
The

Radioactive Exchange®

To promote the exchange of views and information on radioactive waste management

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GOVERNORS SEVERELY CRITICIZE DOE 2ND ROUND REPOSITORY SITE SELECTION

Witnesses from six states and two Indian nations, including five governors, sharply criticized the Department of Energy's siting program for the second high-level waste repository at an April 23 hearing before the Subcommittee on Energy Conservation and Power of the House Committee on Energy and Commerce. Witnesses levelled two broad charges at the second round program: (1) that the second repository is not needed; (2) that the second round siting process is deeply flawed, both technically and procedurally.

Need for Second Repository Questioned

On the question of need, several witnesses pointed out that spent fuel projections had declined sharply since the Nuclear Waste Policy Act was passed and argued that the expectations which had led to the requirement for siting a second repository were no longer valid. Citing these arguments, Rep. James Broyhill of North Carolina (ranking minority member of the Energy and Commerce Committee), said that he intends to introduce legislation that would (See **HLW Hearing in the HLW Focus**)

COMPACT AND DISPOSAL TECHNOLOGY BILLS ADVANCE IN CALIFORNIA

California Assemblyman Steve Peace's compact legislation (A.B. 4269), proposing to establish a two-state compact with South Dakota was reported out of the Assembly Energy and Natural Resources on April 16 by a partisan vote of 7-4. The bill now proceeds to the Intergovernmental Affairs Committee for a markup scheduled for May 7. It is expected to be considered for floor action by June 1. The California Governor's bill, embodying the originally proposed Western Compact with Arizona, continues to languish in conference.

In a separate action, legislation introduced by Los Angeles Senator Art Torres (S. 2121) which requires the use of best available technology in the development of a disposal site and the reopening of the process to select a license designee to operate a state LLRW disposal facility was reported out of the Senate Toxics Committee by a vote of 6-0. US Ecology was awarded license designee status to construct and operate a state disposal site in December 1985 (EXCHANGE, Vol. 4, No. 20). (See **California** pg. 2)

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(California from pg. 1)

Options Open for Discussion

According to Assembly staffer Dave Takashima, there is room for negotiations regarding the compact initiatives now under deliberation in the California Legislature. Though Arizona is not an eligible party state in the compact proposal supported by Assemblyman Peace, Dave reports that there still is the possibility of developing an interstate agreement that would include Arizona. Whether this can be achieved or not depends on Arizona's willingness to accept some degree of responsibility for waste management, rather than have California accept all site responsibility, as provided in the original version of the Western Compact. **

CORRECTION...AEROJET INCINERATORS STOCK EQUIPMENT SUPERCOMPACTOR

The April 18 edition of the Exchange reported that Aerojet was completing test

runs on a mobile incinerator destined for Babcock and Wilcox's (B&W) Pennsylvania Regional Waste Processing Facility. Though Aerojet does expect to deliver almost identical equipment to B&W, the incinerator currently undergoing tests is destined for Commonwealth Edison in Illinois.

Stock equipment also has informed the Exchange that, their supercompactor at Commonwealth Edison's Byron Station "receives the incinerator ash and dryer salt at incinerator temperature, cools it, transfers it, stores it, and then solidifies it in the Dow polymer media. In addition to the interface equipment for the Aerojet system and polymer solidification system, the remainder of the solid radwaste system including, cement solidification system, decanting system, remotely operated filter changing equipment, cranes, compactor and cask, have been supplied by STOCK. All of this equipment has passed its acceptance test...." **

LAST CHANCE TO REGISTER

A final reminder that if you haven't registered for the Radioactive Exchange's SECOND DECISIONMAKER'S FORUM, there are still a few slots remaining. If you want to attend please call our office by May 12.

This year's impressive list of program participants includes:

Congressman Ed Markey; SC Governor Richard Riley; Virginia Power, Board Chairman & CEO, William Berry; Illinois State Senator, Jerome Joyce; LLRW Compact Commissioners and state officials from SC, NV, and WA; key federal officials, including Bob Browning, NRC; Shelley Meyers, EPA; William Voigt, & James Dieckhoner, DOE; Congressional staff including Ben Cooper, and Marilyn Meigs from the Senate Energy & Natural Resources; and more (top level managers from utilities, nuclear services firms, and nationally known consultants).

And, judging from the paid attendees registered to date, this second Forum will be a most extraordinary event! The registrants reflect a good mix of the movers and shakers within the radwaste community, including representatives from utilities, state legislatures, universities, medical centers, radioisotope processors, nuclear service firms, and federal and state administrators.

