SOCIOECONOMIC MONITORING AND ASSESSMENT PROGRAM
NYE COUNTY, NEVADA

PRESENTATION TO
THE NUCLEAR WASTE TECHNICAL REVIEW BOARD
THE ENVIRONMENT AND PUBLIC HEALTH PANEL

POLICY OVERVIEW

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TECHNICAL PROGRAM COMPONENTS

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INTRODUCTION

- PURPOSE OF PRESENTATION
  - PROVIDE OVERVIEW OF NYE COUNTY NUCLEAR WASTE REPOSITORY PROGRAM

1. HISTORY
2. ORGANIZATION
3. PROGRAM OF WORK

- IDENTIFY KEY POLICY ISSUES RAISED WITH DOE ON SOCIOECONOMIC PROGRAM

- ENCOURAGE PANEL TO INTEGRATE SOCIOECONOMICS INTO ITS OVERSIGHT FUNCTION

- PRESENT NYE COUNTY SOCIOECONOMIC TECHNICAL PROGRAM COMPONENTS

Nye County: 10/16/90
NYE COUNTY NUCLEAR WASTE REPOSITORY PROGRAM

- HISTORY

- COUNTY BEGAN ACTIVE INVOLVEMENT IN REPOSITORY ISSUES IN 1983 (NWPA)

- ORIGINAL FUNDING THROUGH STATE OF NEVADA

- SOUGHT AND RECEIVED STATUS AS "SITUS" LOCAL GOVERNMENT (NWPAA)

1. MOST DIRECTLY IMPACTED

2. INDEPENDENT FUNDING FOR MONITORING AND EVALUATING DOE PROGRAM AND FOR PURSUING APPROPRIATE MITIGATION OF IMPACTS

3. ON-SITE REPRESENTATION

- TECHNICAL FOCUS HAS BEEN ON SOCIOECONOMICS; HAVE RELIED ON STATE'S GEOTECHNICAL OVERSIGHT
NYE COUNTY NUCLEAR WASTE REPOSITORY PROGRAM (con't)

- NYE COUNTY PROGRAM TO ENSURE THAT:
  
  - PUBLIC HEALTH AND SAFETY ARE FULLY PROTECTED
  - VALUED NATURAL RESOURCES ARE NOT DEGRADED
  - ADVERSE IMPACTS ON COUNTY AND RESIDENTS ARE MINIMIZED
  - UNAVOIDABLE IMPACTS ARE MITIGATED
  - POSITIVE PROGRAM IMPACTS ARE MAXIMIZED
  - RESIDENTS ARE KEPT FULLY INFORMED AND INVOLVED

- ORGANIZATION

  - POLICY DIRECTION PROVIDED BY NYE COUNTY BOARD OF COUNTY COMMISSIONERS
  - PROGRAM POLICY IMPLEMENTED BY PROGRAM MANAGER, STAFF AND CONTRACTOR SUPPORT
PROGRAM OF WORK

- NYE COUNTY PERFORMS ITS OVERSIGHT ROLE THROUGH:
  - DOCUMENT REVIEW AND COMMENT
  - MEETING ATTENDANCE (e.g., NRC, ACNW AND NWTRB)
  - DIRECT PARTICIPATION (e.g., LSS NEGOTIATED RULEMAKING)
  - INDEPENDENT DATA COLLECTION (e.g., SOCIOECONOMIC AND RADIOLOGICAL HEALTH MONITORING)

- PROGRAM DEVELOPMENT PRIORITY HAS BEEN GIVEN TO SOCIOECONOMIC MONITORING AND ASSESSMENT

- INCREASED EMPHASIS TO BE PLACED ON ENVIRONMENTAL MONITORING, TRANSPORTATION, GEOTECHNICAL ISSUES (SURFACE-BASED TESTING PRIORITIES AND ESF), RADIOLOGICAL HEALTH MONITORING AND PREPARATION FOR LICENSING

WRITTEN NYE COUNTY TESTIMONY OFFERED TO SENATE ENERGY AND PUBLIC WORKS SUBCOMMITTEE IS PROVIDED FOR THE PANEL'S INFORMATION

