

WM2014 Conference-Session Report

SESSION 23 (Second Half Panel Discussion) The Future of Consent-Based SNF/HLW Disposal Siting

Co-Chairs: Eric Knox, *URS, USA*
Robert Edmonds, *AREVA, USA*
Roger Nelson, *US DOE, USA*

Session Reporter: Robert Edmonds, *AREVA, USA*

Panelist and Commenters:

1. **John Heaton**, *Mayor's Task Force Carlsbad, NM (USA)*
2. **Rod McCullum**, *NEI*.
3. **Paul Dickman**, *Argonne*
4. **Dr. Dave Moody**, *US DOE SRS*
5. **George Dials**, *B&W*

(Note: Due to scheduling difficulties, the second half of Session 23 was combined with Panel 102 which was to address “The Future of Consent Based Repository Siting”. The Co-chairs moderated questions and comments from the audience. Below is a summary of the issues raised and discussed by the audience.)

The session Co-Chairs asked for audience members to provide their perspectives on the state of Consent Bases Siting, where they believed the efforts of DOE and the Congress are headed, and what changes, if any, are necessary to press forward on recommendations of the President’s Blue Ribbon Commission on America’s Nuclear Future (the BRC report of 2012)

Summary of Comments

John Heaton, Member of Mayor’s Task Force, Carlsbad, NM, gave a quick summary of the WIPP worker exposure incident and efforts to communicate the recovery efforts. Regarding consent based siting, he reviewed the Carlsbad approach to WIPP siting where the community did not employ a “knee-jerk” response to the government decision to site WIPP in NM. Instead, the community and state took a “wait and see” attitude and studied the issue before providing consent. For the current post-BRC situation, every state will want to take its own approach. The state must first have a draft “host agreement” to present to the citizens for review and discussion. Per Heaton, “If you just ask citizens if they want a waste repository, they will naturally say no.” Further, DOE must develop siting requirements for a repository or storage facility. Then DOE must develop a first draft host agreement and present to the host state. To break the current stalemate, John suggested that the US nuclear utilities go their PUCs and say “Give us the Mil/KWH and let industry take the lead on developing a repository.”

Rod McCullum said that the current stalemate is indicative of a situation where there is no accountability. If UNF never moves, no one is hurt and no one is accountable. He believes that a “FedCorp” is the answer to the accountability issue. He proposed that the Congress create the FedCorp and give it access to the waste fund and hold it accountable for creating the solution.

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Paul Dickman observed that there is no sense of urgency in the current situation. It seems that there needs to be a crisis before the US Congress will act. Though it is not a desired outcome, an adverse decision on Waste Confidence could create the crisis and spur action. So could a full breach of contract claim by a utility. The margins are low. Burning down the house. Dissolve the contract with the original utilities. Sue for full breach.

Dr. Dave Moody observed that the US has the ability to take action when technology, politics and local consent align. He cited the decision to place RH-TRU into WIPP, a decision which allowed many DOE sites to proceed to full closure.

George Dials, *B&W* said that we must look at the full nuclear fuel cycle as a package and not just try to cite a storage facility or repository. He suggested that a community/state could benefit by having other fuel cycle facilities located there as an additional incentive.

John Heaton said that the next step needed is for DOE to be authorized to provide funding to states/communities to develop host agreements. Different states will have different requirements and will likely have a different process. 1) DOE should get out their site specs. 2) DOE should provide contractual parameters. 3) states should lay out their incentives and fines for non-performance.

Other audience Remarks

Darrel Lacy, *Nye County, NV* - can't trust DOE

Harry Babad, *Richland, WA* – We need to declare a nuclear Holiday. January 1, next year, shut off all nuclear power plants so people will see how important it is. We don't need to turn the lights off, permanently, but we do need to do it temporarily.

Duane Schmoker, *Hanford WA* - Fed Corp as laid out by Congress gave Congress the purse strings and oversight.

Rick McLeod, *Aiken, SC*- need to do more than just storage. Need to look at the whole kit and caboodle. More toward a solution than a short term fix.