



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

OCT 10 1984

MEMORANDUM FOR: The File

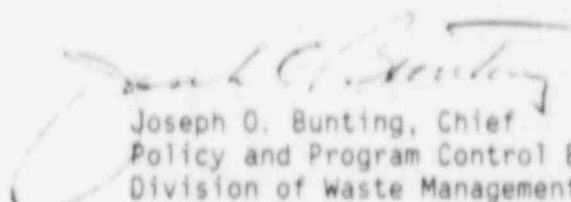
FROM: Joseph O. Bunting, Chief
Policy and Program Control Branch
Division of Waste Management

SUBJECT: REPORT ON TRIP TO ATTEND AMFM
PANEL MEETING

On September 5 and 6, 1984, Neil Numark and I attended the seventh meeting of DOE's Advisory Panel on Alternative Means of Financing and Managing Radioactive Waste Facilities, in San Antonio, Texas.

With the exception of Sid Stoller, all members present at the meeting strongly supported taking the high-level waste program out of DOE. Based on guidance from Secretary Hodel, Chairman O'Scannlain conducted a vote to determine the members' views. The Panel voted that a mixed public-private corporation best met criteria developed by the Panel of an acceptable waste management organization, followed by an independent federal agency or commission and a private corporation. Sid Stoller maintained that it was unrealistic to recommend taking the program out of DOE. The Chairman favors the mixed public-private corporation option. Public comments were heard from Middle South Services and the Texas Governor's Office.

The next Panel meeting will be held September 25 and 26 at DOE headquarters. Two additional meetings are scheduled prior to submission of the Panel's report to DOE, which has been retargeted for November 15.


Joseph O. Bunting, Chief
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Division of Waste Management

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*See previous concurrence

OFC	: WMPC	: WMPC	: WMPC	:	:	:	:
NAME	: NNumark:ch	: MKearney	: JBunting	:	:	:	:
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MEMORANDUM FOR: Robert E. Browning, Director
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NAME	: NNumark:ch	: MKearney	: JBunting	:	:	:	:
DATE	: 84/09/21	:	:	:	:	:	:

Note to Joe. cc: Keamy, Sweeney, Milke

D. Dively tel. con., 10/17/84, 5PM

Internal politics at AMFM panel.

HARC taken off most of the work; Schausten
Holt + Concannon supposedly handling all.

Messed it up - using old drafts, etc. ~~Schausten~~ Sweeney
was asked by O'Sc to stay & do new Ch. 2.

Schausten called him & said inappropriate.

Schausten ~~is~~ close w/ a relative of Model's;

O'Sc. chose him as staffer. HARC is

DOE contracting. Holt knows nothing about waste.

Panel's changes won't be in new draft at next meeting.

New twist: Stoller, Grimmer say they have 7 votes for
new option: keep DOE, make improvements, establish
milestones/criteria DOE has to meet. If they
miss them, switch to public corporation.

Upshot - No way 11/15.

Schilling still in. Schausten controlling.

→ Call Concannon for changes

→ Call Brandt re. schedule
Letter to C announcing delay? (Pick)

A22

10/22 AMEM Meeting Forrestal

Purpose today - put in perspective what has happened so far.

1. Presentation from Keith Frye, DOE, re. Great Plains project
2. WM Org's Goals, actions, objectives - discussion of Grimm paper

Afternoon - 3. Discuss FEDCORP paper

Tomorrow - Take everyone's comments on drafts.
Discuss refinements to preferred alt.

ADMIN

- Panel very unhappy w/ DOE for not reimbursing members for express mail services
- Next mtg: 11/13 and 14. Right after Vet's day.
- Hotel: Tuesday 11/13 2:30. 6th floor.
(Whole Panel meeting will be in that room)

Keith Frye - Dep A/S for Fossil's
PM for Great Plains

A23

Monitoring an activity just as important as managing it.

Env H + safety - DOE aggressive on getting supplementary funding to resolve EH+S issues. Got flexible financing terms.

Capital spending - \$700m cost under run. On schedule.
Project going well w/ state/local, on schedule.

