

*Nuclear Waste Management:
In Search of a Sustainable Policy
Ed Davis, Director
Sustainable Fuel Cycle Task Force*

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Overview

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SFCTF Background

- *SFCTF is a project organized under the auspices of the U.S. Nuclear Infrastructure Council, the former U.S. Transportation Council*
- *Established earlier this year, the SFCTF serves as an informal network and coordinating mechanism of organizations that support the responsible U.S. federal government policies on the back-end of the nuclear fuel cycle, including the continuing the licensing of Yucca Mountain and the closing of the fuel cycle through the re-introduction of commercial reprocessing and recycling*
- *SFCTF is the successor effort to the Yucca Mountain Task Force of 2002 that successfully advocated for congressional passage of the Yucca Mountain site recommendation resolution*
- *SFCTF works in close coordination with the Energy Communities Alliance, the U.S. Chamber of Commerce, the National Association of Manufactures, the Nuclear Waste Strategy Coalition, NARUC, as well as NEI, the Heritage Foundation and the Third Way.*

SFCTF Mission

- *SFCTF supports the development of a refreshed consensus on key issues related to a sustainable U.S. nuclear fuel cycle, including:*
- *Yucca Mountain licensing and funding*
- *Closed fuel-cycle approaches advancing recycling*
- *Establishment of an independent government corporation to manage and execute the assigned functions and responsibilities of the U.S. federal government to accept and dispose of spent fuel and high-level waste*

SFCTF Objectives

- *Develop consensus approaches for the resolution of open back-end disposition issues, including Yucca Mountain licensing and funding*
- *Advance support for the implementation of a sustainable fuel cycle thru reprocessing and recycling*
- *Establish revitalized advocacy networks and communications to provide timely information on key issues to task force members*
- *Provide educational information and outreach to the Administration and Congress on key issues*
- *Serve as a catalyst to reactivate, reenergize, inform the “outside-the-beltway constituency of state governors, regulators, and local elected officials*
- *Outreach to the technical and scientific communities*

Current Situational Assessment

- *U.S. nuclear waste management program is at, what Andrew Grove former Chairman of INTEL, would call a strategic inflection point or crossroads*
- *Administration has called for Yucca's Mountain Project's termination, but has requested funding for the continuation of the NRC licensing process, while a yet to be established Blue Ribbon Commission (BRC) is to study alternatives*
- *House and Senate Appropriations Committees have supported Yucca funding at the Administration's requested level of \$196.7 million*
- *House Appropriations Committee in report language conditioned funding of the Blue Ribbon Commission on requiring that Yucca be considered an alternative*
- *House rejected an effort to strike all funding for Yucca Mountain by a vote of 388 to 30.*

Current Situational Assessment

- *Recent House Budget Committee hearing corroborated the assessment that Administration's decision to terminate the Yucca Mountain Project and Energy Secretary Chu's determination that "Yucca is not an option" were not based on any technical or scientific assessment and that Yucca remains a technically suitable site.*
- *The House Budget Committee hearing also served to confirm that apparently no comprehensive analysis or evaluation was performed to evaluate the consequences or costs of the proposed termination on the federal government's liability and its attendant impact on U.S. tax payers.*
- *Current assessment of government's liability is \$12.3 billion, an increase of \$3 billion from the estimate given the Budget Committee in October 2007, and is predicated a 2020 start-up date of the Yucca Mountain repository.*
- *Neither the DOE or DOJ have attempted to estimate the impact of the administration's proposed termination of Yucca Mountain on the federal government's liability*

Potential Consequences

- *The Administration's decision to terminate Yucca Mountain could have far reaching and long lasting deleterious effects on U.S. efforts to establish a viable and sustainable nuclear waste management program, including:*
- *Without a Plan B, the Federal Government is left without a policy and program until the Blue Ribbon Commission comes forth with recommendations;*
- *Even when the Blue Ribbon Commission issues final recommendations the implementation of any such recommendations would likely require the passage of legislation, thus further delaying any forward progress;*
- *Any attempt to restart the geologic repository siting process will be marred with the stigma of political interference and thus trust among stakeholders will be difficult at best to rekindle*

Potential Consequences

- *Best estimate for resetting and returning to the present condition of a potential site under going NRC review is about 15 years and another \$10 billion*
- *Meanwhile, efforts to site any centralized interim storage facilities will be faced with political cynicism that such facilities are nothing more than de facto repositories, making successful siting exceedingly difficult, if not impossible*
- *Siting of recycling facilities will also face similar difficulties*
- *Meanwhile, the DOE EM cleanup program EISs and accompanying Record of Decisions (RODs) will likely need to be amended since the Yucca Mountain repository is the prescribed disposition pathway for each of these projects*

Path Forward??

- *Location-Location-Location – As in the real estate business, nuclear waste siting is all about location and our federal system of government has demonstrated and is demonstrating how dysfunctional it can be when comes to geologic repository siting*
- *Two immutable laws of repository siting have shown themselves to be inviolable: Riley's first law which holds that nuclear waste tends to stay where it is first placed; and Udall's second law which holds that without a repository, all temporary storage sites tend to be de facto repositories*
- *A third law which could be also added is that all alternative nuclear fuel cycles require a repository*

Path Forward??

- *The Administration's decision to terminate Yucca Mountain is likely to be a colossal mistake making the establishment of a roadmap forward exceedingly difficult*
- *The best that can be hoped for is to muddle through by continuing to license Yucca Mountain so as to allow the NRC to determine its suitability, holding in abeyance its further consideration while the BRC ruminates on alternative strategies*
- *Congress eventually will have to put the pieces back together again but this task will be a heavy lift and require an "All-in-Commitment" on the part of the Administration to make something tangible and sustainable happen*

Path Forward??

- *Meanwhile, there is sure to be considerable dialogue around the NARUC's and NEI requests to suspend Nuclear Waste Fund (NWF) payments*
- *Given the current state of affairs with the DOE nuclear waste program essentially on hold and with a significant (NWF) fund balance, the suspension of collections appears to be a reasonable request*
- *SFCTF believes that any suspension or reduction of the Nuclear Waste Fund fees in no way diminishes or relieves whatsoever the DOE and the federal government of its statutory and contractual obligation to accept and dispose of spent fuel and high-level nuclear waste*
- *SFCTF also believes that, given the federal government's demonstrated inability to effectively manage the nuclear waste management program, serious consideration should be given to establishing a quasi private-public corporation to take responsibility for executing and managing the program going forward*