

Distribution  
 NMSS r/f  
 WM s/f: 119  
 REBrowning  
 MJBell  
 JOBunting  
 DMAusshardt  
 JGDavis

MEMORANDUM FOR: William J. Dircks  
 Executive Director for Operations

FROM: John G. Davis, Director  
 Office of Nuclear Material Safety  
 and Safeguards

SUBJECT: REPORT OF FIRST MEETING OF THE DOE ADVISORY PANEL  
 ON ALTERNATIVE MEANS OF FINANCING AND MANAGING  
 (AFAM) RADIOACTIVE WASTE MANAGEMENT FACILITIES

My memorandum to you dated August 29, 1983, stated that as part of the DOE/NRC consultation process for the DOE study with respect to alternative approaches to managing the construction and operation of all civilian radioactive waste management facilities, NRC has been extended the opportunity to have a staff observer attend advisory panel meetings. Mr. Joseph O. Bunting was nominated to be the staff representative at these meetings.

Attached for your signature and transmittal to the Commission is a proposed Commission information paper regarding the first meeting of the advisory panel.

John G. Davis, Director  
 Office of Nuclear Material Safety  
 and Safeguards

Enclosure: Commission Information Paper *(in file)*

8506180170 850423  
 PDR FOIA  
 EYE85-170 PDR

A13

OFFICE	WM <i>209</i>	NMSS <i>11</i>	NMSS				
SURNAME	RBrowning:jh	DMAusshardt	JGDavis				
DATE	03/12/84	03/13/84	03/ /84				

Manshardt

What do you think of the detail in this?

Also, please note WM & Hardy  
a summary for the 25<sup>th</sup> mty.

We should send both forward

~~at~~ at the same time if we  
get the additional notes in a  
timely manner. JMK

ROUTING AND TRANSMITTAL SLIP

Date

March 14, 1984

Office symbol, route number, Agency/Post	Initials	Date
1. Kearney		
2. J. Bunting		
3. R. Browning		
4. J. Sumner		
5. D. Mattson		

File  
119

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

SUBJECT: AHPH Civil Activities

F.Y.I.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No. — Bldg.

*Kearney*

Phone No.

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.606

• GPO: 1983 O - 381-529 (232)

A14

## CONVERSATION RECORD

TIME  
3 PMDATE  
March 14, 1984

TYPE

☐ VISIT☐ CONFERENCE☒ TELEPHONE☐ INCOMING☒ OUTGOING

ROUTING

NAME/SYMBOL INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT  
WITH YOUORGANIZATION (Office, dept., bureau,  
etc.)

TELEPHONE NO.

HOWARD BERRY

DOE-OCRWM 353-4808

SUBJECT

AHPM PHASE ACTIVITIES

## SUMMARY

Howard noted that the AHPM panel has scheduled the following activities:

Friday, April 6 - Richland, Wash. trip route to E-WIP  
MRS and Defense Waste facilities

Saturday April 7 - Richland, Wash. working meeting -  
(open to the public)

Monday, April 9 - Nevada Project - visit E-MAD,  
Yucca Mountain

Tuesday, April 10 - visit WIP site

In addition, a working subgroup of the Panel is planning a guided tour (8-9 days) of European waste Management organizations and facilities in early May to include France, Belgium, Switzerland, Sweden and U.K. They intend to interview senior career managers (not politicians) on the development,

ACTION REQUIRED implementation and management of their waste program  
inform DOE management.

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

## ACTION TAKEN

The information on AHPM domestic activities has been included in background material for Mr. Davis proposed visit to Region I.

SIGNATURE

TITLE

DATE

Tommy G. Harrison

—

March 14, 84

July <sup>29</sup> ~~28~~ - Sunday

AMFM Panel  
Portland, OR

New DOE staff support individual:

Harold Brandt, replacing Howard Perry  
Brandt remarks

Relationship established. Vieth et al report  
to Bennett. Discussion of org. chart  
handed out.

Public comment (also at end of Monday + Tuesday sessions)  
No public comments today.

Strawman for organizational tests + types -  
New materials/papers from HARC

Also have draft of CBO study, 2 country studies, drafts  
of two chapters of Panel report (tomorrow).

Schilling - organizations

See org. analysis sheet (matrix). Being careful not to  
reduce to mathematical exercise. Want the matrix to evoke a  
~~process~~ discussion.

**A15**

Gates - doesn't agree that high level of political  
accountability is a plus.

O'Scannlain - Could also look at "polit. interference"

Singer - Need so many types?

Stoller - Let's look at desirability of polit. accountability

Lash - high score on political accountability: he said last time this should be had. Rest of group said it should be interpreted as good. Org. successful if it can deal with accountability smoothly, without being jerked around by the various parties.

Wright - Want insulation. All saying the same thing.

