**LOW-LEVEL RADIOACTIVE WASTE FORUM, INC.**

**2657 Bayview Drive – Ft. Lauderdale, F.L. 33306**

**(754) 779-7551 \* (754) 223-7452 FAX**

**Disused Source Working Group Meeting**

**Park City Marriott Hotel**

**Executive Boardroom**

**Park City, Utah**

## April 14-15, 2016

**MINUTES**

Todd Lovinger, LLW Forum

Travis Snowder, Qaltek

Joe Klinger, CMW/Illinois

Larry McNamara, Consultant

Leo Drozdoff, Nevada

Mike Mobley, Southeastern Compact

Richard Grondin, Perma-Fix

Rich Janati, Pennsylvania

Larry Camper, Consultant

David Martin, Energetic

Jeff Havlicak, WCS

Rusty Lundberg, Utah

Gary Robertson, Consultant

Temeka Taplin, NNSA

Bill Stewart, NNSA

Michael Albanese, Qal-tek

Susan Jenkins, South Carolina

Michael Klebe, Consultant

Cecilia Snyder, DSWG

Mary Shepherd, JL Shepherd

Leigh Ing, Texas Compact

Kathy Davis, Southwestern Compact

**April 14, 2016**

1:00 pm - 5:00 pm (Open to Working Group Members, Staff and Invited Guests)

• review and approval of agenda items *(DSWG Members, Staff and Invited Guests)*

• discussion re updated White Paper and Talking Points on suggestions made during scoping session on brokers and processors perspectives re disused source management and disposition at fall 2015 LLW Forum meeting in Chicago, Illinois *(Discussion Leader—Larry McNamara, Consultant to the National Nuclear Security Administration)*

Todd provided background on DSWG, scoping session at February meeting, purpose of today’s meeting.

* consideration of a new approach to packaging and shipping:  the concept of a central source processing facility combined with permitting brokers to receive sources on a bill of laden, which could allow consolidation prior to packaging and disposal and would require a reporting system to assure compact import and export policies are accommodated

Larry’s task is how do we get more sources in to disposal. What are the issues related to business that have pre-empted the program.

Trying to identify what are the issues that need to be addressed.

Larry finds interpretation of rules to be an issue that needs to be addressed. There is a need for a rulebook for everyone to use.

John’s paper shows conservative, focused on safety, emphasis on packaging and safety. It shows that interpretation of the rules is key. John has worked out arrangements under which he is operating.

Larry sent out list of activities and actions that think can help with disposition and disposal of sources and asked brokers and processors to provide insight and comment.

Joe: how many brokers contacted?

Larry: contacted 10 (3 times) and received responses from 5.

Joe expresses condolences on behalf of working group for passing of Mary’s father. Presentation was very interesting. Joe believes that Mary identified a lot of important caveats and assures that we will take them into consideration as move forward.

Start walking through Larry’s white paper item by item:

1. **Establishment of consolidation facility and shipment of sources on a bill of lading: A lot of discussion re license conditions, reporting requirements and whether compact has authority to regulate material coming in for evaluation.**

Identified that there is an issue with NRC rules that allow shipping of material on bill of lading. (See paper.) There is a question as to whether or not the compacts and sited states can control material being brought in for repurposing and/or evaluation.

There is a series of discussion and impressions as to what is allowed and what is not. NRC rules allow for that transfer as materials and it to be identified as waste from receiving facility.

Rich Janati: At some point, it becomes waste at facility and argument is that, at some point, it becomes waste of material.

Larry: the issue is if we have a theoretical facility that accepts material for evaluation, under NRC rules without regard to the compacts, it would be acceptable.

Rich: is this your interpretation or the facts of the NRC rules.

Larry: It is the result of a conversation with the brokers

Rich: Does anyone have a problem with that?

Gary: from the Northwest Compact, the last person to put material to practical use is generator for waste disposition purposes.

Rich: why not do evaluation on site as John suggests in his paper. He does not agree with everything that John says, but he agrees with evaluation on site rather than shipping to facility. It should be done up front. If decision is made on site, then have to ship as waste.

Todd: It is useful to ask our guests what can this working group can do for you?

