that
 11 site and that server and that database collection and say which
 12 documents have changed, how many have been added, have any been deleted
 13 since the last time we swept through that site, and also collect
 14 statistics in terms of what kind of resource loading is hitting that --
 15 not resource loading -- how much usage loading is hitting that
 16 particular server and is the whole system operating and replying
 17 promptly and so forth.

18 This is kind of the heads-up that we are going to have that
 19 sort of resource available to us to do ongoing monitoring of the system.

20 Any questions on that aspect of it?

21 [No response.]

22 MR. GRASER: Okay. Tab 10-1 really essentially goes through
 23 some of the earlier things that we just said here in terms of, well,
 24 folks are going to be doing some self-certifying. We are going to have
 25 a resource that is going to allow us to look at the participant sites
 from a computer technology point of view.

In some of the earlier materials that we had delivered a
 ANN RILEY couple years back in terms of the LSS Administrator's Audit and
 & ASSOCIATED Compliance Program, that had some features that really anticipated
 S, LTD. Court having to go onto participant sites and do a much higher level of
 Reporters auditing and verification and certification that people were in fact
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populating the document collections the way they were.

Given the changes in the rule, the requirements for self-certification and the kinder, gentler LS Administrator approach that we would like to put in here, we just want to make sure that you all understand that even though we are not currently including it in a plan, it could at any time be requested of the Presiding Officer that we fall back to a situation where we may have to come in and do some auditing. That is a possibility but it would only be done at the direction of the Presiding Officer.

Current plans, current man loading, staffing, and all of the rest of that right now doesn't anticipate doing onsite audits as a routine part of any kind of audit compliance program at this point in time.

Tab 11-1 -- this is the sanctions for noncompliance, and essentially the sanctions for noncompliance all essentially go back to the Presiding Officers, the prehearing Presiding Officers, and the environment that can be projected at that point in time in terms of saying, you know, have they complied with the rule, have they met the obligations, and if they have or if they haven't what can possibly happen.

Now I really don't need to go through this too much more I don't think. It is fairly straightforward and it is all written here and as I said, we will probably go through it again in a little more detail this afternoon. Yes?

MS. JOHNSON: I have a question. It says that if substantial and timely compliance with the requirements of Section blah-blah are related to the availability of this document -- will not

ANN RILEY granted party status.

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Does that mean that, for example, not to pick on Nye County, our potential host site, but let's say Nye County fell behind and was not meeting the requirements of the NRC related to getting stuff on

1 there in a timely manner and maintaining the site and all that stuff,
 2 and then you guys would come in and say Nye County hasn't been doing a
 3 good job with that. Does that mean that Nye County and the other
 4 counties that it is serving through the website could be denied party
 5 status because of poor maintenance of documents?

6 MR. GRASER: Do you want to answer that?

7 JUDGE BOLLWERK: Conceivably, yes.

8 Well, I think there's sort of two separate questions there.

9 One is Nye County and the availability of their website and how that is
 10 set up. The second question then is you give them documents to put
 11 on -- how are your documents, I mean have you given them to them in good
 12 shape, is it a problem that sort of you have created or is it one that
 13 they have a problem with, and then we are going to have to sort that
 14 out.

15 It doesn't necessarily mean that you are going to be kicked
 16 out if they have a problem or if you have got a problem they are going
 17 to be kicked out. I think we have to look at each situation
 18 individually.

19 MS. JOHNSON: Well, maybe the definition of "party" in this
 20 case is not as clear as it would be -- in this case a party could be
 21 representing a number of parties.

22 JUDGE BOLLWERK: It says party or potential participant. I
 23 am not sure that because they are hosting a website that means your
 24 party status changes in some way other than --

25 MS. JOHNSON: Just something to think about.

MR. GRASER: The documents --

MR. CAMERON: If you rely on, if an entity that wants to be

ANN RILEY party to the proceeding, whether they are relying on some other entity
 &

ASSOCIATE meet the requirements of the rule or doing it themselves, if they
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Court don't meet the requirements of the rule when it comes time to be
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1025 admitted as a party to the proceeding then they have to face that

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consequence I would imagine. I think that is pretty straightforward.

MR. MURPHY: I think so. That is one thing that would have to be taken into consideration.

MR. CAMERON: That's pretty straightforward.

MR. MURPHY: That is one thing that would have to be taken into consideration.

MR. CAMERON: That's right.

MR. MURPHY: I think the Presiding Officer has some latitude.

JUDGE BOLLWERK: Oh, absolutely. You know, as I just said, you have to look at the individual situation and see what the details are. Each party is responsible for certifying their compliance and the question is in what way aren't they in compliance and whose problem is it, where is it where the difficulties lie? We are going to have to look at that in the individual case.

MR. GRASER: So I think what the hypothetical scenario you are talking about is, well, I had my 500 documents and I was sharing a site with other participants and I put my documents on there when I was supposed to, and I have kept you informed of all the updates of the documents and so forth and so forth and so forth, and all of a sudden because of technical issues the entire website that was hosting not just your collection but somebody else, somebody else and somebody else -- you have got four people on the same machine and the machine starts to encounter enough problems that it comes to our attention.

We are monitoring it and we are saying wait a minute, something is going on with this machine. We are having continuing ongoing problems with the availability of that collection to the point

ANN RILEY where it became noticeable from an auditing point of view. What the LSN &

ASSOCIATED Administrator does is I would need to look at that and say, well, there S, LTD.

Court in fact is a technical aspect to this particular compliance issue, so my Reporters

1025 role would be to look at it and say, yes, we have been tracking that Connecticut

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1 collection and that collection was in there. It was in there early.
 2 You have done everything we have asked in terms of notifying us that
 3 your documents are being updated, so from that aspects you guys are
 4 great, you're cool, everything is wonderful.

5 But there is a problem with the server and the server
 6 because in this case it happens in this case to be a shared resource it
 7 is affecting, you know, four different counties all at the same time --
 8 and that would be the sort of thing where I would be able to wade in
 9 with the Presiding Officer and say, yes indeed, there is a technical
 10 problem that we are having here and because of the nature of the problem
 11 it is going to take them another two weeks to get a replacement board
 12 for that machine or whatever the case may be, but there is a technical
 13 aspect to that particular problem.

14 That is where I could wade in on that one and I think, as
 15 Paul indicated and I mentioned, there's probably going to be some
 16 latitude in those sorts of things.

17 But this is something that I think if the guidelines need to
 18 lay out in more detail how we would view especially a shared resource
 19 that if it would give you a better comfort level to know how we would
 20 approach that, that might be -- that would be something that I certainly
 21 would go ahead and start to draft a guideline in that area based on what
 22 everybody feels is a reasonable approach to making sure we all
 23 understand how I would handle that, and I would be glad to do that, so,
 24 yes, that's a real good suggestion.

25 MS. NEWBURY: In a case like that that you just described
 where a large share of the materials are not available for a long period
 of time, would you then extend the licensing period? Because your

ANN RILEY: Previous section said you would only do that if your server was down.

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MR. GRASER: Well, I was talking to the issue of the
 Court sanctions in terms of the LSN Administrator's role. In terms of
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 1025 counting against an extension, that is -- I don't know. Who is the man
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to answer that one?

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MR. MURPHY: That's what judges are for.

MR. GRASER: Yes. The case has to be made, you know, not to the LSN Administrator. It needs to be made to the Presiding Officer in that case.

JUDGE BOLLWERK: Just remember, there's two different issues involved here. One is the three-year window that the Congress has given the agency to complete the entire process. The other is within that three-year window how time is allocated in terms of individual schedules. I think maybe what you are raising goes more to the individual schedule question than perhaps the three-year window, although it would depend on the magnitude of it and that.

MR. GRASER: Right. Again, one of the things I think that I would legitimately be looking at in the example that you raise, if a substantial portion of a collection was going to be down for an extended period of time, I would certainly have to look at that and say did that particular participant have in place some kind of a backup and recovery strategy that at least met a professional level of competence and what was that strategy and what did that backup and recovery plan call for in terms of the amount of time that it would take for that site to be brought back up.

If you have a good plan in place, and it is something that I look at it and I say, yes, that recovery plan looks like it is a good recovery plan and as part of the incident that crashes your system you say, well, this one, you know, took out both the backup and the prime system -- for whatever type of disaster that could be, you know, I would certainly be able to look at that and give the Presiding Officer the

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benefit of my analysis on it and say they had a good plan. They got caught up in totally unforeseen and statistically could never happen again in a long, long time. I could wade in on that, but it is not my decision to make in terms of day for day extension.

1 MR. MURPHY: You won't be approving the security plans, I
take it?

2 MR. GRASER: Well, I think the security plan is probably
3 something the Technical Working Group is going to have to look at in
4 terms of saying how far in do I have to reach? Do I have to reach this
5 far in to look at security plans and, you know, the degree of
6 documentation, the degree of configuration management you have on your
7 system to get a warm and fuzzy feeling in my own mind that you have got
8 a well-structured, well-organized, well-run computer operation?

9 Well, how far do I have to stick my hand into the cookie jar
10 and how big a cluster of candy am I going to hold before I can't pull my
11 hand back out? I have gone in too deep. I bit off too much. On the
12 other hand, I probably do need to have my hand in the cookie jar a
13 little bit in terms of saying I have a comfort level that they have got
14 a good plan in place, they have good configuration management, the
15 system is well documented, there is a recovery plan, and therefore their
16 external site, you know, I have a good comfort level with that that they
17 have taken due diligence and built a maintainable environment, so that
18 is something I think the Technical Working Group just needs to look at
19 in terms of saying how much is going to be enough, because the more I
20 do, the bigger the budget, and that is an issue for me as well as for
21 you.

22 MR. HOYLE: I think Chip would like to raise a point here,
23 but I would like to recognize that we have another member of the panel
24 walking in --

25 MR. MASSEY: I am Rex Massey.

MR. HOYLE: All right, Rex. Thank you.

ANN RILEY MR. CAMERON: I was going to raise this a little bit later,
& since Abby sort of focused us on the question, I thought it might be
ASSOCIATED S, LTD. Court useful to raise it now and to get some input while all of you were here
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1 In its starkest terms, if an organization does not meet the
 2 requirements of the LSN rule, then it can't become a party to the
 3 hearing. Now we have representatives, a broad spectrum of affected
 4 interests around this table, and in some cases there is a specific match
 5 between that interest and who may become a party to the licensing
 6 proceeding.

7 For example, tribal interests, environmental interests --
 8 there may be a lot of organizations, individual tribes out there who
 9 when this license application is docketed may want to come in to be a
 10 party. There may be coalitions formed to come in and be parties, and
 11 there is an equity issue here as well as an issue of keeping everything
 12 running smoothly.

13 How can the NRC make sure that these potential parties to
 14 the proceeding know about the LSN rule as much in advance and what they
 15 have to do in order so that there won't be any last minute flaps over
 16 this?

17 Mal may say, well, you read the rules and that's the way it
 18 works, but I guess I was just looking for any ideas from people around
 19 the table. Mal? He had that look on his face.

20 [Laughter.]

21 MR. MURPHY: I don't think there is an answer, an easy
 22 answer, to that question. You can't ensure that you have touched
 23 everybody in the country who might some day feel a need to request
 24 intervention in this process. The best you can do is get the word out
 25 as broadly as possible in the prelicensing phase, but that does not mean
 that some environmental group, an Indian tribe that Robert has
 absolutely no control over and who may not have been paying attention to

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What Robert's been doing for the last 10 years, doesn't decide to come
 and intervene.
 But what are you going to do, put a notice in that little --
 we are all going to get a mailing from the Social Security

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Administration here pretty soon telling us what can do.

[Laughter.]

MR. MURPHY: You could put a notice in that envelope about the LSN.

MR. CAMERON: That's thinking outside the box. That's good.

MR. MURPHY: Or you could have the census takers deliver a flyer on everybody's doorstep in the country, I guess. I don't know -- beyond that, I don't know what more you can do.

But certainly -- I mean I would be amazed if there weren't a couple of three or four potential Intervenors that we have never heard of at the time of licensing.

MR. HOYLE: Abby?

MS. JOHNSON: I do have some ideas and facts about Chip's question.

