

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: Advisory Committee on Nuclear Waste
141st Meeting

Docket Number: (not applicable)

Location: Rockville, Maryland

Date: Wednesday, April 23, 2003

Work Order No.: NRC-892

Pages 238-297

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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ADVISORY COMMITTEE ON NUCLEAR WASTE (ACNW)

141ST MEETING

+ + + + +

WEDNESDAY,

APRIL 23, 2003

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ROCKVILLE, MARYLAND

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The Advisory Committee met at the Nuclear Regulatory Commission, Two White Flint North, Room T2B3, 11545 Rockville Pike, at 8:30 a.m., George M. Hornberger, Chairman, presiding.

COMMITTEE MEMBERS PRESENT:

GEORGE M. HORNBERGER, Chairman

RAYMOND G. WYMER, Vice Chairman

B. JOHN GARRICK, Member

MILTON N. LEVENSON, Member

MICHAEL T. RYAN, Member

1 ACNW STAFF PRESENT:

2 SHER BAHADUR, Associate Director, ACRS/ACNW

3 NEIL COLEMAN, ACNW Staff

4 TIMOTHY KOBETZ, ACRS Staff

5 HOWARD J. LARSON, Special Assistant, ACRS/ACNW

6 MICHAEL LEE, ACRS Staff

7 RICHARD K. MAJOR, ACRS/ACNW Staff

8 RICHARD SAVIO, ACRS Staff

9

10 ALSO PRESENT:

11 JOHN T. GREEVES

12 JANET R. SCHLUETER

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P-R-O-C-E-E-D-I-N-G-S

(8:31 a.m.)

CHAIRMAN HORNBERGER: The meeting will come to order. This is the second day of the 141st meeting of the Advisory Committee on Nuclear Waste. My name is George Hornberger, Chairman of the ACNW. The other Members of the Committee present are John Garrick, Milton Levenson and Michael Ryan.

Today, the Committee will hear presentations and hold discussions with the Director, the Division of Waste Management on recent DWM activities of interest; (2) discuss the results of the Committee's self-assessment survey; and (3) discuss a possible update to the Committee's 2002-2003 action plan.

Mike Lee is the Designated Federal Official for today's initial session. This meeting is being conducted in accordance with the provisions of the Federal Advisory Committee Act. We have received no written comments or requests for time to make oral statements from members of the public regarding today's session.

Should anyone wish to address the Committee, please make your wishes known to one of the Committee's staff. It is requested that speakers use

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1 one of the microphones, identify themselves and speak
2 with sufficient clarity and volume so that they can be
3 readily heard.

4 John, it's a pleasure to have you here, as
5 usual, and before start, I did want to warn you that
6 John Garrick and I have an appointment to see
7 Commissioner McGaffigan at 9:30, so about 9:20, we
8 will get up, not to be rude to you, if you're in the
9 middle of something, but just that we have another
10 engagement. So that gives you an idea of our time
11 pressure.

12 DR. GREEVES: That's good and 9:20 is
13 probably a good amount of time.

14 CHAIRMAN HORNBERGER: The floor is yours.

15 DR. GREEVES: Good morning. It's actually
16 been some time since we've had this kind of a session
17 and I'd like to remedy that in the future and have
18 them more often. It's been about a year, I think,
19 since I came down and talked to you like this.

20 MEMBER GARRICK: Where have you been?

21 (Laughter.)

22 DR. GREEVES: Busy.

23 (Laughter.)

24 DR. GREEVES: And we've done this before.

25 It's just been too long.

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1 I'd like to refer to it as kind of a top
2 10 discussion, come down and visit with you and it
3 turns out I've got 9 items today. I think this type
4 of venue is good. I believe you have in front of you
5 a few little pieces of paper, handouts and you can see
6 the nine items that I want to go through. They're not
7 necessarily in any order of importance and some of
8 them are real quick. So with some luck, we can use
9 the time wisely between now and 9:30 and get through
10 these topics.

11 I would encourage some dialogue on the
12 topic. This isn't about me coming up here and giving
13 a presentation and running through all of it and
14 stopping and going backwards. I just thought this
15 list would be a good one. There are some other things
16 on my mind, but there will be other meetings.

17 So I thought we'd go this way and first,
18 just kind of news. I think most of you are familiar
19 with some of the organizational changes that Marty and
20 Margaret made recently. And this is a little hard to
21 see, you've got a copy in front of you. But --

22 MEMBER GARRICK: You've successfully
23 designed on that we can't read.

24 (Laughter.)

25 DR. GREEVES: You have a copy right in

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1 front of you. So I try and make these presentations
2 easy of me, so I grab as much material that's handy
3 and this is a little bit informal, but I'll take some
4 ribbing about the chart.

5 CHAIRMAN HORNBERGER: We've never do that,
6 John.

7 DR. GREEVES: I've been here before.

8 (Laughter.)

9 DR. GREEVES: You'll note on there that
10 John Linehan has a new position, Business and Program
11 Integration. There's been a lot more activity with
12 the LSN. You know about that process and it's seen
13 that it really needs a point person on that, so John
14 Linehan has taken over that role and he's quite busy
15 in that process.

16 The program management function that John
17 had before is now Mel Leach and you'll see Mel there
18 on the chart. So Mel's quite capable and this will be
19 good for him to get involved with the programmatic
20 issues that John has taken care of in the past.

21 Just sort of moving a little further to
22 the right, you'll see that Don Cool is a Senior Level
23 Advisor on Health Physics issues. That really an
24 Agency resource and it's resourced to all of the
25 divisions and I'm in fact, utilizing Don's support in

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1 a couple of the topics that I'll go over here today.
2 I think it's working out well and I'll look forward to
3 that.

4 In IMNS, you'll note that Charlie Miller
5 moved from Spent Fuel Program Office over to
6 Industrial Medical Nuclear Safety as the Director and
7 Trish Hollahan is his Deputy.

8 Just sort of other aspects, Larry Camper
9 moved over to the SFPO position and he's a Deputy
10 there to Bill Brach. There's a pen here. I'll point
11 to that position.

12 I hate to lose Larry, as you well know.
13 He's done a good job working for me, but I think this
14 is good for him, good for the organization and you can
15 look forward to interacting with him on Spent Fuel
16 Program Office activities.

17 Dan Gillen has moved into the position
18 that Larry had. It's right here in my organization
19 and you'll be seeing a lot of Dan Gillen on the waste
20 issues. And Susan Frant moved to Fuel Cycle Safety
21 and Safeguards. Over here.

22 So it's always good to know who the
23 players are and where they are and I think these moves
24 by Marty make a stronger organization and there's
25 probably going to be some more in about a year. Any

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1 management team evolves with time. Some of our
2 responsibilities are changing over time, so we'll be
3 back as those play out over about the next year to
4 keep you informed on those.

5 So I think you probably are aware of
6 these, but I don't think anybody had come down and
7 given you a little bit of a cue card and shown you
8 exactly where people were, but it's good for you to
9 know who the players are and what the topics are
10 associated with that.

11 With that, the second topic I wanted to
12 get into was a little bit of a feedback process
13 between the Committee and NMSS in part. I know you're
14 doing your self-assessment process. I had a chance to
15 visit with John Larkins and the staff. I think that
16 was quite useful for both of you. I'd like to thank
17 you for recognizing the performance of the Division in
18 terms of the Performance Assessment Workshop. I
19 think that was a success. I got good feedback on that
20 and we certainly enjoy hearing that, so specifically
21 the team that worked that were recognized, Tim
22 McCartin, Andy Campbell, one of your own, and Dave
23 Esh, Chris Grossman. We appreciate that feedback. We
24 also look for where we fall short of the mark, we want
25 to hear from you and we want to improve what we do

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1 from time to time, so I think it's been constructive.
2 I think we need to stay on top of these key technical
3 issues. I would look forward to future exchanges on
4 igneous activity.

