

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

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                          Advisory Review Panel

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1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION  
3 + + + + +  
4 MEETING  
5 LICENSING SUPPORT SYSTEM ADVISORY REVIEW PANEL  
6 (LSSARP)  
7 + + + + +  
8 WEDNESDAY  
9 MARCH 22, 1995  
10 + + + + +  
11 LAS VEGAS, NEVADA  
12 + + + + +

13 The Advisory Review Panel met at Marjorie Berrick  
14 Museum of Natural History, 4505 Maryland Parkway, at 1:00  
15 p.m., John Hoyle, Chairman, presiding.

16

17 COMMITTEE MEMBERS:

18	JOHN HOYLE	Chairman
19	CLAUDIA NEWBURY	Member
20	CHIP CAMERON	Member
21	MOE LEVIN	Member
22	STEVE FRISCHMAN	Member
23	MAL MURPHY	Member
24	JOHN PERRY	Member
25	DENNIS BECHTEL	Member

1 COMMITTEE MEMBERS: (Continued)

2 BRAD METTAM Member

3 JOHN GANDI Member

4 JAY SILBERG Member

5 LLOYD MITCHELL Member

6 JUANITA HOFFMAN Member

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- 1 ALSO PRESENT:
- 2 Tom Narkner
- 3 Roger Hardwick
- 4 Fielden Dickerson
- 5 Preston Junkin
- 6 Dan Graser
- 7 Kazem Taghva
- 8 Lee Watt
- 9 Beverly Rawlos Woston
- 10 Joe Speicher
- 11 Stan Echols
- 12 Jan Statler
- 13 Stan Schofer
- 14 Paul Bollwerk
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(1:00 p.m.)

MR. HOYLE: All right. The meeting will come to order. Before I get started on our agenda, Tom Nartker from the University here would like to say a word or two. Tom.

MR. NARKNER: Thank you, John. On behalf of the University, welcome to you all. We hope you will enjoy your meeting today and tomorrow. And we hope you will consider coming back. Welcome -- you're welcome anytime and we're happy to have you. If there are any of you who have questions about phone calls or plane reservations or anything, (indiscernible) secretary, Patty (indiscernible) and my assistant Mary Gersh standing in the back of the room. Both will be around this afternoon and tomorrow. If you have any questions, Patty and Mary will try and be of help. And again, welcome, have a good meeting.

MR. HOYLE: Thank you very much, Tom. And we appreciate the hospitality that you've given us, and I particularly want to thank Mary who has been on the spot here for the last two days setting up the tables and all the rest. Thank you very, very much. A great room to have this kind of a meeting in.

1           This is a meeting of the licensing support  
2 system advisory review panel. It's an advisory committee  
3 that's established by the Nuclear Regulatory Commission  
4 under the Federal Advisory Committee Act. This is an open  
5 meeting, and I appreciate once again being able to use  
6 this fine facility here. I -- before we proceed any  
7 further, I would like to introduce those at the table, the  
8 members of the Advisory Review Panel, and those that are  
9 close to us helping us out.

10           Why don't I start myself. My name is John Hoyle.  
11 I'm from the Nuclear Regulatory Commission, and now let's  
12 now go over to Lloyd.

13           MR. MITCHELL: My name is Lloyd Mitchell from  
14 the Oneida Indian Reservation, Oneida tribe of Indians in  
15 Wisconsin.

16           MR. SILBERG: I'm Jay Silberg from the  
17 Washington D.C. law firm of Shalpett and Potts and  
18 Firbridge representing the Consolidated Industry.

19           MR. GANDI: John Gandi, Yucca Mountain Project  
20 Office, IRM manager.

21           MS. NEWBURY: Claudia Newbury, Yucca Mountain  
22 site characterization project office, LSSARP liaison  
23 member. Extraordinaire. That's good.

1                   MR. CAMERON: Chip Cameron. I'm with the  
2 Office of General Counsel at the Nuclear Regulatory  
3 Commission.

4                   MR. LEVIN: Moe Levin, with the Nuclear  
5 Regulatory Commission. I'm the LSS administrator.

6                   MR. FRISCHMAN: Steve Frischman with the  
7 Nevada Nuclear Waste Project Office. I'm sitting in for  
8 Harry Swenckton, who is Deputy Attorney General.

9                   MR. BALCOLM: Kirk Balcolm, I represent State  
10 of Nevada.

11                  MR. MURPHY: Mal Murphy, the Nigh County  
12 Regulatory and Licensing Advisor.

13                  MR. BECHTEL: Dennis Bechtel, Clark County,  
14 Nevada.

15                  MR. METTAM: Brad Mettam, (indiscernible)  
16 County, California.

17                  MS. HOFFMAN: Juanita Hoffman, Esmeralda  
18 County, Nevada.

19                  MR. HOYLE: Thank you very much. There are  
20 others from the NRC in the audience, contractors, we  
21 welcome all of you. And I would like welcome if there is  
22 something that you would like to add during the course of  
23 the briefings, or the meetings or discussion, please  
24 identify yourself and come on up to the podium, and let's  
25 hear from you.

1           We do have a full agenda. It's unusual to  
2 start in the afternoon, but I think we all look like we're  
3 up to it, so why don't we get going. We'll hear first  
4 about DOE's activities since the December meeting, and  
5 then hear from the two working groups that we've  
6 established, a header working group, and the Technical  
7 Working Group, who have been doing the necessary spade  
8 work for the full panel over the last month or so  
9 including a meeting yesterday.

10           Particularly the working group -- the  
11 Technical Working Group has been looking at DOE's draft  
12 requirements document, and the header working group has  
13 been trying to update the types of fields that will be  
14 required for document headers.

15           So, without further comment, I'll ask the  
16 committee members whether there is any comment at this  
17 point. Otherwise, Claudia, why don't you begin the DOE  
18 presentation?

19           MS. NEWBURY: Well, you mentioned the  
20 functional requirements document which is on the back  
21 table, and is one of the things that we've been dealing  
22 with in the last few months. The Technical Working Group  
23 has had a copy of it for about a month or so. That's one  
24 of the topics we'll be discussing.

1           I've asked Fielden Dickerson who is with the M  
2   & O and is my direct support in LSS issues to provide us  
3   with briefings on several different issues. The first is  
4   the status of the arrangement for the LSS operation, also  
5   the functional requirements document, where we are with  
6   that.

7           And the near (indiscernible) as schedule that  
8   we've developed. And in addition, Fielden -- or besides  
9   Fielden, Preston Junkin will give us a brief discussion on  
10  changes to the rule that we think are appropriate.

11           Fielden, do you want to get started?

12           MR. DICKERSON: I'm Fielden Dickerson and I'm  
13  with the M & O in support of OCRAM. Last December we had  
14  talked about an arrangement for supporting NRC in the  
15  operation of the LSS, and for DOE to arrange to supply the  
16  fiscal support for that operation of the LSS, and there  
17  was a general agreement in principle, and we went away  
18  from the December ARP meeting with a view of trying to  
19  figure out how to cause that to happen and for DOE to  
20  arrange to get senior DOE approval of whatever arrangement  
21  came down.

22           So what I want to do is tell you a little bit  
23  about the fundamentals that I have been wandering through  
24  in terms of figuring out how to implement this, and what  
25  our current actions are. The next view graph is just a --

1 say, this was an education for me, and I was walking  
2 through all the mechanisms that we might think about for  
3 transfer of funds from DOE to NRC for operation of the  
4 LSS, and one of the things that we had all been talking to  
5 one another about was a memorandum of understanding, and  
6 it was pointed out to me early on that a memorandum of  
7 understanding cannot be used to transfer money.

8           It's a documentation of procedures and  
9 understandings, and that one has to use some other  
10 mechanism to do that. Now, on the next view graph, I have  
11 identified one of those mechanisms, an interagency  
12 agreement. And an interagency agreement is adequate to --  
13 appropriate to transfer funds from one federal agency to  
14 another.

15           But, one of the issues that came out of this  
16 was the concern that the responsibility for the actions  
17 that were to be supported by these dollars would remain  
18 with DOE. And that seemed to be contrary to the spirit of  
19 the ARP in trying to hand this over to NRC in such a  
20 fashion that DOE did not have an oversight role for it.

21           And that with an interagency agreement there  
22 would be terms and conditions which would be set by DOE,  
23 and have to be identified. So, we moved on from that to  
24 grants, that DOE has been using grants on occasion in  
25 dealing with the State of Nevada and with counties.

1     However, again, there are terms and conditions that are  
2     fixed in grants.

3             And what people finally directed me to was --  
4     appears on the next page, and that is a direct payment  
5     which is achieved through an appropriations bill, and that  
6     the language of the appropriate bill spells out that DOE  
7     will transfer funds to NRC. The only terms and conditions  
8     that are inherent in that is that NRC must certify that  
9     the activities that they're expending the funds on are  
10    consistent with the Nuclear Waste Policy Act as amended.

11            And so I started looking into the mechanics of  
12    that, and the next view graph pulls up just some language  
13    out of a previous Appropriations Bill which is pointing  
14    out that -- that this direct payment is a well established  
15    sort of thing. This happens to identify two or three of  
16    these. There' five million dollars up there that's being  
17    provided to the State of Nevada, and there's some more  
18    being supplied to local governments.

19            And if we go on to then next page, it also I  
20    think identifies something perhaps for the University of  
21    Nevada, or maybe that was another one. But, down at the  
22    very bottom we see the terms and conditions of this, that  
23    each entity shall provide certification to DOE that all  
24    funds expended and so on have been expended consistent  
25    with the Nuclear Waste Policy Act.

1           Now, we have also been looking into the  
2 mechanics of how to go about this, and here is where we --  
3 where we identify the milestones. We had started out in  
4 the December meeting and said we wanted to move forward,  
5 and get approval from senior DOE management to proceed  
6 with this, whatever it was, and now we have identified it  
7 as a direct payment.

8           We indeed have drafted the material for the  
9 decision memorandum, but part of that was the matter of  
10 also spelling out the mechanics that would go in to  
11 support this, and that has been coming together just in  
12 the last few days. So, we're ready to move forward with  
13 that.

14           And the MOU does not have to be developed  
15 between NRC and DOE for operation of the LSS for the  
16 transfer of funds. In that -- that may be other MOUs, but  
17 not for the transfer of funds. In the mechanics that I  
18 have looked into for this, it's simply a matter that a  
19 direct payment can be made from DOE to NRC as soon as the  
20 appropriations is made, and that becomes just a -- a wire  
21 transfer, if you will.

22           MR. SILBERG: What does that mean on the last  
23 bullet where it --

24           MR. DICKERSON: That's the wrong bullet. The

1 -- somehow the secretary left in two view graphs. If you  
2 show the last one, that's what it's supposed to be.

3 MR. MURPHY: So, you're -- Fielden, you're  
4 saying then that the ability to transfer these --  
5 according to your analysis the ability to transfer these  
6 funds to the NRC and to effectuate the agreement, or the  
7 guidance of the ARP will depend on direct appropriate  
8 approved by Congress?

9 MR. DICKERSON: Yes. Uh-huh. And what I'm  
10 told in terms of mechanics now is that the language that  
11 would go forward from our budget people to OMB would  
12 contain this draft language to go forward for  
13 consideration, just as under the current circumstances  
14 these direct payments are picked up in that language. One  
15 does not anticipate any difficulties.

16 MR. MURPHY: But, it would -- well, --  
17 anticipate any difficulty is not a phrase that should be  
18 used in my judgement, at least in connection with your  
19 relationship -- with anybody's relationship with the  
20 United State's Congress.

21 MR. DICKERSON: I -- yes, sir.

22 MR. MURPHY: But, in any case, it depends on  
23 Congress agreeing to this --

24 MR. DICKERSON: Yes.

1           MR. MURPHY: -- and Congress agreeing to it  
2 every year.

3           MR. DICKERSON: Yes, that's right. Everything  
4 is one-year money in the sense that you -- each year is  
5 appropriated one at a time, but all the monies are no-year  
6 money in that they can spill over and be spent in multiple  
7 years.

8           MR. METTAM: I've got a -- correct me if I'm  
9 wrong, doesn't the NRC receive money from the Nuclear  
10 Waste Fund now for their operations that involve the  
11 Civilian Regulation and Waste Management Office? I mean,  
12 there's already an appropriation process where NRC is  
13 given money to operate in this program, which is where we  
14 thought the LSS was going to fit in originally.

15           I'm not certain -- if there's already a budget  
16 for the NRC operations, why they can't just budget for the  
17 LSS which is what we thought they were going to do  
18 originally, instead of having another -- as Mal referred  
19 to, somewhat vulnerable line item, direct payment for the  
20 LSS.

21           MR. MURPHY: Well, they don't -- they don't  
22 have to do this yet. We're just talking about what  
23 happens when the -- I think we are, aren't we, Fielden?

24           MR. DICKERSON: We're talking about --

1           MR. MURPHY: We're talking about what happens  
2 when the LSS is implemented and operational and the hand  
3 over, the hand off that is to occur. Right now, most  
4 salary is paid out of the appropriation you're referring  
5 to.

6           MR. DICKERSON: Right.

7           MR. CAMERON: Right. I'd say to clarify that  
8 a little bit, whatever way we -- this is done, we're  
9 always going to run into the concern that Mal has  
10 expressed, about you're always going to have to get your  
11 congressional appropriation. When the negotiated the LSS  
12 rule, there was an agreement that DOE would pay for  
13 operation and maintenance and that -- this is an effort to  
14 carry through on that rather than having it come out of  
15 the Commission's appropriation because of the potential  
16 implications on other activities that the appropriations  
17 are useful and that's basically it.

18           MR. MURPHY: Then you understand of course  
19 that that's of no consequence whatsoever to the counties,  
20 or at least to Nigh County that that agreement was made so  
21 that the NRC's budget doesn't look any bigger than the NRC  
22 wanted it to look?

23           MR. CAMERON: Right. But, I think that that -  
24 - that's fine. I think we all understand that, but just  
25 as equally, if we work out an arrangement where we have

1 the operation and maintenance funds and it doesn't  
2 interfere with the neutrality of the LSS administrator in  
3 running the system, then the County and the States and  
4 others shouldn't really be concerned about that either.

5 MR. MURPHY: No.

6 MR. DICKERSON: Any further questions? Then  
7 what we'll do is move into the discussion of the  
8 functional requirements document. Again, in the December  
9 ARP, we discussed functional requirements to support the  
10 LSS and what I want to do today is remind you about the  
11 discussion that we had in December, and the elements that  
12 were in that discussion, and then give you a view as to  
13 what we have done since that time, and where we are, and  
14 then I want to finish off -- after I've given you a status  
15 on that, to bring three issues that came out of this to  
16 your attention.

17 So, this first view graph, again is going back  
18 to the December time frame, and we were simply describing  
19 the need for a functional requirements document, and that  
20 we wanted to describe the system, we wanted to support the  
21 analysis of benefits and costs, and it's necessary as a  
22 fundamental building block to begin the hierarchial  
23 structure to wind up with the definition of requirements  
24 for the LSS.

1           So, what we're going to ultimately get to here  
2 is -- is something that I'm going to be describing to you  
3 as the very basis for developing the rest of the  
4 requirements for the LSS. At that time in December, we  
5 were harking back and simply reminding you in the next  
6 view graph early on there had been a -- a requirements  
7 document that generated, and that we had reviewed that  
8 document, relative to its suitability for our needs.

9           And on the next view graph, we had identified  
10 that that document didn't in our mind meet our needs, and  
11 we were showing that to the panel in December, and the  
12 panel was recommending that we move on and define a  
13 functional requirements document.

14           So we began that process, and the next view  
15 graph points out that we were using a level process and  
16 that we started and we tried to define requirements at the  
17 very highest level, and then as one moves down to lower  
18 levels, you'll start flushing these out, and adding  
19 structure to it.

20           And that's what we have done. And what you  
21 see in the document that we've handed out today and as  
22 described on the next foil, is what we're calling the  
23 Phase I requirements. We have used only the high level  
24 requirements which we have derived from the rule and

1 already work is under way to begin to build on those for  
2 the Phase II level requirements.

3           And the structure that we've used when you  
4 look at that particular set of requirements is shown on  
5 this next view graph. Basically, if you -- when you look  
6 at that requirements document, you'll see three columns.  
7 In the first column is simply citations from the rule.  
8 The second column, we have tried to articulate the  
9 requirement that derived from that citation or those  
10 citations, and the third column spells out some comments  
11 that support or amplify the articulation of the  
12 requirement.

13           So, the trace matrices that are included in  
14 that document are the meat of what you want to look at in  
15 terms of the fundamental requirements. Next view graph we  
16 can just skip over.

17           MR. SILBERG: Can you just explain what trace  
18 matrices are?

19           MR. DICKERSON: Yes, the trace matrices is a  
20 matter of -- you start on the -- with the citation which  
21 says something about the LSS. It starts on page 11.

22           MR. SILBERG: Uh-huh.

23           MR. DICKERSON: And the middle column then --

24           MR. SILBERG: Oh, that whole array?

1           MR. DICKERSON: Yeah, that whole array from  
2 page 11 on are the trace matrices. And one element that  
3 came out of this was the problem that we ran into some  
4 technology-specific language and Preston is going to be  
5 describing that to you in the next presentation, so let me  
6 simply say we identified it. We assumed that it was going  
7 to be modified and moved on.

8           And the next view graph is simply a matter of  
9 that moving on. That brings us to the status which is the  
10 next view graph. And indeed we did deliver a draft of the  
11 requirements to DOE. Those were made available to the  
12 Technical Working Group on I think the same day. And I  
13 believe John, that those were -- were they sent out to the  
14 members of the panel earlier this month? Now, that's the  
15 history --

16           MR. HOYLE: Let me interrupt. What was it  
17 that you thought was sent out?

18           MR. DICKERSON: I was asking, were the -- was  
19 the requirements document sent out to the panel members?

20           MR. HOYLE: I thought it was sent out from the  
21 working group. Yeah, directly from the working group.

22           MR. DICKERSON: Okay. Okay. Thank you.

23           MR. MITCHELL: Are there additional documents  
24 available?

1                   MR. DICKERSON: They're on the back table over  
2 here. If they've run out, we'll make sure you get one.  
3 Now, that's the history to point. In December, we said we  
4 were going to give it a draft. The draft is out there.  
5 We solicit your input, your comments, your criticism of  
6 that, and as I indicated to you, this is the linchpin if  
7 you will, for the hierarchial document structure that  
8 we're going to use for the requirements.

9                   So, we want your input on that. Now, in  
10 addition to that, I want to bring out three issues that  
11 appeared as we were doing this. The first issue is that  
12 when one looks at the access to the LSS, you see that we  
13 have a dual search mode. If you back up to the time  
14 before the notice of the hearing, the public has access to  
15 headers only. The parties have access to headers and full  
16 text.

17                   And after the hearing, everyone has access to  
18 full text and headers. I bring this to your attention  
19 simply because I didn't want you to brush by it, in that  
20 it does give us a dual search mode, it does impact the  
21 design and cost of the LSS, and it potentially impacts the  
22 resolution of header requirements since the general  
23 populace prior to the hearing notice will only have access  
24 to headers.

1 MR. SILBERG: What is the impact on the cost?  
2 I assume it increases the cost.

3 MR. DICKERSON: It increases the cost, right.

4 MR. SILBERG: Why is that?

5 MR. DICKERSON: Because you have to set up a  
6 dual search mode, and that you have to be able to  
7 essentially have two directories, if you will.

8 MR. SILBERG: Won't you have a header search  
9 mode anyway? Even if you're searching full text, you  
10 have --

11 MR. DICKERSON: Yeah, but you have to cut out  
12 these other people and -- so that you have a delimitation.

13 MR. MURPHY: But, Fielden, am I understanding  
14 you correctly? Are you saying that to give the public  
15 access to full text before the hearing would be less  
16 expensive?