Leo: this all starts with the issue of trying to reduce the amount of orphan waste. We want to ensure that this material is safely disposed of, and that less of it will be generated in the future. In February, this was the beginning of an idea to address this problem

Todd: We have a limited amount of time, and a limited scope within our mission. So we want to stay focused on what we can do

Travis: Is the point of the working group to get the material and get it disposed or recycled or reused? The question is if the consolidation facility is processing, to whom is it attributed?

Todd: Do you want a white paper or evaluation from the working group?

Larry: If the working group sees this as a legitimate area of focus, there needs t be a discussion of how do we overcome the issue of attribution

Mike: speaking for Tennessee, if you ship material to us, and they make a determination that it is waste and will go to disposal, that product is attributed to original generator. A sealed source is tracked.

Larry: Remember the concept that there is a benefit from a consolidation process

Rich: the important thing is to get the material out. If it is recyclable,, then fine. If it is waste, then it is attributed

Todd: has anyone looked at the interstate access agreement? All the states and compacts have signed onto it

Susan: there is a definition of waste generator. One key criteria is do they see a foreseeable use?

Rusty: from Utah’s standpoint, attribution is very important. Even though NRC regulations say that, they do not support the idea that residuals can be attributed to the processor. The compact requires that attribution.

In order to operate a consolidation facility, need a license. What brokers need is a definition of how that license would be issued based on compact interpretations regarding attribution.

Mary: a consolidation license class may be a different type of license than just a possession license.

Suggesting that after taken out all of recyclable material and evaluated, can it be shipped and manifested from the facility. Mike says that is done, but waste is then attributed to generator.

Travis question is if the DSWG purpose is just to get sources for disposal or to encourage further reuse. Group answers.

Michael: Who will decide what is waste and what is reusable? The model already exists for the service licensee we are already evaluating. But the byproduct of our program is that we generate waste

Leigh: it depends on where you put the waste – Texas v Washington State. So the needs of the consolidated facility depends on where it is located. Anything that would not let us have an exception to the interstate clause would not happen in Texas

Susan: we have the same concerns that a sham recycle unit is set up and then our compact has to receive the waste

Mike Mobley: Tennessee had the same situation when they had the site. Obviously, there is a benefit to recycling sources. What is making this problematic. Permit requirements, licensing requirements, etc. Is there a way to set up the consolidation facility and have it address all of the issues of fees, attribution, and so forth and still have it achieve goal of disposing of sources. Will Leonard accept that they are going to do an evaluation of waste. Have a license to license transfer.

Todd: the most efficient way would be for the brokers to come up with a list of questions and the states and compacts can get back to you. Because there are things that the brokers are asking the compacts to change but it’s not being put on the table now

Leo: if concept is true to mission of working group, then we are happy to assist. But, please clarify how this would further our mission. Agrees with Todd, the only thing that he would say is we do not want to do anything counter to what you are trying to do that would further our mission. He would like to know what do you think of our recommendations and how can we help.

Rich Grondin: how do we think it would be different with orphan source or whatever by using consolidation facility? Rich does not see consolidation facility as method for providing solution to problem. Rich does not think it is resolving problem.

Mike: there has to be a driver – a motivation. There are few of here who remember the radium days. FDA was taking them for nothing.

Larry: This does not relate to this situation. Here we have a group of people who have a business model that they think will address the issue and they want the group to help. There are barriers to proceed.

Mike: The only people who get rid of sources are when they are forced

Todd: The business issue is not within the scope of this group. Our mission is to make sure that sources are taken out of the public realm and properly disposed. The question being put to the working group by the brokers is too broad – each state is different. We can take your list of questions to the states and compacts and then collect the answers and report back to you. Based on the responses, a more narrowed down list of questions or discussion points can be developed. We can also put together a form for the CRCPD, etc. It’s being presented in too abstract a manner.

Travis: we are here because we work with a lot of licensees and want to know if this is a realistic concept?

Larry Camper: I see an opportunity to elevate this to the LLW Forum management re GTCC waste. Now that DOE has completed its EIS and it is going to Congress. This working group and the LLW Forum have standing to have the LLW Forum send a letter to DOE promptly asking them to emphasize in their letter to Congress the following point … document provides assumed timeline for GTCC waste. It talks about that most of the waste generated in first 16 years will be disused sources. It would be wonderful if LLW Forum emphasizes points on page S-16 and S-17.