Q from Grimmer - how did consensus bldg. help project?

A - Peer review panels. Highest priority items from C/B standpoint.

Use Federal Financing Bank - government chartered bank. All loan funds thru it. Bank takes \$ from T, charges fee to loan it. Interest rate is whatever DOTreus pays + ~ 1 1/2%. T rate + fee.

Q from Lash - how was ND site selected?

A - companies chose it. DOI has water authority for lake there. EPA permits and EIS on the site.

Q from Grimmer - reactions of local citizens

A - gradual convincing. Landowners - some have royalties. ND also has severance tax.

Q from Sampson - What rate of guar?

A - eq. partners back 25%; G backs 75%.

Q from Grimmer - How cost & schedule deadlines met?

A - get agreement among Sr. managers to coordinate construction schedule.

Stoller - does project pay taxes to community?

A - yes. Tax base is huge.

Wright - field offices?

A - Chicago - also project in trend forkers. Morgenthau WV tech. center. All under DOE.

Admin - No minutes from last mtg. Schilling never got the transcript from Schausten. Nor did DOE.

Grimm 10/16 Paper on WM Org. Actions, Goals, & Objectives

Concerns regardless of the kind of org. chosen and doing the program. Want consensus on goals of an organization.

6 categories

Siting, regt mgmt, sched, cost effec, tech excellence, general management.

This would be a Chapter 9B.

Siting -

Stoller, Lash discussion of transitional questions.

Grimm will do rewrite.

Annex - Panel should recommend that each State have its own "NRC," like NM's EEG, as an improvement

O'Scannlan - too strong. Essence is that there should be a coord. group at state level.

Stevens - NARPA says St/Tr get money under C+C.

Stoller - Panel should recognize this and recommend.

Grimm - don't mean to be telling them how to use C+C money.

Lash - states know this. Also Annex - it's not regulatory.

Stevens, Sampson, Stoller don't want to refer to EEG.

Stevens - no C+C agreements now. ^{Stoller} But several are getting money now.

Grimm - allow Stevens to rewrite to reflect state views.

Wallace - What are we ~~g~~ doing? We already have goals + objectives. These are specifics for any organization. Not broad goals.

O'Scannlain giving Stoller a hard time - he's tried to accommodate his concerns in the context of what is the majority recommendation: FEDCORP.

Grimm - Chance that Congress ^{will} want to change it, but use a different option. So this tells Congress what any organization needs to incorporate.

Wallace - There aren't goals. They're specific actions - Would fit into other chapter on goals.

Lash agrees. Determination of location in report is important.

> O'Sc - call this chapter something else. Specific elements.
> Stoller - Shouldn't talk about schedule for implementing education program.

Draper, O'Sc - Should take all the dates out of paper.

Item 4, p. 3 - Local ec. development

Reg. mgmt.

Schedule Keating - not concerned about schedule.

Draper - real problem if DOE cannot accept in '88.

All util const based on this

Discussion of MRS.

Keating - can't move too quickly. Opposition then which would slow down the process.

Lash - need realistic schedules and reliance on contingencies.

Stoller - who sets the milestones?

Cost Effectiveness

Oversight contractor

Oversight committee

Lash - need publicly owned util's + PUCs on here too

Wallace - also NARUC

Stoller - Shouldn't list them all.

Private accounting firm

Tech. excellence

Systems integration (same as oversight contractor)

Peer review group - eliminate?

EA's

Stevens - should not focus on EA's. Instead, env. considerations that need to be made -
Eliminate?

General management

Tenure of CEO

Cong oversight - clear?

Civil service exemptions

Lash - denigrating to imply that low-paid G employees cannot do a good job. There is flexibility in the G system. Don't need hire/fire reforms. Wants to eliminate hire/fire recommendations. Heating Ed L, others - want exemption from CS. Lash - still won't give you total H+F flex. Wallace - should say this broadly Only insofar as org. is unique to rad. waste. Maybe just an exemption for engineers + managers.

Management Plan

Attachments - the sources, origin of what's stated in the paper.