Nye County: 10/16/90
KEY SOCIOECONOMIC POLICY LEVEL ISSUES RAISED WITH DOE

- NYE COUNTY SHOULD BE THE PRIMARY SOURCE FOR COUNTY LEVEL DATA COLLECTION; THE COUNTY'S MODELS SHOULD BE THE SOURCE FOR ASSESSING SUB-COUNTY IMPACTS
  - NYE COUNTY'S DATA FOR LOCAL FACILITY AND SERVICE SYSTEMS AND FOR LOCAL FINANCES, AS EXAMPLES, SHOULD BE THE DATA USED BY DOE FOR ITS PURPOSES
  - DOE'S REMI MODEL IS MOST ACCURATELY APPLIED AT THE STATE AND URBAN COUNTY LEVEL; IT IS LESS EFFECTIVE PROJECTING AT THE RURAL COUNTY LEVEL; IT DOES NOT ADDRESS SUB-COUNTY/COMMUNITY LEVEL

- PROCESSES FOR ADDRESSING KEY SOCIOECONOMIC ISSUES SHOULD BE DEFINED IN CONSULTATION WITH AFFECTED PARTIES; FOR EXAMPLE
  - CLARIFYING RESPONSIBILITIES FOR DATA COLLECTION, MONITORING AND ASSESSMENT
  - MINIMIZING NEGATIVE IMPACTS AND DEFINING APPROPRIATE MITIGATION OF INCURRED IMPACTS
  - MAXIMIZING ANY POSITIVE IMPACTS (e.g., LOCAL PROCUREMENT)

Nye County: 10/16/90
GRANT-EQUAL-TO-TAXES (GETT)

- GETT IS A DOE IN-LIEU-OF-TAX LIABILITY THAT SHOULD BE COMPUTED AND ADMINISTERED IN THE SAME MANNER AS IF DOE WERE A PRIVATE ENTERPRISE

- DOE HAS INTERPRETED THE PROVISION DIFFERENTLY BY
  - NARROWLY CONSTRUING THE INTENT OF CONGRESS TO APPLY TO ONLY THOSE DOE ACTIVITIES OCCURRING WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE YUCCA MOUNTAIN SITE
  - SPECIFYING THAT IT WILL DETERMINE ITS OWN IN-LIEU-OF-TAX LIABILITY, INCLUDING VALUATION OF THE SITE
  - INDICATING THAT IT INTENDS TO "NET OUT" GETT REVENUES PAID TO THE COUNTY FROM ITS IMPACT MITIGATION LIABILITY
ALTERNATIVELY, NYE COUNTY TAKES LITERALLY THE NWPAA DIRECTIVE THAT THE SECRETARY SHALL GRANT AN AMOUNT EQUAL TO THAT THE COUNTY WOULD RECEIVE IF YUCCA MOUNTAIN PROJECT WERE A NON-FEDERAL REAL PROPERTY AND INDUSTRIAL ACTIVITY BEING TAXED.

- IN OTHER WORDS, NYE COUNTY AS THE TAXING AUTHORITY IS TO DETERMINE DOE'S THEORETICAL TAX LIABILITY AND RECEIVE A GRANT EACH YEAR EQUAL TO 100 PERCENT OF THAT LIABILITY

- GETT PAYMENTS AND IMPACT ASSISTANCE ARE DISTINCT AND INDEPENDENT FROM EACH OTHER

- SUBSEQUENT TO RECEIPT, NYE COUNTY WILL ALLOCATE GETT REVENUES IN THE SAME MANNER AS IT ALLOCATES OTHER GENERAL REVENUE, i.e., THROUGH THE BUDGET PROCESS.

- IMPACT ASSISTANCE REQUIRED BY THE COUNTY WILL BE APPLIED TO THOSE IMPACTED AREAS NEEDING MITIGATION

Nye County:10/16/90
NWTRB IS ENCOURAGED TO BROADEN EMPHASIS BEYOND GEOTECHNICAL, ENGINEERING AND ENVIRONMENTAL

- BROADEN ENVIRONMENTAL FOCUS TO INCLUDE SOCIOECONOMICS
  
  - SOCIOECONOMICS IS, IN FACT, A TECHNICAL/SCIENTIFIC DISCIPLINE THAT MEETS STATUTORY DEFINITION OF ROLE FOR NWTRB
  
  - SOCIOECONOMIC MONITORING AND ASSESSMENT WILL ULTIMATELY LEAD TO MITIGATION REQUIREMENTS THAT COULD AFFECT SITE CHARACTERIZATION
  
  - THE RADIOLOGICAL MONITORING PROGRAM HAS SIGNIFICANT SOCIOECONOMIC ELEMENTS, AS WELL AS HEALTH AND SAFETY IMPLICATIONS.
  
  - THE ENVIRONMENTAL IMPACT STATEMENT, SHOULD ONE BE REQUIRED, WILL INCLUDE SUBSTANTIAL SOCIOECONOMIC ANALYSIS