Bill Stewart: what is the goal of that?

Larry: Congress does not know about GTCC, but they know about national security. If DOE in its letter to Congress could point that out, this would be beneficial. By solving GTCC, you are helping solving a national security issue.

Jeff Havlicak: if you want to move this from licensees, then need financial assurance.

Todd: Does NNSA have any comments?

Tameka: it is a complicated issue. Not sure how this addresses the problem. If Texas won't accept waste, then this is not beneficial.

Leigh: we have import fees. Right there is an obstruction. All states are different

Tameka: the real problem is a regulatory driver.

Todd: That is an excellent point – the first step is to look at our mission and our report and explain how is this going to further our mission? How is a consolidation facility going to help with DSWG mission?

Larry: Qal-Tek should develop those questions and identify barriers

***Group agrees that Qaltek will develop list of issues, questions and requests. But, identify how this recommendation fits within our mission.***

Travis: Prices is the biggest hurdle. Import fees are expensive. Time is an issue. Opening the lines and letting it get transported/exported in a controlled process is what is wanted.

Todd: Whatever is submitted to the working group, start with how it fits with our general mission. And what are the issues or questions you want answered from states and compacts. Finally, what are you seeking: answers to questions, guidance, policy change, etc?

Michael: NRC’s perspective is to not get into the weeds, just give you the framework for your business. There are different ways to move – regulation and penalty, or incentive. Texas put a time limit. That helps move things. I think it is a responsibility for the regulators to make the licensees more aware by knowing they are going to be more actively monitored. Can put out guidance on what is expected, budget for disposal.

Todd: That fits right into what we should be talking about. That is something concrete that we can look at as a group, an issue and an ask.

Susan: One of the things we have done, is to say you have to have your decommissioning plan and an inventory of the waste – is it useful?

Larry: The ideal is to make that determination at the generation. At the beginning, when someone is going to buy the source, there should be a requirement that says I have evaluated what I will use this for, and has an end date, and this is will how it will be disposed of.

Todd: That fits right into what we should be talking about. That is something concrete that we can look at as a group, an issue and an ask. Perhaps in addition to educational materials for licensees, we should develop guide list for regulators to use.

Susan: One of the things we have done, is to say you have to have your decommissioning plan and an inventory of the waste – is it useful?

Larry: The ideal is to make that determination at the generation. At the beginning, when someone is going to buy the source, there should be a requirement that says I have evaluated what I will use this for, and has an end date, and this is will how it will be disposed of.

Todd: should be educational materials for generators and regulators to speak to these questions

Rusty: Both of those aspects are part of recommendations. But you need regulations to move things. Educational aspect for licensee and regulations. Many states can’t operate unless the Federal government moves first

Larry: First question is what is the economic impact on the licensee and that influences the regulation

Todd: And that came out in the survey and brought the results to the NRC. About 60 percent said they can’t act on policy issues until NRC acts first

1. **Talked about trying to bring a group of brokers and processors into the process. It brings credence to our work. The other thing is that it is always a good idea to talk to people that you are regulating.**

Larry: went out and heard that brokers, processors and other stakeholders. Definitions of recycling, definitions of key compact requirements, reevaluation of DOT shipping requirements, messaging to the licensees that would ultimately end up improving disposal.

Todd: how do we get more stakeholders involved.

Travis: is there is any more data on the 2 million sources that are out there.

Bill Stewart: the vast majority of them are well loggers.

Travis: some of those conferences would be a good place to approach licensees.

Bill: if NRC had done a rulemaking, then would have had more input.

Mike Mobley: mpose fees, then there will be a response.

Mary Shepherd: financial assurance is a good way to go. A lot of states require paying a deposit for recycling of electronics and other products. If you put it in a financial surety account, then the money is there. At least there is some money or the majority of money would be there.

Bill: Who holds the money? The states?

Todd: it is much easier to put input in the NRC process rather than waiting three years and then giving feedback because then the gov has already put so much effort in. IT is to the benefit for states and compacts to come up with solutions and present to NRC early and help shape the process. From my perspective, we have had much more impact on the process. The financial scoping study, not a lot of stakeholders responded. We need to find a way for more stakeholders to provide feedback early on.

