

DISTRIBUTION

WM s/f -
 NMSS r/f
 NNumark
 MKearney
 DMattson
 JSurmeier
 PAltomare
 JBunting
 LHigginbotham
 LBarrett
 HMiller
 MKnapp
 RBrowning
 MBell
 DMAusshardt
 JDavis
 EDO
 EDO s/f
 WDircks

119
 406.1/NN/84/08/06

AUG 23 1984

- 1 -

For: The Commissioners

From: William J. Dircks
 Executive Director for Operations

Subject: PROGRESS OF THE DEPARTMENT OF ENERGY'S
 ADVISORY PANEL ON ALTERNATIVE MEANS OF
 FINANCING AND MANAGING RADIOACTIVE WASTE
 FACILITIES

Purpose: To inform the Commissioners on the activities of the Advisory
 Panel and the schedule for receiving DOE's draft report for
 review.

Discussion: Section 303 of the Nuclear Waste Policy Act 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 purposes." The Act directs the Secretary to "consult"
 with the Chairman of the Commission in conducting the study,
 which was to have been reported to Congress by January 7, 1984.

In carrying out these provisions, DOE elected to establish an
 Advisory Panel pursuant to the provisions of the Federal
 Advisory Committee Act. The background on the establishment of
 the Panel and a listing of Panel members was provided to the
 Commissioners in SECY-84-118. To date the Panel has met six
 times, and a draft report making recommendations to the
 Secretary has been partially completed. An NRC staff observer
 has attended each of these meetings. The Panel has been briefed
 by State and Tribal officials, Congressional staff, industry and
 environmental representatives, and Federal agency officials,
 including the Director of DOE's Office of Civilian Radioactive
 Waste Management and the Director of NRC's Office of Nuclear
 Material Safety and Safeguards. In addition, the Panel has
 toured radioactive waste facilities in the United States and met
 with officials from waste management organizations in European
 countries.

8409040306XA
 Contact:
 Neil Numark, NMSS
 427-4328

FOIA-85-170
 C8

OFC	: WMPC	: WMPC	: WMPC	: WM	: NMSS	: NMSS	: EDO
NAME	: NNumark:ch	: MKearney	: JBunting	: RBrowning	: DMAusshardt	: JDavis	: WDircks

Issues relating to NRC's regulatory role arose in the most recent meeting, during which the Panel focused on evaluating the suitability of selected government and corporate entities for waste management purposes. Members of the Panel indicated that they are willing to recommend organizational changes which would require legislation to implement. Most members appear to be favoring either an independent federal agency or commission or some type of government corporation. Several members felt that different types of organizations should be considered for the different phases of the program. Further Panel efforts will include attention to financing options, involving meetings with investment bankers to discuss possible alternatives to the 1 mill per kilowatt hour fee charged to nuclear utilities and how such alternatives would fit in with the various organization options being considered.

The Panel plans to submit its final report to the Secretary by October 15, 1984. DOE will then use the Panel's recommendations to develop the report to Congress required under NWPA, which it estimates will be submitted to Congress by December 31, 1984. DOE intends to satisfy the requirement for consultation with the Chairman by giving NRC an opportunity to review and comment on a draft of the DOE report.

We will keep you informed regarding the NRC review prior to receipt from DOE of the formal draft. Until that time, the staff will be reviewing drafts of the Panel's report, which are available at each of the Panel meetings, to examine the potential impacts on NRC regulatory responsibility which would flow from any recommended alternative management proposals.

(Signed) William J. Dircks

William J. Dircks
Executive Director for Operations

OFC : WMPC	WMPC	WMPC	WM	NMSS	NMSS	EDO
NAME : NNumark:ch	MKearney	JBunting	RBrowning	DMAusshardt	JDavis	WDircks
84/08/14	84/08/14	8/10/84	8/16/84	8/21/84	8/21	8/23/84

August 23, 1984

SECY-84-338

For: The Commissioners

From: William J. Dircks
Executive Director for Operations

Subject: PROGRESS OF THE DEPARTMENT OF ENERGY'S
ADVISORY PANEL ON ALTERNATIVE MEANS OF
FINANCING AND MANAGING RADIOACTIVE WASTE
FACILITIES

Purpose: To inform the Commissioners on the activities of the Advisory
Panel and the schedule for receiving DOE's draft report for
review.

Discussion: Section 303 of the Nuclear Waste Policy Act 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 purposes." The Act directs the Secretary to "consult"
with the Chairman of the Commission in conducting the study,
which was to have been reported to Congress by January 7, 1984.

In carrying out these provisions, DOE elected to establish an
Advisory Panel pursuant to the provisions of the Federal
Advisory Committee Act. The background on the establishment of
the Panel and a listing of Panel members was provided to the
Commissioners in SECY-84-118. To date the Panel has met six
times, and a draft report making recommendations to the
Secretary has been partially completed. An NRC staff observer
has attended each of these meetings. The Panel has been briefed
by State and Tribal officials, Congressional staff, industry and
environmental representatives, and Federal agency officials,
including the Director of DOE's Office of Civilian Radioactive
Waste Management and the Director of NRC's Office of Nuclear
Material Safety and Safeguards. In addition, the Panel has
toured radioactive waste facilities in the United States and met
with officials from waste management organizations in European
countries.

Contact:
Neil Numark, NMSS
427-4328

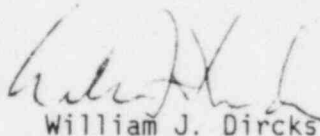
427-4328 11 11 84

11 11 84

Issues relating to NRC's regulatory role arose in the most recent meeting, during which the Panel focused on evaluating the suitability of selected government and corporate entities for waste management purposes. Members of the Panel indicated that they are willing to recommend organizational changes which would require legislation to implement. Most members appear to be favoring either an independent federal agency or commission or some type of government corporation. Several members felt that different types of organizations should be considered for the different phases of the program. Further Panel efforts will include attention to financing options, involving meetings with investment bankers to discuss possible alternatives to the 1 mill per kilowatt hour fee charged to nuclear utilities and how such alternatives would fit in with the various organization options being considered.

The Panel plans to submit its final report to the Secretary by October 15, 1984. DOE will then use the Panel's recommendations to develop the report to Congress required under NWPA, which it estimates will be submitted to Congress by December 31, 1984. DOE intends to satisfy the requirement for consultation with the Chairman by giving NRC an opportunity to review and comment on a draft of the DOE report.

We will keep you informed regarding the NRC review prior to receipt from DOE of the formal draft. Until that time, the staff will be reviewing drafts of the Panel's report, which are available at each of the Panel meetings, to examine the potential impacts on NRC regulatory responsibility which would flow from any recommended alternative management proposals.



William J. Dircks
Executive Director for Operations

DISTRIBUTION:
Commissioners
OGC
OPE
OI
SECY