O'Scan - high ranking means its politically accountable but at least has some barriers to polit interference

O'Sc - 3 work groups

1. Singer, Stoller, Lash
2. Keating, Draper, Gates, Stevens
3. Johnson, Wright, Grimm

For this afternoon's exercise, to look at the org. matrix.  
(Members of org. committee divided into the three)

1

Monday 7/30

## Discussion of strawman matrix

O'Scannlain - Should try to reduce rows + columns to  $< 10$ .

Schilling - Ranking results from ~~the~~ work committees on strawman. Good consistency among the 3 groups.

{ Total scores - (look for clusters, very poor to very good)  
Present org. structure and subcommittee options,  
as well as private corp, are outliers, not as good.  
Gov. corp. and mixed gov-pri corp rank about  
the same.

## Discussion of individual organizational tests.

Stoller - suggests tabling the matrix. Talking in generalities. Any organization has to be responsive, e.g., even private corps, because its mandated. Better to come back to the exercise later.

Scannlain - just want to expose issues/tests - Scoring not important.

→ Vote to split accessibility and responsiveness.

→ Voted to add category, immunity from political interference.

Singer ~~but these~~ - Tests are only good if different org's rank differently, although they could still be "criteria."  
Mission-orientation e.g. should not be a test.

→ Vote to split out activities → split action and immunity from political interference.



Financial accountability - Can you audit? Can you correct a problem if org. not working well?

Side issue - incentives to reduce cost.

→ Drapes - propose category "ability to <sup>stimulate</sup> ~~increase~~ cost effectiveness -  
Voted to add this.

Technical excellence - ~~leave as is~~ Proposal to delete this.

Proposal defeated. Stays in.

Internal flexibility - broad split among groups. No changes.

Stoller - Singer said there should be an ideological test.

Singer - Preference in our govt for private organizations over gov. Sec. 303 requests looking at private.

Precedent - nuclear power developed by industry, not gov't.  
No proposal to add test

Lash - where to go from here?

O'Scanlain - sleep on it. Address later.

Stoller - Need to reduce number of organizations.

O'Scan - First item for tomorrow AM.

## Panel comments on draft report materials

Lash - Wants to add to outline a III.E. - analysis  
2 chapters and part of 3<sup>rd</sup> advanced as far as  
text draft. (Ch. 3 just handed out; 1+2 have been out for a while)

Stoller - What's the ~~map~~ rest of today + tomorrow?



Chapter 3 assigned to Battelle for drafting  
Chapter 1 - Kathleen Concannon (also Battelle)

Introduction - follows outline

Background, Panel creation and mission

Stoller - need consistent units. Maybe a footnote.  
 - costs less dependent on amt of nuc. power than revenue.

Gates - technical comments

O'Scanlain, Draper, et al. comments on Ch. 1

Need to make report current, its number of operating plants, etc.

Last - description of waste office needs expansion. Other responsibilities beyond what is listed.

Maybe a 3 or 4 page appendix.

Last - Need problem definition.

Chapter 2 - Financing considerations

Renee Ferrara

Renee - not much guidance from Panel yet.

Committee didn't have recommendations yet.

Grimm - Want to take some of their scenarios to the investment banking community. Might not be until first week in September.

Schausten - Do you want to revise report outline so that Ch. 2 says what we tried to do, then have later chapter dealing with financial recommendations, combined with org. recommendations? Panel agreed to put all rec's in the rec chapter.

Get CBO report. Address panel's consideration of it in Paper.

4

Singer  
~~Watt~~

CBO report. Does draft quote it correctly?

Stoller - report shouldn't say whether or not fee is adequate. Can address issue of fee adequacy.

Stevens - May need <sup>separate</sup> ~~separate~~ PPs on incentives and cost controls (p. 5).

Keating - Under D., shouldn't promote idea that funding is tied to safety, re. incentives for efficiency.

Lash - should eliminate whole discussion here.

Lash - Reference to define H&W financing necessary, without much discussion.

One of the issues = marginal or average cost.

## International material

Schausten - 2 of them already summarized: UK and Sweden.  
Discussion of the 2 papers.

UK - Magnox fuel - hard to store without reproc.

Singer - Visited Austria, France

Austria has completed plant, but gov. won't allow operation until waste problem has been solved.

Paris - OECD/NEA. Report compares approaches of the different countries. <sup>NEA is primarily working on earth disposal</sup> Swedes have different way of collecting money, holding in trusts.

Coop. between smaller Euro countries - OECD looking at savings of combined repositories.

## Chapter 4 draft - findings and conclusions

Schelling -

Tendencies of Panel members -

Keating-Edh - Combined gov't/private corp

Emphasis: cost control. Second: be able to deal with objections from those who intend to obstruct its mission.

Stevens - Need to narrow down lists of alternatives.

Existing, Exec ~~Ag~~, etc. Private corp. inappropriate in light of Act's institutional requirements.

Different org's for different phases: may need.

Singer - Need to maintain NWPA momentum.

