



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 1, 2010

LICENSEE: Energy Northwest
FACILITY: Columbia Generating Station
SUBJECT: SUMMARY OF TRIBAL OUTREACH INFORMATIONAL MEETING
CONCERNING COLUMBIA GENERATING STATION LICENSE RENEWAL
AND HANFORD LOW-LEVEL WASTE

The U.S. Nuclear Regulatory Commission staff and representatives of several local tribes held an informational meeting on April 27, 2010, to discuss the Columbia Generating Station license renewal application review process and a technical assistance request regarding low-level waste at Hanford. The meeting was useful as an opportunity to discuss some of the tribal representatives' concerns about these issues and also to capture comments as part of the scoping process for the license renewal review.

Enclosure 1 contains a list of the meeting participants. Enclosure 2 is the meeting handout. Enclosure 3 contains the meeting notes.

All tribal participants had an opportunity to comment on this summary.

A handwritten signature in cursive script, reading "Daniel I. Doyle", is positioned above the typed name.

Daniel I. Doyle, Project Manager
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures:
1. List of Participants
2. Meeting Handout
3. Meeting Notes

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U.S. Nuclear Regulatory Commission
Washington State Tribal Outreach
Informational Meeting Summary

Topics:
Columbia Generating Station License Renewal and Hanford Waste

Richland, Washington
April 27, 2010

<u>PARTICIPANTS</u>	<u>AFFILIATION</u>
Bo Pham	U.S. Nuclear Regulatory Commission (NRC)
Daniel Doyle	NRC
Maurice Heath	NRC
Michelle Ryan	NRC
Ronald Cohen	NRC
Bill Maier (via telephone)	NRC
Gregory Suber (via telephone)	NRC
Wade Riggsbee	Yakama Nation
Dave Rowland	Yakama Nation
Brian Barry (via telephone)	Yakama Nation
Stuart Harris	Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Dr. Barbara Harper	CTUIR
Rico Cruz	CTUIR
Rex Buck	Wanapum Band
Alyssa Buck	Wanapum Band
Tara O'Neil	Pacific Northwest National Laboratories (PNNL)
Ellen Kennedy	PNNL
Jerry Yokel	Washington State Department of Ecology

ENCLOSURE 1

**Meeting between NRC and Indian Tribes in the Vicinity of
the Hanford Reservation
April 27, 2010**

- Intergovernmental Liaison
 - Welcome and Introduction
 - General Comments about NRC
 - Remarks about Intergovernmental Liaison Branch
 - Meeting Purpose
- Columbia Generating Station license renewal application review:
 - Overall schedule:
 - Jan. 19, 2010 – Energy Northwest submitted license renewal application
 - Mar. 11, 2010 – NRC formally accepted license renewal application
 - May 14, 2010 – Scoping period ends
 - Dec. 15, 2010 – Issue Draft Environmental Impact Statement (EIS)
 - Mar. 7, 2011 – Draft EIS comment period ends
 - July 19, 2011 – Issue Final Environmental Impact Statement
 - Nov. 18, 2011 – NRC Decision
 - How to submit comments (deadline is May 14):
 - Mail: Chief, Rulemaking and Directives Branch
Division of Administrative Services
Mailstop TWB-5B01M
U.S. Nuclear Regulatory Commission
Washington, DC 20555
 - Internet: <http://www.regulations.gov> (Docket ID: NRC-2010-0029)
 - Additional information about the review:
 - <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/columbia.html>
- Low-Level Waste
 - Update regarding Washington State Technical Assistance Request (TAR) and Hanford site

Meeting Notes:

- I. Welcome and Introduction:
Michelle Ryan, NRC (Intergovernmental Liaison Branch)

Ms. Ryan opened the meeting with general remarks about the NRC and recognition of the Federal Government's trust responsibility to tribes. Ms. Ryan provided an overview of tribal outreach at the Commission, mentioning efforts made by uranium recovery and current efforts made by the Office of Federal and State Materials and Environmental Management Programs (FSME). To place current Tribal Protocol efforts in context, information regarding its origin was provided, indicating that the Commission information paper and internal protocol were developed after a December 2008 Uranium Recovery briefing. The Intergovernmental Liaison Branch (ILB) at the NRC serves as a liaison to the tribal community. Tribal representatives can contact ILB with general comments or questions related to NRC regulated activities. She also indicated that the ILB staff is not technical, but will be able to assist tribes with finding the proper contact at NRC to handle inquiries of a programmatic or technical nature.

Dose Limits at NRC, DOE, and EPA

Dr. Barbara Harper of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), responded to introductory remarks by asking if she could contact ILB to find out, for example, with whom to speak regarding (DOE Order) 435.1 rulemaking efforts. She stated that NRC dose limits differ from those of the DOE and EPA. She asked which dose limits they should use as the standard.

Greg Suber, NRC, provided information regarding upcoming efforts to implement rules that are complimentary. Part 61 rulemaking at NRC regarding waste classification will seek to rectify the discrepancy. DOE and NRC are in discussion to meet next year regarding the issue.

- II. Columbia Generating Station License Renewal Application Review
Daniel Doyle, NRC (Division of License Renewal)

Mr. Doyle stated that Energy Northwest (EN) has submitted an application to extend the operating license of Columbia Generating Station (CGS) for another 20 years (from 2023 to 2043). He provided an overview of the NRC's License Renewal Application review process which includes two concurrent review paths: one for technical safety issues and the other for determining environmental impacts in accordance with the National Environmental Policy Act (NEPA). The final result of the environmental review is an Environmental Impact Statement (EIS) that includes a recommendation regarding license renewal. He described opportunities for external stakeholder involvement and methods and deadlines for submitting comments.

