



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555

WM DOCKET CONTROL  
CENTER

WM Record File

JAN 03 1985

WM Project

Docket No.

PJR

LPOR

'85 JAN -4 A9:10

NOTE TO: Bob Browning, WM

FROM: Bob Burnett, SG

SUBJECT: DOE ADVISORY PANEL ON WASTE MANAGEMENT ORGANIZATION

Distribution:

REP NRC

JLB

Quinn-K

Per Joe Bunting's request of December 18, 1984, we have reviewed both (1) the report of DOE's Advisory Panel on Alternative Means of Financing and Managing Radioactive Waste Facilities and (2) the review of this report done by the Aerospace Corporation. As we understand it, these reports were generated because even though the National Waste Policy Act (NWPA) gave responsibility for managing the waste program to DOE, Congress included a requirement that the Secretary of Energy "undertake a study with respect to alternative approaches to managing the construction and operation of all civilian radioactive waste management facilities, including the feasibility of establishing a private corporation for such purposes... ." The focus of our review has been on the safeguards implications of a transfer of OCRWM responsibilities to a federal corporation or other non-DOE entity.

Dependent upon when responsibility for a high level waste repository was transferred away from DOE there are several areas of possible concern.

(1) If any organization other than DOE becomes responsible for using special nuclear materials for site characterizations, they should be subject to the safeguards requirements of 10 CFR Parts 70 and 73. Currently, these DOE activities are specifically exempted from NRC licensing by 60.7. NRC simply reviews DOE plans and provides comments.

(2) Part 60 currently requires that in their license application DOE will provide the following:

60.21(b)(3) - A certification that DOE will provide at the geologic repository operations area such safeguards as it requires at comparable surface facilities (of DOE) to promote the common defense and security.

60.21(b)(4) - A description of the physical security plan for protection against radiological sabotage. Since the radiation hazards associated with high-level wastes make them inherently unattractive as a target for theft or diversion, no detailed information need be submitted on protection against theft or diversion.

The requirement that DOE need only certify that safeguards are sufficient to promote common defense and security (i.e., protection against theft and

8506180291 850423  
PDR FOIA  
EYB5-170 PDR


437

JAN 03 1985

diversion) was deemed sufficient due to the statutory responsibilities which DOE already has in this area. However, if responsibility for HLW repositories was shifted to a non-DOE entity and that entity was required to meet the provisions of 10 CFR Part 60, the certification concept should be dropped from Part 60.

(3) At this time it appears that DOE is not subject to the transportation provisions of Part 73. However, it is our understanding that your staff is querying ELD on the question of licensing authority based on the provisions of the NWPA giving NRC responsibility for licensing transportation of spent fuel to interim storage sites.

More generally, it appears that the Panel's recommendation to transfer the high level waste program to a federal corporation, or any other of the non-DOE alternatives proposed in the Panel's report, would probably necessitate both legislation and revision to Part 60 to assure that NRC would maintain appropriate licensing authority.

  
Bob Burnett, SG



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

1/4/85

Call from Tick:

Thanks for the letter. Clarifies that DOE has to send something to NRC to review, regardless of what their lawyers say.

Not sure now if it will be a Panel report submitted to Cong w/ a DOE cover letter + rec's, or if a DOE report will be prepared + submitted.

Anyways Panel expects to get their report to Secretary by mid-January.

~~The~~ DOE review group ~~will~~ is looking at it (already?). So we won't get anything until at least late Jan. Could be much later if they want to make up a DOE report first.

A38

## WORK PLAN

Work Plan No.: PC23

Executive Ops Plan: Yes X No       
 Lead Branch/Section: WMPC/Integration  
 \*Task No: TBD  
 PPSAS No: 5336

Title: NWPA Section 303 - AMFM Panel Representative

Description/Purpose: (See Supplemental Sheet)

Lead Project Manager/Phone No: N. Numark/74328Other Organization Inputs Required: COMConcurrences Required: TBD

Resource Implications: (Provide Total WM Resources for Duration of Project by FY)

FY8		FY8		FY8		FY8	
<u>SY</u>	<u>\$K</u>	<u>SY</u>	<u>\$K</u>	<u>SY</u>	<u>\$K</u>	<u>SY</u>	<u>\$K</u>

Required Resources:

Budgeted Resources:

Source of Unbudgeted Resources (if necessary):

Impacts of Reprogramming (if necessary):

WM Coordination:

