

January 12, 1990

Minutes of First LSSARP Meeting

December 19, 1989

The first meeting of the Licensing Support System Advisory Review Panel (LSSARP or Panel) was held in open session in Reno, Nevada, on December 19, 1989. Enclosure 1 is a copy of the meeting agenda.

INTRODUCTION OF PARTICIPANTS

John Hoyle, Chairman of the LSSARP, called the meeting to order, introduced himself, and asked all those present to do the same. A list of attendees is included as Enclosure 2. Mr. Lloyd Donnelly, the Licensing Support System Administrator (LSSA) then introduced himself and his staff members explaining each person's background and unique qualifications for the LSSA office.

Mr. Hoyle noted that there were several coalitions representing various interests and asked that there be a major spokesman from each group.

STATUS OF DOE HLW REPOSITORY PROGRAM

Ms. Linda Deselle of the Office of Civilian Radioactive Waste Management at the Department of Energy made a presentation on the changes in the DOE/OCRWM Program. The briefing slides she used, as well as a "Report to Congress on Reassessment of the Civilian Radioactive Waste Management Program" and a September 18, 1984, memorandum on the "DOE/NRC Site-Specific Procedural Agreement for Geologic Repository Site Investigation and Characterization Program" are included as Enclosures 3, 4, and 5, respectively.

DISCUSSION OF MEMBERSHIP ON THE PANEL

Next, Mr. Hoyle began a discussion of how the Panel should work. He explained that membership on this panel closely paralleled the membership of the earlier negotiated rulemaking committee. He was asked about the absence of an environmental group on the Panel. Mr. Cameron, the Deputy LSSA, explained that the LSSA asked the environmental groups who were part of the earlier committee to participate, but their priorities are such that they do not wish to participate at this time. He has since invited the Natural Resources Defense Council to consider participating as a Panel member. If NRDC does not accept, the Panel will be asked for its views on representation by the environmental community.

A question was asked by Mr. Silberg, counsel for the Edison Electric Institute, regarding the Securities and Exchange

Commission's (SEC's) EDGAR system and the possibility of having SEC as a member on the Panel. Mr. Cameron responded that it was decided to limit membership to just two agencies other than NRC and DOE in order to keep the number down, but went on to say that there is no reason, if the Panel wants, why they could not ask the SEC to be on the Panel. Mr. Cameron then asked Mr. Boyd Alexander of the U.S. Patent Office if he could give the Panel a tour of the Patent Office system. Mr. Alexander agreed to do this and indicated that he will prepare some facts and figures for the Panel.

ROLE OF LSSARP AND STATUS OF LSS ACTIVITIES

Mr. Donnelly was then asked to discuss the role of the Panel and the status of LSS activities. Mr. Donnelly spoke about the interaction between the Panel and the LSSA and gave some highlights on where the LSSA stands and how the office is thinking at this time.

He explained that the LSSA office intends to implement the consensus advice of the LSSARP. The Panel is an official, formalized, important way to get input to the LSSA and he will look to the Panel for advice. He said he would like to receive a formal recommendation from the Panel on issues and will give a formal response on what the LSSA is or is not doing about each recommendation. If there is some reason the LSSA cannot do what the Panel recommends, he will give the Panel an explanation. He reminded the Panel that their recommendations will be evaluated from a cost benefit standpoint.

Mr. Donnelly was asked if he wanted to have minority opinions included in the majority opinions. He said that he does.

Mr. Donnelly went on to explain that the LSS has been scaled back from the system envisioned at the time the rule was promulgated due to the expected repository program schedule stretch out and the significant budget cuts sustained by DOE. What remains is a minimum effort which will nevertheless accomplish the desired objectives. It involves the procurement, testing, and preparation for operation of the first capture station in FY 91. This will provide the capacity to start loading documents in FY 92. The first capture station should be able to process about 750,000 pages a year. This will provide the stability for sustaining momentum over time, provide for capturing highest priority documents first, and provide the opportunity to learn the way to do it right on a smaller scale in preparation for going to a more complete system.

