

NUCLEAR ENERGY: Consent-Based Siting



BPC'S NUCLEAR WASTE COUNCIL

Launched in 2014, the Bipartisan Policy Center's Nuclear Waste Council seeks to expand national and regional conversations on nuclear waste and to develop policy options that ultimately could lead to a viable nuclear waste storage and disposal strategy.

Over the past 18 months, the council has conducted research, made site visits, and surveyed leaders to gain insights on how a “consent-based” decision-making process for siting nuclear waste storage facilities might work. The council’s report provides an update on recent developments in the policy arena, including legislative proposals, court decisions, and current federal efforts to establish a consent-based siting process. The report includes insights from other hard-to-site facilities, the results of a first-ever BPC survey of state officials on a range of issues related to nuclear waste, and input from meetings with members of communities considering hosting nuclear waste management facilities.

Consent-based siting offers a promising approach to moving forward on this issue. Giving states, communities, tribes, and other groups a seat at the table could forge a path forward on an issue that has stagnated for too long.

Key questions remain: what does consent mean, who gets a say, and what is the appropriate role for federal vs. state regulatory authority over future waste management facilities are all contentious issues that will not be resolved immediately.

But continued delay and inaction serve no one’s purposes. The council urges all parties—especially a new Congress and administration—to waste no time in making a good-faith effort to adopt a consent-based approach.

RECOMMENDATIONS

- 1** As part of a fundamental overhaul of the U.S. nuclear waste management program, Congress should establish a new, dedicated nuclear waste management organization, separate from Department of Energy.
- 2** Future nuclear waste facility siting efforts should draw from a growing body of evidence and experience that emphasize voluntary participation, flexibility, transparency, inclusion and consultation, trust, accountability, and scientific and technical integrity.
- 3** Safety is the first criterion for siting nuclear waste management facilities and for gaining the trust of potential host communities and states. The development of safety standards and other siting and operating criteria is therefore a critical near-term priority.
- 4** For consent-based siting to succeed, host communities and affected states must be empowered to engage as full participants in the process. Communities and states must have access to the technical expertise and resources needed to play a meaningful consultative role in key decisions.
- 5** Future consent-based siting efforts should encourage multiple applications, ensure a fair and thorough assessment of all options, avoid down-selecting to a single option too early in the process, and make selections among competing options on the basis of objective, observable metrics.
- 6** As part of the design of an effective consent-based siting process, it will be important to develop timelines for key milestones and decision points to give potentially interested communities and stakeholders a better sense of how the process will unfold and what their options are at different junctures, including “off-ramps”.
- 7** A list of incentives for potential host communities should be developed, in consultation with stakeholders and community leaders, and all parties should also think creatively about how to maximize incentives, while simultaneously addressing environmental equity issues.

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