EGGTLURPPC

\*NMSS Coordination:

FCSGPSB

Approval:

Division Director

Date:                     

\*NMSS Director

Date:                     

\*Applies only to Tasks that are submitted to PSB and entered into the WM  
 Executive Operating Plan

Date: 85/01/17

## WORK PLAN

### Description/Purpose:

Section 303 of the Nuclear Waste Policy requires the Secretary of Energy to "undertake a study with respect to alternative approaches to managing the construction and operation of all civilian radioactive waste facilities, including the feasibility of establishing a private corporation for such purpose." The Act directs the Secretary to "consult" with the Chairman of the Commission in conducting the study. DOE established an advisory panel to assist them in conducting the study and extended the invitation to have an NRC observer attend the panel's meetings. The WMPC Branch Chief or his designate will attend the meetings of the panel, and report to the Chairman periodically on the panel's progress and expected recommendations. WMPC will provide information requested by the panel or arrange briefings on NRC's regulatory role in the waste management program. Upon completion of the panel's report, WMPC will coordinate an NRC review of the report and prepare comments for the Chairman to submit to the Secretary of Energy.

\*Applies only to Tasks that are submitted to PSB and entered into the WM Executive Operating Plan



PPSAS # E D MILESTONES DATES  
 BASELINE CURRENT ACTUAL LEAD STAFF EG GT LU PC RP

## NWPA SECTION 303 - AMFM PANEL REPRESENTATIVE

PC23

5336	TITLE: NWPA SECTION 303 - AMFM PANEL REPRESENTATIVE									
5336	Attend 6th Panel Meeting (Portland)	84/07/29	84/07/29	84/07/29	Numark					1
5336	Submit status report to Commission	84/08/30	84/08/30	84/08/30	Numark					1
5336	Attend 7th Panel Meeting (San Antonio)	84/09/05	84/09/05	84/09/05	Numark					1
5336	Attend 8th Panel Meeting (DC)	84/09/25	84/09/25	84/09/25	Numark					1
5336	Attend 9th Panel Meeting (DC)	84/10/22	84/10/22	84/10/22	Numark					1
5336	Attend 10th Panel Meeting (DC)	84/11/13	84/11/13	84/11/13	Numark					1
5336	Panel Briefs Secretary Hodel on report	84/11/13	84/11/13	84/11/13	Numark					1
5336	Provide summary of Panel report to OCM	84/11/30	84/11/30	84/11/26	Numark					1
5336	Receive final draft report for review	84/12/30	84/12/30	84/12/05	Numark					1
5336	Receive comments and briefing by Aerospace	84/12/15	84/12/15	84/12/14	Numark					1
5336	Receive comments from NRC offices	85/01/01	85/01/01	85/01/03	Numark					1
5336	Receive report from DOE for Chairman's consultation	99/99/99	99/99/99		Numark					1
5336 : 1	Brief NMSS Director	85/01/16	85/01/16	85/01/16	Numark					1
5336 : 1	Submit proposed comments to OCM	99/99/99	99/99/99		Numark					1
5336 : 1	Chairman submits comments to DOE	99/99/99	99/99/99		Numark					1

## CONVERSATION RECORD

TIME

2 PM

DATE

1/23/85

TYPE

☐ VISIT☐ CONFERENCE☐ TELEPHONE☐ INCOMING☒ OUTGOING

ROUTING

NAME/SYMBOL

INT

JOB

MSK

REB

MJB

JJS

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Rick Myers

ORGANIZATION (Office, dept., bureau, etc.)

OCRWM

TELEPHONE NO.

SUBJECT

AMFM Report Status

SUMMARY

Having received the Panel's final report on RFB  
January 15, the Secretary's review committee REC  
has decided to "embargo" the report, not  
allowing any copies out, until their review is  
complete and they have decided what to do with it.  
They intend to complete this before Hodel leaves Energy.  
The Panel has also been instructed not to distribute it.

The review committee is chaired by Dep. Sec.  
Danny Boggs. Rusche is also on the committee. They  
have held two meetings to date. OCRWM is now  
preparing a discussion paper for the committee's  
review.

It's likely to be at least 2 weeks before  
anything is sent here for review. Copies haven't gone  
to Congressional committees either. Report is essentially

ACTION REQUIRED

the same as the final draft we reviewed.