One thing that makes us in Nevada different from most of the 43 states that are experiencing transportation from Yucca Mountain is that we have no nuclear power plants and we are unfamiliar with the NRC's licensing process altogether, so we don't know very much.

I'm at the like blind shrimp end of education here on what the NRC does in a licensing process, and so one thing that I think would be very useful not just to the counties and I think the state but also to citizens' groups, to tribes, is for the NRC to come to Nevada and do some basic public education with the interested parties about how the licensing process works, what is a docket, how do you play the game, what are the basic minimum requirements for participation, and of course one of those would be this LSN thing, I guess.

It is an extraordinary circumstance. We don't do high level

ANN RILEY Waste depositories all over the country like we apparently do nuclear
& ASSOCIATED Power plants, and so I would encourage the NRC to think in unique ways
S, LTD. Court about how to do this. It doesn't necessarily set a precedent. It meets
Reporters a need and solves a problem. That would be the recommendation.

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1 Also, getting the information out and getting access to the
 2 information can be problematic, and you have touched a lot of those
 3 things with people's computers that are overwhelmed by the size of the
 4 information. At the meeting I was at yesterday I took a moment to
 5 explain that the people that I represent in Crescent Valley, Nevada, a
 6 lot of them don't have telephones -- literally -- and so it is very hard
 7 for me to even tell them about the meeting coming up, and so I would
 8 also suggest that the NRC take a special effort to work with libraries
 9 of all kinds in the state to make sure that librarians are up to speed
 10 about this, because they are a wonderful local resource.

11 It doesn't have to be a county -- affected unit of local
 12 Government county rep that is doing all this, and that would be a
 13 wonderful service that you could provide us is to get librarians up to
 14 speed and to be able to have them be conversant in accessing the LSN.

15 MR. CAMERON: It sounds like a good idea.

16 MR. PITTS: That's the direction that Lincoln County has
 17 taken with its public information website is to educate the librarians
 18 in the system in the library that folks can access that might not have
 19 the computer capacity or computer at all necessary to access the
 20 information that we have for our public information process, and it has
 21 worked very well.

22 MR. GRASER: Just out of curiosity, when you took that
 23 initiative to do that, did you encounter like a State Librarians'
 24 Association?

25 MR. PITTS: Yes.

MR. GRASER: Are you aware of there being a State
 Librarians' Association?

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 Statewide Internet process at least I am aware of in Lincoln County --

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 1025 know of somebody in that -- like a State Librarian Association President
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or chapters or something like that? We could touch base afterwards --

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MR. PITTS: Sure.

MR. GRASER: -- if you could give me that point of contact I will pursue that one.

MR. PITTS: If they have that information, I will certainly see who is handling that -- basically the training of the librarians and so to get them up to speed on the Internet --

MR. HOYLE: Very good. Robert?

MR. HOLDEN: Chip brought up an interesting point and it is that the landscape of tribal involvement and participation in a lot of areas has changed over the last 10 or 15 years, and much to the consternation of the gaming impresarios in this town, some tribal governments have resources and they are developing complex codes and management schemes. For instance in the hazardous materials transportation I have been working with the DOE work group on protocols and procedures of HAZMAT transportation and preparing for the shipments, but, you know, those tribes that are not participating in other words maintain that just because they are not involved now and because they don't have anything in place now, you know. The year before shipments are -- 30 days before shipments they could have had a full-blown inspection and enforcement team in place with higher standards than what is available and that could be contested, but you know, they certainly have that option and just because they haven't exercised it, but also in this area we -- NCAI can provide information to the tribes and we can do things like put the NRC link on our website, but that does not preclude the obligation of this agency to directly approach the tribes. Under trust responsibility those tribes that have those treaties with the

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Federal Government, everyone is on notice that those agencies have to give notice on all different actions that they are taking, so I don't think anybody is out to hurt them as far as this is concerned, what we are doing.
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1 MR. CAMERON: If I could just follow up on Robert's point
 2 about not only the NRC but all Federal Government agencies' special
 3 trust responsibilities in terms of the tribes, both of Abby's points on
 4 some basic familiarity with the licensing process and also with the
 5 Licensing Support Network requirements, maybe the NRC needs to do some
 6 specific outreach in that area and I know that Bill Reamer, who is here
 7 from our Office of Nuclear Materials Safety and Safeguards and is in
 8 charge of the implementation of high level waste licensing has plans to
 9 do that about NRC responsibilities generally and maybe we can add those
 10 two ideas in for that.

11 MR. HOYLE: Go ahead, Judy.

12 MS. TREICHEL: As Abby mentioned, Nevada has no experience
 13 with NRC or with licensing issues but the Yucca Mountain Project is not
 14 a Nevada phenomenon at all, and there are other people, other groups who
 15 have a lot of experience in dealing with NRC on licenses for various
 16 facilities. Does this -- and I am completely ignorant -- does this
 17 Licensing Support Network, has this type of a requirement for
 18 participation ever happened before?

19 MR. HOYLE: I think the answer, the easy answer, is no, but
 20 I would like, Paul, if you would comment on what the Board has done in
 21 the past.

22 JUDGE BOLLWERK: I mean the Commission's general rule in
 23 licensing processes and licensing adjudications is that -- and again if
 24 you look at the LSN generally as a discovery documentation database --
 25 the Commission's general rule is that any discovery that is going to
 take place between the parties comes after the issues are admitted to
 the proceeding, so in terms of the LSN it is something unique to the

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Commission and essentially you are being given all the discovery
 Documentary material before the case has even been filed essentially,
 Normally the discovery between the parties, the exchange of
 documentation, would not happen until actually after issues have been

admitted to the case and parties have been admitted to the case, so in that respect it is unique, yes.

MS. TREICHEL: Discovery is sort of a legwork thing, but where you have to have an approved system that complies with a lot of stuff before that is even started and then it has to be maintained, and I was thinking about my situation as a public advocacy organization, local, very, very minimal funding and uncertain funding, and groups that we're going to team up with in order to play this game would normally go with like groups, so my first thought would be to contact national public advocacy groups who would have absolutely -- they would know book, chapter and verse how licensing works.

They would be tracking NRC like a wolf on the trail all the time, because that is what they do, but for them to understand how this thing works in order to give me and themselves entree I would guess would be completely foreign soil.

JUDGE BOLLWERK: That's true and let me just say there is two aspects to your question and the second one you raise is in terms of the technical requirements of this particular rule. There have been in the past large pieces of litigation that have involved numerous documents and there have been requirements that judges have established for putting together discovery databases or discovery collections, and Dan has been involved in some of that litigation in the past with the Department of Justice.

I have to say with the NRC I don't think at this point we have ever put together anything like this. Mostly it has involved the usual document discovery exchanges between attorneys, which is basically a paper exchange rather than anything that is done electronically, so in

ANN RILEY at respect I guess also the technical --

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MR. CAMERON: But we may in certain proceedings for example Court have required the parties to submit their pleadings in electronic --

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JUDGE BOLLWERK: Absolutely.

MR. CAMERON: -- form.

MS. TREICHEL: Sure.

JUDGE BOLLWERK: I have been doing that for two, three years now, so yes, that's exactly -- in terms of the pleadings, which are the normal exchange of, you know, documents in a case versus this large mass of discovery materials though --

MR. CAMERON: I think Judy's point just raises again my issue in terms of how we make sure that some of these national organizations know what the requirements are. But keep in mind that there is sort of a saving grace here in the sense that the requirement is to take that organization's or that coalition's documentary material and put it up electronically on a web site.

Now, for DOE and NRC, the state, Nye County, that may be an extensive and expensive undertaking for -- and this is for better or for worse, is that groups coming in to challenge may not have that much documentary material.

MS. TREICHEL: It wouldn't be the kind of documentary material, but there would also be a tremendous lack of bureaucracy. So you don't have the legions of little workers that do a particular job. You know, you kind of shoot from the hip when you do this sort of thing. So that is where it would be difficult, dedication of machinery, people, money, all of those sorts of things.

MR. MURPHY: But they will always have the option of delivering their documents to Dan and having them placed on the NRC web site. That option has been available from the beginning. And once you have that --

MS. TREICHEL: And that would secure your spot as a party?

MR. MURPHY: Don't you envision that anymore?

MR. CAMERON: That is the intervenor funding issue that we Court were talking about earlier. Now, there are ways to deal with that

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MR. MURPHY: I am talking about intervenor funding, I am just talking about an intervenor -- somebody applying for intervention and having 47 reports, like Jason has, but no web site. Bring the 47 reports to White Flint.

MR. CAMERON: I think this is -- well, we had better put this squarely on the table right now.

MR. MURPHY: I mean this has been -- this issue has adhered in this process since about the second meeting of the LSS negotiating team. We have always known that there would be -- that there are potential intervenor participants in the licensing process out there that we do not know about and can't yet identify, and who will not have had prior notice or, or knowledge of, or an opportunity to comply with the LSS, or now LSN requirements, and that when they showed up on Paul's door with an application to intervene, there are some basic due process implications that spring up, that we lawyers at least know about, and you aren't going to be able to give the back of a hand and say, go away, you didn't participate in the LSN. They are going to have to be dealt with somehow. They are going to have to be given some opportunity to comply and some reasonable opportunity to participate in the process.

MR. CAMERON: Again, I think that that is all basically correct. And maybe when you get that close to the license application coming in, that the idea of a web site may be a moot point, as opposed to having documents in electronic form. And this is where I have sort of been at sea here, Dan, in terms of how, when the proceeding starts, what happens to the individual web sites.

But put that aside for the moment. Now, this is not something I am real comfortable with, but the original rule required --

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MR. MURPHY: They could. That option was available, not required.

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MR. CAMERON: Okay. But under the new rule, the NRC is now saying that we are not going to build web sites, or load documents for other parties to the -- or potential parties to the proceeding because of this intervenor funding restriction. So there has been a change from the centralized system. So we are faced with that. And, granted, I don't think that we really have gotten to that fine edge of what due process means here in every situation, as Tom Moore will always be careful to remind us of back there.

MR. MURPHY: I had an old professor, contracts professor, my first year in law school, who used to say, don't worry about that stuff, gentlemen, that is what they pay judges to do.

MR. CAMERON: Okay. Well, I guess that simplifies it.

MR. GRASER: One of the things I can say, though, Judy, in terms of -- from the LSN's administrator's point of view, one of things that I will really be attempting to do is to identify this lowest common denominator in terms of what resource commitment will it take for me to participate in this process. And I could give you a characterization, and I don't mean this is any kind of a belittling fashion at all, okay.

MS. TREICHEL: Oh, don't worry about that.

MR. GRASER: But my son is a senior patrol leader in a Boy Scout troop. My son has established, using my Internet, you know, ISP type environment, he has established a home page for his Boy Scout troop. And the Boy Scouts are out there tapping into their own resources of kids who, one, may have a scanner at home. Another one may have some software that can render a document. And in terms of organizing themselves in advance, identifying who has some resources that can be brought to the table, the troop managed to bring up a troop

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And it is not graceful, it is not sophisticated. It is not

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powerful, but it is a home page.

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And I think the analogy I am trying to draw there is if we

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1 can draw a low enough threshold so that what we are talking about is
 2 something that is accomplishable through, in your case, citizen action,
 3 citizen involvement. And you do have some time to identify who may be
 4 able to bring some assistance to the table.

5 One of the things I will be looking at is, how can I keep
 6 that threshold down low enough so as not to preclude any involvement?
 7 Okay.

8 MS. TREICHEL: Yeah, and that would have to be done pretty
 9 soon, because it looks like the drop dead date is around January 31st,
 10 2001.

11 MR. GRASER: Well, more than anything else, right up front,
 12 the technical working group needs to understand -- have some input as to
 13 where should we draw that threshold of participation, at least from the
 14 technical point of view, so that I can facilitate or enable us
 15 accommodating a connection to some sort of a site. And if that site
 16 happens to be, you know, what the computer guys called "cluged
 17 together," -- we have got a little bit of this and a little bit of this,
 18 and we borrow some software here, and we put it on this guy's server
 19 over there, -- if it makes the documents available at URL that I can
 20 point to, then you are in business, at least from the technical aspects
 21 of the role.