Gary: even when states don’t have money, they will step up and take care of it.

Larry: Richard how do we get input from you and other processors?

Rich: we need a better definition of the orphan sources. There is not enough information to see if there is a business model that will work. We need a better inventory.

Bill: NNSA just has a small snapshot because it is voluntary information

Michael: There is recycled and reused. Repurpose use has many application use. A lot of things can’t be recycled. We have a whole training program to reuse things for military use. Engineering companies will want emissions from certain nuclides and we can provide those to them. That is the business model that we run. We have a service license which allows us to take sources and reuse

Todd responds to Travis’ question re information on 2 million sources out there by saying look at GAO report.

Larry: there is not enough information out there to determine whether or not there is an economic benefit to them to pursue.

Rich: if I ask you what fraction are subject to recycle and reuse.

Michael: it depends on type of source, activity and so forth. There are a multitude of applications for sources that can be reused, recycled or reprocessed.

Travis: 50, 60, 70% are recyclable. Gauges are lower. Medical, educational and training are in that lower category. Marketability is a problem.

Mike: a lot of sources are manufactured for a particular use and that is it.

Todd: Again, if you can provide some input as to what information you need to determine if you can come up with a business model.

Michael: is that part of unique nature of service license? Application change would have to be registered for that device.

Leigh: there seems to be a question about what is in the inventory. Maybe we can assist in developing an inventory of 2 million sources out there and what category are they.

Larry: If you can find the inventory of where and what the 2 million sources are out there

William Stewart: There are security concerns.

Larry: We do not have to identify where they are at.

Gary says that the information can come from the Agreement States. They have information on specific and general licenses. Majority are portable gauges. Suggest asking CRCPD to do this. For example, Washington had 460 licenses and 300 of them were portable gauges.

Larry: DSWG is right group to pull together this information.

Susan: NRC sends out information notices. If NRC could somehow believe that through DOE or Congress, all of these disused sources are security risk, could they not send out information notices to collect information.

Gary: you heard Greggory say all of the sources are safe and securely stored.

Mike: does everybody now charges fees for generally licensed devices?

Joe: No. They all track them differently.

1. **Improving Type B Containers**

Larry: everyone said Type B is overkill for a lot of sources. They also say that there is no way to go back and reverse this. This group has best chance to get this revisited. He uses argument of international shipments. What would make sense is a recommendation from this group for the LLW Forum to submit written request to DOT and NRC to reconsider. Could this group make a recommendation to the LLW Forum to write a letter to DOT and NRC to get a second look at this?

Mary: our state department signed up with IAEA for the code of conduct, so US agreed to be in full compliance with IAEA standards. The old packages did not meet all of the IAEA requirements.

Bill Stewart: there are two issues – loss of old spec packages and use of import/export containers internationally. If the foreign package is going to be used domestically, then NRC needs to do a full blown review of that package. When NNSA wants to use foreign package in Germany, the Germans looked at the package on their own dime, but NRC requires that someone else pay for the review.

Tameka: The NRC will expect a full blown SAR. But it depends on the competent authority

Larry Camper: NNSA should look at international packages. However, a lot of them are not applicable to NNSA.

Todd: there are two different issues for two different problems: old packages do not comply with IAEA requirements, international packages NRC has decided that they need to review and approve each one.

Mike: can we use international sources in US? It can be made foreign, but it has to be distributed by someone registered in the US. There is no requirement that DOT has to review a special form certificate.

Gary: there is merit to having LLW Forum write letter if do this with HPS, OAS, and CRCPD jointly.

Todd: we made that recommendation in the first group. We did not make a recommendation regarding the old containers. NRC said that brokers had been given plenty of warnings and opportunities

Rich Janati: I would change the wording from improve to revise

Susan: Is this a policy or regulation?

Bill: There is a regulation, for sure

Susan: We could appeal to the exemption process

Tameka: How many packages are we talking about?

Mary: at least two South American containers, Nordian containers, etc. Some of the Nordian can take some irradiators, but they are device specific packages.

Bill: Only one or two that are the closest to a W 2 C. When you go to re-evaluation, NRC will want a shield. That is what we had to do with the 435 B

Todd: To John’s point, why are businesses not making new Type B containers?