NAME OF PERSON DOCUMENTING CONVERSATION

Neil Numark

SIGNATURE

1/23/85

DATE

ACTION TAKEN

SIGNATURE

TITLE

A40

## CONVERSATION RECORD

TIME

10 AM

DATE

1/31/85

TYPE

☐ VISIT☐ CONFERENCE☒ TELEPHONE☐ INCOMING☒ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Tick Myers

ORGANIZATION (Office, dept., bureau, etc.)

OCRWM

TELEPHONE NO.:

ROUTING

NAME/SYMBOL

INT

JOB

MSK

REB

MTB

JJS

SUBJECT

AMFM Report

SUMMARY

OCRWM has prepared a response to the AMFM Panel report and expects to get it to the Secretary's review committee within a matter of days. (The committee has not yet decided what to do with the report.) My impression is that OCRWM is criticizing the recommendations/conclusions as unsupported, and recommending not to endorse it.

Since confirmation hearings for both Hodel and Herrington could happen within a week, it's looking more likely that Hodel won't ~~get~~ be able to act on it. But they're trying to avoid this, since it's Hodel's panel and it would take a long time to bring Herrington up to speed on it. So one thing they're considering is asking for very rapid turnaround from NRC: "one week." I told him we're ready to respond, but one week would be a very optimistic assumption - turnaround

ACTION REQUIRED

We need to grease skids in case of request for 1-week turnaround

NAME OF PERSON DOCUMENTING CONVERSATION

Neil Numark

SIGNATURE

DATE

1/31/85

ACTION TAKEN

SIGNATURE

TITLE

DATE

A41



## CONVERSATION RECORD

TIME

4 PM

DATE

2/13/85

TYPE

☐ VISIT☐ CONFERENCE☒ TELEPHONE☒ INCOMING☐ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT  
WITH YOU

Jick Myers

ORGANIZATION (Office, dept., bureau,  
etc.)

OCRWM

TELEPHONE NO.

252-9113

SUBJECT

ANFM Report

ROUTING

NAME/SYMBOL INT

JOB

MSK

REB

MJB

JJS

HJM

SUMMARY

Probably tomorrow, DOE will be  
sending us for review and comment:

1. Proposed letter transmitting the Panel report to Congress;
2. Internal DOE report by the review committee,  
15 pages, stating DOE's position on each  
recommendation/conclusion in the report;
- and 3. The final (printed) Panel report.

Their letter to us will request comments  
"as soon as possible."

The Panel report is still "embargoed," but  
I requested extra copies.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

Neil N.

SIGNATURE

DATE

2/13/85

ACTION TAKEN

SIGNATURE

TITLE

DATE

7/8/83 - NJP → DPH

Scope of URC involvement: limit area of consult to exam of potential impacts on URC reg. responsibility which may result from any rec'd alt mgmt proposal

7/28/83

Kearney → Garner telecom

1. Ch. wants NMSS to provide observer
2. Comm. should be kept informed of what happens @ mtgs
3. Comm. involved in consult., not just Ch.

2/16/84

DPH → NJP

Requirement for consultation cannot be met until Panel completes its study and <sup>Chairman</sup> ~~will~~ given opp. to review + comment on DE's draft report to C.

A43

Kathleen Concannon — (503) 230-7367

Internal

Draft + DCE  
by 11/30

Send to NRC + OMB  
by 12/15

Get back by 12/28

To C 1/15

Jeanne 116 Critzer  
Cathy Byrne group Massachusetts

A44

A45

Note To : Davis

Thru : REB

From : JOB

Subject : Progress of ANEM Panel

The DOE advisory panel met on October 22 and 23, ~~the~~ refining their concept of a public corporation as the preferred alternative ~~to execute~~ <sup>to execute</sup> the high-level waste program. The consensus was that the corporation ("FEDCORP") would have a seven-member Board of Directors appointed by the President ~~with~~ <sup>and</sup> designated and confirmed by the Senate, serving staggered four-year terms. The President would designate one Director as Chairman of the Board. The Board would appoint a Chief Executive Officer to serve at their pleasure as manager of the corporation. Furthermore,

~~The~~ <sup>an</sup> Advisory Siting Council would be ~~appointed by the~~ <sup>appointed by the</sup> Board, with representatives from FEDCORP, other agencies, states and tribes, environmental groups, utilities, and ratepayers. ~~The panel has not agreed on whether the Council would be purely advisory or if it would have the power to select sites.~~ In any case, the NWPA procedures for state and tribal participation would be retained. It appears that the panel will recommend <sup>that DOE</sup> immediately establish ~~of~~ the Council, ~~by DOE~~, and which could later be transferred to the new organization.