22 And if we can get some early involvement to identify where I
 23 can set that threshold, then I will work as hard as I can to accommodate
 24 that in the technical design of the system to ensure that we can allow
 25 that level of participation. It does not need to be
 super-sophisticated.

MS. TREICHEL: Okay. Well, --

ANN RILEY MR. GRASER: At least that is my slant on things, you know,
 & ASSOCIATE from a technical point of view.
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Court MS. TREICHEL: Okay. I will have to find out what my
 Reporters capabilities are.

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1 MR. HOYLE: Any other comment on this point? A very good
2 point, a very interesting discussion. Go ahead.

3 MR. GRASER: Very good. The last tab section there again is
4 something that we talked about a little bit earlier today. It really
5 just goes through and gives a narrative discussion of three candidate
6 solution approaches that the LSN portal sites would actually look like.

7 There are, in fact, other potential types of solutions that, hopefully,
8 the technical working group, somebody will get a stroke of genius, or
9 have a brainstorm and figure out a smoother, cooler, quieter, longer
10 approach to doing this, and we can move expeditiously in getting a
11 system put into place that will be powerful to the, you know, to the
12 normal user but stunningly simple to use. Gee, those almost sound like
13 design criteria, but I can't test them.

14 But I don't think I am going to have time, I am not going to
15 walk through that last, final guidance paper there. More than anything
16 else, it is just intended to give you some advance look into the way I
17 am thinking about system design and development.

18 That is basically all I had. If anybody else wanted to
19 comment on any of that. We are probably going to go into that much more
20 during the technical reviews.

21 MR. HOYLE: Right. Okay. I was going to ask you, Dan, what
22 do you intend to do then further this afternoon? You have gone into a
23 little more detail than -- not that you needed to, but is there
24 something left that you would tell us about this afternoon?

25 MR. GRASER: Well, actually, if we just kind of flip-flopped
the approach on the afternoon, in terms of folks going off and looking
at some of this information, and perhaps, as we walk through the slides

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1 walk-through of what all of those guidance papers were. Hopefully, so
2 that, you know, anybody who could not be here this afternoon.

3 But that gives the afternoon then to do some of what I had
4 hoped to this morning. Pull out, again, more question and answer sorts
5 of interaction on any aspect of any of those guideline type documents.
6 So we could just simply go into more of a Q&A mode for this afternoon if
7 everybody is agreeable to that. If not, we could adjourn early.

8 MR. HOYLE: Well, we have other things to do this afternoon,
9 too. But just for those that aren't going to be here, I was going to
10 have them hear from you what you intend to do later on.

11 Unless I hear a call for moving up anything up at this
12 point, it is noon, we could take a break and return at 1:00 with the
13 first item on the schedule being a canvass of participants' discussions
14 of budgets and impacts, and Part 63 concerns and things like that. So
15 let's take a break. Come back at 1:00, please.

16 [Whereupon, at 12:00 p.m., the meeting was recessed, to
17 reconvene at 1:00 p.m., this same day.]
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A F T E R N O O N S E S S I O N

[1:15 p.m.]

MR. HOYLE: Let's get the afternoon session started, please.

The item that we have on the agenda is sort of a catch-all. We would like to canvass any of those members present who have issues that they would like to bring up related to the FY 2000 budget, the impacts of that, the status of funding, anything on Part 63 that anyone might want to bring up.

So I open the floor now to members who wish to comment on any of those items.

MR. MURPHY: What is the precise status of the FY 2000 appropriation? Has it been signed by the President? That is my only question.

MR. HOYLE: Okay.

MR. MURPHY: Where is our money? Claudia.

MS. NEWBURY: I will check and get back to you on that.

MR. MURPHY: Have you given Les a check yet?

MR. FRISHMAN: I had, I guess, two things for Claudia. One is, what is the status of funding within the 2000 budget for anything having to do with LSN? The same as usual.

MS. NEWBURY: I don't know how to best answer this, because it is a concern I have. There is no direct funding for LSN in the 2000 budget. There is money for reprocessing records. And that is because with the budget levels where they are, our primary focus is on the site recommendation.

MR. FRISHMAN: And the other one is just a thought that I had when I first, I guess, talked to Chip about this meeting. And that

ANN RILEY, does Part 63 look like it has any implications that would change, or &

ASSOCIATES, significantly change the nature of what you think would be going into S, LTD.

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MS. NEWBURY: I want to say no.

1 MR. FRISHMAN: The only thing that I was thinking was there
 2 is a whole sort of different hierarchy of documentation based on
 3 performance assessment relative to what it used to be under the site
 4 characterization plan.

5 MS. NEWBURY: That is true, and we are developing different
 6 sets of documentation, but all that will be in the LSN. We did not
 7 discrimination on the volumes of material that we are looking at based
 8 on what the particular products are going to be.

9 MR. FRISHMAN: Okay. But you are going to have a lot more,
 10 oh, like process model documentation and stuff like that?

11 MS. NEWBURY: Yes, but we would have had to have that
 12 similar type of documentation anyway, even if it had a different name.
 13 As you know, the process model report, what is now a process model
 14 report used to be a technical synthesis report, and before that it had a
 15 different name. But it is just different names for the same type of
 16 information that I don't think has changed significantly.

17 MR. FRISHMAN: And you don't think that it increases the
 18 volume substantially?

19 MS. NEWBURY: No.

20 MR. CAMERON: I would think that -- I think I would agree
 21 with Claudia on that. The existing topical guidelines were modeled, at
 22 least in their presentation, --

23 MR. FRISHMAN: I looked through them.

24 MR. CAMERON: -- under the format and content of the license
 25 application. And I might -- there may be some reformatting that will be
 necessary, but I don't think that the scope -- there is going to be
 different material, but I might ask Bill Reamer whether -- are you guys,

ANN RILEY After 63 goes into effect, assuming that it does, are you guys going to
 &
 ASSOCIATE change? You guys being our technical staff, are you going to change the
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 Court format and content of the license application for the repository?
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 1025 Because we used that as the model? And maybe DOE knows the answer to
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what we are going to do.

1 MS. NEWBURY: Well, I have a question, actually. It was
2 part of this stuff that I had put together. We went and compared the
3 topical guidelines to the technical guidance document, the TGD that we
4 have put out, that is essentially the format of what the license
5 application would look for -- look like. And the TGD is much for
6 detailed that the topical guidelines, but we find it much more useful in
7 terms of trying to put documents against a particular topic. So we have
8 got that cross-lock.

9 Jan is right there, and she has got that between the two, so
10 you can see the differences between them.

11 MR. CAMERON: Oh, good. Good.

12 MR. REAMER: And I guess the only thing I would say is that
13 when we present to the Commission a draft final Part 63, which is for
14 staff's next action to finalize Part 63, include public comments. At
15 that same time we will have a draft license application review plan, the
16 structured approach that we will use to review the license application.
17 And that will really be our format and content, the approach that we
18 would suggest to DOE that they take in structuring their license
19 application.

20 But, see, I think the answer to your question is it may be
21 that the topical guidelines will need to be looked at after the draft
22 final rule and Yucca Mountain review plan document are finalized and
23 prepared in draft, and sent forward. And we would be prepared to do
24 that if that is something that it seems like the people here think ought
25 to be done. But this also may be a problem that just takes care of
itself, and that using the guidance that you have got, plus the Yucca
Mountain review plan, plus the document that Claudia mentioned, it may

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MR. BECHTEL: I have got a question for -- another question

1 for Claudia. On page 2-1, the second paragraph, there is a section that
 2 the NRC is prohibited from paying expenses for participants in licensing
 3 proceedings by provision of the Act, Line 93, Energy, Water Development
 4 Appropriations Act. And it occurred to me that, of course, 10 of the
 5 counties get funded by the DOE. One of the provisions in appropriations
 6 has been, you know, litigation. You know, you can't use the money for
 7 litigation.

8 Does this also apply to the affected governments, for, you
 9 know, using their funding for LSS?

10 MR. FRISHMAN: And I didn't put him up to that question.

11 MS. NEWBURY: You know, I would have to go back and ask the
 12 lawyers and what they thought, whether or not it prohibited it. Senator
 13 Reid has been so good about getting money into the appropriations for
 14 the affected units of government in the state that I would look to him
 15 to put clearer guidance into whatever the law, the appropriation bill
 16 is. But we can certainly look at how we are going to interpret it.

17 MR. MURPHY: If necessary, just as a little -- for some
 18 history on that, I have never, and we in Nye County, officially, have
 19 never considered the licensing proceeding in this case to constitute
 20 litigation against the government. Remember, the Appropriation Act says
 21 that you can't spend your money in litigation against the United States.

22 I don't consider this licensing proceeding to be litigation against the
 23 United States, so I don't consider that prohibition to have any
 24 application to licensing whatsoever.

25 And when that language first showed up, you know, I don't
 remember now whether it was in a DOE grant document -- do you Steve, or
 in an Appropriation Act?

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 MR. FRISHMAN: Yeah, it is in a grant document, because it
 is in DOE's grant -- it is in DOE's grant guidance.
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 MR. MURPHY: I think it was in a grant document after. But
 I think it showed up in DOE's grant guidance after the State of Nevada's
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MR. FRISHMAN: No.

MR. MURPHY: It wasn't?

MR. FRISHMAN: No, it was always in -- there are two prohibitions in grant guidance. One of them is lobbying and the other one is litigation.

MR. MURPHY: No, because we used, the State of Nevada used oversight funding in the first round of litigation against DOE and was not challenged, the litigation challenging the grant guidelines. Oversight funding was used to support that litigation and nobody ever questioned it.

It was after that, I believe, that the language prohibiting spending oversight funding on litigation against the United States first showed up in the grant documents. This would have been back in the mid, you know, '86, '85 timeframe, somewhere like that.

And at one of those -- do you remember those infamous state, tribal, local quarterly meetings that we used to attend? And I asked -- it might go all the way back to Ben Ruchie, I mean that long ago. But I asked whoever was the OCRWM director at the time, during one of those meetings, whether or not that language applied to the NRC licensing proceeding. And, you know, I wanted some guarantee that the state and the locals would continue to be funded during licensing. And the response was, and there may be a transcript of it somewhere, I don't know, but the response was absolutely not, that it is DOE's position, firm position that the state and locals would continue to be funded through licensing.

MS. NEWBURY: I will check and get back to you.

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MR. MURPHY: And we have always operated on that assumption.

MS. NEWBURY: Are you concerned with using federal money in Court licensing as an intervenor or as LSN?

MR. BECHTEL: I am not sure where the line is, I guess, you

know, between them.

1
2 MR. MURPHY: It is my position that the line is at the steps
3 of the federal courthouse, that this does not constitute litigation
4 against the United States. But in order to take an appeal from the
5 NRC's licensing decision, for example, if you wanted to appeal a
6 construction authorization to the Court of Appeals, then you have got to
7 find your own money to do it with. That is litigation against the
8 United States. This is not, that is my position.

9 MR. FRISHMAN: Well, is there any reason to think there is a
10 distinction between LSN and licensing?

11 MR. MURPHY: I don't.

12 MS. NEWBURY: Well, when I talk about the LSN, it is a
13 discovery tool that is used in the pre-licensing, until you get to the
14 docket part.

15 MR. FRISHMAN: Well, if it weren't for a licensing
16 proceeding, we wouldn't be doing it.

17 MR. MURPHY: Right. Exactly.

18 MS. NEWBURY: Oh, I don't know. We would be putting all of
19 our documents on the Internet anyway.

20 MR. FRISHMAN: Oh, you would be putting it someplace, but
21 you wouldn't be doing it necessarily in this format or anything else.

22 MS. NEWBURY: That's true.

23 MR. FRISHMAN: So I don't think there is any distinction.

24 MR. MURPHY: But, you know, it may be that some day we might
25 need clarification of that. But I have always operated on the
assumption that that was -- that there was a clear distinction, and that
it was a distinction that the Department of Energy supported, that this

ANN RILNRC licensing proceeding did not constitute litigation against the
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MR. HOYLE: Claudia, I wonder if you would supply me
whatever reply that you come up with.