17 MR. DICKERSON: I think that's the case.  
18 Uh-huh.

19 MR. MURPHY: Than giving them access to  
20 headers only? Why are you --

21 MR. DICKERSON: Would you like to say  
22 something about that Preston?

23 MR. JUNKIN: Well, it's simply that you have  
24 to do it anyway, and what you're doing with this approach  
25 is now you have two types of access that you have to

1 enforce. You're actually withholding functionality from  
2 some of the user community, which is already --

3 MR. MURPHY: Why? I mean, why are you  
4 choosing the more expensive mode?

5 MR. NEWBURY: That's what the rule says.

6 MR. DICKERSON: That's what we're told to do.

7 MR. MURPHY: We -- in the LSS rule we  
8 negotiated, we said that the --

9 MR. CAMERON: Yes, sir.

10 MR. MURPHY: Was I asleep that day, Chip? We  
11 adopted a rule which said the public was not entitled to  
12 access to anything but headers until after the hearing  
13 notice was --

14 MR. SILBERG: I think --

15 MR. CAMERON: Let me explain that.

16 MR. SILBERG: I think the intent was as the  
17 inducement to get people to sign up for the system,  
18 putting their documents in. It gives you something in  
19 return.

20 MR. CAMERON: In other words, the fear was  
21 that since this is all voluntary before the license  
22 application comes in, that the incentive of putting your  
23 documents  
24 in --

1                   MR. MURPHY: Okay. Then we're using -- we're  
2 perhaps using "public" too broadly. You mean, potential  
3 participants rather than public access.

4                   MR. DICKERSON: No, we're talking about public  
5 access.

6                   MR. SILBERG: Anybody except somebody who  
7 signs up to put their documents in the system.

8                   MR. MURPHY: Okay.

9                   MR. SILBERG: And we can always recommend the  
10 change to the rule if we -- if we think that this would  
11 make sense.

12                   MR. CAMERON: I mean, it may be that we're at  
13 the point now where the voluntary submittal of documents  
14 is not -- does not loom as big an issue as it did at that  
15 time.

16                   MR. MURPHY: Well, I -- yeah, I mean --

17                   MR. DICKERSON: I'm not making a  
18 recommendation now.

19                   MR. MURPHY: I understand. No, I understand.

20                   MR. DICKERSON: I just wanted to bring it to  
21 your attention.

22                   MR. MURPHY: No, I understand. What is the  
23 impact on cost?

24                   MR. DICKERSON: I --

1 MR. MURPHY: Is this trivial or significant?

2 I'm not sure.

3 JUNKIN: We have not quantified it yet.

4 MR. MURPHY: Ballpark? Order of magnitude?

5 MR. BALCOLM: Is this -- is this anything  
6 other than just restricting a part of the database or a  
7 part of every record to certain users? I mean, that's  
8 done all the time.

9 MR. JUNKIN: On the surface that appears to be  
10 what we're talking about here. It hasn't been analyzed to  
11 any great degree. It's simply that it seemed a little bit  
12 -- I think -- I hesitate to give any quantified answer on  
13 that. But, just a little bit of complexity. You're  
14 right, access to database is done all the time. There are  
15 different user groups within --

16 MR. MURPHY: Right.

17 MR. JUNKIN: It just seems like an unnecessary  
18 and perhaps undesirable functional (indiscernible) since  
19 we're at the point of writing down the requirements of  
20 that.

MR. CAMERON: And I guess I would  
21 want to add one thing to clarify this, is that it's not as  
22 if the document and the system are not going to be  
23 available for the public under the routine placing of  
24 documents in the public document room of the various  
25 agencies.

1 MR. MURPHY: No, I --

2 MR. CAMERON: It's the electronic enhancement,  
3 full-text search capability that is not going to be  
4 available.

5 MR. LEVIN: I think the real issue is, from a  
6 (indiscernible) perspective, you look at things, and you  
7 look at something and you say, "This doesn't make sense  
8 from a designer's perspective." But, doing that not  
9 knowing what the logic was behind having this in the first  
10 place, the logic had nothing to do with systems design or  
11 anything else. There was another reason, and I think you  
12 were -- just looking at that, this doesn't make sense from  
13 a logical system implementation of viewpoint.

14 And whenever you make any kind of exceptions  
15 or changes to a system and it doesn't increase the chance  
16 of making an error, it's something different. It's an  
17 exception. You try and eliminate exceptions. It's each  
18 systems development methodology.

19 MR. MURPHY: Yeah, let me just follow this up  
20 for -- I don't want to waste too much time on it, but let  
21 me just follow it up for a second because I frankly must  
22 admit that I'd forgotten about that -- that part of the  
23 rule. We haven't focused on that for a while.

24 Let's assume that at some point in time there  
25 is an LSS terminal access, whatever we're calling it, at

1 the -- somewhere in the community of Ama Rosa Valley or  
2 somewhere close to Gate 510 out there at the site. You  
3 know, we -- Nigh County is in the process daily virtually  
4 of talking to DOE and the M & O and the new cleanup M & O  
5 Bechtel or whatever, you know, about putting facilities of  
6 -- in Nigh County, close to the NTS.

7           And what if at some point in time, Nigh County  
8 says and DOE and the NRC agree, that one of Nigh County's  
9 access terminals will be located in Ama Rosa Valley? And  
10 that's made available to the public, so that Nigh County  
11 says, "Come in and punch up and ask questions, and get  
12 documents."

13           Is that going to bother this process at all?  
14 Because, you know, some potential intervener group could  
15 theoretically do the same thing without -- without  
16 committing themselves to provide their own documents or  
17 submit their own documents to the -- to Moe? Do you see  
18 what I'm talking about?

19           MR. SILBERG: Well, the logic of the system  
20 would say that only the party, Nigh county would be able  
21 to do electronic search. If a citizen in Nigh County  
22 wanted to do it, he'd have to go to you, or whoever the  
23 Nigh County person is, and say, "I want to do this, I  
24 can't do it directly, will you do it for me," and then the  
25 party can do that.

1           If you want to stay within the grounds rules  
2 that we've set up.

3           MR. CAMERON: And you could still use the same  
4 terminal for example. It's a question of -- we  
5 contemplated that each of the -- the potential parties  
6 would be given a password, and there would be a certain  
7 number of users who would be able to tune into the system.

8           But, you know, you put your finger n the  
9 important potential --

10          MR. MURPHY: But, I'm just speaking  
11 hypothetically now. If Nigh County wanted to post its  
12 password on a blackboard and let anybody who wanted to  
13 could come in and get documents, look at documents.

14          MR. CAMERON: Right. And I think that you  
15 really are putting your finger on an important -- an  
16 important point that -- I mean, there's always ways to try  
17 to deal with abuse, but is it worth -- is it worth worry  
18 about? And I think that this is an issue we should  
19 probably flag to revisit and see if it's still -- has the  
20 need behind it.

21          MR. MURPHY: Yeah.

22          MR. HOYLE: Would it be helpful if we knew the  
23 cost aspect --

24          MR. MURPHY: It sure would.

1           MR. HOYLE:  -- before we do that, or is it  
2 just a policy issue that is not really cost related?

3           MR. BALCOLM:  I would think that from a policy  
4 standpoint that we would want to build in as a functional  
5 requirement of the database, the ability to restrict  
6 access, because this database is so large it may actually,  
7 you know, put together in pieces, and things have to be  
8 crossed.

9           And it's not uncommon -- I would say just  
10 about every large database I've ever been associated with  
11 has -- simply has built in the technology to restrict  
12 access, either if you know about it ahead of time, or  
13 something technical comes up that you need to be able to  
14 do that.

15           I wouldn't -- certainly wouldn't want to see  
16 us foreclosing us from doing that.

17           MR. MURPHY:  Yeah.  Yeah.  I'm just talking  
18 through this because I -- and I guess the other thing that  
19 we should think about, I suppose is why give -- and again,  
20 I'm not sure that we're using the word public  
21 appropriately here, but why give them access to headers?  
22 Why give them access to anything until they've committed  
23 to submit their documents to the LSS?  What are they going  
24 to do with just headers?

1           MR. DICKERSON: No, as Moe says, the headers  
2 are simply the search mechanism, and they have access to  
3 the documents.

4           MR. LEVIN: I think Mal's point is what good  
5 will the headers do, if they only have access --

6           MR. DICKERSON: Well, libraries have  
7 classically searched on headers for at least a few years.

8           MR. LEVIN: But, if they can't get to the text  
9 behind the headers.

10          MR. DICKERSON: Well, they can --

11          MR. MURPHY: Well, they can do that now. They  
12 can do that now. They can send you a Freedom of  
13 Information Act letter saying give me every document --

14          MR. DICKERSON: Well, this is much faster.

15          MR. MURPHY: Well, I understand that. But, I  
16 think we need to know what the cost of all this is here.  
17 If we're talking about millions of dollars, it's one  
18 thing. If it's some trivial amount in the thousands, then  
19 that's different.

20          MR. NEWBURY: It sounds almost though, --  
21 functionality of being able to restrict access is  
22 something that we can deal with in terms of developing a  
23 system, and really what it boils down to is you've got  
24 something in the current reg that says, headers only for

1 public access, and at some point, the LSS administrator is  
2 going to have to say, who gets access to what anyway?

3 I don't think that there's even a cost aspect  
4 to it. Well, we'll have that functionality in the system,  
5 and it's a matter of who the administrator grants access  
6 to and in what form.

7 MR LEVIN: I really --

8 MR. MURPHY: So, you're saying there may not  
9 even be a cost -- is that what you said, Claudia, that  
10 there might not be any cost associated with this? Because  
11 you have to build it in in any case.

12 MR. GANDI: There may not -- there may not  
13 depending upon the search engine and such that's chosen.  
14 I think the cost is going to come in the administration of  
15 field level type of restrictions per user.

16 MR. CAMERON: Except for the cost that I think  
17 Kirk brought up, the cost of -- of inefficient searching,  
18 unavailable, the system being unavailable because there  
19 were so many people on it. I think that's probably the  
20 key cost there, and I don't -- I'm not saying it is a  
21 problem.

22 MR. MURPHY: That's not a cost. That's an --

23 MR. CAMERON: Well, a cost in terms of broad  
24 use and cost benefit in terms of resolving this issue.

1                   MR. GANDI: Fielden, you say that there are  
2 impacts on header requirements if you have this restricted  
3 search.

4                   MR. DICKERSON: I was only holding up that  
5 specter --

6                   MR. SILBERG: Why is that? I mean, if the  
7 header requirements are good enough to start with, why  
8 aren't they good enough if there's this limited access?

9                   MR. DICKERSON: One of the concerns, at least  
10 one of the arguments that I have heard people make is we  
11 can limit the number of headers because we have full-text  
12 search capability. If one does not have full -- text  
13 search capability, does that cause you to rethink the  
14 headers issue? And I don't know the answer to that Jay.  
15 I was just raising that as a question.

16                   Our concern in this was not saying this is  
17 right or wrong. Our concern was that it not pass  
18 unobserved --

19                   MR. MURPHY: We appreciate that.

20                   MR. DICKERSON: Okay. The next issue is that  
21 of requirement 005, and we have identified a requirement  
22 for optical character recognition capability. Now, if you  
23 go in and look at subpart J, it asks the parties to  
24 deliver computer text and headers in an image.

1           It does not specifically spell out that the  
2 front end of this have an optical character recognition  
3 capability to read in and produce electronic test. We,  
4 however, have written that in as a requirement. We have  
5 written that in. We've taken some liberty. That's why I  
6 put this header on here, created requirement.

7           Again, I bring it to your attention.

8           MR. SILBERG: Wait, if you have electronic  
9 images on the system which I thought was part of subpart  
10 J, right, doesn't subpart J call for images?

11          MR. DICKERSON: It calls for images across the  
12 spectrum, but it also calls for text.

13          MR. SILBERG: Right. But, how do you have  
14 images without OCR? Is there some other process?

15          MS. NEWBURY: Scan it in.

16          MR. DICKERSON: Scan it in.

17          MR. CAMERON: Made sure that we defined image  
18 so that that would include a hard copy --

19          MR. SILBERG: Right. No, I understand that.

20          MR. CAMERON: -- image. Okay.

21          MR. NEWBURY: OCR is the process of  
22 transferring the image into the text.

23          MR. SILBERG: Right.

24          MS. NEWBURY: So, they will deliver an image  
25 and text. OCR capability is the one that transfers the

1 image of a text page into readable text. So that's what  
2 he's looking --

3 MR. HOYLE: Didn't the SAIC document have that  
4 as a requirement, an OCR?

5 MR. DICKERSON: It may very well have had.

6 MR. BALCOLM: So, you're saying Fielden that  
7 this is implied from that section, that OCR -- the process  
8 is simply implied in that?

9 MR. DICKERSON: No. It's a matter that --  
10 that we've looked at that and looked at it, and we really  
11 had a difficult time making a decision on it, and what we  
12 decided to do was make the decision in this fashion, and  
13 we're submitting it for your consideration.

14 MR. CAMERON: And what are the -- what are the  
15 implications of doing that?

16 MR. DICKERSON: It just changes the front end.  
17 That's all. If you don't have that, that's a piece of  
18 equipment that if you didn't have it in there, it just  
19 wouldn't be there.

20 MR. LEVIN: But, isn't there another  
21 implication that you would then have to do some kind of a  
22 manual process for entering text?

23 MR. DICKERSON: No, not if the folks are  
24 delivering to you according to specs. The rule --

1           MR. LEVIN:  If they would just do the search  
2 on the headers and then be able to pull up the image, is  
3 that --

4           MR. DICKERSON:  No, they -- people are --  
5 parties are told to deliver to you what you need to load  
6 the machine.  Everything electronic, if you will.  So, in  
7 that sense, you don't need any translation equipment if  
8 people follow the rule.

9           MR. BALCOLM:  But, they'd have to create the  
10 text --

11          MR. DICKERSON:  They have to create it  
12 themselves.  Right.  Right.  They have to make those  
13 arrangements themselves.

14          MR. MURPHY:  This just makes it easier for  
15 everybody, right?

16          MR. DICKERSON:  Yes.

17          MR. MURPHY:  Deliver your documents to Moe and  
18 he cranks up the OCR and away they go.  Hell of an idea.

19          MR. SILBERG:  Do we know what the cost in fact  
20 of this is?

21          MR. MURPHY:  Oh, that's irrelevant, Jay.  We  
22 don't waste our time on that.

23          MR. SILBERG:  It's all part of that  
24 appropriation, right?  Do you know anything about the  
25 cost implication here?

1           MR. DICKERSON: And then on the final one we  
2 have done a restatement of the requirement and in the  
3 reference it says, ensure that the bibliographic header  
4 for the original document specifies that a corrected  
5 version is also in the LSS. And the concern was that if  
6 the header resides on a read-only medium, then it can't be  
7 modified, and so the requirement that was written in there  
8 attempted to be responsive to that and simply say, there  
9 has to be a function within the LSS somewhere that allows  
10 the administrator to alert users that subsequent revisions  
11 to a document exist.

12           MR. SILBERG: Where do you list all of these  
13 other -- you mentioned requirement five and requirement --

14           MR. DICKERSON: They're listed -- page 11  
15 starts off, in the middle there, you'll see 001 at the  
16 very top.

17           MR. SILBERG: Page 11?

18           MR. DICKERSON: Yeah. And then if you keep  
19 going you'll find the rest of them. Okay. Now, you have  
20 these. We would appreciate your feedback from them. A  
21 little later, Roger is going to be telling you some  
22 comments from the Technical Working Group which I suspect  
23 will lead to some interesting conversation about  
24 requirements, and Preston is going to give you a  
25 presentation on the language that gave us some problems.

1                   MR. SILBERG: Is someone going to explain  
2 where we go from here? What is the schedule? What is the  
3 next step when this all happens?

4                   MS. NEWBURY: Yes.

5                   MR. DICKERSON: Yes.

6                   MR. JUNKIN: I'm just waiting for everyone to  
7 get their hard copy. About 90 percent of what I'm going  
8 to say today is more or less a repeat of a briefing that  
9 was brought to the ARP some two or three meetings ago  
10 where we identified some of these issues. Today we're  
11 trying to articulate them more clearly, and I'll explain  
12 why.

13                   Basically, there is some technical language in  
14 the rule that is specific to a degree that's unnecessary  
15 to define the requirement, and in fact is specifying -- in  
16 hindsight given today's technology, it's specifying a  
17 design as opposed to a requirement.

18                   It's because at the time there was a mindset  
19 based on the current technology of course and certain  
20 words were used that implied the use of that technology,  
21 as opposed to the function that that technology provides.  
22 I'll try to outline those for you today. It's very  
23 simply. There's only about five or six words that are at  
24 issue here, and I'll explain why we're bringing it up at  
25 this time.

1           What we're suggesting is that minor changes to  
2 the language would allow DOE to produce a better system at  
3 a lower cost, basically because the design would be less  
4 constrained. In some cases, there may be better ways to  
5 do things using newer technology that's cheaper and better  
6 for the user, but because the language is what it is, you  
7 might be constrained from using that.

8           You could be appearing to violate the rule  
9 when in fact the intent of the rule would be well met.  
10 So, in short we think it's better for the end users, and  
11 better for the waste fund if these constraints are  
12 removed.

13           Next chart. As you know, technology has  
14 changed dramatically. I've just put some examples on this  
15 chart. There was client server at the time the rule was  
16 written, but it's come a long way since then. CD-ROM is  
17 very prevalent as a distribution medium for images as well  
18 as full text.

19           There are other forms of text beyond ASCII  
20 which have become quite standard. SGML being an example.  
21 SGML is a language that captures not only the text, but  
22 things like fonts and bolding, and things that make text  
23 more readable.

24           Graphical user interfaces also existed at the  
25 time of the rule, but they've come a long way as have the

1 tools that are used to develop those graphical user  
2 interfaces.

3           Basically, the language reflects what was then  
4 current in technology in some cases rather than  
5 implementation independent requirements. In October, '93,  
6 the ARP was briefed on this, and our impression is that it  
7 was well received.

8           Everybody understood that we were basically  
9 trying to help out the user as well as DOE in developing  
10 the system in a more timely manner. But, there has not  
11 been a decision today, and since we're at the point now of  
12 developing the second level of the requirement stock then  
13 it would seem appropriate to bring this to the table.

14           So, I'm going to give you a short update on  
15 the technology constraining language. I'll identify six  
16 specific items and solicit an on-the-record acceptance of  
17 the recommendations to remove that language. Our hope is  
18 that that will allow DOE to proceed with the LSS  
19 requirements document on the assumption that those  
20 constraints will not cause that document to be rejected,  
21 or the system based on that document to be rejected.

22           It's important that we now codify it. I think  
23 we're getting a little redundant here, and from the head  
24 knowledge, I think you're with me on this. It's important  
25 not to codify design issues, but to use technology and

1 neutral language in specifying requirements and that's  
2 basically what we're saying here.

3           And if we constrain the technology -- an  
4 example is the use of the word "terminals." To many  
5 people in the development community, the word "terminal"  
6 implies a dumb terminal mainframe architecture, as well as  
7 a character-based user interface as opposed to a graphical  
8 user interface that you'd see in Windows or MacIntoshes,  
9 that kind of thing.

10           That's not necessarily good for the user in  
11 most people's opinion, and it would be better to use a  
12 phrase like "workstation" or something more neutral than  
13 "terminal."

14           MR. SILBERG: How do you know "workstation"  
15 won't also become outmoded four years from now?

16           MR. JUNKIN: That might not be the perfect  
17 choice. We can talk about specific words, but many in the  
18 development community who have read the rule, saw  
19 "terminal" as being very specific.

20           MR. MURPHY: Why can't that word be  
21 interpreted very broadly to mean anything that is most  
22 current and most practical as a means of carrying out the  
23 intent of the rule?

