

Good Afternoon, Mr. Chairman. My name is Jared Cohon. I am here today in my role as Chairman of the Nuclear Waste Technical Review Board. My current full-time job is dean of the School of Forestry and Environmental Studies at Yale University. I was recently named President-elect of Carnegie Mellon University, where I will assume the duties of President on July 1 of this year.

Mr. Chairman, the Board has been asked to comment today on provisions of H.R. 1270. I will provide some very brief remarks and ask that the full text of my statement and the attachment to it be entered into the hearing record.

I will not attempt to comment on the specifics of every provision of H.R. 1270. I think the Board can be most constructive by clarifying for the record its suggestions on interim spent fuel storage, which were presented in the Board's March 1996 report. The issues addressed in the report are directly related to the bill's overall objectives.

But first, Mr. Chairman, I would like to take a moment to provide some context for the conclusions the Board reached in its report. Consistent with its mandate, established in the 1987 amendments to the Nuclear Waste Policy Act, the members of the Board take a long-term view of nuclear waste management. Our focus is on the technical validity of DOE activities related to determining the suitability of the Yucca Mountain site as the location of a permanent repository and the overall system for managing spent fuel and defense high-level waste. The Board is very aware that decisions such as the need for and timing of the development of centralized storage

capability are policy decisions that should and will be made by policy makers in Congress and the administration. However, these decisions will have important implications for the technical aspects of the waste management system. We believe these technical considerations should inform the deliberations related to spent fuel storage options under review by policymakers. It was in this spirit that the Board offered its recommendations on spent fuel storage and that I appear before you today.

Let me be clear about what the Board said in its March 1996 report. The Board concluded that interim spent fuel storage is an essential component of an integrated nuclear waste management system, which includes a repository as the final disposal alternative. Furthermore, the Board said that a centralized storage facility should be collocated with an operating repository. The Board stated that there were no *technical reasons* to move spent fuel from nuclear utility sites for the next few years, while acknowledging that policy makers would have to consider other nontechnical reasons for moving the waste. The Board noted that it will likely take several years to develop the transportation infrastructure necessary to begin moving significant amounts of waste. During this time, a technically defensible decision could be made about the suitability of the Yucca Mountain site.

The Board made another observation that bears on the timing of a decision on centralized spent fuel storage. Making a final decision to build an interim storage facility at Yucca Mountain before the site's suitability can be determined, could call into question the objectivity of technical conclusions about Yucca Mountain and ultimately of any decision to build a repository there. The determination of Yucca Mountain's suitability for a permanent repository

will hinge on results from highly technical analyses. Because we are dealing with periods of thousands of years, these results will include uncertainty, thus requiring technical judgments upon which conclusions will be drawn. The acceptability of these conclusions will depend, in part, on the public's confidence and trust in the objectivity of the process. A decision now to place spent fuel at Yucca Mountain, before suitability is determined, may call into question that objectivity on which a long-term solution depends.

Mr. Chairman, the Board recently commented on the proposed revision of DOE's siting guidelines (10 CFR part 960). These comments may be relevant to your deliberations on H.R. 1270. They are attached to my statement.

In addition, I would like to bring to your attention one provision of H.R. 1270 that directly affects the Board. Language included by the House Committee on Appropriations in the Board's appropriation for fiscal year 1996, would allow sitting members of the Board to serve after their terms have expired, until their replacements take office. This language is not included in H.R. 1270. Because of the small size of the Board and the breadth of expertise necessary for adequate review of this large and complex program, a vacancy on the Board can affect the comprehensiveness and quality of its evaluation. We would appreciate the Subcommittee's consideration for including this language in this, or any future, nuclear waste legislation.

In conclusion, Mr. Chairman, the Nuclear Waste Technical Review Board was created by Congress to provide unbiased and independent technical review of the permanent repository program. We believe the Board has discharged this responsibility well. As we move closer to

key milestones and decision points, an independent source of technical advice will become even more important. The Board looks forward to continuing to fill that role.

Thank you, Mr. Chairman, for this opportunity to comment on H.R. 1270. I will be happy to answer any questions the Subcommittee may have.