MS. NEWBURY: Oh, yes. I will share it with the LSN ARP.

MR. HOYLE: Okay. Jason.

MR. PITTS: Can we step back to that 10:50-11:45 item? Did that relate to one of the other items?

MR. HOYLE: I guess we didn't address that specifically, but I certainly don't mind you bringing up a point up right now.

MR. PITTS: Well, I just had -- it says that participants might includes items for the TWG to address. I just wanted to make a point about something that Dan, it probably seems like he has fairly clear in his mind, but, certainly, from our experience with the NRC public meetings and stuff that we have had out in Lincoln County -- a meeting that we have had out in Lincoln County, one of the issues that came up, and something that is fairly prevalent out there is that it is difficult for the general public to draw a distinction between the NRC and the DOE. I mean most people aren't really familiar with the differences in departments. I mean they know that they exist, but they don't know what their roles are in relation to each other.

And so in relating that back to Tab 12.1, which is your description of your different assumptions of what types of programs you could have, I think Lincoln County would really want to stress that Recommendation 1, I don't think would meet that goal. I think if the NRC just simply had, you know, had a home page that had links to other possible participants, that that is not really constituting oversight or regulation. You know, if they have a site that is a portal site or fixed database search site, wehre you can go there and NRC is in control of those searchable indexes, then I think that goes a long ways to being in the oversight role or the licensing role that it parades itself to be

ANN RILEY when it does public meetings.

&
ASSOCIATE And so I think that should be made as part of the record,
S, LTD. Court that I just don't see Section 1 being useful implementation of the NRC's
Reporters program. And that 2, or possibly a difference between 2 and 3, or a

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1 mixture of 2 and 3, I think would be much more appropriate for this
 2 licensing process. So, and that seems to be where your literature is
 3 going. But I may not be able to attend all of the meetings tomorrow,
 4 and so I just wanted to make sure that that is, from our point of view,
 5 that is included for the working group.

6 MR. GRASER: I gotcha. If I could just go back to Steve's
 7 initial question to Claudia regarding what is the availability of LSN
 8 funding for fiscal year 2000, I would just like to make a point of
 9 clarification on that. Under the old LSS rule, DOE was responsible for
 10 designing and implementing the LSS. Under the revised LSN rule that we
 11 now have in front of us, NRC has responsibility for establishing the
 12 portal site. So it is a question of some funding in the DOE space that
 13 would be focused on what they are doing to make their collection
 14 publicly accessible, put it on an external server.

15 But now part of the funding question, in terms of the
 16 availability of FY 2000 funding to support LSN activities now falls to
 17 NRC because we have the responsibility for putting that portal site into
 18 place. And the answer is, yes, we have already gotten our appropriation
 19 approved for fiscal year 2000, and it does have enough money in it to
 20 allow us to get started, and the volume of funds that are available to
 21 us do support the level of activity I outlined in the project schedule.

22 So the work we need to do in fiscal year 2000 does -- it is
 23 supported by the funds that we have available to us right now.

24 MR. FRISHMAN: I figured you wouldn't be unless it was.

25 MR. GRASER: On the portal site, right. No, but I just
 wanted to make sure that everybody understands that in the revision of
 the rule, the responsibility for the funding kind of took a scatter shot

ANN RILEY here and some of it is now in everybody's bailiwick.

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MR. FRISHMAN: But they are still LSN expenses incurred to
 Court the department.

MR. GRASER: In terms of being prepared to be ready, yes.

MR. FRISHMAN: And I imagine there is some expense on that technical working group, and also probably some expense in trying to make sure that you don't end up with a system that requires you to have to redo stuff that you have already done.

MS. NEWBURY: That's true, but we don't have an element called licensing support network that has money attached to it for this fiscal year.

MR. HOYLE: But you are sitting here and --

MS. NEWBURY: I get paid.

MR. HOYLE: -- you get paid. Good. Any other --

MR. FRISHMAN: You are not here for fun like we are?

MR. McCALLUM: Does that mean you will continue to support things like the working group?

MS. NEWBURY: Yes, we will. The people who are here supporting it generally have the money for their salaries taken care of. What we are not doing is any major development things that are specifically for LSN.

MR. GRASER: And, for example, now, I mentioned earlier today that when I was going back through the functional requirements from the old LSS system, I recognized that the functional requirements are going to need a significant amount of work on them to get them brushed up to speed for a web type environment. And it would be the LSN administrator's support -- contractor, in this case, LBAT-Anderson -- who would do the function the M&O did under the LSS, in terms of doing some of the leg work and the research work, and taking the lead in supporting the development of those sorts of products.

So, in that regard, you should not see a perceptible

ANN RILEY & ASSOCIATES, INC. All-off in the tempo or level of support, it is just that it is now being to be an NRC contract support function, as opposed to the M&O S, LTD. Court contractor being a support function when DOE had the lead for designing Reporters and implementing. 1025 Connecticut Avenue, NW, Suite 1014 Washington, D.C. 20036 (202) 842-0034

1 So, you know, at this point, as I said, we have got enough
 2 money this year to ensure that we don't have a drop-off in that quality
 3 and level of support that we need to keep things moving forward here
 4 now.

5 MR. HOYLE: Okay. Are there any other comments or questions
 6 regarding budget?

7 [No response.]

8 MR. HOYLE: Okay. Well, let's move on then to the 1:45 item
 9 on your agenda, which is a presentation by Claudia and Jan Verden on DOE
 10 Activities on Web Site and Topical Guidelines.

11 MS. NEWBURY: You had asked me if I had anything I wanted to
 12 talk about and I said, well, I could give you some basic information on
 13 what we're doing right now about Homepage. As I told Steve, we don't
 14 have any money that's specifically allocated for LSN this year, but we
 15 are doing work to put documents on the Internet and to make it
 16 searchable, so that people could take a look at them. It's not called
 17 LSN, because I was told I couldn't call it LSN, but it actually supports
 18 a lot of the LSN requirements.

19 As you probably all know, if you've accessed our Homepage,
 20 we have a lot of documents that we put on the Internet. From the
 21 liability assessment -- when they put out the liability assessment, we,
 22 also, put out all of the references that were the intellectual property
 23 of the Department of Energy. In other words, if they belonged to us, if
 24 they had been generated with our money and we owned them, we put them on
 25 the Internet; if they were things that possibly could have copyright
 attached to them, that were produced by other people, then we didn't put
 them out.

ANN RILEY When we put out the VA, we put out the VA, itself, as an
 &
 ASSOCIATED PRESS document and we put out the references as TIF images, which are
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 Court very difficult and time consuming to download. We tried to do it -- I
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 1025 tried to do it and I didn't like it. So, it is a concern that when you
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1 are dialing in from home and you're on a 2880 modem, the TIF images take
 2 forever, and we'll have to figure a way to deal with that. When we put
 3 out the DEIS, again, we put the document out as an HTML document and we
 4 put out all of the references as PDF files. And we converted our TIF
 5 images to PDF and put them out on a CD.

6 So, in fact, we do have thousands of documents on our
 7 Homepage right now. It was a surprise to people, even within the DOE,
 8 because they couldn't find them. And I had to tell them how to search,
 9 because it was not well done.

10 We arranged it by product, which means if you started with
 11 the VA and you had an HTML connection for the reference to that
 12 particular document, you had to drive down and find it. And as I said,
 13 a lot of people just didn't know they were there. We, also, put out all
 14 the reference or supporting documents to the major documents. And we're
 15 going to continue to do this. In fact, we're planning to do a lot more
 16 of it this year.

17 This is what our Homepage looks like. You can see here,
 18 when new documents come out, like the MGR requirements document or the
 19 draft DEIS, we get what's new on the Homepage. So, you have a
 20 half-a-dozen documents you can tell they're there. There is, also, a
 21 technical library over here, which has all those other documents. And
 22 if you don't know you're supposed to go to the technical library, you're
 23 not going to find them; and even if you do know you're supposed to go to
 24 the technical library, you might not find them.

25 So, it's an idea to start with, but this is what we end up
 with. You have to know what way -- how to get to the document. Nobody
 knew how to get there. You have to know what to look for by specific

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 1025 then you look here, then you look here and there it is." He said, "Oh."
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1 Then, he called back and I told him, well, you know, we, also, have an
 2 alphabetical listing. And he called back and he said, "I couldn't find
 3 any alphabetical listing." Well, it's the Yucca Mountain site
 4 description, not the site description, and he was looking under "S,"
 5 instead of "Y," so he didn't find it, okay. So, people didn't know
 6 quite how to search for these documents. They don't know what to look
 7 for. They have to drill down from VA, to VA supporting documents, to a
 8 list of supporting documents, and it's very -- it's time consuming to
 9 even find the things and then it's time consuming for us to provide the
 10 hyperlinks. And, again, as always the case with DOE, insider terms
 11 dominate. You have to know all those acronyms that we use all the time.

12 When you get to the technical library page, we have several
 13 things we put together. One is the subject operations, which is a
 14 description of what the project does. And, it, also, links to the NRC
 15 and explains the relationship between the DOE and the NRC and our other
 16 oversight bodies.

17 Technical documents is where you go to find all of the
 18 documents; but, again, it leads to multiple pages and it's hard to find.
 19 So, we created this index, which is an alphabetical listing right now.
 20 And then the project databases are the numeric databases that we have
 21 put on line, which I talked about in previous meetings.

22 We have a search engine on the Homepage and you can search
 23 the entire Web page. But when you get down to the references to the VA
 24 documents, the headers or the reference, itself, is on this page, but
 25 the documents are behind a firewall and they have a search tool that you
 click on the reference and it goes and gets the TIF image from our
 record system and brings it out to the Internet. But, you can't search

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our record system, because it's behind the firewall. So the search is
 only what's on that particular page -- something else that's not going
 to be up to snuff, if we're going to have a true LSN.

So what we're going to do this year to kind of help the

1 thing is we have provided an alphabetical listing of the documents.
 2 But, again, you have to know what the title is and the right title or
 3 else you're not going to find it. We tried to sort the documents by
 4 topical guidelines -- we did sort the documents by topical guidelines.
 5 The topical guidelines didn't fit well with all the documents that we
 6 produced, because they do not take into account the fact that we're
 7 putting on the VA and EIS other documents that are part of our program
 8 and the EIS the NRC wants to develop. So, they don't quite fit
 9 everything. And we are looking at the index for related terms.

10 Our alphabetic listing is on the Homepage. You saw it on
 11 that picture of the Homepage. It jumps to any letter of the alphabet.
 12 For those documents that are on the Homepage, not behind the firewall,
 13 there is a listing and you can go right to that document. And as we put
 14 out documents, that will be updated.

15 And there it is. I only found one problem with this and
 16 that is it includes documents that only the headers are there for,
 17 documents that have MOL numbers on them. You will find the ones with
 18 things like this folder number, which is 235 --

19 MR. REAMER: What's MOL?

20 MS. NEWBURY: It's our record identifier. An MOL number --
 21 but just a plain number is in our reference library and so it will not
 22 be on the Homepage.

23 Sorting by topical guidelines, we've tried to do this in
 24 August as a maybe better way to search for things, and we used the great
 25 librarians. It was difficult to sort into the logical categories for
 the documents. It probably will take, if we do this, a technical
 person, who is more familiar with the document and what it contains to

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We how it logically fits. That was revised, based on input from
 technical people, and it will be added to the Web page next month. So,
 you'll see the topical guidelines in documents sorted underneath those.
 We're looking still at ways to index documents on keywords

1 and subjects and indexing. It does take a lot of time; it takes
 2 consequently money; and it needs to be tested to make sure that people
 3 can use it -- what we think are keywords and good subject indexes really
 4 are and that people will understand it and to be able to use it.

5 I mentioned the topical guidelines. It just didn't seem to
 6 fit with everything we do. And so, they may not be appropriate for
 7 sorting all of our documents just for putting them out. We do have
 8 inconsistent indexing. It is expensive. And, of course, as I
 9 mentioned, when you go across the firewall, you can't do the search.