24           MR. JUNKIN: Yeah, I think now the answer to  
25 that is probably something for DOE and NRC to agree upon

1 in terms of how the requirements document will be viewed.  
2 A lower level requirements document does serve the purpose  
3 of interpreting higher level requirements, and if you both  
4 agree -- I mean, that's really between the two agencies as  
5 to whether that's an acceptable mode versus a rule change.

6 The important point is that DOE can't be at  
7 risk of not knowing whether making that assumption is  
8 going to be a problem downstream. So, however, the  
9 agencies agree to resolve that is up to them.

10 Basically, loss of flexibility is not a good  
11 thing in systems design. If there are commercial  
12 solutions that can be integrated, or software that can be  
13 reused in any way to achieve the purposes of the LSS,  
14 that's probably the fastest and least expensive approach.  
15 Specifically, the commercial off the shelf software.

16 Software development has changed a lot since  
17 the rule was written, and most software is developed by  
18 integrating commercial products and basically building the  
19 glue that ties them together. And so requirement  
20 specification has also changed. It needs to be flexible  
21 to allow the use of the best available commercial  
22 products.

23 I want to make clear that what we're not  
24 recommending is that the LSSARP dictate a different  
25 design. The fact that you might open the door to the use

1 of client server or SGML or even CDs as a mechanism  
2 doesn't mean that you're saying that's the way it should  
3 be done. It simply means that's an option.

4           It would mean that the rule is silent as to  
5 specific implementation details leaving the door open.  
6 So, now, I'll get into the specifics. Number one, there's  
7 a reference to dial up access. We believe the intent of  
8 that is remote access. Dial-up implies access by modem  
9 over a telephone line. It may well be that remote access  
10 could be provided through higher -- with wide area  
11 networks, or a lot of different implementations.

12           Even CD distribution could turn out to be  
13 beneficial to the user, particularly in terms of equipment  
14 cost for accessing the data. I'm not suggesting that  
15 these are the design. The design isn't there. Design  
16 follows requirements, doesn't precede it, but dial-up  
17 access does imply a very specific implementation.

18           The use of ASCII was certainly intentional and  
19 of course the intent of that was to assure that you're  
20 using a text that will endure as to its readability and  
21 usability in the long term aspects of this program.  
22 However, there are other standards that have become widely  
23 accepted that may be beneficial in terms of preserving  
24 other information in the text. Fonts, bolding,

1 underlying, things like that, that are better for the user  
2 to see.

3           Again, not suggesting that you recommend SGML  
4 or any other text, but that you use a technology user  
5 phrase such as searchable text files instead of ASCII.  
6 Kirk.

7           MR. BALCOLM: I'm just curious about the term  
8 "searchable" as opposed to just text files or saying  
9 "machine-readable" text files.

10           MR. JUNKIN: Well, the -- the intent there  
11 was, you know, there are -- you could call a vendor  
12 specific format such as a WordPerfect file, a text file,  
13 but you wouldn't want to implement the LSS in a vendor  
14 specific proprietary format. So, we wanted to --

15           MR. BALCOLM: How would searchable --

16           MR. JUNKIN: That may not be the best phrase  
17 but the intent is not to specify ASCII, which is one  
18 specific format.

19           MR. BALCOLM: Okay. I'm just trying to think  
20 when a text file wouldn't be searchable.

21           MR. JUNKIN: Well, you know, I think there are  
22 certain formats of text files, particularly proprietary  
23 formats that not all full text engines would handle well.  
24 That has to really be asked in a format by format, search  
25 engine by search engine basis. But, most commercial

1 full-text search engines today handle the popular industry  
2 and external standard format such as ASCII and SGML and  
3 another of others these days.

4           Again, simply opening the door to that option,  
5 I already mentioned terminal versus work station. Again,  
6 whether that is handled through interpretation in a  
7 requirements document or a rule change is between DOE and  
8 NRC to decide that.

9           But, the rule today to most development  
10 technology people implies a mainframe dumb terminal  
11 approach, which is probably not desirable from an end user  
12 standpoint. There are specific references to optical and  
13 magnetic media, and you made the comment, Jay, that  
14 something else may come along. This is a case where  
15 something else may come along that may seem inconceivable  
16 at this point but it would happen. It's not unlikely that  
17 there will be entirely different ways to store data five  
18 years from now that we don't -- that would not be  
19 characterized as optical or magnetic.

20           Again, leaving the door open -- your own  
21 requirement is to store large amounts of information. How  
22 you do that is an implementation decision. Okay?

23           Now, the last two have to do with -- these are  
24 really observations in the rule. And they have to do with  
25 the fact that the rule requires -- both allows and

1 requires electronic submission of filings and other  
2 things. It certainly describes an electronic environment  
3 in which the actions are taken.

4           However, there is language in there as well  
5 that infers -- I would call it a shadow system of paper  
6 behind that. It may well be that the work that's been  
7 done in electronic authorization wasn't as mature at the  
8 time. I don't know the reasons, but the suggestion is  
9 here, if you're going to require the use of an electronic  
10 system, you might consider removing the requirement for a  
11 shadow paper system.

12           MR. SILBERG: Chip, as I remember that, that  
13 had something to do with NRC requirements for the docket.

14           MR. CAMERON: Yeah. That's what I was going  
15 to mention is, that at the time because of where the  
16 technology was, the office of the secretary, and this is  
17 one of John's issues, the -- the office of the secretary  
18 wanted to insure that there was a hard copy docket, and  
19 that may have changed at this point.

20           But, in -- so, it's a little bit different  
21 than the other issues that you've raised. But, I think  
22 that we still should take a look at it.

23           MR. JUNKIN: Yeah, one of the reasons for  
24 bringing it up now is we have -- there have been various  
25 conferences that NRC has participated in where it's clear

1 that they are moving in the direction of electronic  
2 authorization, electronic submission and encouraging that.  
3 And we're simply pointing out that the rule is very  
4 specific in requiring paper in some cases.

5 MR. SILBERG: That's not going to affect --

6 MR. MURPHY: Correct me if I'm wrong here,  
7 John, but that -- the NRC's views of the world in that  
8 respect are going to change as the federal court's rules  
9 change. The reason for this originally was because the  
10 NRC, the secretary's office is required in the case, or at  
11 that time, I don't know what the requirements are today,  
12 but at that time was required to deliver hard copy -- a  
13 hard copy of the record to the Court of Appeals in the  
14 case of any decision of the Commission which was appealed  
15 to the Federal Circuit Court.

16 They couldn't -- you couldn't satisfy the  
17 court system by saying, you know, go buy a computer and  
18 looking in the LSS. As that changes, everything changes.

19 MR. JUNKIN: That's right. And that has not  
20 changed. We're approaching that point, and we should  
21 watch for it to happen, but it has not happened yet.

22 MR. SILBERG: This issue though isn't going to  
23 change the design of the system, though.

24 MR. JUNKIN: Well, only in the sense of number  
25 six. You're right that number five taken alone will

1 probably not impact the design of the system, at least  
2 it's not clear how it would at this point. However,  
3 there's  
4 a -- to make the requirement in number -- to make the  
5 suggestion in number five that we move away from the paper  
6 and have an electronic system, that implies that there  
7 must be some replacement for the ink signature. There  
8 must be a substitute for that. Electronic authorization  
9 in other words, and you really can't do one without the  
10 other.

11           Again, we're simply laying this on the table.  
12 If the system is to include electronic authorization, that  
13 needs to be stated, because that is certainly something  
14 that does affect the design of the system, and there is  
15 important decisions to be made as to implementation.

16           MR. SILBERG: Well, wouldn't you want to have  
17 that anyway? I mean, if -- normally the LSS is going to  
18 see all these pleading documents flowing in, and then a  
19 parallel set of paper documents, you know, one copy goes  
20 to John, piles up nice and high on his desk. But, the  
21 stuff that's going in electronically would need some sort  
22 of an authorization. I thought that at least was implicit  
23 and maybe explicit in the rule. I haven't looked at it in  
24 a long time.

1           MR. JUNKIN: I think the issue here is that  
2 there are many levels and forms of electronic  
3 authentication, ranging everywhere from trusting a network  
4 password, and simply typing in a name, all the way up to  
5 full digital signature as expressed in standards like RSA  
6 and the new federal standard for digital signature.

7           And where you call into that realm of things  
8 depends on how you're going to use those signatures. If  
9 you're considering them legal signatures, that might  
10 affect how you implement the system.

11           MR. MURPHY: Well, aren't we really making an  
12 issue out of nothing here. I mean, doesn't the rule mean,  
13 whatever -- I don't recall the language either. You know,  
14 Jay and I are in the same boat, but certainly it has to  
15 read -- it has to mean, one signed paper copy if such a  
16 signed paper copy exists. I mean, the rule doesn't  
17 require you to sign a piece of paper that you didn't  
18 otherwise intend to sign in the first place.

19           MR. JUNKIN: I believe, and I don't have the  
20 language in front of me now, but I believe it specifically  
21 talks about electronic filings, and then says that  
22 electronic filing has to be followed up with a paper.

23           MR. SILBERG: Yeah, filing --

24           MR. JUNKIN: So, the implication of that is  
25 that the -- and it is only an implication, but the

1   implication of that is that the electronic filing somehow  
2   doesn't count in a legal sense, and that's what we're  
3   trying to understand.

4                   MR. MURPHY:  I understand that, but as the NRC  
5   changes its basic rules of practice, independent from  
6   subpart J, and allows for electronic filings without  
7   following up with a paper signature, it seems to me  
8   subpart J would just be brought right along in the wake of  
9   those changes.

10                  MR. CAMERON:  It's just a question of timing.  
11  I think that the general revision may be far behind this.

12                  MR. MURPHY:  I mean, as it stands right now,  
13  we could change subpart J and it wouldn't make any  
14  difference.  You can't get past John's door without a  
15  signed copy of a pleading.

16                  MR. HOYLE:  I think by the time we get to the  
17  submission of the application and the hearing, we'll be  
18  into a new mode of operation.  I think the -- we do have  
19  to build into the LSS right now though, the  
20  authentication, a signature authentication, because we  
21  know that's the way it's going to go.

22                  MR. JUNKIN:  Right.

23                  MR. HOYLE:  Which method, I don't know.  We  
24  haven't heard all the methods.

1           MR. JUNKIN:  If it's cut and dry right now  
2   that, again, we're not coming -- pretending that they have  
3   legal expertise whatsoever.  We're trying to understand if  
4   there is a implicit requirement for this or not.  If it's  
5   very clear that electronic authorization is not permitted  
6   right now, then it's a cut and dry issue, and we wouldn't  
7   be doing things like building the federal digital  
8   signature standard into the system.  But, we need to  
9   anticipate -- we may need to anticipate, we may need the  
10  flexibility.

11           If you're talking about the rules changing  
12  halfway through, the system will already be built.  And  
13  that's why we're raising the issue.

14           MR. SILBERG:  Well, if there is a federal  
15  standard for electronic signature and it's not going to  
16  cost much to put it into the system at the beginning, why  
17  not put it in the system at the beginning?  What's the big  
18  deal?

19           MR. JUNKIN:  Changing requirements -- the  
20  later requirements are changed, the more expensive they  
21  are.  That's simply a basic truism.

22           MR. SILBERG:  Well, that's my point.  Why not  
23  put that -- if that is the federal standard now, why not  
24  put it in now?

1           MR. JUNKIN: Well, that really goes to the  
2 point of number six, where we don't want to put something  
3 into the system that is not explicit in the rule we don't  
4 believe. And -- or put it into the requirements. Put it  
5 that way. That's not explicit in the rule. And if you --  
6 it's really not the implementor's call.

7           You know, if you're convinced that digital  
8 signature will be an accepted NRC mode of operation two  
9 years from now, you may decide that it ought to be in the  
10 requirements document. But we can't make that call.  
11 That's certainly a legal issue, not a developer issue.

12           MS. NEWBURY: I think this is like the OCR  
13 issue. We -- that's not a requirement in the regulations  
14 written. We thought it was a good idea, so that is  
15 incorporated as a requirement. This is another possible  
16 requirement. Do you want this put into the system? It's  
17 not in subpart J as now written. It's not implied in  
18 subpart J.

19           MR. SILBERG: Well, it does say -- it says  
20 parties and interested governmental participants will be  
21 required to use a password security code for the  
22 electronic transmission of these documents. Why doesn't  
23 that give you all the flexibility you need to put in a  
24 sensible signature electronically? Isn't that what that  
25 says?

1                   MR. JUNKIN: No, sir, I would say that a  
2 digital signature and a password are not the same thing.

3                   MS. NEWBURY: So, if you all think this is a  
4 good idea, we'll take it as a requirement.

5                   MR. MURPHY: But, they're going to be whatever  
6 the LSS administrator says they are as a practical matter.

7                   MR. HARDWICK: If I could -- I'm Roger  
8 Hardwick here from the Technical Working Group for the  
9 ARP, and we've talked about this issue and that is going  
10 to be part of our presentation also is that if we start  
11 interpreting subpart J, now the interpretations are going  
12 to depend on who's doing the interpretation, what their  
13 motivations are, and we're going to get into that a little  
14 bit in our presentation, so if we want to postpone the  
15 discussion and -- working group, that might be the right -  
16 -

17                   MR. MURPHY: Well, I don't think we can  
18 postpone the ultimate discussion here. I don't know  
19 what's --

20                   MR. HARDWICK: The question is though, is the  
21 interpretation of -- that subpart J needs to be  
22 interpreted to actually (indiscernible) today's  
23 technology.

24                   MR. MURPHY: Well, that's always true when  
25 you're working with a rule. I mean, that's unavoidable.

1           MR. HARDWICK: And then the concern is, who  
2 does the interpretation.

3           MR. MURPHY: Well, the ultimate interpretation  
4 is again -- again this is unavoidable. The interpretation  
5 is always the responsibility of the agency that has the  
6 responsibility and authority to implement the rule, in  
7 this case the NRC. It's their rule.

8           MR. CAMERON: But, I think the next slide --  
9 the next slide talks about trying to get a consensus from  
10 the Advisory Review Panel on all of these changes. I  
11 don't know if this is something -- a lot of this seems to  
12 me to fall in the bailiwick of the Technical Working Group  
13 because it deals with technologic terms of technology.

14           They could handle perhaps taking a look at all  
15 of it.

16           MR. MURPHY: Well, I think it's -- to me at  
17 least, and maybe I'm being hypersensitive here, but to me  
18 it's much more significant than that, Chip. I -- as it  
19 stands right now, I would certainly urge the Advisory  
20 Review Panel to work -- and I sympathize with all of these  
21 points you brought up. I mean, substantively, there's --  
22 you know, you're absolutely correct.

23           We may have built in design rigidity into this  
24 system when we should have -- you know, been building in  
25 design flexibility. But, I would urge us to interpret

1 subpart J -- all of these requirements in subpart J as  
2 expressing a minimum, an at least standard so that, you  
3 know, take the ASCII text, and that may be the biggest  
4 problem because there it is in bold, all caps, staring at  
5 you. It says ASCII. It doesn't say anything else.

6 But, I would recommend -- I would certainly  
7 recommend that we say that means ASCII or whatever else is  
8 better that comes along later on. And let me give  
9 everybody in as clear terms as I possibly can, the reason  
10 for that.

11 I do not want, and I will not vote for a  
12 recommendation or a guidance from the ARP recommending the  
13 NRC modify this rule. Not now and not ever. And Chip  
14 knows why. The last -- when we negotiated this rule and  
15 persuaded the NRC to adopt it, our bodies were not cold in  
16 the grave before they reopened the rule, and our  
17 experience with the first time the NRC reopened this rule  
18 was, believe me, not positive.

19 And I do not want the end -- this rule being  
20 brought back to the floor as it were in the NRC, even for  
21 these minor housekeeping changes, out of fear that that  
22 would open Pandora's Box, and we would then have on the  
23 table the typical guidelines. We'd have on the table the  
24 ultimate issue of control and management of the LSS, so  
25 that the new commissioners coming on board might say

1 "Well, no, it's DOE's money, the responsibility should  
2 remain with DOE."

3           We would have on board the document retention  
4 standards for DOE. We would reopen, you know, things that  
5 we negotiated on the first day of the rule making  
6 negotiation for example. Things such as relevancy and  
7 privilege and things of that nature. I -- you know, I  
8 know what your problem is and I sympathize with your  
9 problem, but I hope we can find a way, any way other than  
10 reopening the rule to solve those problems, because --

11           MR. JUNKIN: Well, it may well be that this  
12 statement is specifying implementation rather than the  
13 requirement itself, in that as I stated at the beginning  
14 that the key thing here is that Department of Energy needs  
15 to have firm, well-understood requirements in order to  
16 build a system, and they need to be nailed down and solid,  
17 and they need to reduce the risk, or minimize the risk  
18 that those requirements are unclear, misunderstood, and  
19 will therefore change halfway through the design and  
20 development.

21           So, whether that's done by a rule change or  
22 some other mechanism, as long as it's joined, they agree  
23 to it between the agencies, the issue is not how, the  
24 issue is reducing the risk of changing requirements,  
25 because it gets very, very expensive, impacting both cost

1 and schedule as requirements change, and the later they  
2 change, the worse it is.

3 MR. MURPHY: Yeah. I couldn't agree with you  
4 more. I just -- I -- but because of our historical  
5 experience, the one and only time this rule was opened, I  
6 cannot support recommending to the NRC that they reopen  
7 the rule because of my fear that it would -- that they  
8 would start removing more than just the word ASCII.

9 MR. JUNKIN: The immediate issue is as DOE  
10 proceeds to the development of the next phase of the  
11 requirements document, can they proceed on the assumption  
12 that a more looser interpretation of those issues as you  
13 just stated before would be in effect. Because if they  
14 make that assumption on their own without this board --

15 MR. MURPHY: Well, they -- the NRC gives  
16 guidance to the regulated community constantly without  
17 changing its rules. There's new regs, there's reg guides.  
18 There's -- also the topical guidelines are going to a reg  
19 guide. We could put out a reg guide on ASCII. It doesn't  
20 really mean ASCII. It means something else.

21 MS. NEWBURY: In this case Mal, with the  
22 LSSARP here, and with the reg as written, it says that we  
23 will implement requirements that are based on the  
24 consensus of the LSSARP. So, can we get consensus from  
25 the LSSARP that we can use non technologically specific

1 language in writing our requirements and developing the  
2 system?

3 MR. MURPHY: I should certainly hope so. I  
4 should certainly hope so. I mean, I don't think -- if we  
5 wrote design rigidity into this rule, then we made a  
6 mistake. I mean, I don't think any of us meant to do  
7 that.

8 MR. CAMERON: I think that we can deal with  
9 these issues without a rule change. Although not all of  
10 them fall in the same category. For example, the hard copy  
11 docket requirement may be different. I understand what  
12 you're saying now about what happened the last time the  
13 rule was changed, but I would just hope that if there  
14 comes a time when we need to do a rule change, there is no  
15 way around it and it's a rule change that's going to  
16 benefit all of us in terms of the system, that at least we  
17 can have a conversation about doing that, and provide some  
18 assurances about what we're -- what we intend when we  
19 undertake that rule change.

20 MR. MURPHY: Well, I -- I understand that, you  
21 know, there -- some things are outside of our -- or beyond  
22 our control. I'm just saying that, you know, as time  
23 passes, maybe that memory will dim, but as it stands right  
24 now, certainly the NRC may -- it can always change its own

1 rules, but that doesn't mean I'm going to be required to  
2 smile while they're doing it.

3 MR. HOYLE: Brad.

4 MR. METTAM: I want to ask Claudia a question.  
5 We had a conversation after the last meeting about the  
6 Department's current plan to create documents  
7 electronically, convert them into paper and then scan them  
8 in, to create the electronic image, and I was expressing  
9 my frustration and trying to figure out why they wanted to  
10 do it that way.

