A Perspective on America's Path Forward to Implement Recommendations from the Blue Ribbon Commission

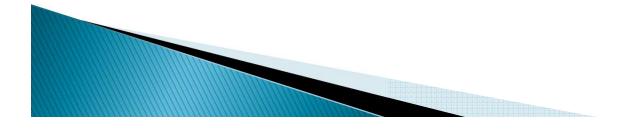
> F. DAVID MARTIN, SECRETARY NEW MEXICO ENVIRONMENT DEPARTMENT

> > WM 2013 Symposia

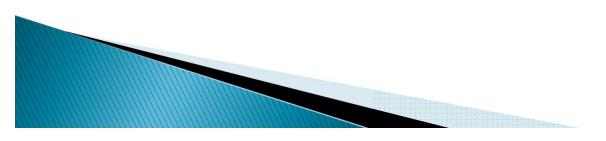
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- Storage and disposal of HLW is a national problem
  - Commercial HLW and UNF
  - Defense and government-generated HLW
- Decisions on locations for storage and disposal of HLW need to have the support of affected communities AND the states
  - Yucca Mountain Experience in Nevada
  - Experience at the Waste Isolation Pilot Project (WIPP) in New Mexico



## State of New Mexico Response to BRC

- > Presentations at Conferences
- Letters supporting the BRC Recommendations from Governor Martinez to DOE Secretary Chu and to Members of Congress
- Proposed Memorandum of Agreement to DOE
- Introduced a Resolution to the Environmental Council of the States (ECOS)
- Support Generic Heater Tests in Salt
- Science Will Guide Decisions by the State on
  - Possible Future Missions for WIPP
  - Interim Storage and Management of UNF and HLW



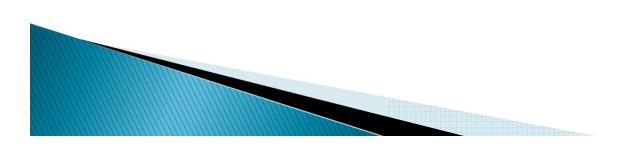
## Eddy Lea Energy Alliance (ELEA)

- ELEA, LLC: cities of Hobbs and Carlsbad and Eddy and Lea counties in SE New Mexico
- ELEA purchased 1000 acres of land halfway between Carlsbad and Hobbs
- Land studied during DOE Global Nuclear Energy Partnership process (2006)
- Engaging industry partners for potential UNF management facility: storage, R&D, other



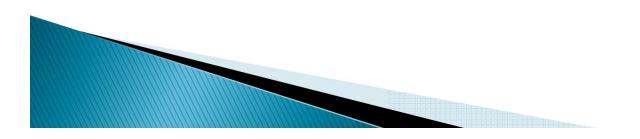
### **ECOS** Resolution

- ECOS is a national, non-partisan council of state regulators and presently is comprised of 48 states
- The resolution was considered by a workgroup of several states and was evaluated by three committees of ECOS
- The resolution was approved unanimously at the Annual ECOS Meeting in August 2012



Components of the ECOS Resolution

- To address the storage and disposal of defense and commercial HLW, ECOS encourages DOE, NRC and EPA to:
- Collaborate and fund the development of scientifically-based and risk-based health and environmental standards
- Work with state agencies through ECOS in any rule making processes
- Provide states with a strong decision-making voice on activities proposed within their borders



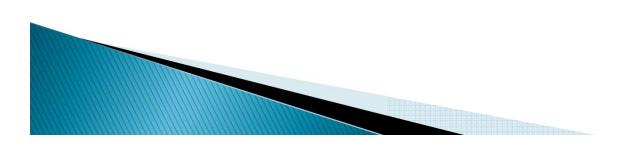
Components of the ECOS Resolution (cont.)

- Urges DOE to provide funding to ECOS, appropriate ECOS member state(s), and third party technical experts
  - Evaluate scientific data on storage and disposal of defense and commercial HLW
  - Recommend a meaningful consultation role between NRC, EPA, DOE and the states
  - Assess how technical results should be made transparent and responsive to concerns of the States
- Encourages continued federal support and funding of research, test and demonstration projects

# **Community Issues**

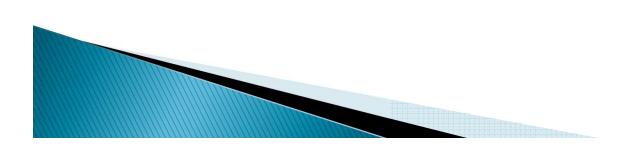
- Communities nationwide lack the experience and history in dealing with nuclear waste disposal
- Energy Communities Alliance (ECA) recently released a report\* "to assist local communities in identifying and understanding the myriad of issues associated with potentially hosting a nuclear facility."

\*"A Community Handbook on Nuclear Energy: Understanding Nuclear Energy and Alternatives for the Future" www.energyca.org



ECA/ECOS Roundtable on High Level Waste Intergovernmental Meeting, New Orleans, Dec. 2012

- Communities and states shared information to develop a list of issues that all participants agreed upon
  - Statements Where There is Agreement
  - Statements Where There is Not Agreement
- Identified state and community HLW positions and priorities
- Discussed strategies for a path forward



#### ECA/ECOS Key Issues for Moving Forward

- Actions DOE can take within existing law
  - Develop a phased, consent-based siting process for management and disposition of commercial and defense HLW.
- Issues that must be addressed in any future high-level waste legislation
  - Components of New Legislation
  - Revision of existing legislation (NWPA)

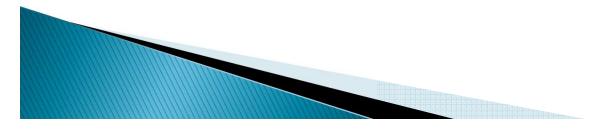


### Outcome of the ECA/ECOS Roundtable

- The participants in the ECA/ECOS roundtable support the ECOS resolution
- The Nuclear Waste Fund should be used for what it was originally intended
- Consolidated storage should be implemented as soon as possible
- More than one geologic repository is necessary
  - There is growing momentum to prioritize DOE defense and government-generated HLW disposition first
  - Pave the way for future commercial spent fuel

## Meeting Tomorrow's Challenges

- Site and license consolidated interim storage sites
  - Regional or near repository
  - Include research component (Center of Excellence)
- Pursue congressional action
  - Pending legislation
  - Amend NWPA
- Implement geologic repository regardless of fate of Yucca Mountain
- Resolve issue on commingling defense and civilian waste
- Allocate adequate resources



### Thank You