Discussions will range from the critical problems regarding mixed waste, to how the states will start to meet the mandated deadlines to develop new sites, to requirements that generators will have to meet to use existing disposal facilities.

THE 1986 CONFERENCE ON INCINERATION OF LOW LEVEL AND MIXED WASTES

Overview

The 1986 edition of the Incineration Conference held April 22-25 in Charlotte, North Carolina, was the best yet, judging by the attendance (over 225), the participation of several foreign countries, and the collective comments about the event. Though participation by utility and even non-utility generators was not optimum (outside of Duke Power which sent several representatives) the various sessions seemed to serve the interests of the waste broker and waste processing community. The foreign participation enhanced several companies' business connections.

If there was one central thread running through sessions and the corridor conversation, it was concern over public acceptance and reaction to waste processing and disposal facilities, in particular the development and siting of incinerators for radioactive and hazardous waste.

The participants' attention to the **public's role with regard to utilization** of waste processing technologies was heightened by the fact that North Carolina was recently ranked as the No. 1 candidate to host the Second Southeast Regional Disposal Facility and recently denied US Ecology a license application to construct a regional waste incinerator. Sensitive to both issues, **Captain Bill Briner**, a Southeast Compact Commissioner and Radiation Health Officer for Duke University in North Carolina, changed his luncheon address topic from "Incineration of LLW: Panacea or Problem?" to a general presentation on the compacts and the Low Level Waste Policy Act.

If you hadn't heard enough about the public's role and politics influencing waste management decisions you just had to turn on the TV and wait for a political campaign paid for by a nationally known conservative group which expressed adamant opposition to locating a nuclear waste disposal site in the state.

Excellent luncheon and evening addresses were given by **Dr. Ruth Weiner** of the State of Washington's Huxley College, she cautioned the technical community to be **honest in comparing the risks associated with waste management activities and other "risks"** accepted by the public resulting from activities that the public can freely reject or accept.

On dealing with the public with regard to the incineration of LLRW she advised that "a meaningful comparison can be made of the maximum risks (risk to an individual receiving the maximum dose) from air emissions of the proposed facility with the risk from diagnostic x-rays."

A discussion on dealing with the public over specific proposed waste management activities, particularly the Babcock and Wilcox proposed volume reduction facility in Pennsylvania and US Ecology's proposed North Carolina Facility was the focus of a panel on Thursday. The session was revealing to a lot of attendees, but what was lacking was a couple of panelists from the press corps.

The **technical papers on waste processing** initiatives in the U.S. and foreign countries were to some degree a revising and rehearing of projects already addressed at past LLRW meetings. They did serve to bring everyone up to date on the status of the projects, and evoke some discussion on problems experienced with testing and demonstration.

In contrast to the generally dismal stories regarding public reaction to LLRW facilities, Bud Arrowsmith of Scientific Ecology Group reported that his company has reached an agreement

with the City of Oak Ridge to use industrial revenue funds to finance the construction of SEG's proposed regional processing center in Tennessee.

A paper presented by Larry Klinger of Monsanto on the application of a glass furnace system to LLRW and mixed waste demonstrated how this technology had the potential of being utilized very effectively for the thermal decomposition of mixed and hazardous waste.

The economic advantage that utility generators can accrue from the use of **supercompactors** was highlighted by papers presented by F. Mis of Rochester Gas and Electric, and Daniel Stember of Northern States Power. Mis revealed how Rochester G&E recently saved \$80,000 by using a "supercompactor" to reduce 540 drums to 225 shippable drums. This supercompactor session led to some very interesting observations from generators about the degree of savings that can be achieved by segregating waste and using "traditional" compactors rather than employing "super" equipment.

The panel session on mixed waste moderated by Exchange Publisher Ed Helminski shed little light on how the jurisdictional conflict between EPA and NRC will be resolved. Some participants were however notably impressed by the presentation made by EPA's Ken Schuster. He remarked to the attendees that the environmental agency was remaining open to options to resolve the problem and did not intend to dictate a solution without hearing from the radwaste community.

Kudos are in order for Char Baker who did the work of many to make this meeting successful.