11 Are these kinds of changes aimed at making  
12 that process work without the interim step of hard copy  
13 and then OCR? Or is this not approaching that?

14 MR. JUNKIN: None of the specific  
15 recommendations we have made pertain to that particular  
16 process.

17 MS. NEWBURY: This refers probably more to the  
18 fact that you have to have a signature. Therefore, you  
19 would have to scan it back into the system. Hopefully we  
20 would be smart enough to have the text already there and  
21 we would just scan and relate the signature image to the  
22 text that was created electronically, wouldn't we?

23 MR. SILBERG: But, most of your documents  
24 don't have signatures.

25 MS. NEWBURY: That's true.

1 MR. MURPHY: You know, I think is really a --

2 MS. NEWBURY: But, the records packages  
3 related to this all do.

4 MR. SILBERG: I mean, I -- remembering years  
5 back, I had thought and I guess I've been surprised in the  
6 last couple of meetings to hear that DOE is not yet  
7 capturing documents electronically, because I thought we  
8 were told two or three years ago that they were starting  
9 to do that, and I guess I'm befuddled by why nothing along  
10 those lines has happened yet.

11 MS. NEWBURY: Maybe we should put together  
12 something to explain all that to you.

13 MR. SILBERG: You probably should. I think  
14 there is a consensus of the group that we -- we'd be just  
15 tickled pink, if, you know, DOE would not feel itself  
16 bound by the technologically limiting words, you know, we  
17 foolishly put into part 2, subpart J. Is that a fair --

18 MR. MURPHY: If we need to, would you be  
19 willing to make that as a formal motion, Jay? I'll be  
20 happy to second it.

21 MR. SILBERG: So moved.

22 MR. MURPHY: Second it.

23 MR. HOYLE: All in favor?

24 UNISON: Aye.

1                   MR. HOYLE: Okay. I will put together a  
2 letter and have it reviewed. I'll get you a letter.

3                   MS. NEWBURY: Thank you. I appreciate it.

4                   MR. SILBERG: I don't share Mal's paranoia  
5 about the --

6                   MR. MURPHY: You won last time. Of course you  
7 don't share my paranoia. They adopted your rule changes  
8 you stiff.

9                   MR. FRISCHMAN: In line with that, I think it  
10 needs to be understood that we specifically are not  
11 endorsing this recommendation.

12                   MS. NEWBURY: Correct.

13                   MR. SILBERG: What is --

14                   MS. NEWBURY: I was going to ask about it.  
15 That's not technology-specific language, so that's not --

16                   MR. DICKERSON: In the past, what we've shown  
17 you for the LSS schedule are timelines and major  
18 accomplishments in the future, and what I've had in mind  
19 to show you today in terms of the LSS schedule was more in  
20 the spirit of the presentation that we've been making in  
21 the sense that these are the things that are going on,  
22 these are where we're spending our time, and the things  
23 we're trying to bring to a close, and I want to identify  
24 those near and midterm things that we're trying to bring  
25 to a close.

1                   MR. SILBERG: Are there -- do you have  
2 handouts of these things?

3                   MR. DICKERSON: Yeah.

4                   MR. SILBERG: Any idea where they might be?

5                   MR. DICKERSON: They were on the table back  
6 there. They seem to be exhausted.

7                   MR. SILBERG: They were exhausted a long time  
8 ago.

9                   MR. DICKERSON: The first item I have up here  
10 is identification of the LSS option, in that the Technical  
11 Working Group had identified a number of options and  
12 recommended one to DOE in terms of pursuing the LSS, and  
13 so we are concerned about a decision being made relative  
14 to that option.

15                   The next two bullets then follow along in that  
16 same class, in that we've been talking about the Phase I  
17 functional requirements, and the concern that we have to  
18 bring those to a close near term, and we also then want to  
19 immediately pick up the Phase II functional requirements  
20 and bring those to a timely conclusion so we know what  
21 this system is going to look like, and in particular we  
22 can go ahead with the third bullet up there, the analysis  
23 of the benefits and cost which lead us to the build and  
24 buy decision.

1           And so I would sort of draw a line there in  
2 terms of those things all being immediate priority.  
3 Today, you're going to be hearing something about headers,  
4 and that gives us background in terms of the preparation  
5 for the OCRAM records management system beginning their  
6 reprocessing of their documents, and tomorrow, Dave will  
7 be talking about the inclusion/exclusion templates that  
8 are used for DOE, or OCRAM in terms of how it's putting  
9 things into that.

10           It's going to be giving you a broader picture  
11 of the records management system. I've already described  
12 to you the funding process for the LSS operations, or  
13 where we stand in that, and I had put down there the  
14 bullet mechanics. I think all that's well in hand, and so  
15 we've got to move ahead with institutional approval, and  
16 we have the background to do that now. It's a matter of  
17 getting the decision memorandum staffed and through the  
18 appropriate channels.

19           I've also put down there near and midterm  
20 implementation plans, which are more than just plans for  
21 the future. It's a matter of identifying specifically who  
22 has actions for various things and we're going to be  
23 working that very hard.

24           Now, I have some more items on the next foil,  
25 and you're going to be hearing one of these elements today

1 in terms of today or tomorrow. Site for the LSS  
2 operations. Where is the LSS going to be situated? And  
3 part of the concern about that is that we're implementing  
4 funding for operation of the LSS. There may very well be  
5 funding requirements that we have to plan for for that  
6 siting activity also, which perhaps we want to get under  
7 the same umbrella.

8 And then the NRC/DOE memorandum of  
9 understanding per the statement of the supplementary  
10 information, and that we move forward with that, and then  
11 I have put up here, proceed with rule changes and that's  
12 been overtaken by your discussion of the last few minutes.

13 So, these are going to be the things that  
14 we're going to be going full steam on, near term, and  
15 you're going to be hearing more about them at the next ARP  
16 meeting.

17 MR. SILBERG: What's the supplementary  
18 information?

19 MR. DICKERSON: Supplementary information  
20 under part 1011 had directed, if -- that's probably too  
21 strong a word for supplementary information. That's  
22 advised -- you know, DOE and NRC to come together for a  
23 memorandum of understanding relative to subpart J and the  
24 implementation thereof, and there have been a couple of

1 tries to do this, and nothing had come to close. And that  
2 is another issue that needs to come up.

3 MR. LEVIN: Fielden, are there any dates you  
4 can give us for any of these activities?

5 MR. DICKERSON: Yes, sir. Uh-huh.

6 MS. NEWBURY: Let me give a copy -- we're in  
7 the process of rebaselining right now. And in doing that,  
8 what we're trying to do is tie our schedules to budgets to  
9 the license application date. The two near term dates  
10 that I think are pretty crucial is we need the LSSARP's  
11 review and currents on the Phase I functional requirements  
12 document.

13 We have a finish date of 23 March, '95, or May  
14 '95, 23, May '95 for that. And we will begin developing  
15 our Phase II, the lower tier functional requirements  
16 beginning the 12th of April. So, really we would like to  
17 have any comments prior to the 12th of April on the level  
18 1 functional requirements to fold into the beginning of  
19 our level 2 decisions.

20 MR. MURPHY: Give me that date again, Claudia,  
21 you want comments on that by when?

22 MS. NEWBURY: I would like to have them prior  
23 to the 12th of April. I have to have them before the 23rd  
24 of May or I will not consider them. Is that --

1 MR. MURPHY: And that's just on level 1,  
2 right?

3 MS. NEWBURY: That's on the level 1  
4 requirements.

5 MR. MURPHY: Okay.

6 MR. LEVIN: When do you expect to be done, or  
7 at least have the first cut of the Phase II functional  
8 requirements?

9 MS. NEWBURY: The Phase II are supposed to be  
10 completed or developed by the 15th of June which is why  
11 I'd like to have any comments on the level 1 as quickly as  
12 possible.

13 MR. HOYLE: Let me ask a question of Roger.  
14 Is the working group going to recommend anything today?

15 MR. HARDWICK: Yes.

16 MR. HOYLE: Okay. On the level 1.

17 MR. DICKERSON: Okay. Now, I'll get you that  
18 information.

19 MR. MITCHELL: I have a recommendation. Some  
20 of these documents are not making its way towards this  
21 end. In the future, is it possible that some procedure  
22 could be in place so that the panel members could be  
23 assured that they have all the documents? I believe at  
24 the last meeting, we also had the same problem where we

1 were running back and forth to a table located someplace  
2 else to get documents.

3 MR. HOYLE: Lloyd, I'll take care of that.

4 MR. MURPHY: I may be jumping ahead until  
5 tomorrow here, but what do we need to decide or affirm or  
6 give guidance on with respect to the location of the LSS?

7 MR. HOYLE: Where is it going to be? I mean,  
8 there's some tacit understanding, but what will be  
9 presented is a little bit of a history about that tacit  
10 understanding, and I -- you'll be asked to simply --  
11 approval or denial, or pick a place.

12 MR. MURPHY: Las Vegas versus D.C., we're  
13 talking about, right? I mean, we're not -- you're not  
14 asking us to --

15 MR. SILBERG: Miami or --

16 MR. HOYLE: Yeah.

17 MR. BALCOLM: John, are we headed into the  
18 working group on the header?

19 MR. HOYLE: Yes.

20 MR. BALCOLM: Before we do that, can I raise  
21 one issue? I want to go back to what we started the  
22 meeting with, which was the funding mechanism. And I have  
23 to say I'm incredibly disappointed that the Department  
24 decided that none of the options other than going to

1 Congress every year for an appropriation with a line item  
2 was an appropriate method of funding it.

3 I think that's incredibly dangerous, and  
4 probably along some of your -- you know, all of the work  
5 that will have been done up to that point will be for not  
6 because Congress for whatever reason, and I agree with Mal  
7 that you really can't predict what they're going to do --

8 MR. DICKERSON: All of our funding is on one  
9 year, Brad.

10 MR. BALCOLM: I know it is. I know, but if --  
11 you know, we have heard Mr. Zelen say, you know, no LSS,  
12 no license, which makes it a priority in the Department's  
13 budget that they can't -- you know, if it's a line item,  
14 Congress doesn't necessarily have that priority. Congress  
15 could just as well say, "Well, we'll cut it in half  
16 because we're cutting everybody in half this year." I  
17 think it -- it exposes it to two great a risk.

18 MS. NEWBURY: Brad, we're in -- we have to  
19 appropriate -- if we are going to appropriate the money,  
20 we have to appropriate the money, and Congress is going to  
21 give us a set amount. By putting it -- and that leaves us  
22 in the position now, all right, how do we get that money  
23 to the NRC? In all the other mechanisms we looked at, we  
24 have oversight responsibility for the people who are  
25 overseeing us, and that seems kind of convoluted.

1           I mean, now we have to write things that says,  
2 "Are you operating the LSS in accordance with our  
3 agreements," when actually it's their responsibility.

4           MR. CAMERON: And even -- it doesn't get our -  
5 - you don't get around the basic problem.

6           MR. BALCOLM: If Congress did not want it to  
7 be in LSS, they could write it in the appropriations  
8 language saying, "We don't want you to spend any of this  
9 money on the LSS and that would be the end of it." Okay?  
10 But, for every year for them to have to make this sort of  
11 advisably conscious decision --

12           MR. SILBERG: Why does it have to be -- why  
13 does it have to be a line item to be LSS? Why can't it  
14 just be part of the nuclear-raised fund money that gets  
15 moved from DOE to NRC every year?

16           MS. NEWBURY: Because there has to be a  
17 mechanism to move it.

18           MR. SILBERG: There isn't any -- why does it  
19 have to be a separately identified line that -- opposed to  
20 just -- you know, in that 15 million, \$20 million,  
21 whatever it is, there's now an extra million.

22           MR. DICKERSON: No, no, no. There is not any  
23 money that gets moved from DOE to NRC.

24           MR. CAMERON: We do our own.

1                   MR. DICKERSON: They have their own  
2 appropriation.

3                   MR. CAMERON: We don't get our money from DOE  
4 anymore.

5                   MR. SILBERG: but it comes out of the Nuclear  
6 Waste Fund, doesn't it?

7                   MR. CAMERON: Right.

8                   MS. NEWBURY: But, in a separate appropriation  
9 for the NRC.

10                  MR. SILBERG: Why can't it come out of the  
11 Nuclear Waste Fund like it does for this money?

12                  MR. DICKERSON: It will come out of the  
13 Nuclear Waste Fund.

14                  MR. SILBERG: Why does it have to go through  
15 DOE?

16                  MR. DICKERSON: Because --

17                  MR. SILBERG: Why can't it just be part of  
18 NRC's regular money?

19                  MR. MURPHY: Because when we were negotiating  
20 the rule. The NRC wanted to play this little shell game,  
21 so that their budget wouldn't look big, and DOE's budget  
22 would. That's the only                   reason we did it. I  
23 mean, they won it.

24                  MR. CAMERON: Just let me say that we wouldn't  
25 agree with the characterization -- but, I don't think -- I

1 think we're making a -- personally, I think that we're  
2 making a problem of something that isn't a problem. If  
3 DOE is willing to do this, and if any request for  
4 appropriations whether it's NRC or DOE is going to have to  
5 be approved by Congress, then why not do it?

6 We're always subject to the vagaries of the  
7 appropriations process. I don't see --

8 MR. SILBERG: Except --

9 MR. CAMERON: -- I really don't see any way  
10 else around it.

11 MR. SILBERG: It seems to me if you it as a  
12 specific item as opposed to part of a particular package,  
13 you're just highlighting that item, and at some point,  
14 someone may scratch their head and say, "You know, here's  
15 a piece of pork, let's get rid of this one."

16 MR. CAMERON: You can put it under telephone  
17 and other communications. Like that.

18 MS. NEWBURY: That's kind of low on our budget  
19 pyre.

20 MR. FRISCHMAN: Let's remember that the LSS is  
21 really only there for the purposes of those who want a  
22 very fast licensing procedure. If the Congress decides  
23 they're not going to fund the LSS, all is not lost. The  
24 applicant still has a responsibility.

25 MR. MURPHY: That's true.

1           MR. FRISCHMAN: So, it seems to me that it  
2 would be very important to DOE to maybe make sure that  
3 they got that appropriation above their public relations  
4 appropriation.

5           MR. MURPHY: That's true. That's absolutely  
6 true.

7           MR. FRISCHMAN: So, it's really the -- the  
8 burden is on DOE, and if Congress doesn't want to pay for  
9 the LSS, and DOE still have to put together a workable  
10 database for a license application, then so be it.

11          MS. NEWBURY: Well, DOE will be developing the  
12 LSS. There's -- we have that part funded. What we're  
13 arguing is the operation -- or discussing is the operation  
14 and maintenance portion of it when it is the NRC's  
15 database now. It is no longer DOE's. And the method that  
16 we can transfer money without assuming oversight of that  
17 money's use. We don't want to oversee how the LSS is  
18 operated and maintained.

19          MR. MURPHY: No, you're absolutely correct in  
20 that Claudia. And that is precisely the reason why the  
21 state and locals now get direct payments rather than  
22 grants, because we all complained about --

23          MS. NEWBURY: That's right.

24          MR. MURPHY: -- having DOE oversee us when we  
25 were the overseers of DOE. Precisely the same, and it

1 would be no better in that circumstance than it was in our  
2 circumstance. But, what Steve is saying is that the  
3 reason -- and I think there are two reasons for the LSS,  
4 one being to allow us -- to give us a chance to effect  
5 that we participate in this process without the staffs  
6 that both you and the NRC have.

7           The second reason and overriding reason is to  
8 give -- is to allow some possibility at least that the  
9 licensing process can be conducted within three years.  
10 So, it's -- you know, Steve's point is perfectly valid.  
11 It's up to DOE, and I would add, Steve, the NRC to go up  
12 there and persuade Congress to keep funding the NRC --  
13 funding the LSS.

14           DOE needs it because you want to have your  
15 license as quickly as you can get it, after you finally  
16 get around to applying for one. The NRC needs it it seems  
17 to me because that's the only way, I think -- and I'm  
18 still convinced of this, it's the only way you could  
19 possibly meet a three year licensing deadline, and without  
20 the LSS you're exposing yourself, I'm talking to John and  
21 Chip and Moe now, and really I'm talking to the chairman -  
22 - without the LSS, the NRC is exposing themselves to being  
23 beaten around the head and ears by Congress for failing to  
24 issue a license -- or failing to make a licensing decision  
25 within three years, which the act requires.

1           So, it -- I mean, 90 percent of the reason for  
2 the LSS is to benefit the NRC and DOE, and if they -- if  
3 the secretary and the chairman can't go to Congress and  
4 persuade Congress that the LSS is worth the money, there  
5 ain't nothing we can do about it. Not today or not ever.

6           MR. HOYLE: Unless there's further  
7 discussion --

8           MR. MURPHY: With the help of the utilities,  
9 of course, Jay.

10          MR. HOYLE: Let's proceed then to working  
11 group reports. So, Roger, I guess yours is first.

12          MR. HARDWICK: Well, as I said, I'm Roger  
13 Hardwick, Chairman of the LSSARP Technical Working Group,  
14 otherwise known as the TWG. And before I get started, I  
15 would like to take an opportunity to introduce everybody  
16 that's on the group, and so that when you decide you're  
17 going to beat us up after my presentation, that you can  
18 beat them up too. So I'll start off with the closest one.  
19 Dan Grazer of the NRC is in our working group. Stand up  
20 and show yourself. Everybody knows Dan already.

21          SPEAKER: Stand up and expose yourself.

22          MR. HARDWICK: Tom Nartker from UNLV. Thanks,  
23 Tom. Kirk Balcom with the State of Nevada is also a  
24 member of our working group. John Gandi with the  
25 Department of Energy and we've been up here -- Fielden

1 Dickerson with the M & O Contractors. And did I miss  
2 anybody? There's another UNLV representative of industry,  
3 Kazem Taghva that runs the Information Science Research  
4 Institute at UNLV, and I think that's it.

5           So -- and I would invite any of the Technical  
6 Working Group members as I give this presentation, if I'm  
7 wrong, off base or there's anything missing here, jump in  
8 and slow me down. I handed out -- what I handed out to  
9 the group and I'll put on the table back here is basically  
10 a list of all the technical work group members, their  
11 address, phone number and everything that you'd want to  
12 know about it because one of our charters is to compile  
13 information, and interpret it, pass it on to the panel so  
14 we're open for gathering information from anybody.

15           And along those lines, we've also created an  
16 Internet address for the Technical Working Group that  
17 anybody that has access to Internet can send mail, or  
18 documents, or anything they want to the Technical Working  
19 Group. And there's a handout with that address on it. I  
20 will put that back on the table and the panel has the  
21 varying notes.

22           The first thing we want to do is the handout I  
23 gave you guys was the -- some of the issues we'd like to  
24 talk about. I know on the agenda it says that what we're

1 doing in this particular position was the function  
2 requirements document review for an hour and 15 minutes.

3           What I'd like to do is be able to take the  
4 opportunity to go over just briefly all the activities of  
5 the Technical Working Group, and which includes a  
6 functional requirements document review. And I will still  
7 complete it before the allotted time; hopefully a lot  
8 before the allotted time.

9           One of the first things I'd like to do also is  
10 to pass around the charter. And I think everybody on the  
11 panel has a copy of the charter of the working group. And  
12 for the benefit of the audience, I will put some on the  
13 table in fact. Let me just take a second and read it, and  
14 this has been through several iterations and several  
15 review people, and the Technical Working Group was hoping  
16 that at this meeting of the panel they could get some  
17 initial blessing that says yeah, you go ahead and do this.

