OVERCOMING BARRIERS TO PUBLIC UNDERSTANDING OF NUCLEAR WASTE MANAGEMENT

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ABSTRACT

Communication with the public to promote public understanding of, and participation in, nuclear waste issues is crucial. However, such communication with the public is falling short. One of the major reasons for this failure is that the public feels it cannot trust the motivations or actions of USDOE. The biggest barrier to public involvement in nuclear waste issues is the lack of trust in those who invite us to be involved.

Many methods could be employed to increase communication and public involvement in complex and technical nuclear matters.

This paper discusses the authors' observations of how USDOE's loss of credibility has affected the high-level nuclear waste repository siting process and suggests methods to overcome this primary barrier.

INTRODUCTION

Washington State's Nuclear Waste Program

The Office of Nuclear Waste Management staffs Washington State's Nuclear Waste Board and Nuclear Waste Advisory Council. The Washington State Nuclear Waste Board (made up of appointed and elected officials) sets policy and guides the state's technical investigation. The Nuclear Waste Advisory Council (made up of citizens and local officials) advises the Board in many areas of the repository review program and focuses on public involvement.

Washington State gave a legal mandate to both the Board and Advisory Council to establish public involvement programs as a central part of the state's nuclear waste policy. State legislation charges the Council with:

> "...providing information on the nature of high-level radioactive waste, the disposal of these wastes, the activities of the Board, the activities of the federal Department of Energy, and other federal agencies related to the disposal of high-level radioactive waste, and the opportunities for the public to participate in procedures and decisions related to disposal of high-level radioactive waste." (Chapter 43.200 RCW)

Statement of Purpose: Why We Wrote This Paper

By state and federal mandate, we have a duty to involve and inform the public in the nuclear waste repository siting process. We believe strongly that public involvement in the nuclear waste repository siting process can help to achieve the meaninful goals intended in the Nuclear Waste Policy Act (NWPA). Unfortunately, we find that our ability to implement public involvement programs has been undermined by USDOE's improper interpretation of the NWPA and poor management of its siting programs.

We submit this paper with the intent to illuminate the barriers which hinder public involvement in the nuclear waste repository siting process. Through this illumination, we hope to encourage new paths to a successful siting process.

We emphasize the siting process example not only for its current visibility and our experience with it, but also because it is one of the most important nuclear issues facing this nation. No matter what position you take regarding nuclear weapons and nuclear energy, the reality is that nuclear power exists and the amount of waste it produces grows daily.

As representatives of Washington State, we recognize the necessity of a program which will lead to the safe disposal of nuclear waste. In addition, we feel it our responsibility to publicly clarify the wishes of the citizens we represent and to demonstrate the best possible course to reach goals which will benefit all the states and citizens of the United States.

The Repository: Washington State's Position

Washington State's governor and others have repeatedly called for a technically accurate and thorough study of whether Hanford and other candidate sites would be safe and suitable.

Before Washington will accept a repository, Washington's Governor Booth Gardner has stated that USDOE must demonstrate convincing scientific evidence that:

1) the site will be safe,

2) that Hanford is better than other sites under consideration, and

3) Washington citizens are convinced it is a safe site.

Public Involvement and the Nuclear Waste Policy Act

The Nuclear Waste Policy Act is a comprehensive law establishing national policy on the creation of a nuclear waste repository. Congress carefully crafted the Act to balance the need for a permanent nuclear waste repository with the inherent rights and interests of all the states, Indian tribes, and citizens.

Geographic and political interests were balanced: one repository in the West and one in the East. Technical feasibility was balanced: different geologic formations would be studied-salt domes, granite, basalt and tuff. Costs would be balanced: the Act provides funding for the state's independent review of repository activities with money from the Nuclear Waste Fund. This assures that no state will bear the burden of paying for the siting process.

The NWPA clearly states that USDOE should make every effort to inform and involve the public and affected states and tribes in the repository siting program. Theoretically, the siting process would be most efficient with a fully informed and participating public supporting the goals and objectives established by Congress. In fact, the states and tribes have recognized this need and have launched major programs to inform and involve citizens in oversight activities.

