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NICHOLAS D. LEWIS
Chairman

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ENERGY FACILITY SITE EVALUATION COUNCIL

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MEMORANDUM

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February 17, 1983

TO: High-Level Nuclear Waste Management Task Force Members:
Brian J. Boyle, Commissioner of Public Lands
David Stevens, Assistant to the Governor
Alan J. Gibbs, Secretary, Department of Social and
Health Services
Donald Moos, Director, Department of Ecology
Richard Watson, Acting Director, Washington State
Energy Office
Karen Rahm, Director, Planning and Community Affairs
Agency
Senator Al Williams
Representative Shirley Hankins
Senator Max Benitz
Representative Dick Nelson

FROM: Nicholas D. Lewis, Chairman *Nicholas D. Lewis*

SUBJECT: January Task Force Meetings--Summary

The January 14, 1983 meeting was opened by Chairman Lewis with introductions and general comments on the meeting's agenda. The following Task Force members were present: Nick Lewis, Dave Stevens, Shirley Hankins, Max Benitz, Dick Watson and Don Moos. Designees attending were: Sam Reed, Ray Lasmanis, Don Provost. Advisory Council members in attendance were: Sue Gould, Anita Monoian, Estella Leopold, Bill Sebero, Joe Jackson, Jim Worthington, Jerome Finnigan, Russell Jim, and Lane Bray. Also attending were: Jim Pluntze (DSHS), Eleanor Price (Senate E&U Staff), Fred Adair (House E&U Staff) and Rep. Dick Nelson.

George Goldstein (Secretary, Health and Environment Department, State of New Mexico) presented the Task Force with a thorough overview of New Mexico's relationship with the U.S. Department of Energy. Dr. Goldstein emphasized items and areas where he felt the state should, and most likely could, expect some help from Federal agencies.

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Dr. Goldstein particularly stressed the need for a full and independent review of the project, funded by the Federal agencies, with particular attention going to geologic and hydrologic areas. Other advice and comments included in his talk were:

- the need for NRC licensing and some type of strong state role
- a consultation and concurrence process
- access to all project data
- development of a stipulated agreement with U.S. DOE
- an efficient project should be designed to assure that some people are made better off, but none are worse off
- liability under the Price Anderson Act is insufficient to protect the state's interests
- the state should not be held liable for any accident, including those due to criminal intent
- the Federal Government (agencies) should be held liable for up to one hundred million dollars in damage at times when HLW materials are being transported through the state
- the U.S. DOE should be liable for cleanup operations in the event contamination occurs
- emergency response funding is a necessity
- routes for transporting wastes should be outlined in the final EIS
- funding for upgrading and maintaining transportation routes should be attained from the Federal entities involved (DOE does not have authority to do this)
- risk assessment should play an important role in technical analyses
- document reviews (especially the SCR) are imperative
- timely exchange of information (i.e., technical documents and data for state use and review)
- define schedules and milestones set by Federal agencies
- provide accurate information to the public (hearings)
- pre-route notification and monitoring at points of origin, entry, and the site
- develop a firm understanding of the mechanics of intervention
- policy level review of the project
- strategy for conflict resolution

Following Dr. Goldstein's presentation, David Stevens, of the Governor's staff, described the Nuclear Waste Policy Act of 1982.

He emphasized the state's role and high-lighted the legislation's major impacts. Copies of the legislation and summary documents were distributed.

The next item of business was a request of the Advisory Council to review the EPA proposed standards on radioactive waste disposal. The Department of Ecology offered to assist in this effort and some discussion of the Advisory Council's ability to review such a technical document ensued. The Advisory Chair, Susan Gould, said the matter would be taken into consideration at a future meeting of the Advisory Council.

The chairman announced that a tour of the Nevada test site could be arranged, which would include meetings with state agency people involved with high-level waste in Nevada. The tour's purpose would be to educate members further on the technical aspects of waste disposal, while presenting an opportunity for comparisons and exchange of information with another state.

