Comments on Consent-Based Siting of Spent Nuclear Fuel and High-Level Radioactive Waste
July 22, 2016

The following comments are offered on behalf of the Windham Regional Commission (WRC). The WRC serves 27 towns in Windham, Bennington and Windsor counties in southeastern Vermont, and includes the Town of Vernon, which is home to the Vermont Yankee Nuclear Power Station. In the absence of county government, we provide the essential link between local, state and federal government. Our mission is to assist towns in southeastern Vermont to provide effective local government and work cooperatively with them to address regional issues.

The WRC has not yet deliberated upon or taken a position on consent-based siting of spent nuclear fuel and high-level radioactive waste, but I have been authorized by our Executive Board to comment on the fairness and transparency of the process. We offer the following comments.

- Rather than dictate a specific public engagement process for all potential nuclear waste host communities, the federal government should instead consider defining performance measures that would establish community outreach, inclusion, and transparent decision-making outcomes with an emphasis on the identification of environmental and socioeconomic justice concerns from the outset. That would allow local jurisdictions and states to design their processes around established rules and procedures while also establishing a clear, high bar by which everyone involved understands that consent is to be broad and deep and arrived at through inclusive and transparent community engagement and decision-making.
- This would be coupled with performance measures for the site itself (geology, hydrology, security, transportation access, etc.).
- The siting of the facility must be evaluated within a cumulative and aggregate framework, not only in terms of human health exposures but also socioeconomic impacts.
- The communities that consent to host these spent fuel and waste facilities are providing a valuable service to the nation as a whole. All segments of the population must be better off as a result of the siting decision by a number of measures, including:
  - Socioeconomic well-being and household income security.
  - Cultural security.
  - Physical and mental health and wellness.
  - Food security.
Educational opportunity.  
Employment opportunity.

While measures such as area GDP, tax revenue and employment are important, they are not sufficient indicators of community well-being and should not form the basis for evaluating such.

- Communities that opt to consider becoming a host site for spent fuel and high-level nuclear waste storage should be provided with the resources necessary to hire their own experts rather than rely upon those that might be provided by commercial, state or federal entities involved in the siting process. This will empower the communities to develop their own knowledge base and reach their own conclusions.
- Citizen advisory panels should be community-based and function independently of any potential site operator. Structure and membership should be set up to advise state and federal officials as well as the site operator, and the panel should be provided resources in order for it to independently consider the facts and information presented. This ties back to providing the community with resources to hire their own experts to make sense of the information they are provided and to pursue information they feel is needed to inform their decisions.
- Given the decades of failure of federal policymakers to establish a permanent repository, sites that are intended to be interim storage facilities should be evaluated for their capacity to serve as a permanent repository should history continue to repeat itself.

We also offer the following proposal as a means of organizing meaningful local input into the many federal initiatives underway to address issues related to nuclear decommissioning, spent fuel, and radioactive waste.

**Engaging Nuclear Plant Host Communities to Inform Multiple Federal Agencies across Interrelated Policy Issues Concerning Nuclear Plant Closure, Decommissioning, and Spent Fuel and Waste Management**

- *Multiple federal agencies would benefit from having an organized group of nuclear host local communities to provide local government stakeholder input on policy matters related to spent nuclear fuel, nuclear waste, and nuclear plant closures and decommissioning.* Specific issues include integrated waste management and consent-based siting of spent fuel and high-level radioactive waste, spent fuel transport, and decommissioning rulemaking discussions. Relevant agencies include the Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission, but also the Economic Development Administration and Department of Agriculture as communities – especially rural communities – plan for socioeconomic impact mitigation in the wake of the closure of a major contributor to employment, household income, and local taxes. This need will become all the more relevant as the current wave of nuclear plant closures continues.

- *Engaging host local governments in the consideration of multiple interrelated nuclear plant closure, decommissioning and waste policy matters would establish a cadre of well-informed local stakeholders who are most directly affected by plant closures to advise multiple federal agencies.*
Communities that host nuclear power plants should be actively and substantively engaged in policy deliberations from the outset. The Nuclear Energy Institute serves as a unified industry voice and has formed a Decommissioning Task Force to advise the NRC and other federal agencies. We believe it is in the best interest of the public, the federal government and the industry to have host communities similarly engaged. It would also create a core group of nuclear plant host community stakeholders which could engage with potential consenting waste-receiving communities.

- An organization such as the National Association of Development Organizations should be supported to convene host local governments. At issue is the mitigation of local impacts of nuclear plant closures, orderly redevelopment, and the relationship of these goals to federal policy. An entity like NADO could convene host governments to 1) document the local experience of past closures and decommissionings including economic, fiscal, employment, and environmental impacts; 2) assess host community costs, benefits and risks of different closure, decommissioning and fuel and waste management scenarios; and 3) forming a Host Community Closure, Decommissioning, Fuel and Waste Policy Task Force to solicit input from the larger group of affected communities to provide local government stakeholder insight for multiple federal agencies across a range of interrelated policy issues. This would be similar to NADO’s work funded by the Economic Development Administration to document local resilience responses to multiple disasters in the 2011-2012 timeframe.

Thank you for your consideration of these comments.

Sincerely,

Chris Campany,
Executive Director