USDOE and Public Involvement

The NWPA requires the USDOE to involve states with potential repository sites and the "affected" Indian tribes in the federal repository siting investigation. And USDOE has taken some steps toward meaningful public involvement. During its defense, waste draft environmental impact statement process in the spring of 1986, USDOE spent $1.5 million to educate Washington citizens about special problems and possible solutions in dealing with defense wastes at Hanford. Additionally, five "open houses" were held statewide with staff scientists and engineers available to talk informally with interested persons. Although great effort was made to inform citizens, few people attended USDOE's workshops and "open houses".

These and other public involvement techniques could be greatly beneficial to USDOE programs. They could raise the level of public understanding of the issues. A well informed public can understand the technical and legal process. They can communicate their concern to the agency. A public that feels its concerns have been heeded and incorporated into the final decision will generally support the decision.

However, counter-productive federal policies and attitudes have undermined the effectiveness of USDOE's public involvement programs. Because the states and tribes do not trust USDOE to implement a fair and scientific siting process, much of their time is spent on hammering at USDOE for breaking the rules. This lack of trust also makes it more difficult for the states and tribes to inform and involve the public effectively.

To put it another way, when we can't play the game because the major player is not following the rules, then we can't expect to bring in more (citizen) players. After all, why explain the rules when the game may be changed arbitrarily by USDOE?

The Roadblock to the Repository

Although the nuclear industry is highly technical, technology is not the main impediment to public involvement. We believe that a high level of public involvement can be achieved through information programs designed to bring individuals into the process. The large numbers of voluminous and difficult to read research documents and reports can be summarized so that the average person can readily grasp the major concepts.

Although nuclear waste disposal issues can be intimidating to the general public, they are no more intimidating than many other large public projects. Also, people often feel that their comments may not be heard. In comparison to experts, the questions and interests of less informed parties often seem inconsequential. And in a slow moving bureaucracy it is hard to see the results of one's efforts. However, these points do not present the main barriers to public involvement. No, the most serious impediment to public involvement is not technology or bureaucracy, but that USDOE has ignored the process--a process specifically intended to be open, fair and scientific.

Loss of Public Trust

On May 28, 1986, USDOE chose to ignore the recommendations of its own managers and consultants, and selected three sites for further study on what the states and tribes saw as a scientifically unsound basis. At the same time, USDOE halted the siting process for a second repository, an apparent violation of the NWPA.

In many other ways, USDOE has disregarded or mismanaged the public interest. For instance, the agency refused to turn over to a Congressional committee draft documents relating to the site ranking process. And many times, documents have been released, but with little notice and no explanatory summaries, making it difficult to educate the public on these highly technical issues. All of these highly publicized incidents have hurt USDOE's credibility, and as a result, the siting process has slowed to a crawl.

Litigation by the states and Indian tribes threatens to sideline the process in mid-course. Congressional action has slashed the available budget for drilling exploratory shafts. All of these actions promise to delay the construction of the first repository past original deadlines and will cost additional millions of dollars. Most of this could be avoided.

The Credibility Imperative

There is one key component to removing barriers to public understanding of nuclear issues: renewing the credibility of USDOE. If the public doesn't trust its nuclear managers, the repository program will meet stiff resistance from the states, tribes, and concerned groups. A program which meets this much resistance will be counter productive in many ways.

USDOE's loss of credibility led Washington voters to pass Referendum 40 in November 1986. The referendum asks the state to continue challenges to the repository and provides a means for the voters to reject the selection of any site in Washington State for the nation's first nuclear waste repository.

Another unfortunate result of USDOE's actions is the effect on the states' and tribes' credibility with their own constituents. If USDOE continues to force the repository in a way which is perceived as unfair, then the credibility of the states' or tribes' programs is also threatened.

The public must have faith in its representatives. The states and tribes are in the best position to communicate with both citizens and USDOE. The states and tribes know their citizens and have the best conduits for meeting information needs. They can create the most effective opportunities for involvement. Furthermore, they are better able to carry the concerns of their people to USDOE.