REPORTS OF NOTE (LLW)

Evaluation of Geologic Materials to Limit Biological Intrusion into Low-Level Radioactive Waste Disposal Sites; (LA-10286-MS UC-70B) Los Alamos National Laboratory, Los Alamos, New Mexico 87545; This report describes the results of a three-year research program to evaluate the performance of selected soil and rock ranch cap designs in limiting biological intrusion into simulated waste. The fact is established that biological processes, including plant root intrusion and animal burrowing, contribute to radionuclide transport at low-level waste sites and cannot be dismissed out of hand. Experimental evidence is presented and interpreted on barrier performance as a function of experimental scale, configuration, and a variety of extreme moisture conditions to identify operational limits should the use of a biointrusion barrier be deemed necessary.

Results of studies at several scales, ranging from 25-cm-diameter columns to 1560-m² field plots, demonstrated that a minimum of 75 cm of cobble covered with 25 cm gravel all covered with 60 cm of topsoil reduces plant root and animal intrusion through the cap profile over a conventional design constructed of soil over crushed tuff. This report should be available from Los Alamos, or a xerox copy can be obtained from the Exchange Readers' Report Service for a copy and handling charge of \$18.00 plus postage.

IN THE NORTHEAST

The Low Level Radioactive Waste Disposal Facility Siting bill introduced in the **Massachusetts** Senate by State Senator Carole Amick is now in its "third reading" in that chamber (See EXCHANGE, Vol. 5, Nos. 1,3). The Senate Ways and Means Committee has begun to look into its financial implications. As was agreed, when the bill was introduced earlier this year, the State Supreme Judicial Court is being asked to rule on the constitutionality of the state law, adopted by referendum, that requires a statewide ballot on the siting of a state LLRW disposal facility and membership in a regional compact. This law, referred to as "Referendum 503," was incorporated into provisions of the siting bill as introduced by the Senator and developed by the Special Commission on LLRW which she chairs. **

IN THE INDUSTRY

NRC has approved the topical report for the **Koch Process Systems VR-System 350™** Radwaste Incinerator System. With this approval the Koch system is "acceptable for referencing in license applications" and when so referenced by a customer, further review by the NRC will not be necessary. Interfaces and specific plant applicability will, of course still require approval. The Koch VR-System 350 Incinerator is based on technology developed by Los Alamos National Laboratory and commercialized by Koch while under a Department of Energy contract.

The system consists of a controlled air incinerator; wet scrubbing equipment comprising a quench column, high energy venturi and packed column; scrub solution processing equipment; a spray dryer for blowdown elimination; HEPA filtration module and an induced draft blower. A programmable controller-based control system allows for automatic, unattended operation. The VR-System 350 Incinerator is designed to process contaminated materials as well as highly corrosive acid gases and scrub solution liquids which result from the combustion of wastes containing up to 25% polyvinyl chloride (PVC). **

ON THE MOVE

International Technology Corporation has announced that **Marvin L. Goldberger**, President of the California Institute of Technology, has been elected a director of the company. Dr. Goldberger is a Fellow of the American Physical Society, a Fellow of the American Academy of Arts and Sciences and a Member of the National Academy of Sciences. He also serves as a member of the Federation of American Scientists and is a member of the Council on Foreign Relations. He has been an advisor to several government agencies for many years and also serves as a member of the Board of Directors of General Motors Corporation.

REPORTS OF NOTE (LLW)

Generic Cost Estimates for the Disposal of Radioactive Wastes (NUREG/CR-4555); Cost Analysis Group, Office of Resource Management, U.S. Nuclear Regulatory Commission, Washington, D. C., 20555; The NRC's Cost Analysis Group sponsored this study. Its purpose is to provide an NRC analyst with estimates of the generic costs of disposing of radioactive wastes that may be generated as a result of NRC regulations requiring modifications or repairs to nuclear facilities. This report also presents descriptions of typical low-level radwastes generated at nuclear power plants. The various processes used to treat the wastes in preparation for shipment and burial are also described. Available from The National Technical Information Service, Springfield, VA 22161.

Disposal Site Use Notification

REVISED HANFORD LLRW SITE USE RULES

In an April 15, letter the State of Washington informed LLRW generators and brokers and the Hanford LLRW site operator, US Ecology, that the procedures governing prenotification, the collection of LLRW surcharges, and other information requirements regarding the use of the Hanford LLRW disposal facility had been revised. The text of the new requirements follow. For more information call Elaine Carlin at (206) 459-6228.