The last matter before the Task Force was the discussion of a consulting contract for the review of the Basalt Waste Isolation Project's Site Characterization Report. Numerous questions were raised concerning time, cost, and conflict of interest, among others--therefore, the decision was deferred and a subcommittee was appointed to research the issue further. Appointed to the committee were: Don Moos, Dick Watson, Dave Stevens, Susan Gould and Nick Lewis.

The January 28, 1983 Task Force meeting was held at 1:30 p.m. in the Office of Financial Management conference room in the Insurance Building. Task Force members in attendance were: Al Williams, Max Benitz, Shirley Hankins, Dick Nelson, Dick Watson, Don Moos, Dave Stevens, and Nick Lewis. Designees present were: Don Provost, Sam Reed, Ray Lasmanis, and Chuck Clarke. Advisory Council members attending were: Sue Gould, Anita Monoian, Jim Worthington, Joe Jackson, Bill Sebero, Jerome Finnigan, and Lane Bray. Also attending were: Jim Pluntze (DSHS), Fred Adair (House Energy Committee Staff), Eleanor Price (Senate Energy Committee Staff), and John Gervers of Latir Energy Consultants.

Chairman Lewis opened the meeting with introductions and some general comments. He then reviewed the following three recommendations from the Consultant Committee: (1) The committee recommended a contract be negotiated with Golder Associates for

the limited purpose of developing executive summaries on the chapters of the Basalt Waste Isolation Project's Site Characterization Report; (2) the formation of an ad hoc subcommittee made up of state agency personnel to assist with technical tasks such as consultant selection and document reviews; (3) to see that the Technical Advisory Group is appointed as soon as possible.

A letter from Senator Hurley was presented to the Task Force which requested that large contracts involving funding over and above \$150,000 be held in abeyance until the legislature has given the Task Force express legislative authority. The contract under consideration was well below the amount in question (\$30,000-\$50,000). In addition, the chairman and Don Moos (Director, Department of Ecology) pointed out that the Task Force is operating under the Governor's Executive Order at this time and, therefore, has the authority to enter into such contracts. The contract was approved by a unanimous vote.

Senator Williams noted that the letter also suggested that a request be made to extend the time period for review of the SCR. Chairman Lewis explained that such a request had been made verbally and the NRC indicated it has no intention of altering its schedule for review, however, they may extend the deadline for comments slightly to accommodate our state's wish to supply comments prior to publication of their final analysis.

Mr. John Gervers, Latir Energy Consultants, next presented a detailed work plan to the Task Force. The work plan identifies a number of actions which Mr. Gervers sees as pertinent to the Task Force goals. A short term plan was also presented and a detailed walk through of this document took place. Both plans were distributed and a subcommittee was appointed to further review the documents, meet with Mr. Gervers, and report back to the Task Force at the next meeting. Appointed to the committee were: Dick Watson (Chairman), Don Moos/Don Provost, Sam Reed, Senator Williams, Representative Nelson, and Sue Gould to represent the Advisory Council. Brad Erlandson and staff will assist with coordination, if required.

Closing remarks by the chairman included a report that one-third time clerical assistance is now available to the Advisory Council and the process to attain funding for the second 6 months of Task Force operation is underway. Mr. Lewis also announced that he would be in Washington, D.C. the second week of February and would be discussing Task Force business with the NRC staff, among others.

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Sue Gould reported on the Advisory Council's progress since their recent inception. The Advisory Council is preparing to advise the Task Force, in some manner, on the EPA standards for high-level waste disposal. Plans are also being made for a February 25th orientation for the council covering "What is high-level waste?" and a briefing on the Federal legislation. Public participation has also been a topic of discussion and will continue to be for some time.

The meeting was adjourned following the introduction of Representative Dick Nelson who will be replacing Representative Valle on the Task Force.

cc: Designees:
 Sam Reed, DSHS
 Don Provost, Ecology
 Ray Lasmanis, DNR
 Chuck Clarke, PCAA
 Ed McGuire, WSEO
 Advisory Council
 O. L. Olson
 Hub Miller
 John Gervers
 House E&U Staff
 Senate E&U Staff