SIGNIFICANT LSS DEVELOPMENT ISSUES

Next, Mr. Chip Cameron, the Deputy LSSA, spoke about significant LSS development issues. Mr. Cameron explained that his discussion was designed to start members thinking about future Panel agendas. He indicated that there are two major blocks of issues: (1) the procurement and operation of the first capture station and (2) design of the other components of the LSS. The capture station issues involve: (1) document identification and preparation, and (2) capture station operation.

He first mentioned that the topical guidelines embodied in the LSS rulemaking were designed to define the universe of documents that would go into the LSS. They are broad and cover almost everything. Consistent with the recent direction from the NRC Commission, it is desirable to refine guidelines so it is easier to identify what should go into the LSS, while meeting the objectives of the LSS. Another issue is the technical data base access protocol. Section 2.1003(c) of the rule covers technical data under the term "graphic-oriented document material" that is not appropriate for full text entry. Section 2.1011(d)(10) states the Advisory Review Panel will negotiate a time frame for entry of this graphic-oriented material. We need to identify what is subject to this access protocol, when should this information go in, and what access will be provided to this information.

Mr. Cameron noted that another issue for Panel consideration is document preparation standards such as the format for the header, for the ASCII submissions, and the image submissions. What fields should be in the header besides the basic bibliographic data? Yet another issue in the document identification and preparation area is the compliance evaluation program. The LSSA must submit his first report on DOE's compliance to the Commission in June 1990. The issue is how to evaluate a participant's readiness to comply with the document preparation standards. Taking a constructive viewpoint, what types of things would participants need to begin to do to prepare for compliance sometime in the future? Other issues that will have to be faced sometime in the future include the fact that there are certain classes of information for which details need to be filled in, e.g., when do contractor documents have to be submitted to the LSS and can we provide more detail on what documents are excluded from the LSS by the rule.

One final set of LSSARP review responsibilities would be the SAIC design documents for the search system, the image system, and the remote work station telecommunications. After some discussion among Panel members, it was agreed that there would be a set time for the Panel to provide comments on these documents when their review is requested.

Mr. Silberg stated that this system is in essence a 10-year system, but at the end of 10 years we will have to start over because things are changing so fast. Are we locking ourselves into something for a system that won't be in use for a long time? Should we really be doing all this development work at this time? Mr. Bender of the LSSA staff responded that NRC supports DOE's strategy for an open architecture system. The technology may change, but the functional requirements of the LSS such as scanning, storing, searching and printing will remain the same. As the technology changes, the system will be upgraded to enhance performance of functional requirements. Further, there is no such thing as document obsolescence. Mr. Alexander said this is what they have done at the Patent Office--the open architecture system. Their system is designed to run until 2020 and they expect that every 5 to 8 years they will have to update the technology. He stated that a second generation workstation was already being added to the system without any need to alter the existing database. At the present time, there are about 400 public users of the Patent Office system.

Mr. Killar of the U.S. Council for Energy Awareness asked if we must have the most sophisticated state-of-the-art equipment at this time, or can we get by with something else for now. Mr. Graser of DOE's Office of Civilian Radioactive Waste Management responded that this is going to be an open competitive procurement where you don't know what the cost will be until you start the procurement. You do not specify what the equipment must be, only what it must do. The specification outlines a requirement. Then the vendors propose a configuration that can meet those requirements.

Mr. Killar asked if we still need to process 3,000 pages per day in the capture station, since the repository program has slipped. Mr. Donnelly explained that this loading level would fully use the capture station's production capacity.

