

waste. The results of the NRC staff review were provided as input to the DOE decision. DOE is responsible for determining whether the residual tank waste can be classified as incidental.¹²

III. Conclusion

NRC has provided technical assistance, from a safety perspective, on DOE's methodology for classifying waste as "incidental." NRC staff has concluded that DOE's commitments to (1) clean up to the maximum extent technically and economically practical, and (2) meet performance objectives consistent with those required for disposal of low-level waste, if satisfied, should serve to provide adequate protection of public health and safety.

NRC does not have licensing and related regulatory authority over the HLW or residual wastes in the tanks at Savannah River. The authority and responsibility for classifying the waste at Savannah River reside in DOE, not NRC. Therefore, the issues underlying the petition should be directed to DOE.

Dated at Rockville, Maryland, this 2nd day of October, 2000.

For the Nuclear Regulatory Commission.

William F. Kane,

Director, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

Reactor Oversight Process Initial Implementation Evaluation Panel Meeting Notice

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L., 94-463, Stat. 770-776) the U.S. Nuclear Regulatory Commission (NRC), on October 2, 2000, announced the establishment of the Reactor Oversight Process Initial Implementation Evaluation Panel (IIEP). The IIEP will function as a cross-disciplinary oversight group to independently monitor and evaluate the results of the first year of implementation of the Reactor Oversight Process (ROP). A Charter governing the IIEP functions as a Federal Advisory Committee is being filed on October 16, 2000, after consultation with the Committee Management Secretariat, General

Services Administration. The IIEP will hold its first meeting on November 1-2, 2000, in Conference Room T-8A1, Nuclear Regulatory Commission, 11545 Rockville Pike, Rockville, Maryland.

The IIEP meeting participants are listed below along with their affiliation:

A. Randolph Blough—U.S. Nuclear Regulatory Commission
 R. William Borchardt—U.S. Nuclear Regulatory Commission
 Kenneth Brockman—U.S. Nuclear Regulatory Commission
 Steve Floyd—Nuclear Energy Institute
 David Garchow—PSEG Nuclear LLC
 Richard Hill—Southern Nuclear Operating Company
 Rod Krich—Commonwealth Edison Company
 Robert Laurie—California Energy Commission
 David Lochbaum—Union of Concerned Scientists
 James Moorman, III—U.S. Nuclear Regulatory Commission
 Loren Plisco—U.S. Nuclear Regulatory Commission
 Steven Reynolds—U.S. Nuclear Regulatory Commission
 A. Edward Scherer—Southern California Edison Company
 James Setser—Georgia Department of Natural Resources
 James Trapp—U.S. Nuclear Regulatory Commission

A tentative agenda of the meeting is outlined as follows:

November 1, 2000

1:00-1:20—Welcome & Opening Remarks
 —Introduction of Committee Members
 1:20-1:40—Role of Independent Advisory Committees
 1:40-2:00—Legal Requirements of FACA Committees
 2:00-3:00—IIEP Charter
 —Discussion of Proposed Bylaws
 3:00-3:15—Break
 3:15-3:30—Administrative Support for FACA Committee
 3:30-3:45—Lessons Learned and Best Practices from the Pilot Program Evaluation Panel
 3:45-4:00—Current Status of the Reactor Oversight Process
 4:00-5:00—Overview of Staff Performance Measures

Thursday, November 2, 2000

8:00-10:15—Detailed Discussion of Staff Performance Measures
 10:15-10:30—Break
 10:30-12:00—Detailed Discussion of Staff Performance Measures
 12:00-12:45—Lunch
 12:45-3:15—IIEP Discussion on Acceptability of Staff Performance Measures
 3:15-3:30—Break
 3:30-4:30—Agenda Planning

Meetings of the IIEP are open to the members of the public. Formal procedures for the conduct of the Panel meetings will be developed during the November 1-2, 2000 meeting. In the interim, at the November 1-

2, 2000, meeting, oral or written views may be presented by the members of the public, including members of the nuclear industry. Persons desiring to make oral statements should notify Mr. Loren R. Plisco (Telephone 404/562-4501, e-mail LRP@nrc.gov) or Mr. John D. Monninger (Telephone 301/415-3495, e-mail JDM@nrc.gov) five days prior to the meeting date, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras will be permitted during this meeting.

Further information regarding topics of discussion; whether the meeting has been canceled, rescheduled, or relocated; and the Panel Chairman's ruling regarding requests to present oral statements and time allotted, may be obtained by contacting Mr. Loren R. Plisco or Mr. John D. Monninger between 8:00 a.m. and 4:30 p.m. EDT.

IIEP meeting transcripts and meeting reports will be available from the Commission's Public Document Room. Transcripts will be placed on the agency's web page when a web site for the IIEP is established.

Dated: October 12, 2000.

Andrew Bates,

Advisory Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards

Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on October 31, 2000, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows: *Tuesday, October 31, 2000—1:00 p.m. until the conclusion of business.*

The Subcommittee will discuss proposed ACRS activities and related matters. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the

¹² DOE has promulgated an order, DOE 435.1, "Radioactive Waste Management," (July 9, 1999), that addresses, among other things, the classification of waste as incidental and not HLW. NRDC has challenged DOE's use of incidental waste. [NRDC and Snake River v. DOE, No. 00-70015 (May 22, 2000).]