5 Igneous activity is going to be with us
6 for some time. We need to work that and I'd like to
7 engage you more on that over time.

8 Container lifetime, another example of one
9 of the ones you mentioned in your recent Committee
10 briefing. I think both of us need to focus on, for
11 example, those two key technical issues in future
12 meetings.

13 A topic that comes up and in fact, you
14 mentioned it in your opening remarks yesterday,
15 periodic exchange of staff. We welcomed Andy that the
16 point in time Andy came back. I think it was good for
17 him. It was a good process. Tim's going to be coming
18 to work on us. It's probably a little bit of a
19 surprise for you. And John Larkins and I are trying
20 to work a rotational process that is a little less
21 surprising and a little bit more manageable and I
22 think that's to all of our benefits. So I just wanted
23 to give you some feedback that we're trying to work
24 that issue and it's a healthy process. It's a
25 different kind of experience working for the

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1 Committee, but I think those people, at some point, do
2 need to come back to staff in any type of event. And
3 John and Sher are working very hard on that.
4 Sometimes we have a little bit of a hiccup, but we
5 manage that process.

6 So I'm done on that feedback topic.
7 Unless there's any questions, I'll just keep on
8 moving.

9 The third topic is the SRM for the
10 Commission waste briefing. I expect you all are quite
11 familiar with that particular SRM and the Commission
12 wanted a lot more definition on the 293 KTIs and what
13 the status of it and you really can't do that in the
14 briefing of the Commission. There was a lot of
15 question back and forth. I think some of you probably
16 attended that briefing. So Janet, who is with me this
17 morning, Lawrence Kokajko are working very hard in
18 responding to that particular SRM. We recently
19 provided the first part of that process.

20 The second part which is risk insights,
21 it's my understanding we owe some more at the end of
22 May and you brought these topics up in your briefing
23 on March 20th with the Commission. And the critique
24 was that we need to be more quantitative. Staff
25 recognizes that and we do need to be more quantitative

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1 in assessing how we do these KTIs and what the value
2 of one versus another is. So that's good feedback.
3 We agree with your comments on that and we would
4 encourage you to work with us on that process.

5 Tim McCartin has taken a leading role in
6 that assessment process and to the extent you have
7 staff that are on point on this, we'd like to engage
8 them and keep you posted and come back and brief you
9 because that is a challenge, putting a quantitative
10 approach on these KTIs. It's not as easy as we'd like
11 it to be, and I know you recognize that. So if you've
12 got any pointers on that and it would be good for us
13 to come back and brief you on that topic to see how
14 far along we are. So we thank you for those comments
15 and I would look forward to some follow-up meetings
16 with that subject.

17 CHAIRMAN HORNBERGER: I believe it's on
18 the June agenda.

19 DR. GREEVES: It's on the June agenda.
20 Tim gave us a -- gosh, I can't remember what month it
21 was, but he gave us a very preliminary look several
22 months ago and we have given feedback. We were, as I
23 think you probably know, impressed that we had given
24 Tim kudos on the approach that was being taken. And
25 so we have been trying to keep abreast of what's going

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1 on and give sort of real time feedback when we can.

2 CHAIRMAN HORNBERGER: And we look forward
3 to that. It is a bit of a challenge and as good as
4 Tim is, we're going to perfect on this.

5 DR. GREEVES: I didn't say Tim was good.

6 (Laughter.)

7 MEMBER GARRICK: Let's not get too mushy
8 here.

9 (Laughter.)

10 DR. GREEVES: It's a topic you did
11 highlight in your briefing with the Commission and
12 frankly, I agreed with that point, that we do need to
13 be more quantitative and we'll look forward to the
14 June session to move this along.

15 So I'm up to the fourth topic which is
16 Performance Confirmation Working Group. As I said, I
17 think these working groups are very healthy. We had
18 a successful working group with the Performance
19 Confirmation. I got a lot of feedback from people,
20 other people, other stakeholders that that was very
21 well done, including your comments. So that's a
22 standard.

23 I will say we probably felt like we rushed
24 that one a little bit, the notification of getting
25 started on that, but we worked our way through that.

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1 At this point, we have the Performance Confirmation
2 Working Group meeting scheduled in July, got plenty of
3 notice on that one and we're enthusiastic about doing
4 that, although I get some late arriving information
5 that we may not have the level of participation we
6 were all looking forward to. So --

7 MEMBER RYAN: John, just a quick update
8 and it just occurred yesterday, so it's brand new. It
9 looks like that participation will be at a higher
10 level than we had -- at first it seemed low, but now
11 it looks like it's going to be a little bit more
12 significant. So that's looking up.

13 DR. GREEVES: Okay, I'll leave that right
14 there. Either way, we're fully engaged on the topic.
15 This Performance Confirmation is a topic that's going
16 to transition us. We've been in pre-licensing. We're
17 now transitioning to an application in December.
18 That's the schedule. There's going to be some
19 transitions. In this topic, performance confirmation,
20 is one of the tools that will carry us there because
21 there's going to be performance confirmation for a
22 long time. So we are engaged and pleased to be part
23 of that workshop. To the extent it's fully attended
24 that would be good. We'll work at it if it's a more
25 limited audience.

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1 So I just wanted to -- that's all I have
2 on performance confirmation. We look forward to it
3 and we'll work with your staff on whatever the plans
4 are and the agenda for that topic.

5 CHAIRMAN HORNBERGER: John, just a quick
6 question. Because, as you said, performance
7 confirmation has such a long-term aspect, have you had
8 any discussions with Research, the Office of Research
9 or have you thought about what role they might play in
10 interfacing with you on these plans? Again, just
11 because of the long-term nature, I was wondering if
12 there was a role.

13 DR. GREEVES: You know, it's always good
14 to have people who are not quote inside the tent
15 looking at this issue. I think that is a challenge.
16 We really should engage them, even more than we have
17 at this point. So I need to follow up on that with --

18 MS. SCHLEUTER: I'm taking notes.

19 DR. GREEVES: It's good to talk about it
20 now. We have a little time to address it.

21 As you know, there's very limited work
22 done by Research on this program, so that doesn't mean
23 the thinking, the engagement can't occur and I think
24 that John Larkins and I should talk about adding those
25 types of thoughts to the process. We'll engage

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1 Research on that and see what they can bring to the
2 table. They're certainly doing research in other
3 areas. It's the concepts. It's the testing. How do
4 you do long-term testing? And those types of
5 experiences could be brought to the table for this
6 particular workshop, so we'll take a note on that.

7 CHAIRMAN HORNBERGER: Good.

8 DR. GREEVES: Okay, I'm up to item 5, the
9 License Termination Rule. We have briefed you on this
10 topic several times by the staff. I've talked about
11 it in some of these types of sessions.

12 We sort of evolved. This particular rule
13 was in place in 1997 and essentially, I think this
14 country has a leadership role in setting that
15 standard. Other countries have come along and put in
16 place a standard that looks something like this. I'll
17 talk at the end about the -- what I'll call
18 international standards. But what we have now is
19 experience. We've got five plus years' experience
20 implementing a rule. You write a rule, you really
21 learn about that rule when you try and implement it
22 and we have worked on this paper which you'll see
23 shortly. It's a follow-up from a paper we delivered
24 earlier to the Commission and we told them that we're
25 going to look at some implementation issues for this

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1 rule and they touch on A type issues which include,
2 I'll go over a couple of these. Restrictive release
3 institutional controls. This has been a tough topic.
4 Maybe you've followed what's going on with Sequoyah
5 Fuels.