Att. B : → Chapter 9B

O'Sc - Ch. 9 implies endorsement of these ideas.

Recs are directed to the preferred alt. This leads into that.

Lash - Want to recommend things regardless of what option recommended. So this should go in rec chapter.

Wallace - those specific elements are not part of the eval, they're the result.

O'Sc - Trg key elements as first thing under Ch. 10 (recommendations). 9B now goes somewhere in Ch. 10.

O'Scannlain - not here tomorrow.

Look at Fedcorp this afternoon. 1:45 - 4:00. ^{Be sure it represents what they want.}
Tomorrow - go over all the chapters. Get comments on the table.

Schausten - can also discuss validity of sections.
Not a line-by-line editing.

Lash - has important policy comments. Latest draft doesn't reflect changes at the last meeting.

~~Chen~~ -

O'Sc - Subject for aft. is 10/16 draft of FEDCORP.
A rewrite (Grimm/Schelling/Schausten)
of what was preferred rec @ last meeting.
This is Panel rec., and will expand
base of consensus beyond preferred alternatives.

FEDCORP

Deviates from public-private. No stock; A - control and - owned.

CEO: 13-yr. term. Management structure under him.

Financing: continue fee + fund.

Accountability: no diff from pub/private corp.

From p. 12 on: evaluates it to Panel's tests.

Wallace - Should have to Board nominate the CEO and the Pres ultimately appoint.

Draper - Pres would appoint Board and Board would hire CEO, non-voting, totally managerial, execution (separated from policy). CEO would not have tenure.

Members all P-appointed. Only they go thru Senate confirmation. (13-years would be long under this approach.)

Sid - If you wanted a full-time board, that's the Federal Commission. Agreement.

Last - Siting Council won't have time. Would have to halt siting process until org. set up. So siting is beyond what this org. could do.

Wallace - Siting Council - constituent groups would have opportunity to participate.

Annie - Siting is the hardest ~~job~~ subject for Paul.

This is where Paul gets public into it. Siting Bd is technical bd.

Board would be advisory to XRWL.

Under FEDCORP, Board would do more.

Stevens - recommending 2 diff org's, because timing of siting process not certain

Annie - Siting Council would need more than an "advisory" role. Not as effective legally.

Ann - Board should have Council serving at their pleasure.

Lash - If you maintain NWPA state review process, the Siting Council should not be full-time. If they were full-time, this could be new approach to siting. Should be P/T - Agreement

Wallace, Wright - Council recommends site by date certain. If they don't, Board gets 12 mos.

Sampson - existing St/Tr procedure - would they go to Siting Council? That reduces St/Tr participation.

Ann - But still would have veto. Council decides by consensus, if possible. Otherwise Bd does it.

Need all 15 to get such consensus. Representatives of states being characterized, and tribes, would all be on Council.

O'Sc - If disag. on # of people on Council, just don't address it. Just say it is imp't and org. needs mechanism to implement.

Lash - Would like SC assoc'd w/ OCRWM. Then, when OCRWM ^{dissolved} ~~formed~~ SC would transfer to FENCORP.

Ann
channing

Ann - Leave open the number of members the Council needs.

10/23

Admin. matters - delete sections on Lyons, WIPP
Discussion of Ch. 3, 4

Distribution of new draft of FEDCORP description.
(Worked on by Ann last night)

Discussion of having FEDCORP board on the siting council -
Sid - it's advisory ~~board~~ council.

Linn - Board should be appointed by Pres + Sen confirmed.
Board then appoints advisory siting council.

See markup of draft.

Transition issues -

Discussion of 10/17 Stoller paper.

Lash, Stoller, others unhappy with this coming down to an 11th hour decision in favor of one option.

Staller planning to resubmit paper w/ modifications -
Wight " " submit paper on why it's late and
a final decision on one recommendation is needed.

Lash - didn't like Diamond's message at last meeting
that they were voting on the preferred alternative -

Schedule

Staff will clean up FEDCORP paper.

Grimm's paper being redrafted (Grimm/Stevens)
in line w/ Panel's thinking.

Come to consensus at next mtg on conc/rec's