18           Excuse me. Let me take a second and read it:  
19 "The LSSARP Technical Working Group is organized as a  
20 subcommittee of the LSS Advisory Review Panel to  
21 facilitate the technical understanding of panel members on  
22 topics concerning LSS design, development and operation.  
23 Upon the request of the panel, the Technical Working Group  
24 will provide assistance in identifying, gathering  
25 information on and explaining the technical aspects of

1 topics under consideration by the panel. The Technical  
2 Working Group will report on its activities at panel  
3 meetings."

4 And that basically is it. So all we are is,  
5 as I said, a gatherer of information, and an interpreter  
6 in some cases, and a presenter of that information to the  
7 panel.

8 MR. HOYLE: Let me stop at this point and --

9 MR. HARDWICK: Sure.

10 MR. HOYLE: -- ask the members whether they  
11 want to discuss that at all or argue it, or in agreement  
12 with the language.

13 MR. STATLER: Sounds good.

14 MR. HOYLE: Okay. We have a consensus on  
15 that.

16 MR. HARDWICK: Good. Thank you very much.  
17 And as I -- you notice in the other handouts, one of the  
18 things that we did, we've had three meetings since its  
19 inception and since the last ARP meeting. Two were  
20 face-to-face meetings; the most recent being yesterday.  
21 That's why my handouts are -- I don't have overheads and  
22 all the fancy handouts because they wouldn't let me out of  
23 there until late last night. So three -- two meetings and  
24 one was video teleconference which DOE made available  
25 their video teleconference equipment with the East Coast,

1 and that worked out great. That was about a three hour  
2 meeting that went without a hitch so I'm really becoming a  
3 believer in that video teleconference because I'm really  
4 against traveling. So that was -- we appreciate that and  
5 we appreciate the use of the equipment.

6 One of the things we did in our first meeting  
7 was the NRC had handed out this Commitments Document for  
8 everybody to review, so in the Technical Working Group  
9 meeting we reviewed that, provided some comments, informal  
10 comments on this Commitments document, and those were very  
11 well received. There was a brief discussion and it went  
12 no further because it's a real good start document and we  
13 figured -- we felt that with the comments implemented and  
14 where the directions were going on that, that every  
15 confidence that things were going to move along there  
16 so -- and I know there's going to be a presentation on  
17 that document sometime during this meeting.

18 The LSS functional requirements document  
19 review, as I said, we had that for about a month, and  
20 basically the overall opinion, and correct me anybody in  
21 the group that's wrong, was that it's a very good first  
22 shot; a very good foundation to begin to do the system  
23 design requirements, the Phase I requirements.

24 The conclusion that it came to was that as we  
25 had mentioned earlier, that what the Phase I requirements

1 were doing was an interpretation of subpart J, and some of  
2 the questions that came up, or concerns that came up in  
3 the group were that that interpretation was subject to who  
4 was doing that.

5           What the Technical Working Group would like to  
6 do would be able to have a shot at doing -- working with  
7 Phase I -- developing the Phase I requirements and submit  
8 them to DOE for review and comment, and the NRC for review  
9 and comment.

10           The background -- I don't know if you know the  
11 people that are on the Technical Working Group but it  
12 totals over a hundred years of systems design experience,  
13 plus some very unique experience in litigation support  
14 system which is systems which is just unheard of in the  
15 country almost. So we really feel there's the expertise  
16 there to be able to do a good first shot at Phase I  
17 requirements.

18           And as you know, as a member of the Technical  
19 Working Group is John Gandi so he would certainly have his  
20 two cents of say in it. What we'd like to recommend is  
21 that it's a very good first shot at the document. We're  
22 planning a meeting on April 17th and 18th in Denver, you  
23 know, if the panel approves and gives us direction to do  
24 this, to do just that, and basically come up with the  
25 Phase I requirements.

1           Now the Phase I requirements the DOE has in  
2 their document are just, you know, adequate in some areas,  
3 really great and more than adequate in other areas, and  
4 totally missing the point in other areas, or just too  
5 vague, you know, which you would expect in a first shot at  
6 this. So I don't know what the reaction to that -- what  
7 you -- John's never heard this before because he missed  
8 our meeting before, so what do you think, John?

9           MR. GANDI: That's what happens.

10          MR. HARDWICK: Huh?

11          MR. GANDI: I'd like to converse more with you  
12 on that subject.

13          MR. HARDWICK: Off line -- okay. Well, that's  
14 the other thing we'd like to do is make ourselves as the  
15 Technical Working Group available throughout these two  
16 days worth of meetings for any kind of comments and  
17 discussion or question to -- because as you might suspect  
18 when we get a group like this together, we don't just --  
19 we solve all the world problems. We don't just solve LSS  
20 problems, you know, so it's -- we've certainly considered  
21 talking about many things that are perhaps not in our  
22 charter.

23          MR. GANDI: I think, Roger, it's important to  
24 recognize the Phase I requirements was an interpretation  
25 of 10 C.F.R. 2, and the basic portion of it --

1 MR. HARDWICK: Yes.

2 MR. GANDI: -- was not intended to go any  
3 farther than that.

4 MR. HARDWICK: Yeah. And that -- we recognize  
5 that, and we recognize that was what the intent on that  
6 Phase II. But if there's going to be problems with  
7 interpretation at Phase I which should be the easiest --

8 MR. GANDI: Uh-huh.

9 MR. HARDWICK: -- interpretation, imagine the  
10 problems we're going to have if we get into Phase II, and  
11 it's a more complex, detailed design interpretation, you  
12 know. That's why it's worthwhile now to take the time and  
13 get a good solid set of Phase I requirements that the NRC,  
14 DOE and the NRC Government can all live with, and then  
15 take that and it'll make the next step a lot easier.

16 MS. NEWBURY: But you heard me give the dates  
17 on our schedules, so you would have the April 12th and May  
18 23rd deadlines for anything that we're going to do --

19 MR. HARDWICK: We would propose --

20 MS. NEWBURY: -- because if we don't --

21 MR. HARDWICK: Yeah.

22 MS. NEWBURY: -- if we don't make those, we're  
23 not going to make the LSS schedule.

24 MR. HARDWICK: Well, we would propose in the  
25 makeup of the Technical Working Group, and again this is

1 just me speaking, and I'm making a recommendation to the  
2 panel, not to the DOE or to anything else, but the  
3 Technical -- the makeup of the Technical Working Group has  
4 a representative of NRC, and a representative of DOE, and  
5 two representatives of the State, and a representative of  
6 industry. And we would propose that we could do that in a  
7 one session review. We could come up with a list of, and  
8 edit for modification or review of your list of Phase I  
9 requirements at our April 17th meeting in Denver, and at  
10 the end of that meeting we would have that list. And  
11 nobody would leave the room until everybody agreed to it,  
12 so that's -- I mean this is just what we were thinking.  
13 You know, if we're way out of line, now is the time to  
14 tell us. We're just trying to facilitate getting this  
15 thing to move forward.

16 MS. NEWBURY: I'd like to follow that a little  
17 but further and see where that would lead me, because that  
18 would be your -- again your functional requirements. And  
19 now if those are additional beyond what was in our  
20 interpretation of 10 C.F.R. 2, or if we can't find them  
21 directly in subpart J, that would require the LSSARP's  
22 consensus--

MR. HARDWICK: Yes.

23 MS. NEWBURY: -- before we put it into the  
24 requirements documents, and what time are we talking  
25 about?

1           MR. HARDWICK: Well, and that's a real good  
2 point. I'm glad you brought that up because it most  
3 certainly will -- we agreed as we went through and  
4 reviewed the functional requirements document, we agreed  
5 that perhaps some of the language was generic for the days  
6 that it was written and was no longer appropriate, and  
7 some of the design things that were mentioned there were  
8 not. And we also came to the conclusion that it was not  
9 the intent of the negotiated rules to put those kinds of  
10 restrictions on. However, the experience and background  
11 of the people on the ARP -- I mean on the Technical  
12 Working Group, everybody came up with the very same  
13 consensus as now and said there's no way we're going to  
14 change the rules. You know, that's just not something  
15 that's going to happen, and if it's antiquated language,  
16 we're going to have to find a way to work around it.

17           Well, the functional requirements basically is  
18 doing that. What it does is it interprets the 10 C.F.R. 2  
19 requirements in the Phase I requirements which are the  
20 highest level system design requirements. And that's the  
21 way that you implement it from the rule, but the problem  
22 there is that what you're doing is you're interpreting  
23 this language, you know, from several years ago into  
24 today's technology and, you know, that's where you get  
25 into differing opinions as to what's the best solution.

1 And so that was why we really felt strongly that we wanted  
2 to participate and have a shot at coming up with, you  
3 know, a set of Phase I requirements based on 10 C.F.R. 2,  
4 and based on your functional requirements that would in  
5 fact be something the NRC could live with, the DOE could  
6 live with, and the panel could approve.

7 Because is that the normal process with these?  
8 Is -- are the -- is your functional requirement document  
9 going to have to be approved by the panel?

10 MS. NEWBURY: I don't believe so. We've got  
11 the responsibility for design and development of the LSS.  
12 What the rule says is that if there any additional things  
13 that you want to put in the LSS that is not part of what's  
14 in subpart J is that you have to get consensus from the  
15 Group. And if I'm wrong in my interpretation of subpart  
16 J, somebody yell at me and tell me so.

17 MR. CAMERON: Why don't --

18 MS. NEWBURY: I'm trying to find it.

19 MR. CAMERON: I don't know where that last  
20 part came from. Maybe you're referring to what we did  
21 this morning. But if you're talking -- you know, the  
22 LSSARP is an advisory panel not just to the LSS  
23 Administrator, but to the Department of Energy --

24 MS. NEWBURY: Right. I've got it.

1           MR. CAMERON:  -- and I think that you should  
2 be looking to the ARP for advice on your functional  
3 requirements document.

4           MS. NEWBURY:  Right.  It says the DOE shall  
5 implement consensus advice from the LSSARP that is  
6 consistent with the requirements of this subpart, so we  
7 have to implement it during design and development.

8           MR. CAMERON:  Right.

9           MS. NEWBURY:  So what I'm saying is that if  
10 there are additional functional requirements that we  
11 haven't picked out of this --

12           MR. HARDWICK:  And we're not saying where  
13 they're identifying additional functional requirements.  
14 We're saying that the interpretation in some cases is so  
15 vague, I don't have a copy of it in front of me, is so  
16 vague that it could be anything.  And the argument -- not  
17 the argument, but the response back is this is supposed to  
18 be the easiest to define, the Phase I requirements.

19           The Phase II requirements and I think you'll  
20 agree, are going to be a real bear to -- to get a  
21 consensus so you've got to be as specific as you can in  
22 the Phase I requirements in doing system design.  And this  
23 is based on many years of experience in system design, not  
24 only myself but other people on the Technical Working

1 Group. That was our opinion, and it's -- there's no  
2 motivation there other than a good solid systems design.

3 MR. CAMERON: Is the main issue here one of  
4 timing, because I don't think that we should get really  
5 excited about things that --

6 MS. NEWBURY: That's a --

7 MR. CAMERON: -- we're projecting in terms of  
8 what the working group is going to come up with. We may  
9 want to wait and see what that is, but it is part of your  
10 concern, is the timing issue.

11 MS. NEWBURY: I'm concerned about time because  
12 they have what we think is the answer, and we could  
13 proceed with that if you had additional advice of things  
14 that we need to incorporate or other things we need to do.  
15 I need to get consensus from this group if we're going to  
16 do it.

17 MR. HARDWICK: Well, one of the analogies that  
18 was used in --

19 MS. NEWBURY: And I've got a month.

20 MR. HARDWICK: One of the analogies that was  
21 used in defining what the Phase I requirements are to the  
22 LSS was that it was the constitution, and that means that  
23 it is the baseline; it is the basic design document.  
24 Everything refers back to it. You don't do a Phase II  
25 requirement unless it's in a Phase I requirement.

1 MS. NEWBURY: Right.

2 MR. HARDWICK: So therefore, that makes it an  
3 even more important document, and you know, if -- and  
4 perhaps it takes such a time to do it that's -- it's our  
5 opinion it's a worthwhile investment. Anybody on the  
6 group here if they disagree with what I'm saying --

7 MR. BALCOM: Yeah. No, I'd like to respond a  
8 little bit about see -- seeing the problem with seeing  
9 Level I requirements tied directly to a paragraph in the  
10 subpart J. I had a little bit of difficulty seeing how  
11 the LSS-1 words were actually able to come out of the  
12 C.F.R. language.

13 The -- in other words, the -- it didn't seem  
14 to follow necessarily for me. That was -- that was one  
15 issue that came up from time to time. The other one was I  
16 kept looking for a common sense system here, and to  
17 develop Level I requirements to simply get the done given  
18 the experience of industry and people building large  
19 discovery types of databases, and then having come up with  
20 that set of fairly generic requirements, make sure 10  
21 C.F.R. fits into it, but also make sure that it's cost  
22 effective; that it's not so onerous that it would, you  
23 know, J wouldn't be able to, you know, couldn't carry all  
24 the money in his pockets.

1           And so, it would just seem to me that the --  
2   that the logical steps here were a little hard to follow,  
3   and that I think it would have made more sense to me if I  
4   could have seen a full -- and I know -- I know the  
5   circumstances under which this had to be put together and  
6   written and everything. And we thought as a group if we  
7   could simply help you with some more fundamental generic  
8   requirements based on our experience. And will see them  
9   certainly as a way to help you shortcut, you know, a  
10   potential problem of having you deliver us something which  
11   we just didn't like, but getting everybody together to do  
12   this ahead of time.

13           MR. HOYLE: Having heard the DOE schedule and  
14   appeal that it be met, can the -- is it possible for the  
15   Working Group to meet before April the 18th?

16           MR. HARDWICK: The 17th.

17           MR. HOYLE: The 17th.

18           MR. HARDWICK: I would -- we didn't consider  
19   an earlier date, but --

20           MR. HOYLE: Perhaps you could --

21           MR. HARDWICK: -- I could certainly get  
22   together and -- you know, if you guys think this is as  
23   good idea and worthwhile effort, it -- the Technical  
24   Working Group is willing to commit to these two days worth  
25   of dedicated effort towards this, and that commit that at

1 the end of it we would have a series of Phase I  
2 requirement recommendations. Now you don't have to take  
3 them if you don't want them, but we're just saying that,  
4 you know, that would give us a shot and doing it, give  
5 them to you and NRC will have them at the same time  
6 because NRC is on the Technical Working Group, and NRC  
7 will also have input to it and --

8 MR. MURPHY: Didn't -- Claudia, didn't you say  
9 that you'd accept comments until the 23rd of May?

10 MS. NEWBURY: That's right. I said I would  
11 like to -- we want to start our Phase II requirements on  
12 April 15th I believe is the date is what I said.

13 MR. MURPHY: 12th.

14 MS. NEWBURY: 12th. And so I would prefer to  
15 have any comments prior to that date.

16 SPEAKER: But if you got their's on say the  
17 20th would that -- of April?

18 MS. NEWBURY: We can look at them. I'm not --  
19 now I'm going to ask another question. Are these simply  
20 recommendations that we can accept or reject or are these  
21 going to be things that we have to do?

22 MR. MURPHY: They're not -- I don't think --  
23 unless the Group has seen them, they're not a consensus of  
24 the ARP.

25 MR. HARDWICK: Right. Yes.

1 MS. NEWBURY: That's right.

2 MR. HARDWICK: Unless the panel sees them.

3 MS. NEWBURY: And that's where I got to where  
4 do we get the consensus of the ARP?

5 MR. HARDWICK: But at the next ARP meeting we  
6 could certainly bring it up and discuss why they didn't  
7 get implemented if they were sound suggestions.

8 MS. NEWBURY: But you won't make me go back  
9 and redo it?

10 MR. HARDWICK: No. I'm not going to make you  
11 do anything. This is just going to be suggestions.

12 MS. NEWBURY: Okay. So they are merely  
13 suggestions --

14 MR. HARDWICK: It is what we're proposing.

15 MS. NEWBURY: -- that you're proposing.

16 MR. HARDWICK: You know, and one of the  
17 analogies that was used was subpart J would be -- to a  
18 construction engineer perhaps would be like go out and  
19 design a building and build it, and build it so it's in  
20 the southwest so that's in desert climate. That's what  
21 subpart J said.

22 Now what we have to do with Phase I  
23 requirements is say how big, how wide, how warm, how high,  
24 how cold, how deep, how much electricity, water, plumbing  
25 has to be in this building. And there -- it's very, very

1 critical that in these Phase I requirements we say this  
2 building is 33 stories high, have 15 elevators, 17 exists,  
3 you know, that's perhaps not an analogy that you can  
4 relate to, but it was just the way that we had --

5 MR. HOYLE: Let me talk about process for a  
6 minute. Stan?

7 MR. ECHOLS: Yes. Just one thing on the  
8 function -- on the requirements of subpart J. It's a  
9 little more detailed than just build a house and  
10 (indiscernible). It was build a house with certain  
11 minimal requirements, and if you don't meet those  
12 requirements, we will punish you, and punish you severely.  
13 Okay. You will have to go back to --

14 MR. HARDWICK: But we'll still accept the  
15 house?

16 MR. ECHOLS: You -- no, you will have to go  
17 back to subpart G as opposed to subpart J.

18 SPEAKER: You'd have to go back and live in  
19 your tent.

20 MR. ECHOLS: And so there is a little bit of  
21 difference. There's a consequence for not meeting the  
22 specific requirements of "J", and they are certainly very  
23 specific as to the minimal level. Now within -- what  
24 they're trying to do as I understand it is to define that

1 minimal level in functionality as opposed to hardware so  
2 that the next level has the freedom to fit the right --

3 MR. HARDWICK: Exactly.

4 MR. ECHOLS: -- windows --

5 MR. HARDWICK: Yeah.

6 MR. ECHOLS: -- the orientation of the house on  
7 the lot --

8 MR. HARDWICK: Yeah.

9 MR. ECHOLS: -- and that kind of thing.

10 MR. HARDWICK: Yeah. And that's basically  
11 what I was trying to say here, is I've been accused of  
12 being a little too fullsy (sic) in my language sometimes,  
13 so I appreciate any clarifications I can get.

14 MR. MURPHY: Do we know whether or not there  
15 is a gap right now between the -- between the proposed  
16 functional requirements and what the Technical Working  
17 Group might be suggesting, and --

18 MR. HARDWICK: We don't know because we didn't  
19 go into it. And we didn't have the time to go into it in  
20 that great a detail as a group. But we went into enough  
21 detail and had the discussion for the biggest part of  
22 yesterday to have a concern that we would like to be able  
23 to sit down and go into that kind of detail. And I don't  
24 know to what extent we're going to come up with a set of  
25 totally different Phase I requirements.

1 MR. SILBERG: Do you have any examples?

2 MR. HARDWICK: You know, I just tried to go  
3 through one, and if there's anybody else in the group, I  
4 just tried to remember what one of them was, and I think  
5 we reached a consensus on reading one of them that --

6 MR. MURPHY: John and Fielden were both part  
7 of that discussion weren't they?

8 MR. GANDI: No, I wasn't. I missed yesterday.

9 MR. HARDWICK: No. John was -- John wasn't  
10 there. That's why we made all these decisions.

11 MR. GANDI: With Fielden?

12 MR. HARDWICK: I just gave him a copy of the  
13 minutes right before this meeting started so --

14 MR. GANDI: So it's not --

15 MR. HARDWICK: He should have had time to read  
16 it.

17 MR. MURPHY: So what our technical -- well, I  
18 mean DOE and the NRC and the M & O are part of the  
19 Technical Working Group, so whatever the Technical Working  
20 Group is now thinking of shouldn't come as any shock to  
21 the -- to DOE if -- on the --

22 MR. HARDWICK: Oh, yeah. And here's an  
23 example. Thanks very much, Fielden. An example was on  
24 page 11 of the functional requirements, it refers back to  
25 the 10 C.F.R., Part II, subpart J citation and I won't go

1 through the whole citation because it's several sentences,  
2 but the level and requirement interpretation of that is  
3 LSS1-001, and it says: "The LSS shall be designed in a  
4 modular fashion to allow for the integration of functional  
5 components."