6 We've had difficulty engaging the
7 restricted release institutional control topic for
8 these uranium, thorium -- uranium and thorium is
9 forever. You've got millions of cubic feet of that
10 stuff. It's basically institutional control. We've
11 had difficulty engaging that topic. The licensees
12 have had trouble coming up with ways to achieve
13 institutional control. It's basically permanent when
14 you've got uranium and thorium. So we talk about that
15 in the paper.

16 Realistic exposure scenarios. When we
17 started working with this rule in 1997, there was
18 almost an automatic default to the resident farmer.
19 It's easy. We've got a lot of tables we can do, work
20 up. Well, when you think about it, how many of them
21 are around? We've been challenged by the licensees.
22 We've been challenging ourselves. Well, the point is
23 the resident farmer is not a realistic scenario at
24 many different sites and locations. So you will be
25 seeing some of our thinking on realistic exposure

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1 scenarios. It's a point that the Committee has
2 expressed in terms of, for example, even the high
3 level waste program. What is the real estimate of
4 what's going on?

5 So you'll see some of that. You'll see
6 some of the experience and you'll see where we think
7 we need to head. In fact, we're already there. It's
8 a matter of building it into our guidance.

9 There's a topic alternative release
10 criteria for uranium and thorium. You look around the
11 world and what criteria do people apply to mill
12 tailings, uranium sites, thorium sites, radium sites?
13 It's very difficult, anybody with any experience, it's
14 very difficult to work with 250 millisieverts, 25
15 millirem for a site like that.

16 The Canadians, the French, the Germans are
17 all looking at 1 millisievert, 100 millirem is kind of
18 the threshold for action on those types of sites. So
19 we were challenged to address that question. So
20 you'll see some feedback on where we are on that.

21 These so-called legacy sites, these are
22 sites that we started setting up a fabric for
23 decommissioning in the 1980s in this country. We
24 started with financial assurance and then built some
25 steps which were almost completed by the License

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1 Termination Rule in 1997. Well, there were lots of
2 licensees that had licenses, 1950s, 1960s, 1970s, and
3 things went through the floor. We got ground
4 contamination. We got ground water contamination and
5 there are some pretty heavy financial assurance issues
6 associated with those.

7 Well, part of the question is how do you
8 cut off future legacy sites. You need a good
9 financial assurance system in place to counter that.
10 And we think we need to do a few more things on that
11 front, so you'll be seeing that.

12 Also, related to that a lot of the problem
13 occurs when a licensee has a spill or a leak. If
14 they've got loose contamination, have a spill, a leak,
15 it goes down into the ground. How do you trigger a
16 change in the financial assurance picture if you have
17 those kinds of events? This is something we're
18 thinking about and expressing in this particular
19 paper.

20 Just a couple of others, 20-2002, this is
21 the on-site disposal vehicle that is in our
22 regulations. And how do you use that tool, what do
23 you -- you read that and there are no standards
24 written in 20-2002. You won't see 25 millirem in
25 there. You won't see 100 millirem in there. How do

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1 you utilize that? So we talk about that. Some of the
2 paper, an example is the Big Rock Point, 20-2002,
3 which was approved about a year ago. So there's
4 interest in that.

5 And the last one in this list is
6 disposition of solid materials. It's a topic that
7 you're quite familiar with and we do have a workshop
8 coming up in May 21-22. There's a lot of interest in
9 that workshop. A lot of the international group that
10 I meet with regularly is, in fact, coming to that
11 meeting, attending, so I would encourage participation
12 to whatever level is available to the Committee.

13 Anyhow, I look forward to being able to
14 engage you on this report. There are elements of it
15 that we should come in and brief you on and get some
16 feedback from you on, so I think it's on our schedule
17 coming up reasonably soon. So in fact, my notes say
18 it's in May, so hopefully I can have the staff come
19 back. Larry Camper was the lead on this. Robert
20 Johnson and other staff were lead on this, so I'm
21 going to look to Dan Gillen to drive this through. I
22 think it's a good piece of work and I would appreciate
23 some feedback from the Committee on that and if all
24 goes well, we'll be briefing you in May on some of the
25 details.

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1 The backdrop of this is after this
2 analysis, is there any rulemaking that is needed? Are
3 there any gaps in what our thoughts are on that. The
4 guidance that we have out there, as I said, the 1997
5 rule went in place. We had some guidance that went
6 with it. We had almost no experience implementing
7 that guidance. Well, we have experience now, so we're
8 going to have go back in, retune some of that
9 guidance, especially talking about realistic
10 scenarios. So we'd like some feedback from you on
11 that.

12 We also need to inform our stakeholders on
13 where we are on this process. We would likely
14 exercise one of our regulatory issue summary documents
15 to utilize that. So we're excited about talking to
16 you guys about this next month. It's a lot, but I
17 think if there's a topic or two in here that you're
18 more interested in than some others, we can engage in
19 a focused way.

20 I'm done on that topic. That was probably
21 my longest topic.

22 CHAIRMAN HORNBERGER: John, just a quick
23 question on that. It sounds to me like you're, from
24 the sound of it that this is mostly an information
25 briefing for us, that you're interested in our

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1 reactions to it, but probably not looking for a
2 letter.

3 DR. GREEVES: Let's talk about that,
4 because we're making some recommendations.

5 CHAIRMAN HORNBERGER: Okay.

6 DR. GREEVES: Maybe I can talk to John
7 about that. A letter, not a letter. I don't know.
8 I'd one, encourage you to read the paper and two,
9 after you do that much we can talk about a letter.
10 There's some recommendations in here and the
11 Commission may, in fact, want your insight on some of
12 these. So I think the first step is read the paper
13 and we'll talk a little further. Is that fair?

14 CHAIRMAN HORNBERGER: Yes, that is. That
15 sounds like there may be a letter in this. I just
16 wanted to make sure.

17 MR. BAHADUR: Yes, I discussed this with
18 John earlier and he did mention once we receive the
19 paper and we have read it, it will be easier for us to
20 --

21 DR. GREEVES: It could be a subset of the
22 paper too. There's like eight items in here. And so,
23 we can sort that out.

24 Next topic I wanted to go into, just give
25 you an update on, we've talked about West Valley in

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1 the past and as you know, the Commission came out with
2 its final policy statement. You provided input. Had
3 input from the staff. They met with stakeholders and
4 based on all of that, they were able to come out with
5 the final policy statement, February of 2002.

6 Recently, just kind of the update for you
7 and we have an on-going dialogue with the stakeholders
8 up there, including obviously the Department of
9 Energy. In thinking this through, Larry Camper and I
10 were looking for a vehicle. This is not classic
11 licensing. This act puts the responsibility on the
12 Department of Energy to go into what really was a
13 commercial site and clean up the legacy from that fuel
14 cycle facility there.

15 So it is not licensing. It's not a
16 hearing. But we were looking for a tool to help us
17 use our techniques and so we went to the Department of
18 Energy and said we want you to submit the
19 decommissioning plan and it's the tool that will kind
20 of unify our review. We know how to review a
21 decommissioning plan. Separately, they're doing an
22 EIS, but they've agreed to do a decommissioning plan
23 for the West Valley Project and that will just invoke
24 our normal techniques that we use for other
25 decommissioning plans.

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1 So they expect to submit to us a
2 decommissioning plan about the same time that they
3 complete their environmental impact statement. So
4 they responded to us and agreed to do that.

