

WASTE MANAGEMENT 2015

Panel 112

Future of Consent-Based Disposal Siting

By:

John Heaton

Chairman of the Eddy-Lea Alliance

An Interim Storage Site

WHERE ARE WE NOW?

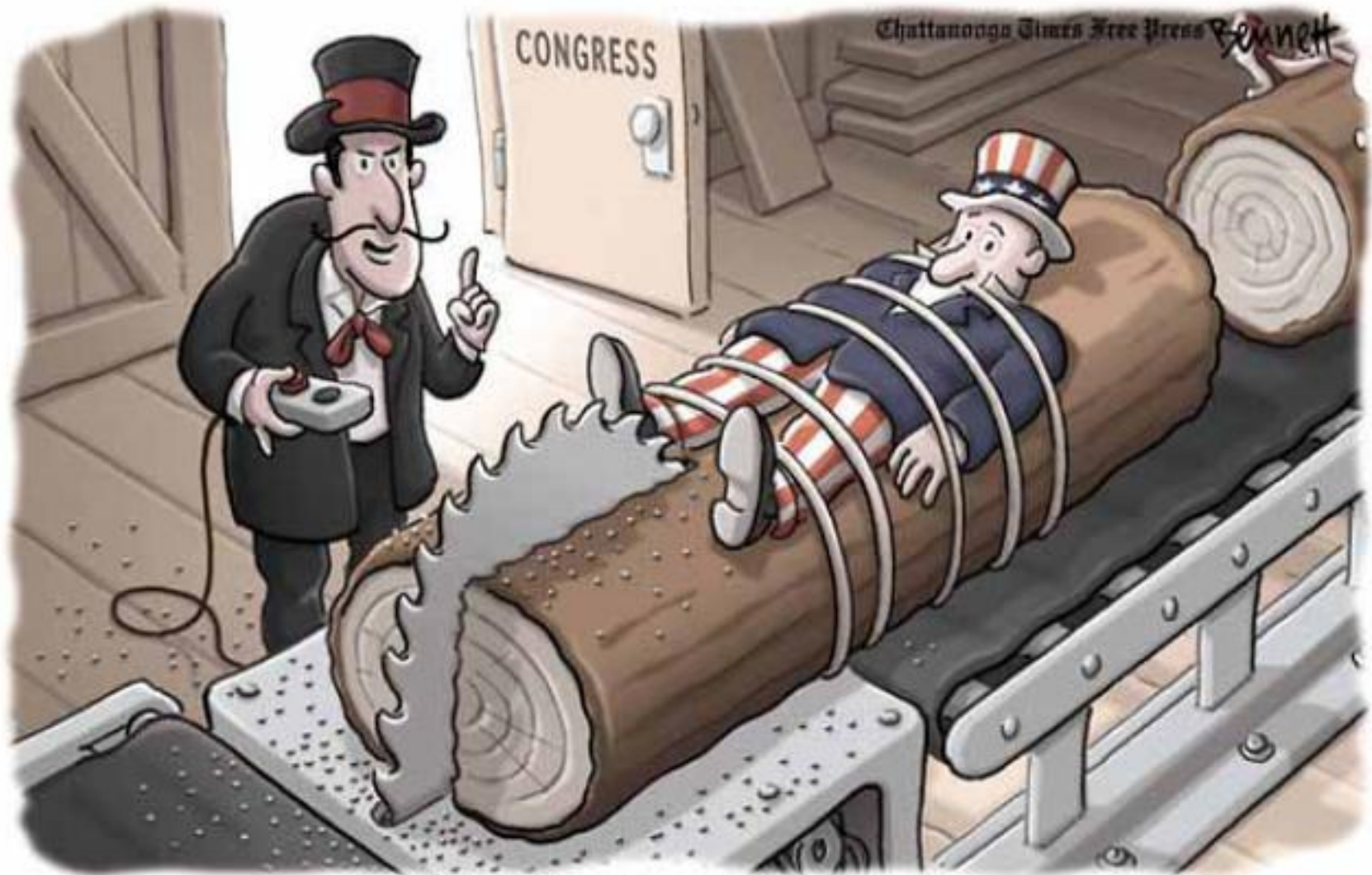


BLUE RIBBON COMMISSION
ON AMERICA'S NUCLEAR FUTURE

BRC Gave An Extensive Report With Solutions

- DOE Produced An Implementation Plan
 - Consolidated Interim Storage by 2021
 - Repository by 2048
 - Is the debate over on a rush for a repository?
 - CIS could be robust answer for 300 years
- Senate Responded With BRC Bill
- House Responded With Yucca or Nothing

Chattanooga Times Free Press Bennett



'It's time to end the logjam.'