6           You know, and boy, that pretty much says you  
7 can do anything you want. I mean I want you to build a  
8 building. Okay. We're going to build a building. Is it  
9 going to be in Minnesota or Texas? You know, what kind of  
10 insulation? Does it have, you know -- I mean it's just  
11 modular fashion to allow for integration of functional  
12 components.

13           MR. MURPHY: Well, yeah.

14           MR. HARDWICK: It really doesn't say anything  
15 at all, and it's how you get that statement out of the  
16 citation. How do you get the statement that it's going to  
17 be modular and allow for the integration of functional  
18 requirements? That's a basic thing on any system.

19           MR. MURPHY: No, but what I'm getting at is  
20 that whatever recommendations the Technical Working Group  
21 comes up with are not going to come as any great surprise  
22 to DOE.

23           MR. HARDWICK: I hope not.

24           MR. MURPHY: I mean Claudia is not going to  
25 hear about --

1                   MR. HARDWICK:  If they -- if DOE attends the  
2 meetings.

3                   MS. NEWBURY:  Not if John goes to the  
4 meetings, no.

5                   MR. HARDWICK:  Well, is it our fault?

6                   MS. NEWBURY:  No.  It's not your fault.

7                   MR. HARDWICK:  One of the other -- another  
8 example that Dan just mentioned to me which was even a  
9 better example was the LSS shall provide read-write access  
10 to users.  This in a -- the systems world in our computer  
11 world, that is absolutely unthinkable, never happen.  No  
12 way in the world would you ever give a user write-access  
13 to anything.  You know, all the read access, but  
14 especially a system like this; if we're going to let  
15 intervenors in there, there's hackers out there that just  
16 get their jollies off of being able to screw things up and  
17 do writes to systems, but that specifically says that in  
18 subpart J citation --

19                   MR. GANDI:  Yes.

20                   MR. HARDWICK:  -- to do that.

21                   MR. GANDI:  But if you don't allow them to  
22 have write access, how do they file their dockets  
23 electronically?

1           MR. HARDWICK:  And that's one of the things  
2  that is part -- a comprehensive part of system designing,  
3  that-- go ahead.

4           MR. CAMERON:  It sound like these -- I think  
5  Kirk probably gave the best characterization of what the  
6  working group comments were going to be like, and it  
7  sounds to me like they're going to be helpful.  And if the  
8  Working Group can get comments to DOE, taking into account  
9  what Mel said that, you know, Fielden is on there by the  
10  20th, it sounds like they could be integrated, and if you  
11  could send a copy of the report at the same time to all of  
12  the ARP panel members, and if panel members have any  
13  heartburn about anything in there then they, can you know,  
14  immediately put that into the mix through John or  
15  something.  But I have a feeling that, you know, that may  
16  not happen, that the panel is going to be -- so that way  
17  we'll get around this, the panel going back and directly  
18  DOE to --

19           MR. HARDWICK:  Yeah.  You know, that --

20           MS. NEWBURY:  I don't want to be there.

21           MR. HARDWICK:  Chip, that's been the mode of  
22  operation of the working group.  We're tried to do that on  
23  everything.  When I have -- whenever we have a meeting,  
24  and the minutes are out within days of it, and they're  
25  distributed to the entire panel.

1           MR. MURPHY: Well, that's -- you know, that's  
2 the reason for having the working group is so that we  
3 don't get documents from DOE that everybody says oh, gee.  
4 This is no bloody good.

5           MR. HARDWICK: Yeah.

6           MR. MURPHY: I mean that our input is made --  
7 the reason all of us are on the Working Group, or all of  
8 us have representatives on the Working Group is that it  
9 can be satisfactory to the ARP, pretty much satisfactory  
10 the first time anybody sees it, because the Technical  
11 Working Group input will be there already.

12          MR. HOYLE: Yeah. As far as --

13          MR. MURPHY: Am I misstating that, Claudia?

14          MS. NEWBURY: I have to think about what you  
15 stated.

16          MR. MURPHY: Well, isn't that right? I mean  
17 you -- you've got a representative on the Working Group.

18          MR. CAMERON: That's right.

19          MR. MURPHY: Moe has one. We're going to have  
20 one. I think my county is going to have a representative.  
21 The State has, Clark County has, the M & O has, so that,  
22 you know, hopefully -- I mean I thought the reason for  
23 having a Technical Working Group was that -- was to make  
24 sure that your documents had our input before they ever  
25 saw the light of day.

1 MS. NEWBURY: That's good and that's true.  
2 Bear in mind that these documents were prepared to.

3 MR. MURPHY: Oh, I understand that. Yeah. I  
4 know this -- but what I -- I guess what I'm saying is this  
5 may be a slight scheduling problem only for the first one.

6 MS. NEWBURY: I would hope that's the case.

7 MR. HARDWICK: Yes.

8 MR. MURPHY: And for future ones, it's just  
9 not going to be a problem.

10 MS. NEWBURY: Yeah.

11 MR. HOYLE: Okay. Let me just mention my  
12 process problem just for the record. The working group  
13 needs to report to the panel, and not be a panel in itself  
14 that has meetings that are not publicly noticed and that  
15 sort of thing. So I would like the report of the panel to  
16 come to me as quickly as you can and let me get it to the  
17 panel members and -- by phone or some activity. I want to  
18 assure myself that I have the panel's approval of this,  
19 and I'd like to ratify it then later on.

20 Okay. Now I would urge you to look for an  
21 earlier meeting date if that's possible.

22 MR. HARDWICK: Sure.

23 MR. HOYLE: I know when you have that many  
24 people involved it's difficult to get everybody together,  
25 but please do that, and we'll see what we can do about

1 meeting the -- sometime before the last two weeks or  
2 before the last week of April.

3 MR. HARDWICK: Yeah. And that April 17th  
4 wasn't even a commitment because we didn't -- we hadn't  
5 talked to John Gandi about it yet as to what his  
6 availability was, so I will get back before the two  
7 days -- this two days of meetings are over with, I'll get  
8 back and tell you a date that we're -- and in addition,  
9 John, we're -- we're just getting our feet wet on this  
10 Technical Working Group.

11 We want to make sure that all the "T's" are  
12 crossed and the "I's" are dotted, and any advice you give  
13 us on how to proceed would certainly be appreciated. We  
14 tried to be timely in disbursing all of our information.

15 MR. HOYLE: Right. Okay. If -- and when you  
16 do have your date set and you want to give public notice  
17 for that meeting, and hold it in a room where the public  
18 could attend if they wish to, that's even better. But  
19 because your fact finding and your developing analysis of  
20 documents that you're going to recommend the full panel to  
21 take action on, this -- it's the full panel that needs to  
22 do the action --

23 MR. HARDWICK: Yes.

24 MR. HOYLE: -- and needs to get the advice to  
25 the agencies. Okay?

1           MR. HARDWICK: Before I go off this topic, let  
2 me just give you a little example of a story of language  
3 getting confusing and not being able to, you know, if  
4 you'll indulge me for just a minute here.

5           This woman called the fire department and said  
6 her house is on fire. Can you come and put it out? And  
7 they said sure, how do we get there? And she said don't  
8 you still have those big red trucks?

9           The other issue that I wanted to talk about  
10 was the LSS Facility Citing Status, and that was brought  
11 up and because -- just because it has been a concern and  
12 really nobody knew if there had been a decision. And if  
13 the decision, where it was or what it was, so we as the  
14 Working Group thought that we could look at that with  
15 very -- just to give it a historical perspective in  
16 research to say where it stands right now. And we did  
17 that, and did some research. And the only mentioning LSS  
18 Citing was the FY89 Appropriations. They designated US --  
19 UNLV as the cite of the LSS. However, that was a one shot  
20 deal and the opinion was that that was an '89  
21 appropriations issue, and that after '89 is over with,  
22 it's over with.

23           On the other hand it seems, and I'll -- I'm  
24 just going through here, a Technical Working Group  
25 statement that's been compiled. On the other hand it

1 seems that Congress has spoken, and that the LSS must be  
2 at UNLV. "On one hand there are those who would point out  
3 that the language that -- that is the basis for this  
4 conclusion is part of an appropriations bill, and as such  
5 gives only a snapshot in time. At the time of the FY89  
6 Appropriations Bill that was the way Congress felt about  
7 the subject, but there's been no subsequent affirmation of  
8 this view, nor statement of the current Congressional  
9 view.

10           Moreover, the Appropriations Bill directed DOE  
11 to place the LSS at UNLV, but NRC is the organization that  
12 has the responsibility for operating and locating the site  
13 for the LSS. Thus, it would seem that no site has been  
14 identified for the LSS until the NRC specifically makes a  
15 statement of the LSS location.

16           We have not identified any view nor found any  
17 written material that objects to the LSS being located in  
18 UNLV. Hence, in light of this and the Congressional  
19 statement, it would seem appropriate for some form of  
20 affirmation to be made; that the policy is that the LSS  
21 will be at UNLV.

22           This could take the form of a Technical  
23 Working Group asking the ARP to make a formal statement or  
24 doing -- the Technical Working Group doing additional  
25 research and reporting back. Clearly before this step

1 should be taken, the Technical Working Group should  
2 coordinate with the NRC."

3           Basically, the reason and the concern here was  
4 that there are some issues that -- there was a concern  
5 over having a siting decision made is that there are some  
6 things that should be happening now, and that the longer  
7 we make to make the siting decision, I don't see any  
8 reason to wait any longer; but the longer we wait to make  
9 the siting decision, you know, the more hard -- the harder  
10 it's going to be to implement it. I'm seeing some real  
11 skepticism there with Claudia.

12           MS. NEWBURY: I --

13           MR. HARDWICK: Feel free to make any kind of  
14 comment you want.

15           MS. NEWBURY: I would like to see a site  
16 (indiscernible) also as soon as possible.

17           MR. HARDWICK: Okay. And basically that was  
18 everything that I had. Did I miss anything from the  
19 working group members? No? Any questions we can answer  
20 from anybody?

21           MR. GANDI: I won't miss the next one.

22           MR. HARDWICK: Good man, John.

23           SPEAKER: Roger?

24           MR. HARDWICK: Yes.

1           SPEAKER: You said something earlier that you  
2 might be (indiscernible) something about the signature  
3 because that's part of --

4           MR. HARDWICK: No. No. Not this, about the  
5 functional requirements and that was the discussion we  
6 had. Anything else?

7           MR. HOYLE: I just want to comment; we have a  
8 spot on the schedule tomorrow afternoon to talk about  
9 location of the facility, so we'll get into there.

10           Okay. Let's move now to Kirk Balcom's  
11 discussion of the Header activity. Let me ask before Kirk  
12 starts, do we need a break, anybody need a break, or let's  
13 proceed through?

14           MR. GANDI: I vote for break.

15           MS. NEWBURY: We're ahead of schedule. Let's  
16 take lunch.

17           MR. HOYLE: The people on this end of the  
18 table would like a break. Let's limit it though please to  
19 ten minutes.

20           (Recess)

21           MR. HOYLE: Okay. Let's begin the last part  
22 of the session this afternoon. And Kirk Balcom, the  
23 chairperson -- the chairman of the Headers group will give  
24 us a report now. Kirk?

1           MR. BALCOM: The excitement of the Header  
2 Working Group just marches on and on and on. I mean there  
3 was just no end to it. So anyway, here we are at  
4 Iteration III and I left on your desk the latest set of  
5 latest field definition summary.

6           We met March 2nd. We had representatives from  
7 Nevada Nuclear Regulatory Commission, Lebat Anderson, DOE  
8 and TRW at the meeting. We managed to go through the old  
9 definition that we had almost approved about a year ago,  
10 and didn't do too much damage to it.

11           We didn't add any new fields, we deleted  
12 several and have made a couple of changes that, you know,  
13 might stir up a little bit of conversation. So what you  
14 have is the -- is the shortened abbreviated new list  
15 that's the result of the recommendations and the consensus  
16 of this group, and there was consensus.

17           Rather than go to that list and go through the  
18 31 or so fields that are in there, since most of you have  
19 seen this before, what I think I'll do is just talk about  
20 the fields that were deleted, and from time to time some  
21 of the panel -- some of the other Header Working Group  
22 people may have to help because some of the changing  
23 technology actually has had an impact on how we see being  
24 able to deliver a product and deliver documents to, you  
25 know, the users.

1           So what we -- if you had the old list in front  
2 of you you would have these following fields that are no  
3 longer there, and I'll list them all and then I'll go back  
4 over them one by one. And part of this requirement back a  
5 year ago was being driven by Infostreams and is now of  
6 course being influenced by the records deliberations that  
7 are taking place at DOE now, both in D.C. and in -- here  
8 in Las Vegas.

9           So here's what we dropped, Submitter Center,  
10 Document Date Flag, Document Condition, Event date and  
11 Event Date Code, Package Code, Publications Data,  
12 Descriptors, Submitter Page Count, Concurrence Approval  
13 Information, Document Routing and Tracking Information and  
14 Copy E Information.

15           Now this may look like we've cut a lot out on  
16 the surface, especially for those folks that were  
17 interested in the Concurrence Approval List and things  
18 like that. What I'll do is just briefly talk about some  
19 of these and see if we can't, you know, settle your nerves  
20 a little bit.

21           Submitter Center is simply being subsumed in  
22 another category if I'm not mistaken. In the old list it  
23 was part of Participant Accession Number, and we didn't  
24 think there was any need for that. We think it'll be

1 obvious from the documents where they came from as part of  
2 the accession number process.

3           A Document Date Flag was one of those little  
4 things that got thrown in a long time ago, so we could say  
5 that this date is estimated. Well, actually this document  
6 date is a mandatory field and it's going to have to be --  
7 I think we're going to find another way to show you that  
8 it was estimated. And what you'll be moving toward, rather  
9 than having so called ASCII text or a representation of  
10 the actual document, we're seeing more and more that  
11 you're going to be dealing with the actual document -- I  
12 mean the image of the actual document itself so you'll  
13 either see that it doesn't have a date, or that somebody  
14 wrote a date on it, or you know, a lot of things like  
15 that.           You'll be seeing more physical -- the actual  
16 physical document in better and better resolution as time  
17 passes.

18           Document condition; the one -- of the primary  
19 things that document condition was used for was to  
20 identify whether or not there was an Marginalia on the  
21 document. In other words, if five documents have been  
22 submitted and they're exactly the same document but four  
23 of them have something written in the margins, it's an old  
24 litigation support desire to know that in fact some of

1 these documents have writing on them and you want to find  
2 those.

3 Well, once again, since you'll be seeing the  
4 document itself, you know, the actual image; you'll know  
5 in the past when you couldn't take that handwriting and  
6 put it up in an ASCII Text, since you'll now be seeing the  
7 document, you'll be able to look at it and see that it's  
8 got Marginalia on it. So you know, Mal, how does that  
9 sound to you?

10 MR. MURPHY: Fine.

11 MR. BALCOM: I think you were one of the  
12 Marginalia people way back. Not marginal, Marginalia.

13 SPEAKER: In history, Marginalia --

14 SPEAKER: Before you saw the light.

15 MR. BALCOM: Never been marginal.

16 MR. MURPHY: Kirk, but then don't you have to  
17 look through the whole document to find the marginalia as  
18 opposed to looking in the header and see if it's there?

19 MR. BALCOM: Yes.

20 MR. SILBERG: And you would need to see -- in  
21 that case you would need to see an image of type.

22 MR. BALCOM: Yes. You'd need to see the  
23 image. Right.

24 MR. SILBERG: You wouldn't find it doing a  
25 full text search.

1           MR. BALCOM: Right. So to the extent that, you  
2 know, that you've lost the ability to go back and say I  
3 want all DOE documents on this particular subject that  
4 have been written on, yeah.

5           MR. MURPHY: There will be some clues though I  
6 mean. If you get one -- if you get two versions, two,  
7 three, four versions of the same document, that's a clue  
8 that that's the reason you have copies is because we have  
9 marginalia.

10          MR. BALCOM: Right. And just one thing to  
11 keep in mind is that documents that have marginalia on  
12 them do not have to be initially submitted to the OSS by a  
13 party. If they come in, they come in because they're a  
14 document of someone that you take the deposition of and  
15 then it goes in the system.

16          MR. BALCOM: Uh-huh. Event Date and Event  
17 Date Code were -- came out of a requirement, I think one  
18 of Betsy's things that she wanted. It was an NRC desire  
19 to be able to track some of these things, and we just  
20 didn't see any reason for it any more. It's a fairly  
21 obscure --

22          MR. HOYLE: Betsy is not here to defend  
23 herself.

24          MR. BALCOM: Right. Maybe she won't even read  
25 the transcripts and I won't get a phone call so -- Package

1 Code -- Package -- the whole concept of packages is -- is  
2 in the system under something called Package Number, so  
3 there is a field called Package Number. And we're assuming  
4 that as some of these things get fleshed out and actually  
5 thinking through this on a field by field basis, that any  
6 coding would be carried in that field, so we're not  
7 dropping any of the aspects of being able to take a  
8 package and tie it all pack together again. It's just that  
9 one field didn't seem to be -- seem to do anything or add  
10 anything.

11           Publication Data. Publication Data was going  
12 to be carried so we could have citations to publications;  
13 published materials. And once again if the document is  
14 there and you have it up on the screen, you know, it's  
15 apparent who published it. It seemed to us anyway that it  
16 was.

17           Submitter Page Count -- I'm going to come back  
18 to Descriptors. Submitter Page Count; once again this  
19 seemed like a burden that didn't, you know, didn't mean to  
20 impose on on submitters, and that the document pages will  
21 be counted, or the images will be counted anyway so  
22 there's a fairly robust way of knowing exactly how many  
23 images are associated with that document. And if, you  
24 know, if anybody else wants to comment on that, please do

1 because I'm not a hundred percent clear on how that's  
2 going to get done.

3 Document Routing Tracking Information; nobody  
4 saw any reason to do that at this point. I think that was  
5 another unique individual requirement. Copy E  
6 Information; it's typical of all litigation support  
7 systems that you want to be able to find everybody that  
8 the document was copied to. And it seems again that  
9 you'll have, you know, you'll have the cover sheets, the  
10 images for all of this information. It'll be clear on the  
11 image.

12 Now if you wanted to find and search  
13 terminology every person that was copied on that, the --  
14 on that particular document, it wouldn't be quite as easy  
15 to do. On the other hand, any text that's not handwritten  
16 would be in the process of being converted to an  
17 electronic document with it's image. It's going to have  
18 those names indexed anyway, so ultimately you'd end up  
19 knowing that that name is in that document, even though  
20 you didn't know the person to copy or the organization.

21 So you know, we're taking -- what we're doing  
22 is we're dropping some of the labor intensive coding  
23 requirements here which hopefully will, you know, have an  
24 affect on cost and on the -- just the time frame and the  
25 quality assurance of all the documentation.

1           Concurrence Approval List; and the reason that  
2 we dropped this from a Submitter requirement is that what  
3 I was hearing from the Department of Energy was that  
4 they're going to be going to the electronic submission of  
5 documents, and the Concurrence Approval List will actually  
6 be part of the electronic packaging of that.

7           In other words, it won't appear on the front  
8 page or the second page of a document any more. It'll  
9 only appear in electronic form, so that leaves us with the  
10 dilemma of how do we get it into the system. And part of  
11 our deliberation here was to suggest that we would  
12 certainly want to make sure that somehow we'll be to get  
13 Concurrence Approval List information into the system;  
14 whether it's electronically or otherwise. At least that  
15 would be my recommendation.

16           And, you know, feel free to comment on these  
17 things if you want, or if you want me to just go ahead and  
18 finish and then talk about them.