5 Just talking about the schedule, on March
6 13th, the Department noticed their intent for the
7 decommissioning of this particular facility. They had
8 a scoping meeting, April 9 and 10. We participated
9 with that. We're a cooperating agency in that process
10 and we actually look forward to reviewing the EIS
11 development and separately reviewing the
12 decommissioning plan which would be on the preferred
13 alternative.

14 We continue to interact with the
15 stakeholders at this particular site. I think you're
16 probably familiar with most of them. NYSERDA actually
17 owns the property. They're a major stakeholder. They
18 pay part of the expense up there. They have a
19 citizen's task force that meets periodically. We
20 participate in those meetings.

21 The state regulator, NYSDEC, also is
22 involved and on May 22nd, in fact, there will be a
23 meeting with the Citizens Task Force that we will
24 participate in.

25 So that's moving along and I think the

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1 last item on West Valley that I wanted to point out
2 was that there has been legislation introduced in both
3 the House and the Senate proposing transferring
4 authority for this site from NYSERDA which owns this
5 property to the Department of Energy. A big piece of
6 the issue up there is any on-going institutional
7 control, who would horsepower that institutional
8 control? That's been the big debate up there.

9 So I'm going to stop at that point and
10 just update you and you can likely look forward to --

11 MEMBER GARRICK: What's the citizen
12 group's view on who should institutionally control
13 that site?

14 DR. GREEVES: I can't speak for them.
15 I'll give you my best understanding. In fact, the
16 Citizens Task Force has a list of positions which I'll
17 follow up and get that to you, but generally, the big
18 picture I would characterize it, the citizens'
19 position to start with is get it out of here. Move
20 it. And short of that, the position is we like both.
21 We like lots of company, DOE, NYSERDA, we like them
22 both on site. So put yourself in the Citizens Task
23 Force. First, get it out of here. And then second,
24 until it's out of here, I want as much government, as
25 I can, on the ground providing institutional control.

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Is that an answer to your question? And we'll get you the list of their position on various issues. They're very active. It's an on-going healthy dialogue.

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Separately, Larry and his staff have what they call a regulator's roundtable. We meet periodically, and there's a lot of regulators that touch this site, including EPA. And NYSDEC, ourselves and actually there's another arm of the State of New York, I think it's the Department of Health, so we meet periodically and go over the issues and how we're going to move forward. It's, as you know, quite a complex site. So it's been around almost my whole career, so I enjoy some day coming to a resolution, or at least a path forward on this one.

17

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I expect we'll be back talking to you on the decommissioning plan. I think that's going to be a major piece of work and we'll keep you informed and to the extent appropriate, we'll engage you on it.

21

22

23

Okay, I'm up to Item 7. The Waste Convention. Another chart you probably can't read. Okay.

24

25

The United States has been working on this for some time. It took a number of years to get into

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1 place and in fact, it's been in place for about a year
2 and a half and to ratify this, it had to go through
3 Senate Foreign Relations Committee and be ratified by
4 the Senate. And the good news is that we were able to
5 achieve that recently. We were able to sign, the
6 President signed on April 9th, in fact, this month and
7 it was deposited with the Secretary in Vienna on April
8 11th. There's been a lot of work going into this and
9 the way this process works, this is a Convention on
10 Radioactive Waste and Spent Fuel Management. It's
11 what people call an incentive convention and the
12 parties come together every three years and make a
13 national report.

14 It turns out this is the year of the
15 meeting. It will occur in November. And as part of
16 that process, a national report is due on May 5th to
17 be deposited in Vienna.

18 The Department of Energy is lead on this
19 particular convention, the Convention on Nuclear
20 Safety about reactor safety which was about reactor
21 safety. The Nuclear Regulatory Commission was on
22 lead. The Chairman hosted a delegation and went over
23 to a meeting last year. This one, since it covers a
24 broader topic, in this country, the majority of
25 radioactive waste, in fact, is with the Department of

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1 Energy. So they have lead on this particular project.
2 They have lead on the national report. They're being
3 supported by the Nuclear Regulatory Commission, the
4 Environmental Protection Agency and as I said, there
5 will be a November meeting of the parties.

6 And the chart that you have in front of
7 you, just to give you a little idea how this works,
8 they come up with what they call country groups. You
9 can see 30 some countries on this list and they'll do
10 what amounts to a peer review type meeting with five
11 groups. And you can see the United States is in Group
12 1. The way they do this is they count up the number
13 of reactors and Group 1, the top group in Group 1 is
14 the country with the number of reactors. Well,
15 fortunately, we were able to sign up just in time. In
16 fact, Margaret Federline was over to the planning
17 meeting for this that particular week in April and so
18 we were able to take part in this.

19 You can see the list of the countries
20 there and I just thought it would be useful to keep
21 you informed of the status of this. It is an
22 international event and we will be at the table at
23 this point, produce a national report and down below
24 you see that, for example, Patty Bubar from Department
25 of Energy will be the Chairperson for Group 4. So we

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1 will participate as part of the team at this
2 particular event and I just wanted to give you a
3 little background on it. Didn't know how familiar you
4 were with it.

5 Questions?

6 MEMBER LEVENSON: Is Russia not a
7 participant?

8 DR. GREEVES: They didn't sign, correct.
9 If you don't see them up there, that means that they
10 have not ratified. You'll note that Japan and China
11 are not on the list. I understand Japan is very close
12 and my colleagues that I talk to in China talk as if
13 they, too, are going to sign.

14 You can be a late ratifier. You see these
15 boxes down here across from where you see Ireland.
16 It's expected that there will be a couple of
17 additional ratifiers by the November meeting. Your
18 rights are diminished if you're a late ratifier. So
19 I'm not sure exactly who else will ratify, but -- and
20 this meeting will occur in another three years. I
21 think the meeting is going to be quite useful. It's
22 probably going to be a bit uneven this first time
23 around, but it's going to be a test for a topic I'll
24 talk about shortly, these international standards that
25 are out there.

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1 So we look forward to it. Any questions
2 on this?

3 All right, then I'll move up to the next
4 topic which is the ICRP recommendations. You're quite
5 familiar with the process.

6 We, in 1999, started to get involved with
7 the topic of protection in the environment. There
8 were some voices raising that question. There was a
9 specialist meeting at IAEA that we participated in.
10 We also were active with the ICRP on some of the NEA
11 interactions. NEA is running a series of meetings on
12 this topic. In fact, the NEA has an expert group that
13 provides a focus for comments to be provided to the
14 ICRP.

15 The staff believes that the assumptions
16 made in ICRP 60 that if the humans are protected, that
17 the environment protections remains valid. This is
18 kind of the question that's out there. Does that
19 assumption remain valid and that's what's being
20 tested. Our observation is there's a general lack of
21 scientific information that would be beneficial to
22 protect the environment in a similar manner with
23 radionuclides. There's no evidence out there that we
24 know of that's showing that you need to focus on
25 species. If you do focus on species, it would be

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1 quite a complex process and the question is what's
2 being harmed now is kind of the question that people
3 need to be examining.

4 I will point out that the Department of
5 Energy is taking an active role in developing their
6 own screening methods to try and test out what would
7 be the tools that we would even use to evaluate doses
8 to biota. We, the NRC, are working with DOE and EPA
9 in developing some computer codes that might be used
10 with this. The so-called RESRAD biota does
11 incorporate some screening techniques that would allow
12 you to evaluate such site specific evaluations. So
13 some of that developmental work led by the Department
14 of Energy is going on.

15 We had some staff attend the recent NEA
16 Forum in Spain and we do note that the recommendations
17 coming out of that meeting indicate that national
18 flexibility should be allowed in terms of viewing
19 these complex issues associated with the environment.
20 We're also encouraged that the ICRP decided to further
21 development of the basis for reference organisms
22 concept would not be rushed. They talk about a 2005
23 set of recommendations. It would be tough to bring
24 something forward on this topic in the 2005 time
25 frame.