~~The attributes. No vote was taken.~~

Although it is almost certain that the public corporation will emerge as the panel's recommended alternative, no final vote has been taken to

affirm ~~confirm~~ this. Seven of the thirteen ~~members~~ panelists voted on September 26 in favor of this option, ~~but~~ with dissenters argu<sup>ing</sup> that transition issues needed better clarification and that the Panel should do more than recommend a preferred organization type. There is a strong consensus, however, that the public corporation is preferred, as it would be highly mission-oriented, most able to maintain credibility with stakeholders, and more responsive to regulatory control than a federal agency. Furthermore, the Panel gives this option high ~~marks~~ marks on stability and continuity, programmatic authority, and other tests applied by the Panel.

Progress was made on October 22 towards resolving dissenters concerns. <sup>The Panel discussed</sup> A set of recommendations ~~were~~ discussed which they Panel view as important program components regardless of who Congress ultimately decides should run ~~the~~ the program. These are viewed in part as a means of affording a smooth transition from the existing organization to the new organization. Aside from the Advisory Siting Council, the major recommendations are that an oversight contractor with a systems integration function <sup>should</sup> be hired, that a waste funds oversight committee and a technical peer review group <sup>should</sup> be established, and that the selected organization should be exempt from civil service requirements.

Secretary Hodel is tentatively scheduled to appear ~~meet~~ ~~with~~ at the Panel's ~~on~~ November 13 meeting, depending on the Panel's readiness to present recommendations. I recommend discussions ~~between~~ ~~the~~ with the Chairman in advance of that meeting. DOE intends to <sup>quickly</sup> turn around the Panel's report into a final DOE report to Congress, including only two weeks or so for NRC ~~consultation~~ review of a draft DOE report.



JOE !

Friday  
3:30 PM

These arrived today Fed. Ex. from Schausten. Please bring Tuesday and retain, as DCC did not make copy yet.

Memo from Davis to Office Directors should be ready for your concurrence soon (I'm going home on SL). I've ~~recently~~ spoken to Rose Cunningham, Cameron Goldberg and Funches ~~and~~ and they all plan to at least have someone at the Model part of the meeting.

Note different location of next week's meetings = Rm. CE-069.

(A46)

Nes/

43302

OPE - Zerbe / Goldberg Will call me back.  
ELD - Cunningham / <sup>28689</sup>Cameron will call me back.  
NRR - Denton / <sup>Jesse</sup>Funches <sup>27708</sup> Will call me back.  
RES - Minogue / Conti- <sup>74616</sup> Bring him copy of agenda  
FC - Rouse

A47

A48

Memo To : H Denton Director, <sup>Nuclear Reactor Regulation</sup>  
R Minogue Director, <sup>Office of Nuclear Research</sup>  
G Cunningham Executive Legal Director  
J Zerbe, Director, <sup>Office of Policy Evaluation</sup>

From : J Davis

Subject : DOE Advisory Panel on Waste Management Organization

In response to Section 303 of the Nuclear Waste Policy Act, the Secretary of Energy has appointed an advisory panel to study alternative means of financing and managing high-level radioactive waste facilities (the AMFM Panel). The Panel is currently completing its work, with a final meeting scheduled to take place at DOE headquarters on November 13 and 14, including a brief meeting with the Secretary scheduled for November 14 at 1:30 P.M. A number of your staff has informed of this meeting on Friday November 9.

Since Section 303 requires the Secretary to consult with the Chairman on the AMFM study, I intend to provide staff comments to the Commission on DOE's draft report to Congress, and will be requesting your assistance in reviewing this report within the next few weeks. Although the Panel ~~does not~~ plans to forward its report and recommendations to the Secretary by ~~mid~~ mid-December, which DOE is expected to use as the basis for its report to Congress.

A majority of the AMFM Panel members has indicated support for creating a new waste management organization separate from DOE. In recent meetings, the Panel has developed the concept of a public corporation as the preferred alternative to execute the waste program. However, the Panel may recommend other alternatives as well, such as an independent federal agency or commission, a private corporation, and improvements to the existing Office of Civilian Radioactive Waste Management at DOE. The Panel has also indicated that they will recommend improvements to the waste management program which are independent of the type of organization Congress ultimately chooses to run the program. Foremost among these, the Panel plans to recommend formation of an Advisory Siting Council with representatives from various constituent groups.