19           Descriptors. We had two terms before, we had  
20 Descriptors and Identifiers. One was tied -- pretty much  
21 tied specifically to the old LSS Thesaurus that had been  
22 generated. Do you remember that thing? It was about this  
23 thick and came out in two or three different forms, and  
24 coders, catalogers were supposed to be able to sit down  
25 with that document and take every single document that

1 came through the system and say yeah, this document  
2 belongs to the following eight Thesaurus categories of a  
3 600 page Thesaurus. And I for one, and I think other  
4 people thought that that, you know, that that first of all  
5 was going to be very expensive and might not work very  
6 well.

7           And what I'm hearing now from technical folks  
8 is that the automation of building index terms is probably  
9 much farther along than it was back then, and so we're  
10 kind of leaving -- we're leaving this as an optional  
11 field, and foresee a Thesaurus of some kind. We're just  
12 not exactly sure what a Thesaurus is going to look like or  
13 how it's going to get to be in its final form, but a lot  
14 of it it appears will be automated, and that there are  
15 apparently better automation tools now for generating  
16 those sorts of things.

17           And there are other people here that are a  
18 whole lot more well versed on that than I am, and if you  
19 want to ask questions about that then, you know, maybe we  
20 can get one of them up here.

21           MR. SILBERG: Well, when you say it's  
22 optional, optional at whose -- this is DOE's option?

23           MS. STATLER: The identifiers?

24           MR. SILBERG: No. He said the descriptors was  
25 going to be an optional field.

1           MR. BALCOM: Yeah. I think the word we're  
2 using now is --

3           MS. STATLER: Identifiers and key words.

4           MR. BALCOM: It's identifiers and key words.  
5 The key word field would be -- simply be the -- yeah,  
6 there's a name change there and the key word field would  
7 be whatever the participant wants to put in there. In  
8 other words, to have a place for you to add your own  
9 coding.

10                   The identifiers field would be the field  
11 that's tied to some specific either Thesaurus or  
12 controlled authority list. You know, that was foreseen as  
13 the one place you'd be able to go to find everything from  
14 an obscure aspect. You know, I can't think of one.  
15 Somebody come up with a really good unique term, you know,  
16 Northern Nevada Grasshoppers or something like that, and  
17 you'd be able to narrow it down, and you'd know that you  
18 have every document that pertained to that even though the  
19 word wasn't in it. That's the whole Thesaurus. And  
20 Thesaurus technology is in huge data bases. I think  
21 probably it's just extremely hard to do if people are  
22 doing it.                   So in -- in making it optional,  
23 you're right, Jay, we've got a decision up here to make  
24 about whether it's required by the submitter that some  
25 sort of identifier is required or whether it's optional.

1           Back when we did this a year ago, we made a  
2 mandatory field, the LSSA was going to do all source  
3 cataloguing, and it was mandatory. You know, I think it  
4 warrants some more discussion, and you know, there are a  
5 couple of people here who are prepared to talk about the  
6 technology if you want to hear about it.

7           MS. STATLER: Well, more than the  
8 technology -- I'm sorry, Jan Statler (indiscernible).  
9 What we have found in processing our records which we  
10 process many is that often the terms of the title describe  
11 the document as fully as you could. And to have an index  
12 and try to apply other terms to it is not meeting -- and  
13 with textural documents you're going to have the full  
14 text. There was some need to be able to access through  
15 some retrieval tool, probably something like a Thesaurus,  
16 terms and whether they occur in text or whether the  
17 indexer did see other terms that were not in the title  
18 which they then put in the identifier field, or whether  
19 they were in the title themselves.

20           We use that tool as a retrieval tool against  
21 all of those fields. They're not forcing an indexer to  
22 try to pick a term which may be redundant to what is  
23 always in the title, or something that they don't know  
24 enough about to pick the appropriate terms.

1           MR. MITCHELL:  Instead of the person  
2     submitting the header being responsible for key words and  
3     identifiers, will it be possible for the person who wants  
4     to retrieve that information to input some key words, and  
5     then have the system scan every header and title for that  
6     key word for identifiers?

7           MS. STATLER:  Yes, both.

8           SPEAKER:  It's just full text search.

9           MS. STATLER:  The reason we added the key word  
10    field back in was to allow you participants to be able to  
11    flag documents that you wanted to later be able to  
12    retrieve by that flag.  In addition that flag -- that term  
13    is to flag the person in the other document who would be  
14    able to retrieve it because it occurred it in text or it  
15    occurred in the title.

16          MR. MITCHELL:  Would we also be retrieve if we  
17    submitted something by one of these identifier or  
18    traceability numbers?

19          MS. STATLER:  Yes.

20          MR. BALCOM:  Dan Grazer put together a little  
21    three page background -- some background information and  
22    talks about developments and proposed approaches with some  
23    of the technology associated with this.  And I'd be glad  
24    to give this to somebody and have several copies made.  I  
25    don't have extra copies.  This is the only copy I have but

1 maybe we can arrange before the panel leaves to do that if  
2 anybody is interested in this.

3 MR. ECHOLS: I have a question on the key  
4 words. Is the idea that you're just able to scan faster  
5 the headers to identify documents than just putting in a  
6 key word search for the documents themselves and getting a  
7 listing of the documents that way?

8 MR. BALCOM: Well, we're using the term "key  
9 word" to mean simply you already have access to every word  
10 in the document.

11 MR. ECHOLS: Right.

12 MR. BALCOM: So those are also key words, the  
13 way we're using -- we had trouble coming up with the right  
14 word for this. The way we're using this is if you have a  
15 certain collection of your own documents that you've been  
16 working on, and you want to retrieve those by your own  
17 buzz words but they're not in the document, I mean this is  
18 a place you could do that. So it's like if you come up  
19 with -- you have to -- you want to add something to your  
20 header for some reason to be able to retrieve those  
21 documents. If we don't have like an empty field of some  
22 sort you can't do that. Or -- or it would make it hard  
23 for you, so this is a way to select out those, you know --

1                   MR. SILBERG: This is a non-submitter and  
2 someone other than the LSSA who can add a word into this  
3 particular field.

4                   MR. BALCOM: Right.

5                   MR. SILBERG: Okay.

6                   MR. BALCOM: A non -- what do you mean  
7 non-submitter?

8                   MR. SILBERG: Well, someone other than the  
9 person who submitted the document.

10                  MR. BALCOM: Oh, no. No. No, I wouldn't be  
11 able to annotate your documents ahead of time.

12                  MR. SILBERG: Okay. Because I thought --

13                  MR. BALCOM: I mean that wasn't -- that's not  
14 the intent. I would explore that --

15                  MR. SILBERG: No. I thought your description  
16 was if there are a lot of documents in the system, I've  
17 called some of them up and I just want to --

18                  MR. BALCOM: Oh, no. Uh uh.

19                  MR. SILBERG: -- tag them as ones that --

20                  MR. BALCOM: Uh uh.

21                  MR. SILBERG: -- at some other time I want to  
22 be able to resurrect again. I thought that's what you  
23 meant.

24                  MR. BALCOM: No. The intent of all this is  
25 that it's done before you submit them.

1 MR. SILBERG: Okay.

2 MR. BALCOM: It's a submitter specialty field  
3 if you want. I don't know what you want to call it. In  
4 Las Vegas we could call it the crap shoot field or  
5 something like that.

6 We also have -- there are some minor changes  
7 to the -- to this field definition table. Copyright  
8 information was a field. It's now subsumed in something  
9 called Access Control, so it's still there to be dealt  
10 with at some point.

11 Electronic Signature is now -- appears as a  
12 field and it was buried in something called -- well, it  
13 was buried in the concurrence approval information. The  
14 concept of electronic signatures is, you know, is starting  
15 to surface as a technological issue, so if somebody wants  
16 to talk about that. I mean we simply have a place to deal  
17 with that, although I'm not sure how that's ever going to  
18 happen.

19 Abstracts. There was a time when we first  
20 started looking at the design of the system where we could  
21 foresee doing an abstract of every document until, of  
22 course, we tried to figure out how much that was going to  
23 cost. And so now we're back to the place where we're  
24 suggesting that it probably doesn't make a whole lot of  
25 economic sense since we have a full text system. I mean

1 we've got all the keys words in the text and headers and  
2 some kind of a Thesaurus or control vocabulary to also  
3 require that an abstract be written as well for the  
4 document.

5           However, we left the abstract field in and  
6 made that optional. For example, if the lab submits a  
7 report, it's probably going to have an abstract in it, so  
8 that abstract would appear on a specialized field.

9           We're also suggesting that the title of the  
10 document which frequently is not very descriptive be more  
11 descriptive. In other words, if the LSSA determines that  
12 this title doesn't say much, then there would be a  
13 suggestion that it, you know, that it write a more  
14 descriptive title and we would figure out a way in the  
15 title field to have that there and be -- to show that it's  
16 different from the title. But that would also help  
17 searchability.

18           Identifiers, we talked about that. And we've  
19 added no new fields, so as we're going on here we're  
20 dropping. It's getting leaner and meaner now, and I don't  
21 have much else to add about that. Any questions?

22           MR. MITCHELL: Just kind of going through  
23 this, I see that there's a lot of different ways that a  
24 person who wants to retrieve information, whether they are  
25 just beginning or whether they have been working on it and

1 just want to retrieve what they want to work on. There's  
2 document numbers, versions, abstracts, identifiers, so on  
3 and so forth. Traceability numbers, traceability codes,  
4 searchable text reference info, and I'm just wondering if  
5 we can cut out one or two of these sections; these fields  
6 that data -- for data submitted by the participant. If  
7 one or two of these can cut out, that would be in the long  
8 run a lot of extra time that could be saved.

9 MR. BALCOM: Yeah. Some of them are optional.  
10 Which one are you talking about?

11 MR. MITCHELL: I'm probably going to have to  
12 leave that up to the management, or to the information  
13 management specialist --

14 MR. BALCOM: Yeah.

15 MR. MITCHELL: -- because I guess that's a  
16 question for you guys. Which one of these -- if two could  
17 be taken out or one could be taken out, which one could be  
18 of these fields?

19 MR. BALCOM: Well, I think at this point we're  
20 down to kind of rock bottom here.

21 MS. STATLER: You may want (indiscernible)  
22 mandatory requirement --

23 MR. BALCOM: Yeah. Right. In --

24 MS. STATLER: -- (indiscernible) clarified.

1                   MR. BALCOM: Okay. In the column Data  
2 Submitted by Participant, you'll see a, you know, a  
3 mandatory, an optional or a required. If it's mandatory  
4 that means the data has to be submitted by the  
5 participant, but even if there's -- I mean it's a strange  
6 definition between the word required and mandatory.

7                   What mandatory simply means is if there's no  
8 information for this field on the face of the document,  
9 you have to make it up.

10                  MR. MITCHELL: I guess that --

11                  MR. BALCOM: And required means that if it's  
12 there, the submitter has to put it in this field.  
13 Optional means just that; that you don't have a  
14 required -- a requirement to submit that if it's an  
15 optional field.

16                  MR. MITCHELL: What I'm thinking of right now  
17 is say if I were to require some information and some of  
18 the documents which I need have an optional component for  
19 an identifier or key word or something like that --

20                  MR. BALCOM: Uh-huh.

21                  MR. MITCHELL: -- I put the key words and  
22 identifiers in and do a search on that, and I would not --  
23 I'd only be able to quickly access the data that has key  
24 words or identifiers on it if the individual put them in.

25                  MR. BALCOM: Right.

1           MR. MITCHELL: So I may get data that's only  
2 70 percent complete as opposed to all required. So what  
3 I'm asking is -- I don't think it's a good idea to have  
4 some of these things as some of the key words or  
5 identifiers as optional. I think it would  
6 (indiscernible).

7           MR. BALCOM: Can you give me an example?

8           MS. STATLER: I may (indiscernible). I think  
9 in most cases you want to make sure you got everything on  
10 a particular topic, you would want to search on what we  
11 call sometimes a composite search field which is a field  
12 that would search for that term in the title, in the  
13 key -- in the descriptors and in the text so that no  
14 matter where that might be mentioned, you would get all of  
15 the occurrences. Okay? So you wouldn't just search on it  
16 as a descriptor because -- or as an identifier because you  
17 might miss those where it wasn't put in by the indexer,  
18 but it did occur in the text or the title.

19           MR. MITCHELL: As long as there's a way that  
20 we can get a hundred percent of the information, I think  
21 that's good.

22           MR. BALCOM: Yeah. That's a pretty -- this is  
23 a pretty complete list as systems like this go.

24           MR. ECHOLS: How would -- why wouldn't just a  
25 search on the full text get you everything? It seems

1 redundant if you're going to get multiple tips on the same  
2 thing.

3 MS. STATLER: It does seem redundant and you  
4 would hope that that was the case. But I went through the  
5 documents in my experience that talk about a subject and  
6 never mentioned it by name, or called it in an alias which  
7 you may or may not have thought of, or a slightly  
8 different context than you thought of. The Thesaurus will  
9 help this, but by try -- by creating a field where you can  
10 search on all of those things, you even have the  
11 possibility of getting documents that don't contain the  
12 words. We also have documents that are not completely  
13 text. That we have a lot of (indiscernible) data which  
14 don't have text and therefore won't be in the system as  
15 full text version.

16 Those have to have a very descriptive title.  
17 They may or may not have other terms that are provided.  
18 For instance, with the technical data on a project, those  
19 data are being submitted in terms that would put in the  
20 identifier field that may not occur in the title of the  
21 package, so you want to be able to search -- you want to  
22 have a way of getting at those terms wherever they occur,  
23 not just in text.

1                   MR. METTAN: Kirk, I'm a little concerned  
2 about the removal of some of the fields based on the  
3 availability of the image.

4                   MR. BALCOM: Uh-huh.

5                   MR. METTAN: And the reason I'm concerned, it  
6 goes back to the question of, you know, dial it versus  
7 remote access and what that is really going to be.  
8 Certainly if everything is provided on CD ROM's, you know,  
9 and they're shipped to the site, then it's not a problem  
10 but, excuse me, typically for example with Internet  
11 searches, many people will turn off the graphics  
12 capabilities so they're not spending the rest of their  
13 life watching the screen transfer the files. So it may  
14 be -- in real terms they may not always have access to  
15 images for remote access.

16                   MR. BALCOM: Right.

17                   MR. METTAN: And then, you know, I'm not  
18 opposing what you're doing but I'm raising the question of  
19 have they lost something then because we've eliminated  
20 those fields supposing that they're going to have these  
21 images?

22                   MR. BALCOM: I'm not sure -- it's really hard  
23 to tell whether we've lost anything. I don't think we  
24 have. If the -- what we've lost is maybe some precision  
25 in knowing that a Copy E was in that specific -- was

1 actually a Copy E where John Smith was buried in the text  
2 of the document, and you have to look at the document to  
3 find out he wasn't a Copy E, when actually you want John  
4 Smith, a Copy E. So you'd miss that kind of precision, but  
5 you'd find the name nonetheless as long as it was typed  
6 or, you know, if it was an electronically submitted  
7 document.

8           In the trade off the cost -- it's really a  
9 cost, you know, benefit trade off in deciding where to  
10 draw the line on giving, you know, giving the user  
11 everything that the user wants. I think that the image --  
12 the fact that you're going to be getting images probably  
13 ten or a hundred times faster than you would on the  
14 Internet anyway. You're not going to be limited by those  
15 slow dial up speeds. I mean am I right about that?

16           MR. METTAN: Yeah. It really depends on how  
17 remote the access point is. You know, I mean it -- you  
18 know, we maybe have dial up people. I don't a T-1 line in  
19 my area, you know --

20           MR. BALCOM: Electricity.

21           MR. MITCHELL: There may be people that are  
22 fairly slow.

23           MR. BALCOM: Well, I think we've -- you know,  
24 part of the old deliberations were setting some standards  
25 for what you're, you know, your work station would have to

1 look like. And if the head of technology keeps getting  
2 better, and better, and better, and faster, and faster,  
3 and cheaper as it is heading now, and you know, we've --  
4 even the definitions for the speed of the communications  
5 that we did a year and a half or two years ago is already  
6 kind of outmoded. So I don't know if there's any -- what  
7 is -- what do the people that are going to build this  
8 think?

9 MS. NEWBURY: You want to answer?

10 MR. GANDI: That's part of our analysis as far  
11 as options is -- for the CD-ROMS and the compression  
12 technologies that are being brought up in the current  
13 mode. It's a little early right now for me to say which  
14 is the best or how it's going to be accessible, but that's  
15 one of the -- part of our analysis.

16 MR. METTAN: Right. And I guess what I was  
17 doing is I was raising the issue that you're sort of --  
18 you're betting on the images as being available. And I  
19 wanted to find out how realistic that necessarily was in  
20 all places.

21 MR. BALCOM: Yeah, that's one thing that we  
22 even talked about having the Technical Working Group look  
23 at. For example, like if you do a Lexis search, you see a  
24 representation of the document, not the actual document  
25 itself on the screen with the words highlighted. There's

1 technology now that even as Tom and his group are doing  
2 where you see the images -- the images on the screen and  
3 it's still highlighted, the image. And the old ASCII, so  
4 called ASCII text is not there any more, so the  
5 highlighting is actually, you know, right on the image  
6 itself. That's -- that's the direction that some of the  
7 retrieval technology is going, and I think by the time we  
8 get around to putting this in place that, you know, we may  
9 not even need the ASCII text. I mean we had -- we talked  
10 about that yesterday.

11 MR. METTAN: Okay.

12 MR. HOYLE: I guess I'm hearing Brad ask the  
13 question. Maybe there's some location, some remote  
14 locations where you can get ASCII text --

15 MR. BALCOM: Uh-huh.

16 MR. HOYLE: -- a lot easier than you can get  
17 an image.

18 MR. METTAN: Yeah. That's correct.

19 MR. HOYLE: And if we're relying on image more  
20 and more and more, are we cutting some people out of fast  
21 access?

22 MR. BALCOM: Yeah. Okay.

23 MS. STATLER: I think the only field where  
24 that (indiscernible) is the marginalia sheets. The rest

1 of them it's -- it would be able to find as long as it's  
2 typed in the document --

3 MR. BALCOM: Right. Uh-huh. Yeah. It's

4 only- MS. STATLER: -- because of the searching of  
5 text.

6 MR. BALCOM: -- handwritten stuff that  
7 wouldn't be reduced to, you know --

8 MR. METTAN: There was something about  
9 publication or publishing that if they couldn't look at  
10 it. You mentioned one of the fields --

11 MS. STATLER: That's the citation, you know --

12 MR. METTAN: Right.

13 MS. STATLER: -- who published it, where it  
14 was published, all that stuff.

15 MR. METTAN: Yeah. And he was saying where  
16 they could look at the image and get that and --

17 MS. STATLER: Yeah. Right.

18 MR. METTAN: That was the other one that sort  
19 of came to mind.

20 MR. BALCOM: If something's been published  
21 then, you know, chances are a lot of materials that are  
22 published won't even be on the system because they're  
23 readily available in another form, but there will be  
24 occasional articles that have been published that probably  
25 would be on the system that will -- that will have that

1 information on the front of it, just like any journal  
2 would.

3 MR. METTAN: Right.

4 MR. BALCOM: Well, it's like I said this is  
5 pretty exciting stuff. And it's 4:00 and unless anybody  
6 has any questions I'm --

7 MR. METTAN: Lloyd had one.

8 MR. BALCOM: Oh, I'm sorry.

9 MR. MITCHELL: Two more questions. Is there  
10 some sort of error check that would be involved in case  
11 there is a key word misspelling or digital transposing of  
12 numerical digits? And also how -- the code numbers and  
13 things like, the participant would have to know what code  
14 numbers ahead of time to put -- like to give to their  
15 document and so forth. Do you guys identify the code  
16 numbers and put those in once the document comes into the  
17 LSS, or how is that going to work?