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1 So I think the ICRP thinking is evolving
2 on this and I think these meetings that are occurring
3 around the world are helpful. We plan to stay
4 involved in these international developments. Don
5 Cool is our point person on this, in most of these
6 meetings. Tim Harris on my staff is focused on the
7 implementation of the environmental aspects and
8 there's also a meeting coming up in October in
9 Stockholm, Sweden on this topic and it's sort of the
10 roll up of what's been going on with these various NEA
11 meetings.

12 So I know some of you have been paying
13 attention to this and I just wanted to give you some
14 feedback at what the staff activities are and over
15 time, I think we would enjoy talking to you about it.

16 MEMBER RYAN: John, I appreciate that. I
17 think that's a very important activity to follow and
18 be involved in. It's interesting that the ICRP would
19 recommend that flora and fauna need radiation
20 protection standards. I guess it's very puzzling to
21 think about that because what are you protecting them
22 against? We think about cancer and other things as
23 the endpoint for humans, but I'm not too sure how I'd
24 worry about a cancer in a tuber, like a potato, for
25 example.

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1 So it's hard to think about, but
2 hopefully, their revisitation and your participation
3 will move the ball along.

4 One thing I think it's important too, is
5 to help bring forward what now is the 60-year-old or
6 50-year-old record of radiation biology. Much flora
7 and fauna work was done very early on in radiation
8 biological days, Russell's, and others, folks that
9 looked at DNA mass and other issues as the foundation
10 for what, I think, some view -- you mentioned the
11 claim that if we protect man, we protect the
12 environment. That's a sweeping statement, but I think
13 it's one that is certainly not unfounded. There is a
14 body of evidence that helps to support that. It may
15 not have been done in the last four years, but it
16 certainly is out there to look and somewhat of an old
17 record, so I'd encourage that we help bring that back
18 to light and as part of the discussion.

19 DR. GREEVES: Don, can you add anything?
20 I think that we'd probably be looking at that, but I
21 think it's important to make sure we bring those
22 issues to the table in October to the Stockholm
23 meeting.

24 Don?

25 MR. COOL: This is Don Cool. I'm now the

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1 Senior Advisor for Health Physics issues. You've
2 pointed out one of the things that I think people are
3 really grappling and struggling with right now.
4 During the meeting in Spain a couple of weeks ago,
5 Lars-Erik Holm, who is the Vice Chairman of ICRP and
6 who headed up the Task Group, was acknowledging some
7 of these issues. Part of the process that they now
8 seem to be engaged in which, in essence, slows down a
9 bit, and will continue the attempt to develop the
10 activities, is to try and understand how a system
11 which they would like to construct as a parallel
12 process could effectively deal with trying to assess
13 impacts in the environment. They acknowledge that
14 assessing an impact in some representative species,
15 does not give a representation of an assessment of the
16 environment itself. So they are at least making some
17 noises that are the sorts of things that we would like
18 them to consider. They do still seem to be on a track
19 of trying to develop this very parallel process of
20 some reference levels of concern or where they would
21 want to be taking some further examination.

22 It would appear that rather than
23 individual effects, they are looking at population
24 effects, but the levels that they would probably be
25 coming up with would be a different set of levels in

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1 terms of quantities of radioactive material or doses.

2 And I think there will be a number of
3 opportunities to try and continue to engage with them
4 around those, to try and understand that. Your point
5 on a lot of the early work is very correct. I'm not
6 sure the extent to which they have brought that in.
7 That's certainly one of the things that we'll be
8 trying to keep in their forefront is the whole body of
9 evidence and to try and have them moving in a
10 direction which is complementary to, rather than
11 setting up some new independent system that everyone
12 is then trying to adjust to. There are some
13 significant challenges in the area.

14 MEMBER RYAN: I agree, Don. Thanks for
15 that update. In addition to what you pointed out,
16 it's also interesting to think about if we're talking
17 about flora and fauna and large eco systems, that is
18 big fractions of the earth, looking at the natural
19 radiation environment and then looking at man-made
20 radiation environments added to that, the man-made
21 radiation environment is a trivial addition to the
22 natural environment.

23 So if there is a radiation dose issue, it
24 is principally with background radiation, not with
25 manmade additional radioactive material radiation. So

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1 that aspect of it, I think, is something that is very
2 important to bring forward.

3 My own view is that this is not well
4 conceived from the ICRP. I'm glad they're revisiting
5 it and thinking about what they put forward in this
6 consultation paper, but it's -- and I'm thrilled to
7 hear you're tracking it so well and addressing these
8 key points.

9 DR. GREEVES: You know, we will be
10 attending the Stockholm meeting, so maybe separately,
11 Mike, we could spend a little time with you on it.

12 MEMBER RYAN: Excellent, thank you.

13 DR. GREEVES: It sort of leads in, before
14 I lose the Chairman, the last topic, international
15 standards. There's, I think, a fabric forming out
16 there internationally and Carl Paperiello is on the
17 Radiation Safety Committee at IAEA. I participate on
18 the Waste Safety Committee. And a lot of these issues
19 run through that particular environment.

20 It's starting to come together. I think
21 you're probably familiar with the EC Concepts on
22 Clearance and Exemption. The EC countries, in fact,
23 do this type of disposition of solid materials.
24 There's some examples over there. I've visited sites
25 in Germany. I know you traveled over there too. You

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1 probably saw the same things.

2 In fact, Germany has a Radiation
3 Protection Ordinance and in this is what looks like a
4 standard for site release and a standard for release
5 of material off of an operating site, so you see some
6 of that. And they did it down to concentrations
7 becquerels per gram, etcetera. And the IAEA is
8 putting together a set of standards, a global set of
9 standards including the three that you actually see up
10 here, geologic disposal. This one is out for what's
11 called member state comment. They have a standard, a
12 proposed standard on geologic disposal and we, the
13 United States, would be commenting on that.

14 Another one that's out there is DS-162.
15 This is intervention. This is like the islands in the
16 Pacific, things like that, where you have an as-found
17 condition and you need to under an ALARA process,
18 bring it down to something that's much more
19 reasonable, so they have that out for comment.

20 And then the last one is what's called
21 DS-161. This one has been very difficult to bring
22 forward. There's a lot of debate, internationally, on
23 how do you approach management of radioactive
24 materials. So I just wanted to bring it to your
25 attention and let you know there's a lot going on out

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1 there and we are participating in these meetings and
2 we already talked about the ICRP 2005 recommendations
3 which Don is following very closely.

4 So if you've got any questions on what is
5 going on internationally in terms of what we're
6 involved in, maybe in a follow-up meeting I could do
7 a bit more on that topic because it really -- it's a
8 global community at this point. I think the Waste
9 Convention in November would benefit from having this
10 fabric in place to conduct that peer review. It's not
11 completely in place yet.

12 The next convention, being three years
13 from November, I think would really benefit from
14 having that fabric in place.

15 MEMBER RYAN: John, I agree. I think it
16 is very dynamic. I mean the EC Safety Directive 6 on
17 clearance and these new activities you just mentioned
18 and other interests here in the U.S. on those kinds of
19 concepts. It will be real interesting to stay updated
20 on it because it is very dynamic at this point, isn't
21 it?

22 DR. GREEVES: I find it helps me to
23 discuss it with other people to help shape the U.S.
24 views on these topics, so if I get a chance like this,
25 I like to bring it up. In fact, at an NEI

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1 decommissioning conference earlier this month I went
2 out and gave a more complete briefing on the
3 international standards.