WAC 173-325-030 REQUIREMENTS FOR GENERATORS AND BROKERS. (1) Any generator or broker shipping waste which originated outside the Northwest Compact Region for disposal at the site shall pay to the state of Washington a surcharge as follows:

(a) From March 1, 1986 through December 31, 1987, \$10 per cubic foot of waste.

(b) From January 1, 1988 through December 31, 1989, \$20 per cubic foot of waste.

(c) From January 1, 1990, through December 31, 1992, \$40 per cubic foot of waste.

(2) In addition, the Department may impose penalty surcharges up to the maximum extent allowed by P.L. 99-240.

(3) Surcharge payments must be mailed or electronically transferred no later than the day the respective waste shipment leaves the state of origin. In the lower left hand corner of the check, the valid site use permit number and shipment manifest number must be recorded. For electronic transfers, the valid site use permit number, and shipment manifest number, followed by the name of the facility (limited to 35 characters) must be transmitted at the time of the transfer. A copy of the face of the check, or of the receipt for wire transfer must be attached to the shipping manifest when the shipment arrives at the disposal site.

(4) Surcharge payment may be made by a check payable to the State of Washington or by electronic transfer. Checks should be mailed to:

"Pre-notification"
Cashier
Fiscal Office
Department of Ecology
St. Martin's Campus
Mail Stop PV-11
Olympia, WA 98504

Electronic transfers (telegraphic abbreviation RAINIER SEA if needed) should be directed to:

Robert S. O'Brien, State Treasurer
Concentration Account
Rainier National Bank
Olympia Branch
Account #0041399260

(5) Brokers are required to attach to the shipping manifest a tabulated list of those generators whose waste is being shipped. The tabulated list must include the following information in the format specified:

Date of Shipment: _____

Valid Site Use Permit #	Generator	State	Compact Region	Volume	Surcharge
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Prenotification forms (#A-1 and #B-1) are no longer required.

(6) Violation of any of these requirements may result in revocation of a generator's or broker's Washington State site use permit. Upon revocation of a site use permit, subsequent reissuance may be conditioned upon agreement to comply with appropriate conditions, such as a condition that surcharge payments be made by certified or cashier check, and be received in advance, and a condition that the state of Washington be provided specific information at least three days prior to shipment.

NEW SECTION

WAC 173-325-040 REQUIREMENTS FOR SITE OPERATOR. (1) For each waste shipment for which a surcharge is due (as required by WAC 173-325-030 (1)-(2)), arriving at the facility, obtain a copy of the surcharge payment check or receipt of electronic wire transfer before receiving the waste shipment for disposal.

(2) For each waste shipment of a broker arriving at the facility, obtain the written information required by WAC 173-325-030(5) before receiving the waste shipment for disposal.

(3) Provide to the Washington State Department of Ecology information on each waste shipment received for disposal at the facility, as requested by the Department.

NEW SECTION

WAC 173-325-050 EFFECTIVE DATES. This chapter shall take effect April 21, 1986, (1) except the requirements in WAC 173-325-030 (1)-(2) which took effect March 1, 1986, and (2) WAC 173-325-040(3) which takes effect immediately.

REPORTS OF NOTE (LLW)

Consolidation and Shear Failure Leading to Subsidence and Settlement (LA-10576-MS/UC-70B)
Los Alamos National Laboratory, Los Alamos, New Mexico 87545; Laboratory studies performed at Los Alamos permit the prediction of settlement caused by consolidation or natural compaction of crushed tuff overburden at shallow land burial sites. Shear failure characteristics of crushed tuff that may lead to subsidence were investigated and reported in this study. Examples of expected settlement and subsidence are calculated based on the known geotechnical characteristics of crushed tuff. The same thing is done for bentonite/tuff mixes because some field experiments were performed using this additive (bentonite) to reduce the hydraulic conductivity of the crushed tuff. Remedial actions, i.e., means to limit the amount of settlement, are discussed, as well as the Los Alamos field experiment, which studies the influence of subsidence on layered systems in general and on biobarriers in particular. The share of the produced cavities is compared with cavities produced by idealized voids in an idealized environment. Study of root penetration at subsidence sites gives us an indication of the remaining degree of integrity.