NEPA EIS Templates

The Tribes provided comments to indicate that they all would like to participate in the environmental review process and would like input into the description of the affected environment. The tribal representatives felt that the typical federal government EIS does

not adequately address tribal environmental, cultural, and other concerns. The Tribes would like to participate in and improve the process.

Dr. Harper would like to provide input to the evaluation of Environmental Justice (EJ).

Mr. Doyle provided information regarding how comments are provided and considered during the NRC's process. He also continued to describe that the length of a typical review is 22 months. He requested participants to note that the meeting handout provided information on submitting comments and that the deadline for these comments is May 14, 2010.

Proposed Energy Park

Dr. Harper stated that EN has requested to lease 20 square miles of the Hanford Reservation from DOE for an energy park in the future and that Pacific Northwest National Laboratory (PNNL) may be listed as a potential partner in this energy park.

Mr. Riggsbee, Yakama Nation, asked whether this poses a potential conflict of interest because the NRC is using PNNL as a contractor in the license renewal review.

The NRC staff at the meeting did not have further information regarding the proposed energy park, but indicated that it would consider the potential conflict of interest.

Hearing Period and Cooperating Agency Status

Mr. Maier, NRC, initiated a discussion of the hearing period and cooperating agency status. He referenced the Prairie Island Indian Community and inquired about the parallel between that proceeding and the one for Columbia. Mr. Pham provided some information regarding the hearing process and the unique situation at Prairie Island where the tribe was both a cooperating agency and an intervener in the proceeding.

Emergency Planning

Dave Rowland, Yakama Nation, asked about Emergency Planning and expressed dissatisfaction with the level of interaction between EN and the Yakama Nation.

NRC representatives (Mr. Pham, Mr. Cohen, and Mr. Maier) discussed public meetings and other activities related to emergency planning. Mr. Maier provides preliminary information regarding the next graded exercise, (planned for August 2010) and indicated that he would provide more details about emergency planning via e-mail after the meeting.

Risk Assessment and Tribal Scenarios

Dr. Harper and Mr. Harris initiated a discussion regarding dose assessment. The CTUIR would like a new exposure pathway to be considered in the risk assessment that captures the unique tribal lifestyle including traditional foods and way of life. The CTUIR have a tribal scenario and are interested in performing this analysis for NRC to include in the EIS. The tribal scenario has been developed over the past 16 years. The CTUIR asked if the schedule for issuance of the EIS could be extended to allow time to incorporate the tribal scenario. Mr. Pham indicated that information that is new and

significant or site-specific will be considered. Dr. Harper offered to provide a summary and indicated that they are willing to work with the NRC regarding this topic.

III. Hanford waste and the Washington State Technical Assistance Request (TAR)
Maurice Heath, NRC (Low-Level Waste Branch)

Mr. Heath provided an overview of the Washington State TAR for NRC review of US Ecology records from 1965 to 1980. The NRC intends to finish research and provide a report by June 2010. Questions that the review is seeking to answer:

1. Does waste fit objectives of Part 61?
2. What is the radiological risk to workers' health and safety?

A tribal representative asked about the quality of US Ecology records from 1965-1980. NRC staff indicated that uncertainty would be quantified in risk assessment.

Hazardous Materials and Mixed Waste

Mr. Riggsbee raised the issue of hazardous chemicals commingled with radiological waste. He suggested that mercury was dumped at the site. A tribal representative asked who is responsible for mixed waste.

Mr. Heath indicated that this Technical Assistance Request is asking the NRC to evaluate radiological risk. The NRC is responding within the scope of this request and is not evaluating other hazardous chemicals. Mr. Pham explained that the cumulative impact discussion in the EIS for license renewal will seek to disclose relevant information regarding projects in the vicinity of the plant.

Jerry Yokel, Washington State Department of Ecology, described his involvement with the chemical component of the waste.

Dr. Harper made a comment suggesting that DOE is ultimately responsible, since they will be the recipient of waste on the site. Participants discussed the site acceptance criteria and Washington State's role as an agreement state.

Mr. Harris indicated that the tribes would like to be engaged in the process as part of the solution rather than being informed later.

License Renewal Schedule revisited

Dr. Harper initiated a discussion regarding the schedule for renewing the license, suggesting that they may need more time if tribal scenarios are to be considered.

Mr. Pham discussed the standard timeline is 22 months but indicated that it may vary on a case-by-case basis. Dr. Harper raised the topic of groundwater quality, and asked how that would be evaluated given the known contamination due to the plant's proximity to radiological waste burial grounds. Mr. Cohen responded that wells on the site are monitored as part of the Radiological Emissions Monitoring Program (REMP).

CTUIR Field Office

Mr. Harris mentioned that the CTUIR were hoping to open a field office near CGS at one point, but changes in security requirements made the building space unavailable. He also indicated that the plant seemed clean and stable and asked for NRC's impression. Mr. Cohen stated that the plant is operated safely.

Dr. Harper asked whether or not the original environmental analysis had natural resource mitigation. Mr. Doyle responded that this information was discussed in previous Final Environmental Statements which were provided to the tribes in a hard copy as well as electronic version.

List of Tribal Reports Received by the NRC:

1. 2006 Progress Report: Lifestyles and Cultural Practices of Tribal Populations And Risks from Toxic Substances in the Environment.
http://cfpub.epa.gov/ncer_abstracts/index.cfm/fuseaction/display.abstractDetail/abstract/6269/report/2006
2. Human Scenarios for the Screening Assessment. Columbia River Comprehensive Impact Assessment. Napier, Harper, Lane, Strenge, Spivey. March 1996. U.S. Department of Energy.

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DATE	09/27/2010	09/28/2010	09/29/10	09/13/10	10/1/10

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Memorandum to Energy Northwest from Daniel I. Doyle dated October 1, 2010

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