4 MEMBER RYAN: And as you just noted, I
5 mean they do flow into regulatory questions on
6 decommissioning and site release and all of those
7 things, so it's very important to touch the
8 fundamental department as it happens.

9 DR. GREEVES: A worry that I have is that
10 some stakeholders just seize on the lowest number and
11 you can just -- you really do need a graded approach.
12 There really are sites out there that are intervention
13 sites. You cannot bring them down to 25 millirem.
14 And there's a need for geologic disposal. I mean this
15 country, Finland, Sweden are the three that are sort
16 of out in front, but you look at the EC, how many
17 countries is that? Are they going to have some 20
18 some geologic disposal repositories? I don't think
19 so. But they really do need some support on an
20 international standard showing okay, what is the
21 standard? What is the bar? And how are we going to
22 address that.

23 So we're fully engaged on that and some
24 follow-up session we can give you a bit more feedback,
25 if that would work.

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1 MEMBER RYAN: It sounds like you've got
2 lots to do.

3 DR. GREEVES: Yes. Just need to keep the
4 staff happy.

5 Those were the topics that I wanted to get
6 through and I think we used the time effectively. I'm
7 happy to go back over any one of them or address other
8 topics.

9 MEMBER RYAN: It's a great update.

10 MEMBER LEVENSON: John, on the matter of
11 international issues and repositories, there's sort of
12 an off-balance sheet and it's not involving any
13 governments except the Russians. There's a workshop
14 being held in Russia next month on Russia's offer to
15 host and international repository and the
16 participation includes IAEA, most European countries,
17 Taiwan, Japan, South Korea. It's funded by the
18 Russell Foundation to explore the technical, legal and
19 political issues. The Russians propose to use an old
20 uranium mine on the theory that since the uranium and
21 its by-products haven't moved from there for a million
22 years, they don't have to do the detailed geology if
23 you put staff back in there, it's going to stay put.
24 That's going to be kind of an interesting meeting, I
25 think, to see what comes out of those kinds of

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1 discussions.

2 DR. GREEVES: Well, it would be
3 interesting to see Russia on this chart at some point
4 in time because that's where I think some of the
5 credibility is going to come.

6 MEMBER LEVENSON: That's why I asked about
7 that.

8 DR. GREEVES: Well, everybody is watching,
9 but at some point in time let's look for Russia to be
10 on this chart and when a country, you join this
11 convention, you're signing up the safety procedures
12 that call for you to do it the right way. And there
13 would be a peer review of what you're doing
14 internationally.

15 MEMBER LEVENSON: Well, one of the topics
16 on the agenda is how would -- what standards would
17 apply. They're aiming this at a lot of small
18 countries, so to avoid this issue of their being 20 or
19 30 repositories scattered around the world.

20 DR. GREEVES: And that makes some sense.
21 McCombie is involved in this international repository
22 business and he is a great speaker and he puts
23 together some really good charts and he overlays the
24 European area with a map showing and he overlays it
25 with the United States and he says the United States

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1 needs two repositories. Are we going to have 20 some
2 repositories in the same geographic area, so a lot of
3 thought has to go into this.

4 MEMBER LEVENSON: While it's nominally not
5 in the mainstream, the co-chairman from the Russian
6 side, Lavarov, who is on Putin's staff, so maybe a
7 little bit of status.

8 DR. GREEVES: So are you attending?

9 MEMBER LEVENSON: I'm the other co-chair.

10 DR. GREEVES: Okay, wonderful. Good
11 advertising here. We'll see if we can stir up some
12 business.

13 MEMBER LEVENSON: The Russell Foundation
14 specified there be two co-chairmen, one American and
15 one Russian, so it didn't become just a drifting
16 thing. It would have focus.

17 DR. GREEVES: When is the meeting?

18 MEMBER LEVENSON: May 14th, 15th and 16th
19 in Moscow and then a visit to the site.

20 DR. GREEVES: I would enjoy meeting with
21 you separately just to tell you what I know about the
22 international standard setting process because any
23 country eventually is going to have to point back at
24 these international standards. So maybe separately,
25 we can visit.

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1 MEMBER LEVENSON: Mike, do you have any
2 other questions?

3 MEMBER RYAN: No, thanks, John. That was
4 an excellent briefing on your activities and I'll look
5 forward to hearing more about what's cooking.

6 DR. GREEVES: Okay, well, we'll be back on
7 another occasion.

8 MEMBER LEVENSON: How about the staff?
9 Anybody have a question for John?

10 (No response.)

11 Thank you very much.

12 DR. GREEVES: Thank you.

13 MEMBER LEVENSON: I think George has
14 indicated he would like us to go ahead with the next
15 scheduled item which is, I think, the self-assessment.

16 I guess I'm not sure what was on the
17 agenda. George just said go ahead with it.

18 MR. SAVIO: It was on the agenda. The
19 intent was that we tell you what we found out in our
20 self-assessment and get your comments and soft
21 concurrence on the paper.

22 If you want -- we really should have all
23 four of you here, but if you want to do it now, I can
24 catch John and George separately later.

25 MEMBER LEVENSON: That's what George told

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1 me, to proceed ahead.

2 MR. SAVIO: I have extra copies if anybody
3 -- I guess except for Mike, you all have seen this
4 work being done before. We have an IOU to the
5 Commission to do periodic reports on our
6 self-assessments.

7 MEMBER RYAN: You're reported and I've
8 heard your reports on this activity this year a little
9 bit, so I'm familiar, thanks.

10 MR. SAVIO: Okay. To go through it,
11 there's a background paragraph. It simply recounts
12 what we've done and what the history of this is. The
13 next section records what we've done in response to
14 the commitments that we made in the last paper which
15 is two years old now. There's the addition of the
16 fifth ACNW member with health physics expertise that
17 we've, in response to comments that weren't taking
18 enough initiative involving stakeholders in the
19 agendas in our discussions. We've -- there's the
20 second bullet.

21 And we --

22 MEMBER LEVENSON: On that second item,
23 we're talking about identifying just one workshop.
24 Because of the date of this, when it's going to be
25 issued, there have been several additional workshops.

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1 Shouldn't they be added?

2 MR. SAVIO: Yes. Those were given as
3 examples. We can lengthen that last performance
4 confirmation being a good one.

5 MEMBER LEVENSON: Yes, transportation. I
6 think that there's not 20, so rather than just an
7 example of one, I think we should list.

8 MR. SAVIO: Yes. Out of kind of the
9 controversy over not inviting the State of Nevada, I
10 didn't put that as an example, but --

11 MEMBER LEVENSON: They've been invited.
12 They were here yesterday, all day.

13 MR. SAVIO: Okay, teleconferencing. The
14 last time we did it we had comments to the effect that
15 we had most of our meetings in Washington and we
16 should provide to the degree we could, other ways of
17 people participating in the meetings and we have used
18 teleconferencing extensively over the past period.

19 One of the commenters suggested that we go
20 to internet based broadcasting of ACNW meetings like
21 the Commission doesn't. That, I think, is not
22 something that we can do with the resources that we
23 have.

24 MEMBER LEVENSON: Does the ACRS do that?

25 MR. SAVIO: No. In fact, they make

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1 relatively infrequent use of teleconferencing. It's
2 mostly to connect the regions in.

3 The next section is a description of the
4 other process which I'll skip through. The next page,
5 results of ACNW self-assessment for 2001 and 2002, it
6 gets to the heart of the paper for this time.