Low-Level Integrated System Test (LA-10572-MS/UC-70B); Los Alamos National Laboratory, Los Alamos, New Mexico 87545; This report provides data on the results of a test of the integrity of a biobarrier installed in the improved or modified plots in Los Alamos' integrated LLRW disposal system. Although the modified plots had a reduced water-holding capacity, they delivered leachate only at the drain installed above the biobarrier, demonstrating once more that the biobarrier is behaving successfully as a capillary barrier in rerouting the subsurface flow around the tuff beneath the biobarrier. As a result of vertical water flow impedance, more water was made available to plot vegetation, enhancing its growth dramatically. The capillary barrier theory was backed up by the tensiometer results showing saturation at the upper biobarrier interface.

the HLW Focus

of the Radioactive Exchange®

(HLW Hearing from pg. 1)

stop the siting process for the second repository -- a goal shared by most of the witnesses.

When asked whether there was a technical need for a second repository, Ben Rusche, Director of the Office of Civilian Radioactive Waste Management (OCRWM), gave three arguments:

(1) There may turn out to be physical limits on the capacity of the first repository such that a second would be necessary to handle the demand.

(2) The waste to be disposed of includes not only the civilian spent fuel (the only waste mentioned in the discussions about declining demand), but also the defense high level waste, which the President has decided will be disposed of in a civilian repository.

(3) The second round sites provide a backup for the first round, increasing confidence that there will be at least one repository.

East Versus West on HLW Sites

The near-unanimous support for a halt to the second repository program (only Governor Baliles of Virginia abstained on this), plus the recommendation by all five governors (as well as by a representative of the state of Georgia) that the sites identified in their states should be eliminated from consideration, did not sit well with the Western members on the committee (Representatives Wyden of Ore-

gon, Swift of Washington, and Nielson of Utah). At various times throughout the hearing, these members expressed concerns that the second round states were trying to get themselves ruled out of consideration, leaving the first round states to bear the burden alone.

Representative Wyden was particularly persistent, asking several governors whether they were calling for amendment of the NWPA to eliminate the second repository. He pointed out that he had seen no projection of the future inventory of high-level radioactive waste that fell below the 70,000 metric ton limit on the first repository included in the Nuclear Waste Policy Act, so that elimination of the second repository would require amendment of the Act to remove that limit. Representative Wyden observed that if the Eastern states wanted to open the Act for amendment, there were a few things that the Western states would like to amend, too. On the same lines, when the state geologist from Georgia said that his Governor had asked the Georgia delegation to introduce legislation eliminating the sites in their state from consideration, Rep. Nielson of Utah asked, tongue-in-cheek, whether Georgia would entertain amendments to the bill from other states such as Washington, Texas, Minnesota, Maine, etc.

Appeals for Unity

Quoting Ben Franklin, Rep. Swift told the representatives of the second round states that "If we don't hang together, we're going to hang separately." He said that if all of the states fight among themselves to be the first out of the theatre at the first whiff of

smoke, there would be little chance for a fair, sound, and objective siting process to be used. Echoing Swift's concern, Rep. Wyden also called for cooperation between the first and second round states, saying that "We in the West want to join forces with the states in the East to come up with a fair siting process."

Governor Earl of Wisconsin responded that as Chairman of the National Governors' Association's Committee on Environment, he had contacted the other second round governors to urge them to avoid a "beggar thy neighbor" reaction and to cooperate on a common strategy with two elements:

- (1) To persuade Congress and the DOE that the second repository isn't necessary; and
- (2) To make sure that if a second site must be chosen, the site selection process is fair and technically sound.

On the first point, Representative Swift argued that if only one repository is required, as the Eastern states suggested, then it would be sound public policy to look for the very best site that could be found in the United States, and that the Eastern states should not be excluded from the search. In the same vein, Rep. Nielson said that if there is a need for a second site, DOE's search for the best site should not be affected by the political clout of the potential host states.

DOE Technical Program Criticized

There was strong criticism of the adequacy of the data and analysis used in the Draft Area Recommendation Report (DARR) in selecting the areas for further study. Governors Brennan (Maine) and Perpich (Minn.) said that the siting process had failed, and ought to be stopped. Both the Minnesota witnesses (Governor Perpich and Doug Larsen), as well as committee member Sikorski of Minnesota focused their criticism on the survey of crystalline rocks used by DOE to select the areas in 17 states that were screened to identify the sites recommended in the DARR. Governor Perpich released an analysis of the DOE

survey prepared by the Minnesota Governor's Nuclear Waste Council. This report, based on information released by DOE after the state had filed a Freedom of Information Act request, concludes that the 1983 "National Survey of Crystalline Rocks" (OCD-1) was based on a 1979 Dames and Moore draft report that had been severely criticized by reviewers and never released in final form. According to the state's report, the analysis used in the Dames and Moore report and the subsequent DOE document was cursory, inaccurate, and biased against consideration of crystalline rock in the West (See Related story this issue).