Bill: It is too cost prohibitive, including the certification process

Todd: But if NNSA is making design available, doesn’t that drive the cost down?

Larry: It still is very expensive. Plus there is no solid inventory to base their model to know what the revenue will be

Tameka: We are getting calls from manufacturers wanting these designs

Bill: We are going through a SAR review. We are almost 50 percent through the production. We expect the revisions to be back in a few months. We will be able to hand over – via licensing and other processing – in the near future.

Todd: then what is the issue that needs to be addressed?

Larry: They are not going to make enough. There is always going to be a need for more casks. Plus, the main point is that there is overkill in that you have to use a type B container. The initial problem is using type B casks for things that don’t need a type B casks

Todd: NNSA has done designs and certification process, NNSA says 4 or 5 companies are interested, so is there still an issue.

1. **Need a stronger communication plan to address the current lack of licensee’s disposal actions.**

Rusty: this is where I see value. If we can use your experience to help identify best practices. In development of educational materials, senior managers need to understand the life-cycle of sources.

Larry: there has to be a stick along with that carrot. There are two tasks: (1) to get feedback from brokers and processors and (2) to show value from these discussions.

Todd: We will be working with the E34 committee to develop educational materials. To summarize, I personally think this was a very valuable meeting a lot of good information and good ideas. Appreciate everyone taking the time to be here and participate in this meeting. Would like to continue the dialogue.

*Meeting Adjourned*

**April 15, 2016**

**Participants:**

Michael Klebe

Kathy Davis

Gary Robinson

Leo Drozdoff

Rusty Lumberg

Susan Jenkins

Rich Janati

Mike Mobley

Leigh Ing

Joe Klinger

Todd Lovinger

Cecilia Snyder

9:00 am - 10:00 am (Open to Working Group Members, Staff and Invited Guests)

• review and continued discussion re prior day’s agenda topics on (1) White Paper and Talking Points on suggestions made during scoping session on brokers and processors perspectives

*(DSWG Members, Staff and Invited Guests)*

• planning and coordination re next steps and path forward *(DSWG Members, Staff and Invited Guests)*

10:00 am - 12:00 pm (Open to Working Group Members, Staff Only)

• planning and coordination re development of educational materials for review and consideration by CRCPD’s E-34 Committee *(Discussion Leader—Michael Klebe, Financial Assurance Consultant to DSWG)*

Joe: E-34 group is a small group. Their meeting is Thursday, May 19 and then morning of May 20. Jim Yusko is an advisor to E-34 and is a good person to serve as an advisor. There seems to be a question of how important sources are in storage. We know there are problems in some of the states and internationally there are some problems.

Mike: totally agree, sometimes these are very large sources

Joe: Our message has got be when we go to current and prospective licensees – it needs to be in the guide, the liability. Emphasize the positive, however, it is not without a certain liability

Leigh: who is our audience?

Joe: The licensees. Show them the resources available now, like SCTR, and then educate them about the liability. Get informed consent before they receive the licenses. Note the SCATR Program and OSRP if have problems.

For new applicants, it is an informed consent.

Perhaps will later need to tailor it to specific licensees.

Susan: Disused Sources: What are the issues? Safety and Security. Give examples of industry and how they use, then show the consequences of not doing it. Some options. For the future, consider lifecycle examples of things gone wrong. Cite the GAO study. Other consequences: financial, dirty bomb obtained. Then, the solution: the alternatives, using other types of sources, and the disposal. Finally, know before your purchase: lifecycle costs, etc.

Rich: Keep it simple and short, and not too scary

Todd: Where should we put discussion of alternatives? Early up or further down? Disposal options: CRCPD – you want to reference resources, but you don’t want to create the impression that the Feds or CRCPD will just pick it up

Gary: Should let them know about the options but also that they might phase out. Should have existing licensee pamphlet and prospective pamphlets with slightly different language

**\*\*TWO DIFFERENT DOCUMENTS FOR TWO DIFFERENT AUDIENCES\*\***

Todd: The benefit of coordinating with CRCP OAS, etc is to be able to create different formats and then ask them to use the pamphlet as a part of the process of licensing.