7 The first paragraph is introductory. It
8 notes that we depend on our action plan and that we're
9 planning on revising it in the near future and we're
10 in the process of preparing a plan for involvement in
11 the review of the license application. The notes that
12 we're going to use, the MOU, as our guidelines for
13 dealing with predecisional matters.

14 MEMBER LEVENSON: I wonder whether we
15 discuss that we're in the process of preparing a plan
16 for its involvement in the review of the license
17 application, whether we shouldn't add a few words. We
18 were preparing that for the Commission's approval.

19 MR. SAVIO: Yes. Okay.

20 MEMBER LEVENSON: I think that would be --

21 MR. SAVIO: Okay, okay.

22 MEMBER LEVENSON: We're not assuming we
23 have the right to decide what that's going to be.

24 MR. SAVIO: Okay, we'll add that. The
25 feedback that we had was generally positive. The next

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1 paragraph speaks to the reports, the notes that we
2 use, communications with the Commission and the EDO,
3 a published action plan to guide our way through that.

4 The next paragraph is -- the first
5 sentence of that for Mike's benefit is a little bit of
6 a legacy. At one point, in the past, ACNW is
7 criticized for not being currently informed. We added
8 that sentence to note that we were still doing the
9 appropriate things.

10 There was feedback to the effect that both
11 the ACRS and ACNW were not providing sufficient
12 attention to the actions that were taken and as a
13 result of the recommendations, we've inserted a
14 commitment that we'll be more judicious in the future.

15 Communications between the Committee and
16 the Commissioners and NRC senior management were
17 judged to be very good and we were encouraged to
18 continue them. You've just finished up with a
19 discussion with John Greeves.

20 There was comments that you should focus
21 on high level issues. The message there was that the
22 individuals that made these comments said that they
23 felt you added the most value when you weren't buried
24 in detail.

25 MEMBER RYAN: Dick, I just wonder for the

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1 sake of clarity, I'm being picky here, but high level
2 has a special meaning. Don't you mean it should be
3 "top level"?

4 MR. SAVIO: Top level, yes.

5 MEMBER RYAN: I'm just trying to make sure
6 we don't miscommunicate.

7 MR. SAVIO: That's fine.

8 MEMBER LEVENSON: We don't want to over-
9 irradiate them.

10 MR. SAVIO: Appreciate it.

11 MEMBER RYAN: That's what you mean, it's
12 top level, global.

13 MR. SAVIO: Broad issues, yes. There was
14 comments from a few stakeholders to the effect that
15 ACNW needed to recognize the limitations of risk
16 assessment. I'm sorry I don't have John around to
17 react to that.

18 MEMBER RYAN: I'll react to it. I think
19 there's threethings, at least two that are on the --
20 I'm sorry, there are three things on the agenda. We
21 just finished the TSPA/TPA workshop which I think
22 spoke specifically to risk assessment methodology.
23 We're going to -- it's still in the planning stages.
24 We have a performance confirmation workshop which will
25 get into the same area of risk assessment and we even

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1 have some advance planning on other topics that are in
2 the risk assessment area. So I appreciate the
3 comment, but I think perhaps we can recognize that
4 we've kind of taken that forward with those things.
5 And maybe we ought to identify that as something we've
6 done.

7 Again, our action plan speak to other
8 activities in those areas, but those are some concrete
9 things that we've specifically done that addressed
10 that.

11 MR. SAVIO: I'll add a bit of a response
12 to it, rather than just encoding it.

13 MEMBER LEVENSON: See, one of the problems
14 that exists here is that stakeholders only see the
15 past, what we've done. They probably aren't privy to
16 our future meetings and future topics that are already
17 scheduled.

18 MR. SAVIO: Igneous activity was the topic
19 that was given as an example for that particular
20 comment.

21 MEMBER RYAN: Well, again, there's been,
22 there was additional follow-up. I mean I kind of
23 jumped into the Committee at that point, but there was
24 a follow-up meeting on igneous activity and additional
25 input and I think from the point this was probably,

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1 stakeholders are probably given their observations,
2 other things have been done. And that's not to
3 discount the criticism or the observation. It's
4 simply to say from our part that other things have
5 been done since that information was obtained.

6 Mike?

7 MR. LEE: One thing we could consider
8 doing and for the future is as we project future
9 activities we could put that information up on the web
10 under the various tiers, consistent with the action
11 plan so that stakeholders in the future could see
12 what's on the plate over let's say the next year or
13 something like that.

14 MR. SAVIO: In fact, in another part of
15 this, we had our action plan posted on the web. When
16 the website was taken down and our chief information
17 officer took over the web design, was taken off again.
18 And we intend to get it put back on there and that's
19 some place in this paper. I forget where it is. We
20 say that it was one of the things that we intended to
21 do with the action plan. Even the operating plan, we
22 never have gotten as far as to get that thing posted
23 on the web.

24 Interactions between ACNW and the
25 stakeholders have been judged to be open,

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1 professional, no complaints in that regard.

2 The ACNW staff's work in coordinating
3 these meetings and prepping up the participants and
4 acting as an intermediary between the ACNW and the
5 folks that are going to be at these meetings were
6 judged as being very important to the effectiveness of
7 these meetings. There was a comment about scheduling
8 a need for scheduling meetings well in advance when
9 there was going to be discussions of complex issues
10 and the need for -- as much as possible, identifying
11 what the Committee's objectives were and what their
12 concerns were.

13 External stakeholders continue to view,
14 comment favorably on ACNW's willingness to provide a
15 forum for the discussion of their views. The only
16 glitch was the negative comments that we received from
17 Nevada about the transportation workshop. I note that
18 we subsequently provided an opportunity for them to
19 address the Committee.

20 MEMBER LEVENSON: In order to be precise,
21 it's really the State of Nevada, I think, as opposed
22 to generically Nevada stakeholders.

23 MR. SAVIO: I was trying to -- we tried to
24 avoid too tight an identification of the individuals
25 --

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1 MEMBER LEVENSON: Well, since --

2 MR. SAVIO: But I can do that if you like.

3 MEMBER LEVENSON: Well, since both
4 Senators and one Congressman from the State of Nevada
5 wrote letters to the Chairman during the public
6 record, there's no reason for not making it clear this
7 was the State of Nevada.

8 MR. SAVIO: Okay.

9 MEMBER LEVENSON: I think that what they
10 objected to was that they weren't asked to provide a
11 participant to the workshop because they had
12 representatives at the workshop and everyone there was
13 asked, given an opportunity to speak.

14 So to be precise --

15 MR. SAVIO: I said now providing
16 invitations to speak, but --

17 MEMBER LEVENSON: It should be
18 participants.

19 MR. SAVIO: Being provided a slot on the
20 agenda.

21 MEMBER LEVENSON: Right.

22 MR. SAVIO: Okay.

23 MEMBER RYAN: I think the important part
24 is the last part which is the follow-up to that is a
25 follow-up working session for all the States'

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1 representatives.

2 MR. SAVIO: Okay, the reaction to
3 stakeholders to ACNW meetings in Nevada continues to
4 be very positive. There was, however, not a lot of
5 support for the activities like we had at Pahrump. If
6 you want to characterize them as public outreach or
7 public education, there certainly was a lot of support
8 for meeting in Nevada, discussing issues that were of
9 interest to the stakeholders out there and involving
10 them in the preparations for the meeting and asking
11 them to contribute to the agenda planning and to the
12 actual discussions.

13 The next one has to do with the website.

14 MEMBER LEVENSON: Before we leave that
15 other one, have we really committed to allowing the
16 public to decide what our agenda is? I was certainly
17 not privy to any such discussion. For them to
18 participate is one thing.