WHERE ARE WE TODAY?

- Senate Producing Comprehensive Bill
- Senate May Also Have Yucca & CIS Bill
- House Still Working On Yucca Bill, But May Include CIS (reluctantly)
- What will be in the bill?
 - Will Bill provide for a pilot CIS only?
 - Will Bill overcome CIS restrictions in NWPA?
 - Will funding for CIS be enough for licensing, construction, transportation, operations, incentives & profit
 - Will bill be funded piece-meal with no forward assurance?
- Will Proposals Integrate Into Budget?
- Can Cloture be Achieved in Senate?



Congress might have FOUR full work days over the next nine weeks...

WELL, WE'RE
BACK FROM OUR
RECESS!

YEAH, BUT IT'S
GOING TO BE HARD
TO TELL!



ARE THERE AVAILABLE SITES?

- PROCESS:
 - Is the CIS Private or DOE owned?
 - Is there local & regional site support?
 - Does the site actually meet standards?
 - Will site satisfy EIS inquiry & public objections?
 - Has state signed an irrevocable agreement with DOE/contractor?
- No doubt there will be many local sites interested
- Key is a state agreeing!!!



WHO KNOWS WHAT CONSENT IS?

- What is a consent based process?
 - Every community, every state will have their own ideas, requirements and process
 - Begin with a Willing Community – Region
 - Tentative acceptable geology & geography
 - Agreement by state to host the facility to allow geo-technical/environmental assessment
 - Agreement is the set of conditions required to accept the facility

WHAT ARE CONSENT OPTIONS?

- Statewide Referendum – Tough
- City by City Town Hall Educational & Consensus Process
- Legislature Passes Enabling Legislation
- Governor Negotiates & Signs Agreement
- AG Negotiates & Signs Agreement If Allowed
- Other Approaches

WHAT DO STATES NEED TO KNOW IN ADVANCE?

- Geo-technical requirements of site
- Geographic requirements of site
- Government contractual requirements for an agreement
- Basic licensing, operational, construction, transportation and profit allowed reimbursement
- Guaranteed support from government thru Congressional action of the contract
- What incentives, e.g. research, education, new business, cash, etc.

HOST AGREEMENT

- Health, safety and environmental standards oversight
 - How much involvement? Defer to NRC?
 - Violations?
- Security
 - Defer to NRC standards? Additional?
- Communication level? Who?
- Transportation oversight?
- Reporting? Who? What? How much?
- What is the definition of “Interim”?
- Resolution of disputes? Arbitration?
- Competent Court of Jurisdiction?
- Incentives? Each entity will have their own wish list.
- Decommissioning?
 - How clean is clean?
 - Financial assurance for decommissioning?

AGREEMENT, WHAT THEN?

- Public education and integration of project into region and state
- DOE negotiates deal to move forward
- Environmental, geo-technical evaluation to prove site
- Final agreement with state approved
- DOE agreement to support NRC license
- DOE chooses sites
- DOE engages contractor thru RFP
- Must keep politics in forefront, Governor, Legislature, Congressional Delegation, AG