10 What we're trying to do with our thousands of documents out
 11 there is provide the most number of options for the searchers.
 12 Different people think different ways. Some people are very happy going
 13 down through documents; other people want to do word searches. So, we
 14 need to make sure that we accommodate all those different methods of
 15 searching, meaning if we use a friendly -- you need to be able to
 16 browse, take a look through and just kind of see what's there or look
 17 for a specific thing. And right now, there are a lot of documents that
 18 are buried. You have to know they are there and where to look for them,
 19 in order to pull them up, and that is not the best way to do business.

20 I said we're not doing LSN relevant stuff, but I think that
 21 we're going a long way to getting a lot of our information out on the
 22 Internet, which is the goal of the LSN in the first place. But, we're
 23 doing it for site recommendation, at this point, because that's our
 24 primary goal. If we don't get a site recommendation, if the President
 25 doesn't recommend the site or the Secretary doesn't recommend the site,
 there's no lessons application or anything. So, this is our primary
 focus.

ANN RILEY We will be putting our key products that support the site
 & recommendation on the Homepage. I believe most of you are aware right
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 Court now, we're developing process model reports and analysis and model
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1 developed and completed, they will be put on the Homepage in a hypertext
 2 language. They will have references to -- hyperlinks to their
 3 references. So, the -- within the process model report, they will
 4 discuss what documents -- material that supports their conclusions and
 5 that doesn't support their conclusions, but is relevant to it. So that
 6 if it's relevant, it will be referenced in the PMR and so we will have a
 7 link to it and we'll have all the relevant material and what we think is
 8 relevant material for that particular topic.

9 We're going to continue to hyperlink from those major
 10 documents to the reference materials. We'll release the SR product and
 11 all DOE, which is intellectual property from the energy reference
 12 documents to the Internet. And we're looking at alternative tools for
 13 reviewing those reference materials; how to get them out in a more
 14 usable form. And then we'll continue this process, as we develop the
 15 lessons application, if we go that far, which is why the TGD, the
 16 technical guidance document, which is the outline for the LSN, is
 17 important to us.

18 This is just kind of a figure that says what I just said.
 19 SR products and all their reference lists are going to be out on the
 20 Internet. It will reach across and hyperlink to all the supporting
 21 documents, so that you can drill down, if you like to drill down, from
 22 an argument that will link to the reference that supports or doesn't
 23 support it. We will then, also, provide the search tools. It will be
 24 an alphabetical listing and the topics hopefully based on the topical
 25 guidance -- or technical guidance document, which is an outline for the
 application and keywords.

That's our concept. That's where we're going and it should

ANN RILEY in, eventually, to the LSN. But, it raises questions, because the
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 ASSOCIATED Documents that we're putting out are HTML. They are not the record
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 Court copy. The record copy is a TIF image. So what you see on our Homepage
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 1025 is all the same words, all the same diagrams, all the same information,
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1 but it's not the record image that will be part of the docket, as I
 2 understand what Dan is proposing as what goes in the docket, which is
 3 the image, the ASCII file header. So, we'll have both available. We'll
 4 have the HTML, which is easy to read and you can look at on your
 5 computer at home; and we'll, also, have the images that are awful to
 6 read at home, but are the official record -- part of the program.

7 Jan handed out -- did you hand out --

8 SPEAKER: I handed out the --

9 MS. NEWBURY: This -- we did a crosswalk between the
 10 technical guidance document and the topical guidelines. And as you look
 11 through it, you can see that there's a lot of similarities; but when you
 12 get to the end, you'll find that there's a whole lot more that's in the
 13 technical guidance document than was in the topical guidelines. And we
 14 think that it's a better way for us to sort our documents. I don't know
 15 if you want to take that into account when you look at the topical
 16 guidelines and whether or not they need to be changed or if you want to
 17 leave them as they are and let us augment them as we choose.

18 Yes?

19 MR. REAMER: Are these two separate documents --

20 MS. NEWBURY: Yeah. They're different sorts. One is the
 21 topical guidelines versus the technical guidance document, and the
 22 topical guidelines -- the one that has something in every column or
 23 every row --

24 MR. REAMER: What's the title of it?

25 MS. NEWBURY: Current and Proposed Topical Guidelines.

MR. REAMER: So, on the left-hand side --

MS. NEWBURY: On the left-hand side is the current topical
 guideline; on the right-hand side is the technical guidance document
 &
 ASOCIATE categorization. And you'll see the numbers are in different sections.
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 Court For instance, geochemical system is 2.03 in the technical guidelines --
 Reporters or topical guidelines and it's 3.03 in the proposed topical guidelines.

1 The other one -- I apologize, it was a poor title for it -- the other
 2 one, what we did was check the outline of the technical guidance
 3 document -- it says, "proposed TG" -- and put it in its order and then
 4 matched the topical guidelines against it. So, you end up with a lot of
 5 blank space where we have details in the topical -- in the technical
 6 guidance document.

7 MR. REAMER: It's just the version here?

8 MS. NEWBURY: It's the mirror --

9 MR. REAMER: It's the one that's sorted on the left hand --

10 MS. NEWBURY: Right. And that's my presentation, which
 11 didn't take half-an-hour, but I'm opened to questions on what we're
 12 doing and why and what we can do to help other people make it easier.

13 MR. GANDI: May I ask, Claudia, and maybe everyone knows
 14 about the records, but does that HTML file also constitute another
 15 record in itself, or does that -- are we saying that that's the same
 16 record as the license application -- you can create hyperlinks to it?

17 MS. NEWBURY: I'm not the records expert either.

18 MR. GANDI: I'm just throwing it out there.

19 MS. NEWBURY: This is my take on it.

20 MR. GANDI: Okay.

21 MS. NEWBURY: Okay. The record version of the licensed
 22 application will not have any hyperlinks in it or anything else. It
 23 will be, depending on what Dan wants, an image, an ASCII file, and a
 24 header. The HTML version of the license application or the site
 25 recommendation or anything else is a tool that we use to facilitate the
 reading and review of the document.

MR. GANDI: Is that the record --

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MS. NEWBURY: No, at least I don't want it to be. Do you

MR. GANDI: No, I don't.

MR. GANDI: No, I don't.

MR. MURPHY: You mean another record for purposes of the

licensing --

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MS. NEWBURY: For the licensing.

MR. MURPHY: -- docket. The record under the Archives Act.

MR. CAIN: What's that?

MR. MURPHY: For purposes that the Federal Record Keeping Act is better, that constitutes a separate record. I have no idea --

MR. CAIN: But, that's no better. We don't care whether it does or not.

MR. MURPHY: The way NRC --

MR. CAIN: I don't care.

[Laughter.]

MR. MURPHY: NRC has a -- you're considering what constitutes the official record before the NRC.

MS. NEWBURY: Yes. Well, eventually, we have to put our records on it, too; so, who cares?

MR. MURPHY: Who cares? But, that just means -- -- I don't have to care about that. All I care about is what gets to the licensure part.

MR. GRASER: NRC has a similar situation on some of the guidance documents that it publishes on its external Web site, and whether or not the paper version of that document is the record or whether or not a microfilm version of it or whether the HTML version. So, we've encountered that very same sort of question about what is the agency's official record version. And the approach, I think, that the NRC records focus have taken is that that is the equivalent of a temporary working copy -- in records speaking, it's a temporary working copy of a document, but it is not the official record version of the document.

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And in the implementation that we're doing with the ADAMS

project, we're putting those documents out -- we're putting the official agency record version of the document out in computer TIF or a PDF

1 format, both of which, once the image is burned, it does not change its
 2 attributes or aspect, depending on which system you're going to be using
 3 to download it and view it. So, those are the things that do not
 4 change, based on your particular user machine configuration. That's the
 5 tactic that NRC took on that particular issue.

6 MS. NEWBURY: But, it does raise the question when we submit
 7 to the docket and we, DOE, or one of the participants or other parties
 8 has a lovely HTML document out there and they, also, have what's
 9 required by the LSN, which is the image, the ASCII searchable text, and
 10 the header, which are they submitting to the docket? Is it the image,
 11 ASCII text, and header? Is that all you want in the docket?

12 MR. GRASER: Ask that question again.

13 MS. NEWBURY: I'm doing this; I'm sure other people are
 14 doing this. I have an image, ASCII text, and header, as required by the
 15 LSN.

16 MR. GRASER: Right.

17 MS. NEWBURY: I, also, have an HTML document, which is what
 18 everyone has been looking at and is using as their discovery tool.

19 MR. GRASER: Right.

20 MS. NEWBURY: I have their hard copy, too. What am I
 21 handing to you to put in the docket?

22 MR. GRASER: For docket purposes, we want the record version
 23 and we want TIF or PDF of that record version of the document. If that
 24 comes from your records system and it is a different underlying object
 25 than the HTML object you have sitting out there, I believe the way the
 revised rule is written is that it still requires you to identify where
 the official record version of that HTML document can be located from

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1 to indicate where is the image of that counterpart of that HTML
2 document.

3 And the document that comes into me is the document that's
4 going to go into the docket. That's going to have to come out of the
5 repository, the official agency record version. Preferably, that will
6 be a TIF image or a PDF image and the associated text file.

7 MS. NEWBURY: Okay.

8 MR. GRASER: Did that answer the question?

9 MS. NEWBURY: Yeah, I'm just thinking along those lines.

10 MR. GRASER: How you're going to do that?

11 MS. NEWBURY: No. I would know how DOE, for itself, would
12 do that with its own records. I'm thinking along and now wants to use a
13 document that's on our site and then we'll have to identify it and we
14 will provide it for them.

15 MR. MURPHY: You mean a document that's not there, that I
16 can't download?

17 SPEAKER: You know you're going to download the TIF image,
18 right?

19 MS. NEWBURY: You don't want to download the TIF image.

20 SPEAKER: You're going to have to go page by page --

21 MR. MURPHY: You will probably have it on the --

22 MS. NEWBURY: It will probably --

23 MR. MURPHY: Yeah, the answer is, yes. If I had to identify
24 a document and I want to use it, if I don't already have it, I'll ask
25 for it.

MR. HOYLE: It's the document that DOE has now submitted in
the docket, itself?

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MS. NEWBURY: Right.

MR. MURPHY: Right.

MR. PITTS: One of its other documents.

MR. MURPHY: Right.

1 MR. PITTS: We're going to download the TIFs. It's a long
drive.

2 [Laughter.]

3 MR. GRASER: Well, the actual delivery of those documents to
4 the Nuclear Regulatory Commission via the media -- the transfer media
5 could be straight electronic or it could be a CD containing a fairly
6 large volume of TIF images, for example. And there's no -- there's no
7 stake for the bulge to have to work its way through, in terms of
8 telecommunications. If you deliver a CD with the documents on it, you
9 can put the CD in and it's loaded directly on target machine. So, the
10 transfer media is confusing the issue a little bit there. It does not
11 necessarily need to be straightforward telecommunications. If that's
12 your concern, that's something that is workable.

13 MS. NEWBURY: To be honest, I was thinking, oh, so, now
14 we've identified the T1 at this particular DOE docket -- document in the
15 docket and we would electronically transfer it to you, as opposed to
16 making him get a copy and give it to you.

17 MR. GRASER: That's how I understood it.

18 MS. NEWBURY: So, I was trying to figure out how this all
19 works.

20 MR. MOORE: I'm confused at what I'm hearing. The word
21 "docket" that you're using and that Claudia is using, are you meaning
22 the same thing? The docket is the agency -- NRC's official proceeding
23 record. Is that how you're using the term?

24 MR. GRASER: That's my understanding of it, yes.

25 MS. NEWBURY: Yes.

MR. MOORE: But, are you speaking of the application and
associated documents that DOE is officially filing with the agency?
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ASSOCIATE Those are the docket documents, as opposed to this file of electronic
S, LTD. Court discovery documents. They may be totally distinct.

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MS. NEWBURY: Well, that was my question. I know that what

1 we are -- what DOE would put into the docket we have and we would
 2 transfer over. My question was -- there are documents that we would not
 3 be putting in the docket, but perhaps Nye County, Lincoln County,
 4 Esmeralda County might choose to put in the docket that are from our
 5 system. So the question was: do then we have to transfer it to Nye
 6 County, Lincoln County, Churchill County, Esmeralda County and then they
 7 send it to Dan?