19 MR. SAVIO: Yes.

20 MEMBER LEVENSON: But our agenda is really
21 set by the Commission.

22 MR. SAVIO: The intent here was that we
23 would ask for feedback, that the ACNW and the
24 Commission would still set their own agenda, taking
25 into consideration --

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1 MEMBER RYAN: You know, I think if you
2 make the point that Nevada stakeholders contribute to
3 the meetings, that's probably what you want to say.

4 MR. SAVIO: Yes.

5 MEMBER LEVENSON: Contribute or
6 participate in. Agenda planning is a very specific
7 thing that we're certainly not going to put things on
8 the agenda or take them off because of comments from
9 stakeholders.

10 MR. SAVIO: Yes, there was a few requests
11 that they be allowed to suggest a topic for your
12 consideration.

13 MEMBER LEVENSON: They may suggest that,
14 but this says opportunities will be provided. That
15 means we're accepting that. I don't accept that.

16 MR. LARSON: I read that as relative to
17 the previous sentence, that enhanced interactions with
18 the Nevada stakeholders, somewhere in there. That's
19 what that really referred to, Dick.

20 When we had meetings out there, technical
21 meetings, in Nevada that involved public outreach that
22 Nevada be asked -- I don't know if that's what you're
23 intention was.

24 MR. SAVIO: Yes. There's not anything
25 that we haven't done --

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1 MEMBER RYAN: If you just avoid the phrase
2 "agenda planning" that will solve it. That has --

3 MR. SAVIO: Okay.

4 MEMBER RYAN: That has special meaning for
5 the Committee overall, and for the Commission's
6 direction of the Committee and all that. Anybody can
7 offer any topic and can offer the ACNW advice on
8 things they ought to look at during a meeting. So I
9 mean there is that opportunity to contribute ideas to
10 what we should look at, but I think just avoiding
11 those key words might help clarify it.

12 Just avoiding the words "agenda planning."
13 Something to the effect, "to contribute and
14 participate in these meetings."

15 MR. SAVIO: Okay.

16 MEMBER RYAN: Contribute to and
17 participate in is the point.

18 MR. SAVIO: Okay. The second one was with
19 regard to our website and we have had difficulties
20 since the Chief Information Officer group took over.
21 We're going to have to do some more homework to make
22 sure that we're not promising more than what we can
23 deliver on that last sentence. We'll staff that one
24 out.

25 MEMBER RYAN: Well, getting the action

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1 plan and the agenda for meetings and so forth lined up
2 in some way on the web might be a helpful way to go
3 about it.

4 MR. LARSON: But even as Tim discussed
5 yesterday, there are several ways theoretically you
6 can access the agenda, but it doesn't work that way.
7 I probably would get several -- well, I know I got
8 three or four calls on this meeting where people said
9 the web site said the agenda was available, but they
10 couldn't get it. So I just sent it to them. We have
11 to do some work.

12 MR. SAVIO: Even myself, I find that it's
13 -- the issue here the individuals that aren't
14 Washington-based often need a few weeks to decide
15 whether to come to a meeting or not. There's
16 operational issues like trying to get low cost air
17 fares by getting tickets ahead of time.

18 MEMBER RYAN: I think we get the point.

19 MR. SAVIO: And the very last one was
20 simply a commitment at the suggestion of the Office of
21 the EDO to revisit our MOU to take advantage of any
22 lessons learned that we might have had.

23 We got a lot more feedback on ACRS
24 activities and what we had at ACNW. I'll leave that
25 for your reading and the last paragraphs in the

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1 summary simply closes the memo up.

2 MEMBER RYAN: Thanks, sir.

3 MR. SAVIO: And I'll talk to George and
4 John and get their feedback.

5 MR. LARSON: The reason why I said
6 continue to record it was Sher and John and George and
7 John Garrick weren't here, so if they want to look at
8 it later on, because it's due in what May 31st?

9 MR. SAVIO: Yes.

10 MR. LARSON: You've got to get approval at
11 this meeting, essentially between --

12 MR. SAVIO: Yes, what we have done and what
13 we'll do this time is after everybody has had a shot
14 at this thing, send it to all of the Members of ACRS
15 and ACNW and give them an opportunity to look at it
16 again before we finally date-stamp it.

17 MR. LARSON: Did any of the feedback from
18 the Nevada stakeholders, Dick, say okay, you had the
19 meeting in Pahrump and you had more people there to
20 listen and participate than you had people in the
21 audience, even though it was fairly well publicized in
22 the paper.

23 Were there any suggestions on how to
24 increase and broaden stakeholder participation other
25 than they wanted to send words in with the agenda --

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1 MR. SAVIO: One stakeholder suggested that
2 we could talk to the professional stakeholders,
3 coordinate more. It seemed to be that it wasn't for
4 lack of homework that you got such a small audience.
5 I mean we didn't, I think, look at the television
6 schedules to see if there was interesting topics on
7 the airing that night or anything of that nature, but
8 there was an awful lot of preparation and it wasn't a
9 lot of attendance.

10 There is a lot of interest in the ethical
11 discussions that we have, typically, in Las Vegas.

12 MEMBER RYAN: Well, we're scheduled for a
13 break until --

14 MEMBER LEVENSON: Until George and John
15 get back.

16 MEMBER RYAN: Which will -- what should we
17 target roughly?

18 MEMBER LEVENSON: 10:15?

19 MEMBER RYAN: It says break until 10:45.

20 MEMBER LEVENSON: Okay. We've got some
21 homework to do, some draft letters to work on.

22 MEMBER RYAN: Right.

23 MEMBER LEVENSON: 10:45.

24 MEMBER RYAN: So we should reconvene at
25 10:30.

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1 MR. SAVIO: I'm sorry to interrupt. We
2 have two stakeholders here if we care to ask them for
3 any additional comments.

4 Does anybody have any comments?

5 PARTICIPANT: Engelbrith * (9:51:14),
6 Clark County. Just a comment on the agenda. I don't
7 think it's anybody's intention to tell the ACNW what
8 to discuss, but it would be of little interest to
9 people in Nevada if you come over and you have your
10 whole meeting on decommissioning of West Valley or
11 issues like that.

12 So if you do have a meeting in Nevada, i
13 would suggest that you at least look at issues that
14 concern high level waste during your meeting, rather
15 than all the other broad subjects that you're
16 concerned with.

17 MEMBER LEVENSON: And specific wording.
18 If we said stakeholders can provide comments on
19 agenda, that's different than to say agenda planning.
20 That's the word that bothers me.

21 MEMBER RYAN: And I think that's a great
22 comment. If we are in Nevada or we're in New York, if
23 we look for opportunities to make the agenda
24 appropriate for -- to maximize stakeholder
25 participation at a location, that's wonderful. I

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1 think that's a good thing to capture. And we can
2 certainly make that --

3 MR. SAVIO: I'll capture that.

4 MEMBER RYAN: Right on target.

5 PARTICIPANT: That and get your agenda so
6 we get it early and it stays the same.

7 MEMBER RYAN: We would like that also.

8 (Laughter.)

9 MEMBER LEVENSON: Stays the same. We're
10 not always in control of.

11 MEMBER RYAN: That's not easy to do.
12 Anything else? So we'll reconvene at 10:30 assuming--

13 MEMBER LEVENSON: And we do not need the
14 official record.

15 MEMBER RYAN: Right.

16 MR. LEE: We're going to talk about the
17 action plan, when we reconvene. So do you want the
18 reporter for the action plan?

19 MEMBER RYAN: I don't know. Do we?

20 MEMBER LEVENSON: I don't think we need --

21 MEMBER RYAN: No.

22 (Whereupon, at 9:53 a.m., the meeting was
23 adjourned.)

24

25

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