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