8 MR. MURPHY: It's our submission.

9 MS. NEWBURY: Or do they just say, DOE, this document in
 10 your discovery system --

11 MR. GRASER: I see your question now, okay.

12 MS. NEWBURY: -- needs to go into the docket, submit it?

13 MR. GRASER: Again, that kind of goes back into a multi-part
 14 answer and a multipart question. Why was the document out on the DOE
 15 site in the first place?

16 MR. MURPHY: Well, it may be on the site.

17 MS. NEWBURY: It may be on the site.

18 MR. MURPHY: It's on the site.

19 MR. GRASER: Okay.

20 MR. MURPHY: She's just not submitting it as part of her
 21 submission.

22 MR. GRASER: As part of her document. She wants to include
 23 it as one of your document submission.

24 MR. MURPHY: Right.

25 MR. GRASER: Technically, do we redevelop a shuffle, as
 opposed to just a pass to put it in? I don't know. I haven't thought
 that one through yet.

ANN RILEY MR. MURPHY: Maybe you're sending to a level of detail and
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Court MR. CAIN: Don't confuse things -- I'm going to confuse
 Reporters things more. But, this doesn't -- just because it would be submitted --
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1 not submitted as part of the docket by Claudia and submitted by Nye
 2 County or not submitted by Nye County as part of the document, it would
 3 still be part of the LSN. There is a distinction between the LSN and
 4 what's in the docket.

5 MR. MURPHY: Right.

6 MR. GANDI: That brings up the question of the document
 7 universe that we've talked about before and the wording such -- and it
 8 may lead to discovery. And I think that's one of our concerns within
 9 DOE, is how big is our document universe and what are we going to
 10 include. Everything is what we've been doing.

11 MR. BOLLWUK: One thing, with respect to the agency, and I
 12 don't think it's going to change under ADAM, and correct me if I'm
 13 wrong, but there -- the agency, in any given proceeding, actually has
 14 two separate dockets. There's a licensing docket, which theory NSS has,
 15 which is all the documents that come into the NRC staff as they review
 16 the application. That's a totally separate docket. There are all kinds
 17 of documents that the NSS, for instance, would get that the adjudicator
 18 would never see. In fact, if someone else does not introduce them into
 19 evidence or somehow gets them and they're used, we'll never know they're
 20 there. So, I don't know what docket you're talking about.

21 MR. MURPHY: We're talking about your docket.

22 MR. BOLLWUK: Okay.

23 MR. MURPHY: The adjudicatory docket.

24 MR. BOLLWUK: Okay. But, it, also, strikes me, if you get
 25 it in there, somebody is going to have to introduce it and sponsor it
 like any other. And since it's your -- you're sponsoring it, then
 you're the one that puts it in. That's kind of --

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MR. MURPHY: We're just talking about -- Claudia's question
 do we -- you know, does there have to be a transfer of the document
 to me, in order for me to get it into you, or is there an easier,
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 quicker way to do it?

1 MR. GRASER: And I think the answer that the technical
 2 working group comes back with may be something along the lines of, gee,
 3 if you can provide us with the other participant's unique identifier and
 4 if the document is out there in the evidentiary collection anyhow and
 5 the electronic version of that document is already accessible on one
 6 server that's part of the network, then it doesn't make a lot of sense
 7 to just go off and do all sorts of additional network traffic to get it
 8 from point A to point B, so point B can take it and give it to point C,
 9 rather just identify the document and then figure out the mechanism of
 10 getting the document across the firewall, so forth and so on.

11 So, I think there is definitely some spade work that's going
 12 to need to be done by the technical working group to figure out
 13 procedurally how these things are going to be done. And this really is
 14 very much a procedural sort of question. I don't think the technology,
 15 one way or another, is going to prohibit us from implementing any
 16 rational and commonsensical way of doing this. It's just a question of
 17 saying, who is going to issue the procedure; and the answer is the LSN
 18 administrator, I guess, will develop those procedures and certainly do
 19 so with a lot of input from all of the participants, who will be
 20 affected by that.

21 I don't have the answer right now. I can see the direction
 22 your question is going in. I have a note on my little pad here and
 23 somebody is going to get a tasking on this one from the technical
 24 working group.

25 MR. HOYLE: Claudia, I was going to complement your briefing
 on the use of the word "user friendly," you know, all the work you've
 done to see what concerns were raised by your existing system. I

ANN RILEY appreciate hearing that, very much, what DOE is doing about it. But,

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 ASSOCIATES these last few conversations throws me off.

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MS. NEWBURY: Thank you.

MR. HOYLE: Very good. Any further comment, discussion, or

question?

1
2 MR. MURPHY: I've got to go. I just -- just before I go, on
3 the next meeting, I remember you mentioned, I think it's in the material
4 somewhere, too, the possibility of another ARE meeting in January. I
5 don't have my -- my calendar is in my briefcase somewhere, but there is
6 a technical review board meeting in January, as well.

7 MS. NEWBURY: Yes, there is.

8 MR. MURPHY: I don't --

9 MS. NEWBURY: Here in Las Vegas.

10 MR. MURPHY: Yes, it's here in Las Vegas, but I don't
11 remember the dates. But, I just caution you to keep that in mind and
12 work around it.

13 MR. HOYLE: Okay. Sometimes, it's good for us to tag on to
14 someone else's --

15 MR. MURPHY: No, that's definitely true.

16 MR. HOYLE: -- other times, stay away, because there is so
17 much preparation that goes into this.

18 MR. MURPHY: Yeah, whatever, but just be aware of that. And
19 that is, also, here in Las Vegas.

20 MR. HOYLE: But, they're already have that calendared?

21 MR. MURPHY: It is -- it is calendared, yes. I know the
22 date; I just don't have it in my mind. She's got it.

23 MS. NEWBURY: Oh, no, I don't.

24 MR. MURPHY: You don't?

25 MS. NEWBURY: I think it's the 25th or 26th.

MR. MURPHY: I think it's late in January.

MS. NEWBURY: It's the 25th and 26th, if I'm not mistaken.

MR. MURPHY: That's sound about right.

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MR. GRASER: So, how do you all feel about conducting these
Court meetings on Saturdays and Sundays?

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MR. MURPHY: No way.

1 MR. GRASER: It's the only open days left.

2 MR. MURPHY: And don't discount the possibility of video
3 conferencing.

4 MR. HOYLE: Not at all; not at all. That's something that
5 we're probably going to talk about a little bit later this afternoon, a
6 viable alternative. Thank you; thanks for coming.

7 All right. It's 2:15. We have a records presentation. We
8 have a pertinent discussion by Graser on the LSN. We're going to hold
9 you to that.

10 [Laughter.]

11 MS. NEWBURY: It was a consensus, wasn't it?

12 MR. HOYLE: And you might want to raise the question as to
13 -- has anyone thought about any issues that they want to discuss with
14 you. So the question is, right after Tom's presentation, no break at
15 all, or break now?

16 MS. NEWBURY: Break after Tom.

17 SPEAKER: Oh, Claudia.

18 MR. HOYLE: Tom, are you ready? Let's hear from Tom. I'll
19 raise the question again.

20 [Pause.]

21 MR. GRASER: While Tom is setting up, I would just like to
22 put this in a framework or context, to understand some of the
23 motivations. The Information Science Research Institute at UNLV has
24 been, for many, many years, investigating technologies that are directly
25 related to the licensing support system and recently refocused its
attention to Web and text search and text retrieval technologies. And I
think it's very pertinent and germane to ask UNLV to come make a

ANN RILEY presentation on the sorts of current activities that they're engaged in
& ASSOCIATE right now, in those areas.
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Court The folks who will stay around for the technical working
Reporters group meeting, I think, will find this particularly beneficial in

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1 getting a better handle on where the current state of technology is;
 2 where we can possibly look to UNLV to provide us some ready access to
 3 some very good research and knowledge and understanding about where the
 4 industry is right now; and if we don't impose too much on UNLV, perhaps
 5 to use them as a technical resource to provide answers to particularly
 6 sticky technical questions. And I know that would not be imposing too
 7 much on Tom, because he has offered those sorts of support to us in the
 8 past.

9 So, for those of you who will be staying around to work with
 10 the technical working group, again, this is just an indication of the
 11 sort of knowledge and expertise that is theoretically available to us
 12 through the type of research that is being done at the university. So,
 13 that's really the motivation for asking them to give this presentation
 14 to us.

15 You guys are ready now, Tom?

16 MR. NARTKER: Thanks, Dan. I think to get the flavor of
 17 things we wish to say, you need to put yourself in the place of this
 18 fellow, who has to search for information in a hurry. And I guess our
 19 main -- the main theme -- our main theme is that for any collection the
 20 size of the LSN, the size of the collection, itself, will serve to
 21 conceal the information contained. It's really no surprise that the
 22 more information you have, the harder it is to find the information you
 23 need.

24 At UNLV, we think that the LSN will eventually have between
 25 five and fifteen million pages, with about -- probably about a third of
 that provided by resources. And, of course, the hard part is what
 technology do you use; the technology that is needed to search any
 collection that size.

ANN RILEY
 &
 ASSOCIATE The key part is how do you search; what technology do you
 S, LTD. use to search for information retrieval, to search for information. And
 Court Reporters that's called -- the technology is called "information retrieval."
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1 There are several large and very complex systems that are available
 2 commercially that could be used as the basic methodology for the LSN,
 3 and that's where we come in. As Dan has said, for about 10 years, we,
 4 at UNLV, have conducted research. Dr. Taghra, who I will introduce in a
 5 minute, has developed courses on data base management and information
 6 retrieval and has managed our program for several years.

7 This year, we've been working with Lew Robertson here and
 8 the MNL, on behalf of the DOE, to do the system evaluations. And -- go
 9 ahead, Julie. We began -- actually, last year, we began with initial
 10 studies in the summer and the fall of 1998, which Julie Borsack here
 11 will tell you about in a minute. We're losing the bottom of this slide
 12 here, but the last bullet says that beginning with this year --
 13 beginning of January of this year, we started side by side testing of
 14 systems. We actually acquired a copy of each of the commercial systems
 15 -- where the vendors wish to participate in test anyway, we've acquired
 16 a copy of each of these systems. And they're very large systems. We're
 17 talking a million lines of code. They're huge software systems. And
 18 we've acquired a copy of each system, installed it, and we're going to
 19 -- doing side by side testing versus NRC requirements.

20 And the first is to introduce Dr. Taghra. Kazem manages our
 21 information retrieval work and he will tell you a little bit about IR's
 22 systems and the state of -- you know, the state of technology today.
 23 And then, Julie Borsack will talk about our actual tests.

24 MR. TAGHRA: Thanks. I guess, as Tom said -- Tom asked me
 25 to just give a brief introduction to what an IR is and how they work.
 But, obviously, I don't want to give you all the details of the
 information, so we figured out, well, we can give you at least a little
 and tell you how they work and how complex are they. And the part I

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specific information and go certain ways and the area is known. But, when it comes to information retrieval, that's not the case.

So, what I wanted to do, I wanted to start with a very small collection. As you see, I've got six documents. And what I want to tell you, I want to tell you, well, if you feed this information to your system, what that information to your system will do to this. The first information retrieval system that is essentially passed through this document is one by one, try to identify each individual word, and goes ahead and come out with what we call "inverted file." And what inverted file is typically --

If I look at the word "days", it occurs in document 3 and 6.

If I look at the word "heart", it occurs in document 1 and 4.

Now, as soon as it bears its representation \square it is not as simple as this, but, but for the sake of arguments, will do. As soon as it bears from this \square file of this representation, now we can go in and start searching for documents. So let's say, suppose I want to find documents about peas. All it does really, it goes through that inverted index we're looking at and say, well, the word key is the word number 9. It occurs in document 1 and 2. So I come back and say, well, document 1 and 2 are answer to your query.

Now, obviously you may ask a harder question. You may ask Boolean questions. Like, you may say, well, what are the documents are peas and pop. Well, it's the same idea again. All it does, it goes back to the same index and it says, well, I'm looking at the word peas, which I know is in document 1 and 2. And I'm looking at the word pop, which is document 2 and 5. If I want both of them to be in the same document, the only document that qualifies for this query's document 2.