Mr. Henkel of the Edison Electric Institute asked about providing full text search. Does it make sense to do this in the near future, or should we wait so that we don't have to update the search technology down the road? Mr. Altomare of the NRC stressed how important it is to him as a user to have access to the system as soon as possible. He asked if the station could be designed to give interim access to the documentation? He will be using the LSS for the technical review of the documents and needs it to be useable as early as it can be. Mr. Cameron suggested that eventually we might be able to use a mini computer for search of priority documents and let the various technical staffs use that information. Mr. Murphy commented that early use of the LSS would assist DOE in closing out some of the technical issues before the licensing proceeding begins. For this reason, access to the system by all parties at an early date would be most helpful. Mr. Killar

asked if DOE and NRC could put together some sort of a time frame for these issues. LSSA later provided the Panel with an outline of important issues, their priority, and a proposed schedule for resolution (See Enclosure 8).

LSS-RELATED RESEARCH PROGRAM AT UNLV

Next, Dr. Nartker of the University of Nevada at Las Vegas (UNLV) College of Engineering was invited from the audience to give the Panel a brief overview of the proposed LSS-related research program at UNLV. He said there are two very specific, very technologically intensive areas of software that are critical to the LSS: optical character recognition technology and document retrieval. UNLV proposes to establish a research center dedicated specifically to these two technologies and to host a conference every year specifically dedicated to new research in these two areas. Their current budget proposal for this is \$4.3 million over a 3-year period.

LSSARP ORGANIZATIONAL PROTOCOLS

Mr. Hoyle then brought up for discussion the purposes and workings of the Panel. The Panel was established by the Nuclear Regulatory Commission. The Commission has approved the Panel's charter which was drawn primarily from Section 2.1011(e) of the rule. At this time, the Panel is composed of seven voting members: the Nuclear Regulatory Commission; the Department of Energy; the State of Nevada; Local Government-Site; Local Government-Adjacent; the National Congress of American Indians; and the Nuclear Industry. Non-voting members of the Panel are: U.S. Patent and Trademark Office; and the National Archives and Records Administration.

An October 3, 1989, memorandum from Mr. Chilk, Secretary of the Commission, to Messrs. Parler and Donnelly stated that the Commission had approved the charter and the letter to the General Services Administration advising the GSA of the Panel. Mr. Hoyle noted the following statement in that memo: "The Commission does not construe this to include initiatives having to do with the adjudicatory procedures that will govern the conduct of the high-level waste proceeding or the subjects that will be litigated in that proceeding. While the Commission does not object to the Advisory Review Panel being asked to comment on initiatives that involve either of these matters it believes that it should be clear that the Advisory Review Panel is not charged with the lead responsibility for initiatives in these two areas, nor does the Commission intend to require the Panel's concurrence in any such initiatives that might be proposed by the staff before those initiatives can be submitted to the Commission. If the Advisory Review Panel wishes to comment on any such initiatives, comments should be submitted directly to the Commission for consideration."

Mr. Hoyle mentioned that any further agreements the Panel comes up with can be made an addendum to the charter or be written as bylaws. There was then some discussion of what consensus should mean. Mr. Hoyle explained that other advisory committees to the Commission, particularly the Advisory Committee on Reactor Safeguards, use a simple majority for quorum purposes and a two-thirds majority for significant decisions. Simple majority decisions cover less significant issues. Mr. Hoyle suggested that a majority decision by the LSSARP be one that is based on the agreement of 5 of the 7 members. However, for quorum purposes, 4 of the 7 members (a simple majority) would be sufficient to conduct business at a meeting. Mr. Hoyle said that although each member should be represented at all meetings of the committee, he would contact members not present and give them an opportunity to vote on all major decisions. The majority view will be reported to LSSA by letter with dissenting views clearly described. Reports will be similar to the letter reports of the ACRS. The members discussed the decisionmaking process briefly and expressed no objection to Mr. Hoyle's suggestion.

Mr. Hoyle stated that there are several coalitions represented among the seven members, and each coalition is entitled to one vote. The coalition will decide among itself what its vote will be. If a recess is needed to allow the coalition time for a caucus, that will be done.