The Chairman has indicated that his consultation to the Secretary on the AMFM study will be limited to an examination of how NRC's regulatory role would be affected by any alternative management proposals. I will ~~be~~ forwarding a final draft of the Panel's report to you as soon as it is available for assistance in identifying such impacts.



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

A49

MEMORANDUM FOR: Harold Denton, Dir., NRR  
Robert Minogue, Dir., RES  
Guy Cunningham, ELD  
Jack Zerbe, Dir., OPE

Model to discuss their  
recommendations and  
furthering report.

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

SUBJECT: DOE ADVISORY PANEL ON WASTE  
MANAGEMENT ORGANIZATION

concluded in a

In response to Section 303 of the Nuclear Waste Policy Act, the Secretary of Energy has appointed an advisory panel to study alternative means of financing and managing high-level radioactive waste facilities (the AMFM Panel). The Panel is currently completing its work, with a final meeting scheduled to take place at DOE headquarters on November 13 and 14, including a brief meeting with the Secretary scheduled for November 14 at 1:30 p.m. A member of your staff was informed of this meeting on Friday November 9.

A final draft of the Panel's report is expected to be available. The Panel plans to forward its report and recommendations to the Secretary by mid-December, which DOE is expected to use as the basis for its report to Congress. Since Section 303 requires the Secretary to consult with the Chairman on the AMFM study, I intend to provide staff comments to the Commission on DOE's draft report to Congress, and will be requesting your assistance in reviewing this report within the next few weeks.

A majority of the AMFM Panel members has indicated support for creating a new waste management organization separate from DOE. In recent meetings, the Panel has developed the concept of a public corporation as the preferred alternative to execute the waste program. However, the Panel may recommend other alternatives as well, such as an independent federal agency or commission, a private corporation, and improvements to the existing Office on Civilian Radioactive Waste Management at DOE. The Panel has also indicated that they will recommend improvements to the waste management program which are independent of the type of organization Congress ultimately chooses to run the program. Foremost among these, the Panel plans to recommend formation of an Advisory Siting Council with representatives from various constituent groups.

The current draft report concludes that several organizational forms are more suitable than DOE for managing the waste program, including an independent federal agency or commission, a public corporation, and a private corporation. Among these alternative organizations, the draft report identifies a public corporation as the Panel's preferred alternative, as it best meets criteria the Panel developed for an acceptable waste management organization. The draft also recommends adoption of several specific program components which are independent of the organizational form.



- 2 -

The Chairman has indicated that his consultation to the Secretary on the AMFM study will be limited to an examination of how NRC's regulatory role would be affected by any alternative management proposals. I will forward a final draft of the Panel's report to you as soon as it is available for assistance in identifying such impacts.

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

3 Sites - beginning of Ch. 12  
H.W. Def - App D  
Pie Anderson - End of App E

A50

DOE STUDY OF ALTERNATIVE MEANS OF FINANCING AND MANAGING RADIOACTIVE WASTE FACILITIES (AMFM STUDY)

- ° REQUIRED UNDER NWPA SECTION 303 BY JANUARY 1984, SECRETARY MUST CONSULT WITH CHAIRMAN AND OMB DIRECTOR IN CONDUCTING STUDY.
- ° SECRETARY ELECTED TO FORM AN ADVISORY PANEL IN DECEMBER 1983.
- ° PANEL HELD 10 MEETINGS THROUGHOUT U.S. BETWEEN JANUARY AND NOVEMBER 1984. NRC BRIEFED PANEL AND HAS ATTENDED ALL MEETINGS AS OBSERVERS.
- ° PANEL REPORT SUBMITTED TO SECRETARY ON JANUARY 15, 1985.
- ° DOE REVIEW COMMITTEE NOW LOOKING AT REPORT. NEED TO DETERMINE LEVEL OF DOE ENDORSEMENT.
- ° DOE WILL SUBMIT TO NRC FOR CONSULTATION AND SUBSEQUENTLY TO CONGRESS.