The pamphlet for existing licensing would be distributed when they are going out to inspect

When we talk about alternative options we should talk about the benefits of them, also the consequences of not disposal with recent examples of disasters

Susan can help with the graphics

Leo: How do we back up the numbers? The “two million” is not validated – need to get more detail

Michael: What is the objectives? It’s easy for the newbies. But for those who already have sources, what is the objective of the education? Is it RSO level?

Kathy: But the RSO is not in charge of the budget

Michael: outreach to management could spark conversations with RSOs. Make management understand the consequences

Rusty: You have to motivate the RSOs first and give them the ammunition to argue to management

Who is going to distribute?

Mike: you go to association, hospital administrations, university groups,

Susan I imagine the inspectors going out and handing out the pamphlet, also included it with the invoice with a link to the website with graphic. We could go at it from all sorts of angles.

Susan outlines it as follows:

* Acknowledge Benefits. Types of industries
* Alternatives include
* Statement of issue: safety and security
* Explanation of life-cycle of sources – focus on need to plan for disposal, costs go up longer store
* Consequences of Not Acting Properly – costs, bad for publicity, recent events (citations re GAO, feds, etc.)
* Disposal Options (CRCPD and OSRP – not sure how long they will last, )
* Provide contact information.

**NEXT STEP:** Develop guidelines to how most effectively use the materials

Need convincing arguments as to why should spend money to dispose of sources.

Gary: there should be two pamphlets – one for people that already have sources and for those that are thinking about purchasing sources. In the former, focus more on CRCPD and OSRP. In the latter, focus more on liability for great asset that you are about to purchase.

Kathy and Susan: how do you identify who gets what.

Gary: responsible party has to sign that they have received and read the pamphlet.

Mike M.: example of grant that included funding for disposal of source. Funding was then used for another program.

Mike K.: what is your objective:

* for newbies, focus on responsibilities and life-cycle and costs
* for existing, help get rid of sources

Who is your intended audience? RSO? Are you looking at a two-tiered approach, get information to management (brief, concise, compelling) vs. RSO (comprehensive, a lot of information and resources)

Leigh: example of Clean Air Act and jailable officials

Rusty: focus on RSO and then RSO is responsible for summarizing information to management.

Give ammunition to RSO to move management – group agrees

Rich: who is going to disseminate information?

Mike: third party to this is the regulatory program. Contact with licensee should come from the regulator. Whoever heads up the licensing program.

Rich: caution that we do not want to generate more work for state government program.

Mike K.: who signs license?

Gary: management. In Illinois, have to identify who is responsible party.

Mike K.: we also have to address question of non-Agreement States.

Mike M.: go to universities, hospitals, medical associations, etc.

Susan: In terms of distribution, you can stick it in with invoice because already mailing that. Also include web site link. Top down approach.

Gary: it is two-tiered. Put a pamphlet in the mailings, but ask inspectors to hand out as well and get signed by management. Some do not even know that they have sources.

**Future Issues/Parking Lot**

* Group discusses idea of making deposit when purchase source.
* Bring some clarity and light to the reference to 2 million sources – is it accurate, how do we validate, better define universe of sources

• planning and preparation re DSWG meeting with representatives from Conference of Radiation Control Program Directors (CRCPD), Organization of Agreement States (OAS) and Health Physics Society (HPS) to establish a consortium of stakeholders that would identify areas of agreement and then work as a cohesive group to encourage implementation of our joint recommendations: responses to invitations, methodology for consortium building, meeting format and presentation of materials, follow-up tasks and assignments, location and dates *(DSWG Members and Staff Only)*

Preferred option is June 6-8

Preferred location is Chicago

- Chicago, San Francisco, Austin

Leo: There is a timeliness issue for this meeting. We have to be mindful of the clock and start getting the support from other groups. What can we do in the relative short term that will have an effect? Based on time, we should be focused on the top three things to get a couple of wins under our belt. We have had some significant gains this year and now we can build on that, build the coalition. Then the top priority, financial assurance

Mike: My phrase is that it only takes one incident. One dirty bomb. And anyone who has a source is going to get looked at.

Todd: I agree. Just one incident will kill the industry. Look at Fukishima

We are going to have Jared Johnson and Sheryl Flatery and someone else. They have not have had a lot of involvement with our group. We need to be able to give them a good summary of the group and what we have been doing and have a list of concrete asks of what we need from them. We looked through our 24 recommendations and will not pursue all of them due to the feedback that we got from you. Now we have made enough progress and have whittled down the list to 11 and would like to work together with them and have them go back by a certain date or meeting and then come back to us to see if they can support us with the recommendations. And we should use concrete examples, i.e., cat 1 and 3. But there is a lot of agreement of cat 4.