Mr. Hoyle said that he intends to have a court reporter for future meetings and will have a transcript made. There was discussion on this subject. Several Panel members felt a transcript was unnecessary; others wanted it. Mr. Hoyle listed some of the Commission's advisory committees and explained that they all have transcripts. The Advisory Committee Act requires detailed minutes. This requirement would be met by having a transcript. It was decided that the Panel should look at the minutes of this meeting, see how quickly they are produced, how detailed they are, and make a decision about transcripts after that.

Mr. Hoyle indicated that he will look to Mr. Donnelly's office for the staff support the Panel needs since the Panel does not have a budget to hire staff or consultants. Mr. Donnelly reiterated that his staff will provide what assistance they can and that Marilee Rood would be working closely with Mr. Hoyle.

The next subject was future meeting agendas. Future meeting agendas will be determined by the Panel with suggestions from the LSSA when there are issues on which he needs advice. Panel members were encouraged to make proposals on their own. The Panel plans to meet four times a year.

Mr. Hoyle brought up the subject of working groups/subcommittees that would work between Panel meetings. The Federal Advisory Committee Act (FACA) and the Commission's regulations allow for the use of working groups/subcommittees. As long as the work of these groups is limited to the gathering of information or conducting research for the full committee or the drafting of proposed position papers for deliberation by the full committee, their meetings and activities would not be subject to the provisions of FACA. Reports of subcommittees should be given to Mr. Hoyle in sufficient time to be reproduced and sent to the total membership for consideration at the next scheduled Panel meeting.

DOCUMENT LOADING PRIORITIES

The next discussion session was led by Ms. Betsy Shelburne of the LSSA staff. She is responsible for document management issues for the LSSA. A copy of LSSA Issue Paper No. 1 entitled "Development of a Priority Document Production Schedule" and the slides used in her presentation are included as Enclosures 6 and 7. In line with NRC guidance, the LSSA plans to develop a formal Document Production Schedule to lay out the priorities for processing and submitting documents and loading the LSS. This schedule is required to provide direction to document producers so that the database, as it grows, will be most useful to searchers. The schedule will be developed in coordination with the LSSARP. Ms. Shelburne reviewed the background on this issue, including the fact that all previous data on the volume of existing and future materials is outdated and must be reworked. She laid out some of the parameters by which the universe of documents could be subdivided, acknowledging that there could be overlap as potential categories are being identified and defined.

Ms. Shelburne then reviewed a proposed process by which this schedule could evolve, including a plan that the LSSARP members provide recommendations in February 1990. At that point Mr. Murphy, State of Nevada, stated that he would not be ready that soon given the lack of knowledge about DOE's plans. Mr. Treby felt that subject priorities could be projected. Mr. Donnelly acknowledged the tight deadline, but stated that it was important to give direction to document producers, especially DOE, as soon as possible. Mr. Murphy said that no realistic recommendation could be developed until the revised DOE Mission Plan was released and could be reviewed.

Ms. Cerny, DOE Office of Civilian Radioactive Waste Management, then stated that it was unrealistic to plan for processing DOE documents by certain categories because of the unknown status of DOE's document backlog. She stated that DOE currently has plans to internally organize and systematically review their Program records for multiple purposes, including inclusion in the LSS. It

was then suggested that she provide the Panel with a proposal of what documents in what volume and time frame was realistic before the next meeting. She agreed, but stated that it would probably not be by subject. Ms. Shelburne asked if it would be just an update of the type of information in the earlier DOE Data Scope Analysis Report. Ms. Cerny said yes, that was basically all that was currently known. Mr. Altomare, NRC's Office of Nuclear Material Safety and Safeguards, stated that at the very minimum it was important that we get an up-to-date picture of what exists in the backlog and what the projected volume and makeup will be. Mr. Killar agreed and said we need a DOE briefing soon.