18 MR. BALCOM: What do you mean by code numbers?

19 MR. MITCHELL: Looking on this sheet over  
20 here, maybe I'm wrong, but it says the admitted record  
21 code, package number. What's the -- traceability number,  
22 traceability code --

23 MR. BALCOM: Uh-huh.

1           MR. MITCHELL: How would me as the submitter  
2 of a document know where to get these -- all these numbers  
3 at?

4           MR. BALCOM: Oh, for your own documents you  
5 mean. You probably won't have those on your own  
6 documents.

7           MR. GANDI: Those fields are based a lot on  
8 how we do our reference process as far as traceability,  
9 and linking to other documents. That's what a lot of  
10 these fields are used for.

11          MR. MITCHELL: So basically the document then  
12 would go to you guys and then you guys would do all of the  
13 data submission in terms of you fill in the blanks of key  
14 words and codes and things like that.

15          MR. BALCOM: Well, the Department of Energy  
16 documents would be done by then, and so to meet the  
17 requirements of their records management system and their  
18 QA process, they have to do all that. So part of this is  
19 a compromise or a collaboration between all of us, and  
20 people that don't have a huge records management  
21 requirement wouldn't, you know, simply wouldn't be doing  
22 some of these. So if it's not applicable to your  
23 documents, then you simply wouldn't be doing it.

24          MS. STATLER: But at the same time the  
25 functionality would be there if you chose to use it, so

1 that if you wish to apply and submit groups of records,  
2 say a package and you wanted to assign a number to that  
3 package so that you could, you know, when you individually  
4 index each of the records you would have them all tied  
5 together with that number, you would do so, because the  
6 functionality would be in the system to facilitate that.  
7 The same with the other fields.

8 MR. MITCHELL: Okay. Are there going to be  
9 guidelines as to what groups or individuals can submit  
10 documents for inclusion? That might have been discussed  
11 already, and if so, they would then just call you to get  
12 these numbers?

13 MR. GANDI: Not me.

14 MS. NEWBURY: You get to make up your own  
15 numbers.

16 MS. STATLER: Right.

17 MR. BALCOM: Yeah. You wouldn't need to do  
18 all these. Only -- only those that are applicable to  
19 your, you know, your own way of doing documents which  
20 would be --

21 MS. STATLER: Which is why some of them are  
22 optional.

23 MR. BALCOM: -- probably far less substantial  
24 than the Department of Energy's. We probably should show  
25 you some examples at some point. Yeah.

1           MR. GANDI: Yeah. Perfect example, how does  
2 your organization fit into the scheme.

3           MR. BALCOM: The issue about misspellings and  
4 transposing of codes, there will be elaborate -- most of  
5 these major systems now have elaborate front end clean up  
6 and editing processes and spell checkers and I think the  
7 requirement now that we have is that the text that's  
8 submitted has to be 98.5 percent accurate, which is what,  
9 one error in every thousand characters or something like  
10 that? So that that means if you've got a -- if you  
11 submitted a document with -- a page with three errors on  
12 it, it still would be within the requirements if it's, you  
13 know, three thousand characters on a page or something  
14 like that. So there will be a lot of work, a lot of  
15 automation as a matter of fact to make sure thing -- that  
16 the documents are as clean as is practical, as opposed to  
17 being a hundred percent correct.

18           Transposing numbers is a different story.  
19 That's -- I mean that's one where -- and there's a  
20 compliance requirement that you as a submitter have to  
21 look at what's been loaded and make sure it's accurate  
22 anyway. So that, you know, the onus of that would be on  
23 you as a submitter.

24           MR. ECHOLS: Isn't there also some training  
25 that we'll be doing the line?

1 MR. BALCOM: Oh, yeah.

2 MR. ECHOLS: That will address these kinds of  
3 issues.

4 MR. BALCOM: Sure. Yeah, there'd be -- and I  
5 notice in the compliance paper that the Department of  
6 Energy is tasked with putting a training system together.  
7 Did you know that?

8 MR. MITCHELL: So it's my understanding then  
9 that for example if the National Congress of American  
10 Indians would want to submit a document to be included in  
11 the LSS Information Management Systems, that what we will  
12 do is we will first look at which one of these in this  
13 column here we need to come up with. And we would ask the  
14 DOE to help us --

15 MR. BALCOM: Uh-huh.

16 MR. MITCHELL: -- to perhaps get us our  
17 participant extension number, give us some of the other  
18 things, the other numbers that I needed?

19 MR. BALCOM: Yeah. You would be trained how  
20 to -- they call this document cataloging or document  
21 coding, and you would be trained how to do that.

22 MR. MITCHELL: So any citizen's group or any  
23 group would be able to have access to submit documents,  
24 and then they can be able to go to the cataloguing  
25 documentation training --

1           MR. BALCOM: Well, not if they're not a  
2 participant. They'd have to be a participant in order to  
3 submit documents. And they, you know, at some point would  
4 be able to search the headers to find -- I mean that's the  
5 way the system stands now, to search this header  
6 information to find what they need, but not to submit  
7 documents.

8           MR. MITCHELL: Okay.

9           MR. HOYLE: Kirk, does the Header Working  
10 Group have a recommendation for the panel?

11          MR. BALCOM: Yeah, we do. We'd of course like  
12 the panel to adopt this at this point so DOE can get on  
13 with its business. I know it wants to, you know, make as  
14 quick work of this as possible. So at this point it is  
15 the consensus of the Header Working Group, and if the  
16 panel is ready to adopt it, then that would be great.

17          MR. HOYLE: Do you want us to adopt the  
18 summary table that you circulated? Or do you want us to  
19 approve deletions from something else? What is the --

20          MR. BALCOM: I think the best thing to do,  
21 John, would be to adopt the field -- the new field  
22 definition summary table, because I don't think we  
23 actually totally adopted it last time since we had a  
24 couple of minor changes. We never got around to those.

25          MR. HOYLE: And that's dated 3/17/95.

1 MR. BALCOM: Right.

2 MR. SILBERG: This is a unanimous view of the  
3 Working Group which includes DOE and NRC.

4 MR. BALCOM: Uh-huh. Yeah. Dan?

5 MR. GRAZER: Yeah. Dan Grazer from the  
6 Nuclear Regulatory Commission. One of the things that was  
7 included in the write up that I submitted to Kirk as --  
8 for the Header Working Group had a certain I guess caution  
9 to it, that some of the things we were anticipating being  
10 able to do with automated Thesaurus term generation,  
11 before we go ahead and say that let's buy into this  
12 particular structure, it might be prudent to make sure the  
13 thing works before we go betting the farm on it. And in  
14 that memo that Kirk has offered to make copies of, we did  
15 include a couple of paragraphs talking about the sorts of  
16 things that probably should be looked at a little more  
17 closely than a one discussion meeting which is what we  
18 had.

19 MR. GANDI: I don't think it was just one day.  
20 It was a one day --

21 MR. BALCOM: No, this last one was one day.

22 MR. GRAZER: We had a one day'er.

23 MR. BALCOM: The -- the only difference in the  
24 Thesaurus field that we have now is not mandatory. It's  
25 not required. It's optional. And I'm quite frankly not

1 clear on how a Thesaurus is ever going to work for the  
2 system anyway. And I'm -- and so the debate -- this  
3 debate could go on for a while. Maybe we could adopt this  
4 minus that field, or say that adopt it subject to getting  
5 a clarification on that field so DOE can have at least  
6 some-- MR. GANDI: I think in terms of a  
7 Thesaurus (Indiscernible) field it's -- we can go ahead  
8 and include that under maintenance if that field is the  
9 biggest one, and how and who and when. Those terms are  
10 updated. I've got no problem with agreeing to have it in  
11 there.

12 MS. NEWBURY: Given that it's an optional  
13 field.

14 MR. BALCOM: Right. But that -- if we adopt  
15 this now that would, you know, may or may not preclude us  
16 from going back some day and saying oh, no. I want DOE to  
17 attach every single document to a Thesaurus. And this  
18 doesn't mean the LSSA couldn't do it. I mean it was  
19 conceived that the LSSA would do it anyway.

20 MR. GANDI: I think originally that was --

21 MR. BALCOM: Right. So that may still be the  
22 case at some point.

23 MR. MITCHELL: I need some clarification under  
24 the Field Participation Accession number or access --

25 MR. GANDI: That's a DOE number.

1 MR. MITCHELL: Okay.

2 MR. GANDI: I think as you look at the  
3 participant one, it's more in terms of DOE's participants.  
4 Was that --

5 MS. STATLER: Yeah. If you were a participant  
6 you would -- no, that's alright, John. DOE Accession  
7 number would go into that field as opposed to the LSSA's  
8 accession number, which is the number which it would  
9 control the document in its system. To identify in that  
10 field even our document file in our system. If you had a  
11 system (Indiscernible) you would need to submit a  
12 participant. Your documents which you indexed with a  
13 number on them as your number for that record, so that you  
14 can relate that to your own number, which is going to be  
15 different from what the LSSA knows it by in its system.  
16 It's just so that you can -- we can distinguish the DOE  
17 records from the NRC records, from the State of Nevada's  
18 records, from whomever's records.

19 MR. MITCHELL: I guess what I am not  
20 comfortable with at this time, I know that technology can  
21 be used to control information, and speaking on behalf of  
22 the National Congress of American Indians, I think it's  
23 important that different types of information be allowed  
24 to be inputted into this system for future reference and  
25 so forth.

1           I don't see at this time any way out to assure  
2 that different types of groups, even grass roots  
3 organization, Indian tribes, et cetera, et cetera, will  
4 not have their information blocked out. Is there some way  
5 or some how that this can written in, and until I get that  
6 assurance, I feel very uncomfortable in approving these  
7 fields.

8           I guess -- I don't think I'm the only one --  
9 at least I hope I'm not the only one that understands the  
10 importance of getting a well rounded amount of information  
11 from a variety of community groups as well as other Indian  
12 nations. That's basically my problem.

13           MR. SILBERG: Is your concern that this field  
14 will be used as a way of excluding documents from the data  
15 base? I guess I'm not clear --

16           MR. MITCHELL: At this point is it -- we -- I  
17 don't see any -- in a way yes, but I don't see any  
18 safeguard at this point and in not allowing that blockage.

19           MS. STATLER: Again it's your concern that you  
20 think these records would be submitted through the DOE to  
21 the groups --

22           MR. MITCHELL: That's what I -- I might be  
23 wrong, but that's what I understand.

24           MS. STATLER: That is not correct. No, we  
25 would send the records to the LSSA.

1 MR. MITCHELL: Okay.

2 MS. STATLER: You would apply this information  
3 from the records to your records.

4 MR. MITCHELL: Right.

5 MS. STATLER: The DOE would have nothing to  
6 say about what you said about your records or what you  
7 submitted.

8 MR. MITCHELL: But what -- I guess I'm --  
9 actually that's part of my concern -- the main part of my  
10 concern is is there any way that records can be blocked at  
11 this point from inclusion in to the system.

12 MR. GANDI: No. That's -- not by the LSSA.

13 MS. STATLER: Not by the Header --

14 MR. MITCHELL: Okay. Because I see some  
15 gentlemen out here saying yes, and some people saying no.

16 MS. STATLER: Who is saying yes?

17 MR. CAMERON: Do they have standing?

18 MR. BALCOM: I think --

19 MR. CAMERON: Well, assuming they had  
20 standing. We're assuming they had standing to provide  
21 material that they deem relevant. They get loaded in the  
22 system. I mean there's no -- nothing to block them --

23 MR. GANDI: If it's termination of the LSSA.

24 MR. CAMERON: I think you're raising an issue,  
25 Lloyd, that goes -- that's not -- the header issue is not

1 relevant to your -- your issue. I think it concerns  
2 perhaps topical guidelines, relevance, things like that in  
3 terms of the basic types of documents that have to be  
4 submitted, and the responsibilities of parties to submit  
5 that type of information. And --

6 MR. SILBERG: That's -- let me ask you a  
7 question to clarify this. If the party like NCAI  
8 determines that a document is, you know, fits within  
9 topical guidelines and they submit it --

10 MR. CAMERON: Right.

11 MR. SILBERG: Is the LSSA going to take  
12 another cut at determining whether or not it's relevant,  
13 or likely to believe that it's relevant?

14 MR. CAMERON: No.

15 MR. LEVIN: No. I'm a caretaker of the data.  
16 I don't make any judgments on it.

17 MR. MITCHELL: Okay. Then it's your choice as  
18 to what goes in.

19 MR. CAMERON: Right.

20 MR. MITCHELL: So I guess then there won't be  
21 any censorship then on the document submission.

22 MR. LEVIN: No.

23 MR. CAMERON: No.

24 MR. MITCHELL: Okay.

1           MR. CAMERON: And looking at it from the other  
2 point of view, there are certain privileges established  
3 that for certain types of documents so that you may be  
4 able to claim a privilege for a particular document, and  
5 not have to submit it into the system.

6           MR. MITCHELL: I appreciate your clarification  
7 on this.

8           MR. HOYLE: I'm a little concerned that we  
9 haven't read the document --

10          MR. BALCOM: Yeah. Okay.

11          MR. HOYLE: -- that you have there, that  
12 you're going to try to get copies made for us. Are others  
13 concerned or are you prepared --

14          MR. BALCOM: Okay.

15          MR. HOYLE: Let's get the document and then --  
16 if we can get it overnight and read it, we'll see if we  
17 can vote on it tomorrow.

18          MR. BALCOM: Okay. Well, you have the  
19 document.

20          MR. HOYLE: We do have it.

21          MR. BALCOM: Yeah. That's this that we're  
22 talking from. I just -- but I just put it on your desk.  
23 Oh, this one here. Oh, yeah. Sure. We'll get -- we'll  
24 have that tomorrow.

25          MR. HOYLE: Okay.

1           MR. SILBERG: Well, is there a way to get  
2 someone to copy it now so we can look at it tonight?

3           MR. BALCOM: Tom?

4           MR. SILBERG: It's not that long.

5           MR. BALCOM: It's 3 pages. Sure.

6           MR. METTAN: Is there a way we could do that?

7           MR. SILBERG: They need it --

8           MR. BALCOM: Okay. We're all -- we're all  
9 done for today unless we're going to continue with more  
10 topics.

11           MR. SILBERG: We stand up and we'll wait for  
12 it if it can be --

13           MR. BALCOM: Tom, could it be in a few  
14 minutes?

15           MR. METTAN: We don't have to sit here and  
16 wait.

17           MR. BALCOM: All right. Any further discussion  
18 on -- any further discussion on the header issue topic?  
19 Okay. Before we break up, Moe Levin wants to talk about  
20 the things that will lead us to tomorrow morning's  
21 discussions.

22           MR. LEVIN: I wish I would have had this  
23 information available in time to pass it out well ahead of  
24 this meeting so you would have had a chance to read it,  
25 but it was just recently available. One of these things

1 literally came off the press last Friday, and I'd like to  
2 pass a copy of an IG report that our IG did an audit of  
3 the LSS, the whole LSS program. And we will be discussing  
4 this briefly tomorrow, and as background I'd like to pass  
5 this out tonight so you'll have a chance to read it. I  
6 didn't have it til Friday so I couldn't have done it  
7 before.

8           And another document that we're going to  
9 discuss briefly tomorrow is the comments that came back on  
10 the Participant Commitments Documents. Although we had  
11 asked for comments back by January 31st, we didn't get all  
12 the comments that we had expected, so we wanted to wait  
13 til the last minute to get as much as we could. And even  
14 as I was leaving to come here, more came in which aren't  
15 incorporated here. So I want to pass out these two things  
16 as kind of homework for tomorrow. Okay?

17           MR. MURPHY: There -- I guess this is --  
18 probably should be directed at John rather than you, Moe,  
19 but I would like to recommend at least that we try to find  
20 ways to compress the agenda wherever we can tomorrow  
21 because I don't -- I'm guessing that 30 minutes is not  
22 going to be sufficient to discuss the comments on the  
23 Participants Commitments document.

24           MR. LEVIN: Okay.

1           MR. MURPHY: And that's what's in the agenda  
2 now, 30 minutes.

3           MR. LEVIN: We put that in the agenda because  
4 we really don't have a presentation to make as such. It  
5 was going to be more of a round table discussion so, but  
6 you think there'll be more than 30 minutes worth of  
7 discussion.

8           MR. MURPHY: That could be the most important  
9 thing we talk about tomorrow.

10          MR. LEVIN: Okay. On the other hand, I think  
11 we had allowed for an hour and a half on the MOU --

12          MR. MURPHY: What MOU?

13          MR. LEVIN: Which I don't -- yeah, which I --  
14 I think we can --

15          MR. MURPHY: That's what I mean.

16          MR. LEVIN: -- I think we can make adjustments  
17 there.

18          MR. MURPHY: You've got an hour and a half on  
19 the MOU --

20          MR. LEVIN: I think so.

21          MR. MURPHY: -- and a half hour on the  
22 location of the LSS.

23          MR. LEVIN: I think we can --

24          MR. MITCHELL: We can split those --

1                   MR. LEVIN:  -- we can swap those easily, the  
2 time slots.  We have some flexibility there, so let me--

3                   MR. SILBERG:  Mal, do you think we need  
4 more -- I mean we could -- this starts at 9:00 tomorrow.

5 That's--                   MR. MURPHY:  No, that's fine.

6                   MR. SILBERG:  That's pretty late in the day  
7 for us eastern folk.  I mean if you wanted to start at 6  
8 which would be 9:00 our time, that would be fine.  I mean  
9 if you think we need more time, we can start a half hour,  
10 an hour early.

11                  MR. MURPHY:  No.  I think we need -- we're  
12 going to need more time for the Participants Commitments,  
13 but we're certainly not going to need as much time as the  
14 schedule currently calls for to discuss some other agenda  
15 items.

16                  MR. LEVIN:  You're absolutely right.  I think  
17 we can make plenty of time available for this.  Let me go  
18 ahead and pass these out.

19                  MR. HOYLE:  All right.  Let me make one other  
20 comment; that NRC's Inspector General has come out and is  
21 an observer to today's meeting, and we will give him time  
22 in the morning to review the report that's being sent out  
23 now.  So please read it as homework, but you'll get a five  
24 minute overview of it tomorrow.  This is Dave Williams,

1 who is -- Dave, would you just give us a wave; NRC's  
2 Inspector General.

3 MR. LEVIN: And Tony, Joe, do we have the  
4 Participants Commitments Document? How many do you have?

5 MR. HOYLE: There's many.

6 MR. LEVIN: Yeah. Anybody else who is  
7 interested we could get them to them later.

8 MR. HOYLE: I've got 4 --

9 MR. LEVIN: I've got maybe 8, 9, 10. We have  
10 about 8 or 9 additional copies of the Inspector General's  
11 report. If there is some way that you are -- you could  
12 share that with your -- in groups that -- we could hand  
13 them out. We'll also try to make a few more copies of  
14 those tonight. We'll leave them up here on the table.

15 MR. HOYLE: Kirk, do you know how long it  
16 might be before we get the xerox copies?

17 MR. BALCOM: I would guess he had to go over  
18 to the engineering building. Probably 10 or 15 minutes I  
19 would think.

20 MR. HOYLE: That sounds great.

21 MR. BALCOM: All right. I -- is there any more  
22 discussion of the current business at the table? All  
23 right. We'll adjourn til tomorrow morning at 9. Those of  
24 you that do want to wait for this copy to come back, it  
25 may be 10 to 15 more minutes. Okay?

1 (Proceedings concluded at 4:25 p.m.)

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REPORTER'S CERTIFICATE

This is to certify that the attached proceeding before the United States Nuclear Regulatory Commission in the matter of:

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were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

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Roxanne M. Krause  
Official Reporter