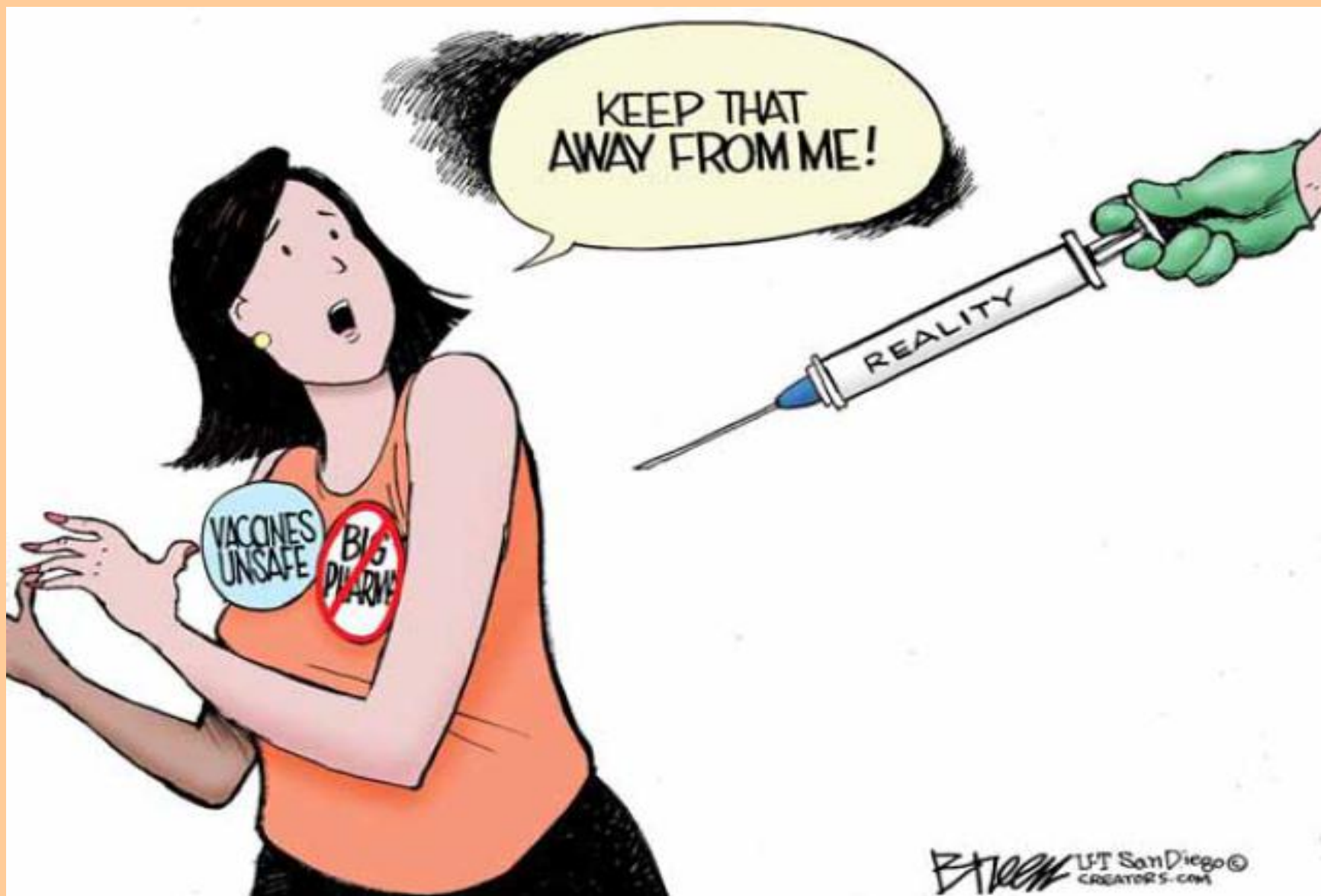
WHAT IF THERE IS NO CONGRESSIONAL ACTION?

- Who can be very sure Congress will act?
- Will utilities come together to develop their own CIS?
- Will states make a compact with a willing state?
- Since most laws today are made by the courts, is there a lawsuit that can move the ball?



NUCLEAR WASTE INFORMED CONSENT ACT

- Bill Introduced by Reid, Heller, Titus & Heck
- Gives states consent or veto over a project
- Would require a governor, affected cities and counties to sign off on consent for a project before construction could begin
- Little chance for it to pass the House
- NWPA gave states veto over a project
- In 2002 Gov. Guinn vetoed Yucca and Congress overrode the states right



KEEP THAT
AWAY FROM ME!

VACCINES
UNSAFE

~~BIG
PHARMA~~

REALITY

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FUTURE OF NUCLEAR POWER?

- How do we get utility commissions to recognize the value of portfolio diversity?
- How do we fix the number one enemy of nuclear power? **Waste Storage/Disposal**
- How do we change state RPS's to include clean Nuclear?
- How do we power the economic engine of our economy without Nuclear Power?

Only in America...



**do we accept weather predictions from
a rodent but deny climate change
evidence from scientists.**

QUESTIONS ABOUT