Lacking trust in local or federal leadership, the public will be caught in the turmoil, and react

more strongly against USDOE. Therefore, USDOE must take steps to restore its credibility.

How USDOE Can Get Its Credibility Back?

Establishing this credibility will not be easy. In 1983, a Washington State Nuclear Waste Advisory Council survey found, not surprisingly, that government sources of information about nuclear matters do not rate a high level of public trust.

First, USDOE needs to look at the original mandate which drives the repository program--the Nuclear Waste Policy Act. Has USDOE implemented the word and the spirit of the law to the satisfaction of all the parties involved? Or are changes to the law or the way the law is implemented necessary? USDOE continues to act on the assumption that its actions are legally justified and proper.

Second, show the states, tribes, and other interested parties that their involvement in setting policy actually has an effect. There must be a method for interested parties to ensure the integrity of USDOE decisions. Without such a method, the credibility problem could easily resurface.

Third, set policies which are uniform throughout USDOE and consistent over time. If the repository program needs a mid-course correction, let's set it straight and leave it that way. Changing the rules without consulting with all the parties involved will undermine the perception of fairness.

The Basics of Public Involvement

As long as we're on the subject of fairness, let's look at why public involvement is fair and why it makes sense. The best argument for public involvement in the siting process is very straight forward: Present and future citizens are stake holders, and will pay the price of having a repository, whether or not the decision turns out to be wise. Therefore, they have the moral right to be educated and consulted. All that aside, law and tradition back up those rights.

By tradition and by statute, the public has a right to be consulted. The NWPA is just one of many laws which require public involvement. Public officials have learned the necessity of including citizens in major decisions. Unsatisfied citizens have several means at hand to voice their disapproval--including elections, petitions, initiatives, and litigation. In addition, a number of confrontive tactics may be used to create or change public policy.

Legalities aside, it is in the best interest of project managers to consult and respond to the public. The more a project is seen to be in everyone's best interest, the more likely it is to be completed within budget and on time. The best way to know public concerns and to address them is to involve the public.

Principles for Effective Public Involvement

Be honest and up-front with your information. People are much more willing to forgive mistakes, when freely admitted, than prevarications and stonewalling.

Do what you say you're going to do. Keep your commitments. This means carefully thinking them through before you make them, and it also means backing up others in your organization to make sure they can keep their commitments.

Provide accurate and timely information to the public and the news media. Be clear about when you expect to be able to provide more information, and follow through.

Involve others in the decision process in a way which has some real effect. Find ways to demonstrate what their effect has been to show them they made a difference.

Devote adequate resources to communications and public involvement. Most technical experts vastly underestimate the amount of time, expertise and money needed for truly effective community relations programs. Commit adequate resources and then don't raid the budget when things get tight in technical areas.

Focus more on the issues and less on the process. Provide good, understandable information on the substance and people will be less interested in your bureaucratic process.

These ideas seem simplistic, and suspiciously like a list of rules for getting along with friends, family, and your neighbors. But these rules are the basis for maintaining and demonstrating our integrity. When they are followed, the rest will come more easily.

CONCLUSION

The authors believe that these methods will help USDOE and Washington State gain the credibility imperative to the repository siting process and to remove the barriers that could prove costly and unproductive. Let's be open, informative and flexible. The guidelines are there, the money is there, we have the time. Let's do what we know can be done.

The issue of finding a safe way to dispose of nuclear wastes could be one of the century's most extensive public policy issues. As stated in Battelle Memorial Institute's 1982 report "Citizen Participation in Nuclear Waste Repository Siting".

> "The public must be actively involved in decisions affecting local communities to ensure an effective partnership among citizens, government, and industry. Formulating well received and just public policies related to the siting of nuclear waste repositories will partially depend on the successful implementation of well designed and tested public participation programs".

The first step toward success is to build the public trust. Thank you for spending time with us today on this important subject.

The Authors

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As staff to the Board and Advisory Council, the ONWM provides the primary public involvement staff for nuclear waste issues in Washington State. The office also provides technical staff and manages consultants, scientists, university researchers, and others in the review of USDOE activities at the Hanford site.