Joe: Jared was part of the group of OAS and knows the issues. He has an open mind. He is key, if we can turn him, he could be a strong advocate.

Mike: key question would be “what would you want to do in YOUR state?”

Kathy: Yes, more feedback from them at the state level

Todd: In terms of the structure of the meeting, how long should it be? And should we start off by making presentations? My thought is that we should have a few presentations to bring everyone up to speed. Why was the group formed, what is the mission, how we came up with the recommendations, how we learned from the feedback and narrowed down the top recommendations. We feel these are the three stakeholders that we have identified as important and who can make a difference in advancing this cause. We feel OAS, etc is key to getting NRC to buy in on this. In order to succeed, each organization has a role to play.

Rusty: And we will not make them take on all the recommendations. We can tailor the recommendations to the organizations. Sheryl will talk to Mike since he was the past chair. He focused on some of the phrasing we used. We need to make sure that he understands that our approach will be more positive.

Mike: what can we do to help you in light of this? We are a resource to give you the ammunition to persuade their organization. Some might want help to get financial assurance. HPS might want to reach out to the RSOS

Leigh: also how can we help you with YOUR initiatives?

Susan: I know we had a conversation about inventory, maybe we can dig a little deeper to see how they got those numbers, maybe we can ask them for the for help in getting more accurate numbers form the states

Todd: That is an excellent point and one of the reasons we have these guests is to find out is that an accurate number

Rusty: It’s not that the agreement states can’t get that info, but we need to ask them to refine the numbers

Joe: And it’s not just for curiosity. It can help drive movement

Todd: so the agenda would be why we are here, why are you here, summary of how we came to be, what we are looking for. Then various members can be assigned certain parts of the agenda. Then it naturally flows into the presentations, discussions and then specific asks for what the organizations can do.

Joe: We need to use the priority chart and get their buy in and ask them if there is something that we are missing. Also we should talk about the recent meeting with brokers and processors and the idea of the two million and how can they help us clarify this. We are a unique group and we can help them address a wide berth.

Todd: Also important to acknowledge the important work that each organization is doing. Their recommendations were good and we support their letter. How can we help to continue to support them? HPS is here because licensees are key to the process. We can talk about the recommendations and where we are on them and discuss ways that the organizations can help. How to we get to the next step of implementation?

Mike Klebe is taking the lead on education materials and we want to speed that along because Joe would like to start using and coordinating with E34

Leo: How long is the meeting and should we prepare beforehand?

Joe: I and 1/2 day meeting, closed meeting, meeting with the Organizations, then closed meeting again to discuss.

Leo: Meet shortly (8-10) then meet with them, have lunch brought in, maybe cocktails and/or dinner, then closed meeting the following morning

Mike: What is the major issue to financial assurance?

Leo: some view it as a workload, some don’t see it as a workload, some don’t want to be more restricted that the feds. What we want is no one to be hostile to it. They may not be able to do it due to state constraints, but we just don’t want them to be anti.

Joe: We will have new people on E34 who are very enthusiastic and it will be good for our group to help sway them. Other resources are Tameka, Isri.

**Messages**

* preparing to be part of and influence RSPSTF report that will come in 2018
* powerful opportunity to get messages to NRC and other decisionmakers from Agreement States to get across point that store is less desirable and that disposal is the preferred option – i.e., prevent an RDD or other accident
* there is a timeliness element here and need for all of stakeholders to work together: educational outreach, continuing to build relationships amongst stakeholders, financial assurance
* may need a phrase: “we only need one”
* all of us working on issue, great work, join together
* note our original report was based on past positions statements

**How Do**

* give presentation, review history, acknowledge that we heard what they said
* send email in advance of meeting
* We think that these are the priorities but want to stop and get input from major stakeholders on our current list? Do you agree and how can we work together to achieve them.
* Go through survey. Important input from state radiation control program directors. We used this as to help redefine our priorities based on input from state radiation control program directors and want to confirm that we interpreted correctly.)
* Joe talk about Illinois experience re financial assurance.

