

Perspective on BRC Draft Report

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Key Conclusions From Review

- BRC Used a Thorough Discovery Process
- Report Generally Addresses the Major Issues
- A Number of Recommendations are Specific and Appropriate
- Report Generally Ignores Yucca Mountain Lessons Learned
- Political Realities of SNF Management Generally Ignored

BRC Process

- Obtained first-hand witness testimony from wide range of stakeholders
- Researched historical reports and legislative record
- Traveled and investigated international programs
- Used wide range of expertise to draw conclusions
- Clearly listened to what they heard

Report Addresses the Major Issues

- Financing and the NWF
- Management of the Program
- Siting
- R&D
- Regulations
- Centralized Interim Storage
- International Engagement
- Litigation

Appropriate Recommendations

- New Organization (Fed Corp)
- Access to NWF
 - Need to address who has the liabilities
- Develop Deep Geological HLW Repository
- Resolve Litigation
- Modify Fee Collection Process
- Strive to use an adaptive, consultative process with stakeholders
- Future nuclear R&D for novel advanced systems

Report Ignores Yucca Lessons Learned

- Makes no recommendations regarding License Application review
 - Many technical and regulatory issues could be resolved
- Does not address/utilize OCRWM 2008 reports on TSLCC, Fee Adequacy, Centralized Interim Storage, Second Repository: Cost implications of recommendations not adequately addressed
- Ignores history of DOE-Nevada relationship and implications for future siting
- Ignores lack of use of dual-purpose casks and need to re-package prior to transport
- Ignores implications of YM cancellation on Trust issues with Federal Government
- Ignores work with AUGs, transportation stakeholders and international programs

Report Ignores Political Realities

- Heavy focus on consent-based process for siting both repository and interim storage is idealistic
 - Whose consent is needed?
 - Can they change their minds and for how long?
 - Decision makers potentially change via political process every election cycle
 - Siting is a multi-decade process: Who is willing today probably won't be 10 years from now
- Need to acknowledge siting is a technically-informed political process
- Incorrectly assumes siting and operation of CIS will be easier and faster than the repository
- Regardless of location, some people will want to stop the solution for their own purposes
- At what point does the National Interest outweigh local consent?

Recommendations

- Complete licensing review of YM application before pursuing regulatory changes
 - If LA is approved, Congress to consider modifying NWPA to implement repository program via recommended changes
- Use 2008 OCRWM reports to further refine/modify recommendations
- Provide clear recommendation on decision making model to be used (consultative vs. consensus) for key decisions
- Explicitly acknowledge and recommend how to address changes in stakeholder acceptance over time
- Explicitly recommend how to balance technical suitability vs. consent for siting