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& So I come back and say, well, the answer to it is document 2. But
ASSOCIATE
S, LTD. again, it's -- if you look at it this way, it's a very simple way of
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looking at information in key ranges.

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1 Let me point out a few things that -- if this collection
 2 becomes bigger, let's say you're looking at 5 million documents as
 3 opposed to six documents and you go and ask the same query. Now the
 4 system may come back and say, well I found 500,000 documents, which has
 5 that word in it. Well obviously, you're not going to go through the
 6 500,000 documents and look for the documents you're looking for.

7 What you want the system to do, you want the system to come
 8 back with some sort of rank list, meaning you want it to give you the
 9 most important document first and the next one and the next one. The
 10 question is how does a retrieval engine find the most relevant document
 11 to your question? That's a tough question, and really there is no clear
 12 answer to it.

13 What typically the information retrievals do is try to
 14 extract more information out of the document in order to identify the
 15 most relevant document for you. So for example, they know if the word
 16 occurs more often in the second document, maybe that document is more
 17 relevant. So if I got two documents, document 5 and document 20 -- the
 18 same document 5 ten times, and in document 20 it occurs 500 times, then
 19 they may say, well document 20 is more relevant.

20 Of course, again there's more complications. But let's talk
 21 about some of these.

22 Some of these may be looking at the term position, like how
 23 close -- like if you are looking for the Department of Energy. Okay, so
 24 you're again looking at two words, Department and Energy. But the fact
 25 that they are very close to each other, they look at that as the notion
 that this, this document is closer to your query. So the term position,
 the phrases, is this word within that many words or that word, that type

ANN RILEY information plays a very important role.

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Court where the words are, because they can give you more relevant data. By
 Reporters
 1025 the same method I just mentioned a few minutes ago, they keep track of
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1 the frequency of each word. Again, if they know certain words, like you
2 have more in this document, there may be five documents more relevant
3 than the others.

4 The other type of thing they keep track of is what we call
5 inverse document frequency. If you're looking at a collection which is
6 all about physics, the word physics occurs in every document. So it's
7 not a very important word. So what they look at, if there are words
8 that occur in only in a few documents, those words get highly rated.
9 The reason you want to give it the high rating is because those are the
10 words which distinguish those few documents from the rest of the
11 collection.

12 I saw -- typically most of these things are really based on
13 rule of thumbs of heuristics. The example I gave you essentially about,
14 someone said, well I think this is a good indication to find relevant
15 documents. As I said before, really there is no mathematical theory
16 like what you see in relational database systems, or a system of logic.

17 Here that's not the case. Most of the ideas here are based on rule of
18 thumb of heuristics.

19 So, examples of models that people have come up that have
20 been actual commissioned retrieval engines are things like Vector Space.

21 Well, without getting too much into Vector Space, what it is,
22 essentially what they do there is present your document and your queries
23 using mathematical vector space. It's some sort of mathematical space.

24 A good example of that, the smartest one. Fulcrum is another one.
25 Fulcrum is based on Vector Space model.

There are other ones. They may use what is known as latent
semantic indexing, which is a more elaborate form of vector space.

ANN RILEY & ASSOCIATES, LTD. There are systems which are based on probabilistic or Bayesian models. There are systems which are based on semantic networks. These are just a few of them.

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A system which heavily uses Thesaurus -- you know, in other

1 words the retrieval is essentially based on how much expansion you can
 2 do true to size. I'm talking about generated size. Now, based on what
 3 I just said, most of the engines you see are based on some of these and
 4 maybe more.

5 Now in addition to, one of the things obviously you need to
 6 do, you need to identify which engine is the one you want. As I said
 7 before, they're all on different models, different principles. Even
 8 after you go ahead and identify what the retrieval engine is, you still
 9 need to fine-tune the retrieval engine to the collection you have. So
 10 in particular, you're going to have to use your specific thesaurus.

11 Like, in the case of LSM, you have the other specific. That
 12 may come into fine-tuned retrieval. You might have to do some specific
 13 pattern matching. Again, in the case of LSM you are looking at OCR
 14 text. In OCR text, the kind of matching and retrieval you may be doing
 15 is maybe different from the text which has been typed in because the
 16 type of errors are different. The type of error you do when you're
 17 typing something is really dependent on the structure of the keyboard,
 18 the way the keyboard is at edge.

19 Modern OCR has to do with the shape of this object. So it's
 20 possible it sees an "O" and may think it's a zero. So the type of
 21 pattern matching you do may be different. Furthermore, you may have to
 22 use evidence from different parts of the document to again fine-tune the
 23 retrieval. In particular, you may have headers as we have part, we have
 24 header information for each document. Or you may have information, you
 25 may have marked up the outer strike, the introduction, the conclusion
 and so on. So you may have to find those stuff to get better retrieval
 off the system.

ANN RILEY The point being here that, all systems are very different.
 &
 ASSOCIATED again, as I said, as I started with, they are really not based on a
 S, LTD.
 Court theoretical model, like as I said before, like database management
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 1025 systems. And again, all systems are essentially used, proprietary
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heuristics and try to improve retrieval effectiveness.

1
2 Finally, all systems -- if you have the same query, if you
3 course it against three different, other engines, you'll come up with
4 three different results. It's not the same results. Again, the reason
5 is because they all work differently.

6 I guess the next part of this thing will be done by Julie.

7 MS. BOISAK: I guess after that introduction, everybody
8 understands information retrieval completely. In any case, we've, being
9 Kazem and I, have basically been tasked by the NNO to identify a
10 commercial retrieval system that will best benefit the LSN and its users.

11 What we've done basically has been broken down into two
12 different phases. The first phase included an initial study, where we
13 identified several systems that we thought could handle a collection as
14 large as the LSN and have the characteristics of being able to store
15 header data, text and images.

16 The second thing we did was to send out an RFI to these
17 commercial companies, and awaited their responses. From their responses,
18 we narrowed the number of systems that we decided to evaluate. And then
19 we actually asked them to participate in the hands-on evaluation. We
20 lost a few more at that point.

21 We did end up with six systems that we selected. They
22 included LiveLink, Retrieval Ware, Inquiry, Fulcrum, Thunderstone, and
23 Basis. I'm sure some of you have heard these names before. They're all
24 commercial systems, and they're all specific to retrieval technology.

25 The detailed study that we're doing basically is to take the
NRC Phase II requirements, adjust it for the internet -- we have 38
requirements total, and they fall into these second categories. And

ANN RILEY They're probably familiar to you, I'm sure.

&
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But also we have other consideration that we've been able to
Court evaluate with the systems being in place and installed at ISRA. For
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1025 example, we're able to see how well these systems are compatible with
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1 other software requirements that, that they need. For example, some of
2 them require relational databases, like Oracle.

3 Also, we were able to evaluate how good their technical
4 support staff is. Are they right there when we have, when we have
5 questions for them during installation or whatever.

6 Also, the quality of the documentation -- as both Tom and
7 Kazam have said, the systems are very large and very complex and the
8 documentation is crucial when you're trying to put together a system
9 like this. The ease of installation and collection preparation -- a lot
10 of times you need to prepare the documents before loading them, and that
11 can take a lot of time. But if the system isn't designed properly...
12 also the, the customizability is really important, as there are changes
13 over time, the system is going to have to change as well. So these are
14 some of the considerations that we've reviewed as we've gone through
15 this hands-on evaluation.

16 We're also able to do other kinds of retrieval tasks. I
17 know I heard Kazam mention relevance many times in his, in his
18 presentation. Basically, that's a similarity of the documents to the
19 queries.

20 We're able to actually measure this using precision in
21 recall measurements. We have 65 queries and relevance of judgments,
22 means someone has actually looked at the queries and decided whether
23 these documents were relevant to these queries or not. And then when we
24 run these queries against the systems, we're able to determine which
25 systems are returning the best results. And this is another way that
we're able to prepare the different retrieval technology.

And, in conclusion I'm going to turn it back over to Tom.

ANN RILEY MR. NARTLER: Thanks, Julie. I think our, I'm afraid our
&
ASSOCIATES in message is that we're not done yet. We're evaluating these six
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Court systems. We're certainly eighty- percent complete, maybe ninety. We've
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1025 turned in reports for the first four; the fifth report will be done in
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1 about a week. And the final system we're evaluating is Basis. We've
2 just installed it last week. So we're not quite done.

3 But with regard to NRC requirements and with these other
4 considerations, we can tell you for sure there's a lot of differences
5 between these systems. We have refrained from writing anything, or even
6 discussing much amongst ourselves -- which is the best or which one we
7 like more. We're really trying to do a thorough written side-by-side
8 comparison of each system with regard to the perspective E2 quantum.
9 One at a time. And when we're done in about a month, we will then sit
10 down and compare these, write up what we've find on a
11 requirement-by-requirement basis for all six systems. So we're not
12 there yet.

13 But I guess the main thing we can say at this time is that
14 it's, that it is surprising how different the systems are. And it will
15 be -- you know when we finally write it up, we think you'll find it
16 interesting to be able to see how these systems compare.

17 That's all for us. Any questions?

18 MR. CAMERON: You might have mentioned this, but is it
19 possible to factor in the type of user that might be pulsing the system?

20 And that could be type of user -- we may have technical people, we may
21 have lawyers, we may have laymen. And how do you get a handle on -- I'm
22 thinking about potential LSN users. And there's, there's some primary
23 types of users and then there's, since it is going to be a public
24 system, there's a whole lot of lay people that may be --

25 MR. NARTLER: Yes. The, the kind of query modes that are
provided are certainly a lot easier whether you have natural language
query or you have to formulate --

ANN RILEY MR. CAMERON: Yes, that's what I'm talking about.

&
ASSOCIATE MS. BOISACK: Right. One of the requirements includes both
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Court having a natural language interface as well as a Boolean interface. So
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1025 for people that know how to query in Boolean, with the Boolean system,
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that's one of the requirements that has to be met by the system.

MR. TAGHRA: Well, one of the things we're looking at, again -- oh, okay, sure. One of the things that we're looking at, as we mentioned, is obviously if there are searches on the internet, typically they type in one word or two words. Seven or eight percent of queries on the internet use only word or two words at the most.

We know someone that may be using LSN may be librarians that they know how to write very good Boolean queries, for examples. They know how to use advanced techniques, other expansion and so on. So one of the things that we're looking at, a lot of the things that we're looking at is essentially evaluating those features, looking at the system and seeing what kind of system are we needing in all those modes.

And the status we are doing will say which one is better, et cetera.

MR. PITTS: Do you still work with OCR?

MR. NARTKA: Yeah.

MR. PITTS: What OCR technology are you using now in terms of retrievals?

MR. NARTKA: We are, we have, we still have, operate our tests, our OCR test retrieval software. And the three best surviving systems in this country are, and they're quite close together, are quite clearly CAERE. The original system was Xerox; Xerox just sold it to a different company. The Xerox company is now -- can somebody help me with that? Xerox just sold their OCR technology to a new company. And the third is the Expervision technology. And they're very close.

We have all three engines up and we still run tests for people. And the answer to your question is not quite so simple. The, it depends on the, the specific kind of documents you have and which one is best. They're very close.

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I can tell you this. If you're doing automatic zoning, you will find the Xerox technology the best.

MR. PITTS: We're using CAERE, and we're having a lot of

headaches with the graphic and stuff like that.

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MR. NARTKA: Uh huh.

MR. PITTS: It's not sucking that out.

MS. BOISACK: You're not signing those out?

MR. PITTS: Yeah.

MS. BOISACK: You're not signing them out.

MR. PITTS: Oh --

MS. BOISACK: You -- are you?

MR. PITTS: Yeah.

MS. BOISACK: Oh, you are. That's interesting.

MR. PITTS: But we try to do it -- we're catching a lot of, we're not really tight on the zone. We're catching words underneath and those are OCR.

MR. NARTKA: Well a lot of the things we still find with, with all of the, the OCR engines is that they take a very aggressive approach towards, towards trying to recognize things on the page. And you know, little noisy scratches or little marks or little marks or little lines. They try to make characters out of them.