No organizational upsets. Doesn't feel a repository is necessary, but good for public confidence. Favors storage, then considering reprocessing. Should continue present effort to the point of NRC certification of one repository. Construction/operation should be up to the utilities: operate themselves, reprocess and dispose, reprocess + use MRS, other options.

Ogden - Present organization ....

Johnson - Can't have private org. under NWPA.

Need board representing <sup>constituencies</sup> ~~interests~~, but not increasing costs. Constituencies that want program economic + timely.

Gates - Present program lacks continuity + too subject to polit process. Needs to be mission-oriented. Should have independent Fed. Commission.

Continuity + stability. Also an advisory committee. Indep. fed. comm. and separate fed agency have best ratings in matrix.

Lash - Less emphasis on cost; lowest cost would mean no repository.

Stages need to be looked at.

Need new decision process for selecting sites:

broader set of constituencies represented than now. <sup>Maybe indep comm.</sup>

Good coop. of utils w/ gov. in Europe.

Const/op. of repos by corp tied to utils

Closure - use model of LLW. Responsibility left to state gov't.

Wight - We're not recognizing differences  $\leftrightarrow$  taking positions and ~~identifying~~ identifying interests: ~~in~~ what we want to achieve.

Interests - get public support for the program.

~~Best way~~ To do this - mixed govt-pub. corp., because Bd. of Dir's would have stakeholder representation

Stoller - Office of Dir - higher status. Longer term for director. Not sure about starting a new org. May need to recommend modest improvements.

Some of the problems are endemic to the business and endemic to the Act. Not sure new org. could solve them. Less Cong. oversight needed, better advisers.

Grimm - Panel should recommend what they want; not worry about problem of leg. changes. Also, need sensitive to cost; avoid CRBR-type problem. Favor mixed public-private corp.

O'Scannlain - #1 interest: get waste into repos fast. Want single-purpose, independent, solution-oriented entity. Lifetime

should span at least one Exec term. Board should be mainly the waste generators. Also others. Has to function without the annual appropriations exercise.

Wight - We're pulling together various interests. Only O'Scanlin mentioned incentives, i.e., get it into the ground. Tomorrow - should address again.

Singer - This is the largest public works program ever devised by Congress.

Stevens - Act gives instructions. Primary objective may be unachievable. Could be technical problems - info. we have suggests uncertainties. Not convinced NAPA is realistic timetable. Act is odd: creates office and requires study to look at better ways. Can't superimpose on new office all the previous problems.

Stoller - R82: Congress knew about all these org's. They chose a form: OCRWM. Asked Panel to try to find something better.

Proceeding with Ch. 4 -

First thing in AM - try to narrow alternatives  
Then discuss how to address Ch. 4

## Follow-up items from 6/84 WBC meeting

See handout: list of items needing inclusion in report or further discussion

Transitions from present agency to another

Amendments to the Act

Integrated waste system - Should Panel address repos only?

Gates, Stoller - other areas not our business

O'Sc - 4a+b addressed as part of analysis/recommended management structure: it could handle a+b (MRS and FIS)

- c and d (volumes and MRS coll. w/ repos.) -

Waste Fund Management - fee structure to be addressed in Ch. 2. Last 3 - TB addressed - Dropping b.

Second repository - Decided that it should be addressed.

Rm. 1217 tomorrow

7/31

Return to discussion of organizational alternatives and discuss plans for Chapter 4

Discussion of types recommended by panel members

Narrowing down: Grimm - already have to look at existing org. and private corp. (Act requires) Gates - have already looked at private corp. Nobody wants it.

Draper - 4 logical groups: subord. to Cabinet officer; equal to Cabinet officer; gov't corp; private corp.

Lash - Panel should get into small groups, each to work on one of these over the next month, its how it would meet the tests.

Q. Scamlain - 4 groups:

1. existing organization
2. independent Commission, agency
3. public corporation (Gov. controlled, mixed, or gov. chartered)
4. private corporation

Singer - also interested in utility-type private org. for later phases

### Assignments

1. Stoller, Stevens, Johnson, Sampson
2. Gates, Keating, Edh, Lash, Stevens, ~~Singer~~
3. Grimm, Keating, Edh, Draper, Wight
4. Singer, ~~Stoller~~ Wallace, ~~Stoller~~, Johnson



Format for each group's evaluations -

1. Advantages
2. Disadvantages
3. Evaluation of tests

Discussion of issues for Chapter 4

CBO study estimates 10 year delay.

Singer - CBO says this would save US money; leave funds invested longer before committing.

Liability - is it a discriminate its org. structure? (Singer)  
Should we raise question?

Steller - It's only a discriminator for private organizations.

Schelling - Price Anderson: Not clear on fed. govt having to provide same coverage, as opposed to private utility or corp.

O'Scanlin → Brandt - Get AEC to analyze this for us.

Stevens - Price And does not include reposs. It would at least have to be amended.