**What Are Our Asks/Why Are You Here**

* use current list of priorities and ask for input
* what would you want to do in your state? Is there something that we are missing? Are there things you would do differently?
* Each organization is here for a different reason: define roles and path forward
* Not asking them to swallow the report, but rather asking for them to help us identify how to move forward
* What can we do to help you in what you are doing? OAS – byproduct material financial scoping letter; CRCPD suggested state regulations; HPS sealed source special session
* If able to accomplish financial assurance, huge accomplishment.
* Moving forward – need assistance (i.e., help verify how many sources are out there and define the universe. Rusty says important to not come off as uninformed, but help us refine this)
* Texas storage rule as a model for other states that are interested
* How get out our educational materials?
* After identify areas of agreement, ask for meeting with NRC Commissioners and representatives of each of groups.
* Input as revise HPS statements

Put together agenda and assign topics.

Joe forward to us who is now in charge in place of Ray.

Derrick Bailey (Colorado) wants to get involved with E-34. Had his supervisor (James Grice) approve it. Russell Clark, James Yusko, Temeka Taplin, Michelle Burgess (NRC), Ray Clark (EPA), Terry Serone (ISRI)

Sherrie will talk to Mike for his input. In Mike’s mind, we were undermining work of Agreement States.

Emphasized we listened to you.

Make clear that the bulk of time is for interactive discussion.

Joe: our current priority list should be the focus.

We can talk about our meeting with manufacturers and distributers, a few issues came up, how can we collaborate together. They don’t typically have compact people.

Important to emphasize why this is a unique group. Emphasize why

Are we going to have prep work

**Format:**

DSWG meet in the morning (8-10) to rehearse and finalize, meet with them for the majority of the day (10 – 12 background; lunch break, afternoon interactive discussion), then DSWG meet again the next day.

Do lunch via hotel catering.

Joe: what about bringing in NRC. Perhaps meet with NRC.

• report on significant activities since DSWG meeting in Orange County, California in February 2016 *(DSWG Members and Staff Only)*

* implementation of recommendations contained in the March 2014 DSWG report—status update, prioritization and path forward
* International Source Suppliers & Producers Association/World Institute of Nuclear Security (ISSPA/WINS) workshop on source liability issues in Bethesda, Maryland

Todd gives report.

Leo: we may want to change our message to NRC.

Mike M.: has the NRC ever had an abandoned source?

Gary: yes, look at GAO report. They pay for it if it is one of their sources or assist the states.

Article today written by a former scientist with LANL talking about nuclear security summit. She downplays this idea of a dirty bomb. Says most of the coverage is based on fear created by media.

• outreach to and coordination with other stakeholders *(DSWG Members and Staff Only)*

* outreach to and coordination with Part S Working Group of the Conference of Radiation Control Program Directors (CRCPD) re suggested state regulations on financial assurance for disused sources
* upcoming CRCPD annual meeting in Lexington, Kentucky from May 16-19, 2016

Leigh, Mike M, Joe, Todd

* special session presentation at Health Physics Society (HPS) annual meeting in Spokane, Washington from July 17-21, 2016
* upcoming Organization of Agreement States (OAS) annual meeting in Denver, Colorado from August 21-25, 2016
* National Council on Radiation Protection & Measurements: status update re report on disused source management and disposition, next steps and path forward
* medical community and licensees: next steps and path forward
* brokers and processors: next steps and path forward
* licensees (e.g., medical, academic, industry, etc.): next steps and path forward

• survey re management and disposition of disused sources *(DSWG Members and Staff Only)*

* potential further action regarding results of state radiation control program directors
* potential revisions to and distribution of new survey to other stakeholders (e.g., licensees, federal regulators, waste processors, waste disposal facility operators, etc.)

• other outstanding issues and considerations *(DSWG Members and Staff Only)*

* planning and input for next Radiation Source Protection and Security Task Force report, due in August 2018
* potential revisions to DSWG materials (e.g., poster, brochure, talking points, etc.)

• other DSWG meeting dates and locations *(DSWG Members and Staff Only)*

**Motion for Ray**

Rusty add in a leadership component

Mike Mobley

Joe seconds

Approved

***Meeting Adjourned***