And so you get a lot of -- when you use an OCR engine, especially if you, you know, if you, if you do manual zoning and you leave, and you say give me this text and only this text, you can do a pretty good job. But if you do automatic zoning, it opens up the degrees of freedom to them significantly, and you get a lot of garbage text.

And one of the things that we have done for QE is to provide them with a copy of our manicure technology that does garbage string removal, that removes that garbage text.

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1 MR. NARTKA: Ah. We don't know that we know the answer.
 2 Four of the vendors gave us a copy for free. Two of the vendors charged
 3 us a small amount that they said was just an evaluation charge. And we
 4 paid \$10,000 for one system and \$7,000 for another.

5 MS. BOISACK: \$10,000 for Thunderstone; \$7,000 for Basis.

6 MR. NARTKA: \$7,000 for Basis, and \$10,000 for Thunderstone.

7 But Fulcrum and Excalibur and LiveLink and Inquiry all contributed to
 8 our testing for further evaluation.

9 MR. TASHRA: But his question is regarding --

10 MR. NARTKA: Yeah, his question is, what's the commercial
 11 cost. We don't know the answer.

12 MS. BOISACK: Yeah. They're all based on licenses, pretty
 13 much. It all depends on the licenses.

14 MR. BOLLWERK: You said you evaluated six of them. Do you
 15 feel that you got a pretty good mix from the across the industry, you
 16 got the main ones?

17 MR. NARTKA: We would have been, we would have evaluated any
 18 others that stepped forward.

19 MR. BOLLWERK: Right.

20 MR. NARTKA: There are one or two missing. And Verity is
 21 one, for example, that's missing. They didn't respond.

22 MS. BOISACK: They didn't want to participate.

23 MR. NARTKA: They didn't want to participate.

24 MS. BOISACK: A lot of the systems, too, that are actually
 25 document management systems us a lot of the same underlying retrieval
 technology. And that's what we found when we were out, you know,
 because we had a long, much longer list of about 15 or 20. And when you

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MR. NARTKA: By and large the separate engines that we

1 didn't evaluate, just chose themselves not to participate. We didn't
2 limit anybody.

3 MR. HOYLE: Tom, your final report will be when?

4 MR. NARTKA: We won't make November 1st, but we'll make
5 December 1st.

6 MR. HOYLE: Does that go to the M&L, or -- that would be
7 very interesting.

8 MR. NARTKA: Yes. We are imagining that what we will be
9 doing is, is probably picking the two best for this report and doing an
10 even more thorough study of the final two over the month of December,
11 maybe part of January. So -- but that will, we will be done with all
12 this within the next week.

13 MR. HOYLE: Okay. Thank you very much for the presentation.

14 MS. BOISACK: Thank you.

15 MS. JOHNSON: Do you test these at all with just real people
16 who don't have a clue?

17 MR. TASHRA: Not yet.

18 [Laughter.]

19 MS. JOHNSON: Not yet. Well, when you get there, you could
20 call me and I could help you.

21 [Laughter.]

22 MR. TASHRA: Well, one of the plan is we are in the future,
23 we are trying to identify two or three, and then from that point on they
24 are going to really accurate load of all documents in those search
25 engines, ultimately identify the one. But for that, we have, in mind to
do that, you understand.

MR. GRASER: I'd just like to add a couple comments on that.

ANN RILEY mentioned earlier today portal software, okay. Portal software --
&
ASSOCIATED there are probably 80 different brands of portal software that are
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Court out there right now. To either a lesser or greater extent, a lot of the
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1025 portal software does the same thing that these document management
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1 systems does. It will embed other software underneath it to do the job,
 2 so you may in fact find that the portal software is really using NTC for
 3 handling its relational data, or structured data, and it's using
 4 Verity's topic, which is a text retrieval software, to build the portal
 5 site. Those are the tools that the portal software is using to go off
 6 and index other sites.

7 So as they said, as you go around the industry you will find
 8 repeatedly, over and over and over again, the same short lists of the
 9 software packages that are most widely used in, in the various portal
 10 technology. So it is relevant and it is pertinent.

11 Now the other thing I was going to mention is that the way
 12 you implement the portal site itself goes a long way toward making the
 13 underlying tools seem less complex. In other words, you can tailor what
 14 the portal site chooses to use or not use. If a certain feature is very
 15 clunky in the way it's implement or very difficult for somebody who is
 16 just an occasional browser type person, then you can look at that and
 17 say that even though a very powerful tool is available to me, I will
 18 choose not to implement for the sake of keeping the site simple.

19 And in some cases, these portal software packages allow
 20 users to build their own search and retrieval environments and building
 21 at a level that they feel comfortable with. They have a basket full of
 22 tools. If they choose only to use the relatively simple,
 23 natural-language interface, just like going to Yahoo! and searching the
 24 one or two terms.

25 On the other hand, you may have paralegals or engineers or
 scientists routinely who routinely run complex programs and feel very
 comfortable going in there and getting down into command language level,

ANN RILEY dealing with the software, building their own queries. And some of
 &
 ASSOCIATE them are really phenomenally complex queries -- more power to them. If
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 Court they want to choose to do that in their own site, that's fine.

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So in some regards we can control how sophisticated the

1 interface presents these tools. It could be very simple or very
2 complex, depending on the user.

3 MR. BOLLWERK: Are you doing this for the search engine for
4 your collection, or why?

5 MS. NEWBURY: Yes. It's a, a grant for --

6 SPEAKER: Now actually they were funded partially by the UAS
7 last year, as well the unit, but now solely by the unit.

8 MS. NEWBURY: It's all our money anyway.

9 [Laughter.]

10 MR. HOYLE: Okay. Back to the schedule. We have Dan's
11 abbreviate guidance on the discussion. I haven't talked to Dan about
12 this.

13 [Laughter.]

14 MR. HOYLE: I'm shocked that we're here telling him he has
15 two minutes.

16 [Laughter.]

17 MR. HOYLE: I want to keep, you know, just kind of wrap up
18 the meeting. So I think we're relatively close to the end. I'm willing
19 to take a break if that's, if that would be better for everybody. It
20 should be just about five minutes in length.

21 MR. GRASER: Okay, so I get a minute and a half now, right?

22 [Laughter.]

23 MR. GRASER: One of the things that I was hoping to be able
24 to do over the course of this morning's discussion was to try to extract
25 any additional questions or comments or observations that anybody had in
regards especially to the guidelines materials that we had sent out, and
hopefully you all had the opportunity to go through.

ANN RILEY The walk-through this morning was actually a little more
&
ASSOCIATED detailed and looks much more like the presentation I was going to
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Court present this afternoon. So I gave the presentation this morning, and my
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1025 goal or objective for this afternoon was to try to get some feedback
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1 from you guys in terms of any additional questions, concerns, or, or
2 anything else that you would like to bring up.

3 And I would just like to make one more offer that if anybody
4 does have any questions, I'm going to be here today, Thursday, Friday.
5 If you don't want to ask the question in the form this afternoon, but it
6 suddenly occurs to you later on in the week, that's fine. Please feel
7 free to raise the question.

8 We did leave a handout on the desktops this morning that
9 basically presented the flip charts, the overheads that I was going to
10 walk through this afternoon. And the little bulleted items on each one
11 of those gave a little more flavor for the actual guideline document
12 itself. It gives you the thumbnail essence of what the guideline says,
13 more requests.

14 And even if I don't walk through the presentation one more
15 time and subject you, in excruciating detail, listen to me lecture about
16 these things, I do want to get others that made the offer. If you have
17 any other questions, please feel to approach me at any time, and if you
18 any contacts -- you want to send me questions in email, I'd be glad to
19 answer them, and in fact answer any questions to the broader audience,
20 make sure you get copied on that.

21 But it really, if nobody has any additional questions that
22 they want to put down on the table, like I said, the material is there.

23 It's, it's in the three-ring binder; it's in the overhead handouts.
24 And if you at a later time want to revisit it, you just let me know.

25 MR. HOYLE: Let me ask at this time whether there are any
comments or statements that anyone in the audience would like to make?
Okay.

ANN RILEY We need to -- I would just kind of like to wrap up what I,
&
ASSOCIATED What I heard today that I think we ought to proceed with. First of all,
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Court I think we accomplished what I would call jump-starting the LSN. And
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1025 then Dan has brought his enthusiasm and energy for the project to all of
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us, and I think we're going to get some good motion out of it.

We approved good ground rules for operating the panel. We've agreed to charter for their technical working group. And I think a couple things we would like to be able to focus on, in addition to those which you may have planned, Dan, one of which obviously is to proceed on the technical alternative for LSN implementation.

I heard several speaking about looking into the public access issues raised by the coursing of the ERs. We clarified the roles and distinctions of the mission of responsibilities of NRC and DOE with respect to, to the LSN.

We recommended a method for letting one party put another party's document into the docket.

We talked about some other issues, like in the sanctions area we need to expand the guidelines to provide more detail on sanctions for problems that occur, or no sanctions, when one party is sharing the site of another party and problems arise.

We talked a little bit about expanding public outreach to provide information on NRC's licensing adjudicatory process, a little broader than we've heard about.

So those are the central points that I picked up today. Are there any others that should be added to that list of general things?

The next meeting would occur after the working group has gotten together and has submitted the material to us for consideration.

And your projection is that that would be in January. We heard from Al that there's a TRV meeting in January, but kind of late in the month.

MS. NEWBURY: Yes, but that's my, one of my major jobs. So I would rather have it after that than before that, if you don't mind.

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MR. HOYLE: And you're going to mess up Dan's chart if you

it after that.

[Laughter.]

MS. NEWBURY: Sorry, Dan. You're off-schedule already.

[Laughter.]

1 MR. HOYLE: I think we've seen the difficulty of scheduling
2 meetings with all of you. You're all very busy. This is probably
3 1/20th of your actual work, or less perhaps for some of you. But Dan,
4 it's his full-time job, so he's charging along here.

5 We do need to look at January, Dan. We'll work on that,
6 move it along. We'll see if we can get together face-to-face. I think
7 we accomplish a lot when we do that. We also have the video conference
8 opportunity. And then we'll look into that.

9 All right. Any further comments? We'll be close to the --

10 MR. BOLLWERK: I just have one, two things to say.

11 MR. HOYLE: Yes.

12 MR. BOLLWERK: First is a procedural matter. We, I guess we
13 had down under these books, and I think we do have some extra copies
14 back in the back, where the materials are kind of stapled together. If
15 you didn't get a book and you want the materials, you might see Jack
16 Whetstine back there. I think there are some copies back there, as well
17 as there are a number of other things that were handed out. They may
18 have extra copies, and you might see Jack.

19 The second thing, I just wanted to say on behalf of the
20 panel, we do appreciate your participation today. As I said in the
21 beginning, we recognize there are a lot of things going on right now.
22 But this is an important effort and you're getting things moving and I
23 think there's going to be the working groups tomorrow and they'll have a
24 lot of the information, and we're gonna be pressing forward with this
25 project. With Dan's help, I think we're on track to get this done in a
timely manner. So hopefully we won't bag it back to ten years from now,

ANN RILEY saying the same thing.

&

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[Laughter.]

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MR. BOLLWERK: I don't think so this time. I think this is

1025 the real deal.

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1 MR. HOYLE: Not that I need the final word, but let me
2 mention that we will send transcripts out to everyone. We have a
3 transcript available. Usually, I guess you've gotten hand-outs here.
4 Those of you who are here and have them, there are a number of members
5 that are not here. I want to be sure, Jack, that they get all of the
6 hand outs.

7 MR. WHETSTINE: We're going to have those bound into the
8 transcript.

9 MR. GRASER: And as I said earlier today, when the technical
10 working group has its meeting minutes compiled and a list of attendees
11 develop and so forth, I will be sending that out additionally to
12 everybody who's on the ARP distribution list, plus directly to the
13 individuals who are on the technical working group to make sure that
14 everybody is kept informed of the progress that's being made by the
15 technical working group. So some of the, some of the materials that the
16 technical working group is using, you may find also attached as part of
17 the minutes that I send out for the technical working groups.

18 MR. HOYLE: Meeting adjourned.

19 [Whereupon, at 3:00 p.m., the meeting was concluded.]
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