Ben Rusche and Sally Mann of DOE argued in response that the report in question was merely the starting point for more detailed analysis and was not the basis for final site selection. Representative Sikorski pointed out that even if the report was only a point of departure, there was no state present at the hearing that had not passed through the first filter that it provided.

Governor Baliles of Virginia took a somewhat different tack, arguing that DOE had overlooked available data that would show that the sites recommended in Virginia do not in fact meet DOE's own siting criteria. Referring to a set of flip charts, he argued that DOE had ignored such relevant facts as the history of seismic activity in the area of the sites, and the proximity of one site to a uranium deposit.

Some witnesses argued that the technical errors and inadequacies of DOE's siting analysis raised questions about whether decisions were being made on political rather than technical grounds. Governor Earl of Wisconsin argued that people in his state were convinced that the ultimate siting judgment might be political, and asserted that "our state is willing to make whatever political sacrifices are necessary to ensure we are not chosen." Expanding on this point in his prepared statement, governor Earl said "We haven't purchased any F-111's yet, but we expect to use every technical and political resource at our command in order to keep this dump and all of its problems out of Wisconsin."

DOE Response Limited by Time

Ben Rusche had little opportunity during the hearing to address specific allegations of technical errors. His formal statement (and those of all the witnesses other than the governors) was limited to two minutes, and the questions from the committee focussed on other issues. However, during a voting break several DOE officials were overheard to say that if the data presented by the states were valid, and it can be shown that some of the sites do not meet DOE guidelines, they would certainly be dropped from consideration.

Public Participation Inadequate

DOE's public participation efforts also took their share of criticism. The biggest bone of contention was DOE's refusal to extend the formal comment period for the DARR beyond 90 days, despite requests from many of the states. In response, Ben Rusche said that he felt that the 90 day period had been adequate, since it was twice the length required for public comment even for an Environmental Impact Statement. He emphasized that the states had been involved in the siting process for three years prior to issuance of the draft ARR. In addition, he noted that DOE had indicated that it would continue to accept comments after the end of the formal comment period, and was still doing so.

DOE's critics were not completely satisfied with this response. Chairman Markey commented negatively on the informality and potential arbitrariness of the process of receiving comments after the deadline, instead of extending the deadline. Henry Warren, Director of Maine's Task Force on High Level Nuclear Waste, observed that although the state had been involved for three years, most of it's citizens had been unaware of the siting process until issuance of the draft ARR in January, and had had difficulty getting up to speed on the issues in time to make comments within the 90 day period.

Indian Tribes Cite Non-Involvement

Priscilla Attean, tribal representative for

the Penobscot nation, and Kim Vele, counsel to the Stockbridge-Munsey tribe, were sharply critical of DOE's failure to involve the 28 potentially affected tribes in the process leading up to the DARR. Both presented testimony showing that despite the requirements of the Nuclear Waste Policy Act, the tribes had not been treated equally with the states. Specifically, the tribes had been denied participation in early workshops dealing with the site selection process and did not receive funding from DOE until about the time the DARR was released. Ms. Vele extended her criticism to include the Department of the Interior, which she said did not attend any of the meetings in which the tribes and DOE were involved. She concluded by describing the actions of the federal agencies as a "breach of fiduciary duty to tribal governments."

In a later exchange with Chairman Markey on the treatment of the tribes, Ben Rusche observed that everyone would have been better served if the tribes had been involved earlier.

Re-examination of 1998 Deadline Allowed

Several witnesses and committee members questioned whether the pressure of the repository schedule was forcing DOE to cut short some of the intermediate steps, such as the comment period on the DARR. Congressman Swift, for example, asked whether Congress had established timetables in the Nuclear Waste Policy Act that are inconsistent with good technical work and adequate public participation. Addressing this question at another point during the hearing, Ben Rusche responded that the time that is being taken now to receive and analyze additional comments on the DARR is evidence that DOE is not allowing the schedule to force short cuts. Significantly, he also stated that **once DOE gets through the site characterization decision process** it is in now, and Presidential approval for sites for characterization for the first round is obtained, **it would be appropriate and useful to go back and reexamine the 1998 deadline** and other aspects of the program such as the plans for the second repository.