A51

SUMMARY OF AMFM PANEL REPORT

- ° CONCLUDES THAT SEVERAL ORGANIZATIONAL FORMS ARE BETTER SUITED THAN DOE TO MANAGE THE WASTE PROGRAM, INCLUDING INDEPENDENT FEDERAL AGENCY OR COMMISSION, PUBLIC CORPORATION, AND PRIVATE CORPORATION.
- ° IDENTIFIES PUBLIC CORPORATION AS PANEL'S PREFERRED OPTION.
- ° RECOMMENDS ADOPTION OF SPECIFIC PROGRAM COMPONENTS WHICH ARE INDEPENDENT OF TYPE OF ORGANIZATION CONGRESS CHOOSES TO RUN PROGRAM, INCLUDING AN ADVISORY SITING COUNCIL.
- ° CONCLUDES THAT FEE ON NUCLEAR-GENERATED ELECTRICITY IS FAIR AND COULD ADAPT TO A CHANGE IN ORGANIZATION.
- ° CRITERIA FOR EVALUATING ORGANIZATION TYPES:
  - MISSION-ORIENTATION
  - CREDIBILITY WITH STAKEHOLDERS
  - STABILITY AND CONTINUITY
  - PROGRAMMATIC AUTHORITY
  - ACCESSIBILITY
  - RESPONSIVENESS
  - INTERNAL FLEXIBILITY
  - POLITICAL ACCOUNTABILITY
  - IMMUNITY FROM POLITICAL INTERFERENCE
  - FINANCIAL ACCOUNTABILITY
  - ABLE TO STIMULATE COST-EFFECTIVENESS
  - TECHNICALLY COMPETENT
  - SMOOTH TRANSITION

NRC REVIEW OF AMFM STUDY

- ° STAFF REVIEWED FINAL DRAFT OF PANEL REPORT, RECEIVED DECEMBER 5,
- ° COMMENTS IN PREPARATION.
- ° POSSIBLE IMPACTS ON NRC RESPONSIBILITIES:
  - SAFEGUARDS RESPONSIBILITIES
  - PROTECTION AGAINST FINANCIAL LIABILITY
  - POST-CLOSURE CONTROLS
  - NEPA IMPLEMENTATION





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

Friday -

See Mike on PDS

Joe on AMFM (call Bauer)

Comment areas

NEPA

New procedural  
agreements

Price finders on

Stakeholder  
participation

Safeguards

Post-closure

Punitive Actions

Waste fund  
utilization?

Effectiveness in regulating  
Anti-trust applicant organizations

Have

RES

ELD

OSP

SG

RP

NRR

~~Don't have~~  
~~NRR~~

Won't comment

OPE

FC

A52

Prill Anderson

SP: App E describes liability issue...

RES: New org would not necessarily have access to same financial resources, and requirements for insurance etc. would have to be established.

SP: App E <sup>recognizes that</sup> ~~says~~ org. must have coverage. Quote. If P-A considered appropriate vehicle for providing liability coverage to a repco, could either amend P-A to extend to the new org. the authority to indemnify contractors, or NRC could, if auth extend to 1987+, extend its authority to indemnify licensee - Alternatively, separate legislation. If IRL, auth needed + would have to be granted by.

Saltzman Co travel until 1/14/85 Monday.

See 1/8 Ira Donite notes.

A53



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

TF

NOTE FOR: Robert E. Browning, Director  
Division of Waste Management

Joseph O. Bunting, Jr., Chief  
Policy and Program Control Branch

Mike Kearney, Section Leader  
Integration Section

FROM: Jerry Giarratana

SUBJECT: ALTERNATIVES TO MANAGING, CONSTRUCTION AND OPERATION OF  
CIVILIAN WASTE MANAGEMENT FACILITIES

Mr. Howard Perry, DOE, stated the following during a phone conversation on November 30, 1983. The process of selection of nominees for the study group has been completed but it will probably be mid-December before appointments and acceptances will be finalized. The panel will be composed of state, local government and industry representatives and private citizens. Names will not be released until acceptancies are in hand.

DOE is now preparing a letter for Congress noting that the January 6, 1984 NWPA for study results (including consultation with the NRC and other appropriate Federal agencies) will not be met. The projected schedule now is completion of the study report by September 1984, consultation with Federal Agencies during October 1984 and submission of the report to Congress before November 30, 1984.

  
Jerry Giarratana

A54

- 1 - Staller
- 2 - Gates
- 3 - Grimes, O'Scannlain, Wallace, Draper, Wright
- 4 - Singer

Present - Lark, Stevens, Johnson  
Absent - Keating-Ehl, Sampson

Next meetings

10/22 + 23  
11/13 + 14

Deadlocked. Have not gotten to seven votes.  
Gates - I'll switch to #3. Singer also.

Next meeting - rank the remaining alternatives.

A55