Mr. Donnelly and Ms. Shelburne reiterated their concerns that the database be built systematically in a way that it would be useful to the participants, e.g., contain a known complete subset of useful documents. Also, document preparation and submission by the participants to LSSA should be geared to the capture station production capacity. The LSSA needs to have a recommendation from the Panel. Assuming input information from DOE at the next meeting and based on expected release of the DOE Mission Plan in June of 1990, Mr. Donnelly requested that the Panel recommendations be developed for discussion and review at the September 1990 Panel meeting. Several participants pointed out that DOE and NRC had the great majority of the relevant documents and, therefore, the greatest effort and input into this issue. Mr. Altomare stated his preference that the highest priority documents should be those being currently generated as the database is loaded.

STATUS OF HEADER DESIGN

The next topic of discussion centered around the need to finalize the LSS header record requirements. The rules and procedures for indexing and submitting information about documents are required so that document submitters can begin preparing documents for submission to the first capture station. Ms. Shelburne acknowledged that a lot of work had previously been done on this issue, but that the header requirements needed to be finalized as soon as possible so that ongoing work within the participant's records management offices would not have to be redone or supplemented. She suggested that a small working group be formed early in the coming year to finalize these specifications. Mr. Graser agreed, stating that this effort was required as input to the capture station solicitation package. Mr. Hoyle suggested setting up a working group to work with Ms. Shelburne and then report to the Panel which in turn would provide a recommendation to the LSSA. He proposed a subcommittee of three; a DOE person, an industry person and Mr. Balcom representing the state of Nevada. Mr. Balcom would head the group. Mr. Hoyle requested that he be provided a copy of the prototype header as it now exists, as well as background on why certain information was selected, for

circulation to the Panel members and discussion at the next meeting. Mr. Hoyle asked that Ms. Cerny send this information to him and to Mr. Donnelly at the same time.

Ms. Cerny stated that the header being used by DOE is the one that was agreed to by the former LSS Negotiated Rulemaking Committee. Mr. Cameron, Mr. Murphy, and Mr. Treby stated that they were unaware that any header had been agreed to by the Committee. Mr. Donnelly informed her that the current header is not necessarily the one that will be ultimately used in the LSS. Ms. Cerny responded that DOE took the best information available from previous Committee activities and that became the basis for the prototype header.

FUTURE MEETINGS OF THE PANEL

Mr. Hoyle suggested that the Panel's next meeting be held in Washington, D. C., so that the Panel could visit the Patent Office, the National Archives, and perhaps hear a presentation by SEC on their EDGAR system. It was decided that the meeting will be held on March 20 and 21, 1990, in Washington, D.C. The June meeting will be held in Nevada and September's meeting in Washington, D.C.

Enclosure 8 is a LSSARP Planning Agenda which was provided to Panel members. Enclosures 9, 10, and 11 are copies of the Federal Register notice establishing the Panel and announcing the topics for the first meeting, the charter for the Panel, and a memorandum containing guidance from the Nuclear Regulatory Commission concerning Panel activities.

The meeting was adjourned about 4:50 pm.

Enclosures:

1. Meeting Agenda
2. Attendance List
3. L. Deselle Briefing Slides
4. DOE Report to Congress DOE-RW-0247
5. J. Bennett Memo dated 9/18/84
6. LSSA Issue Paper No. 1
7. B. Shelburne Briefing Slides
8. LSSARP Planning Agenda
9. 54 FR 50033
10. Charter dated 12/18/89
11. Memo from NRC Secretary dated 10/3/89

last revised September 30, 1993 pm

if change, update chron
on last page

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CHRONOLOGY OF CHANGES TO THIS LIST

- Sept. 29, 1993 -- added known street addresses, [in addition to PO box ##s] so materials could be Federal Expressed. Added some new fax numbers**
-- added Les Bradshaw for Nye Co. and took off Steve Bradhurst's name, per telcon with Bradhurst.
- Sept. 30, 1993 -- added two new names: Brad Mettam, Inyo Co. and Juanita D. Hoffman, Esmeralda Co.**