Spent Fuel Political Landscape
S. P. Nesbit – 32nd International Nuclear Materials Management Seminar

Presentation Outline

- Opening observations
- Imperative need for progress
- Nuclear Infrastructure Council Backend Working Group recommendations
- Un-decommingling
- Conclusion
Opening Observations

- The country has been working on geologic disposal under the Nuclear Waste Policy Act since 1983 (34 years)
- The Department of Energy has been in partial breach of its waste disposal contracts for 19 years
- The Executive Branch of the federal government has been willfully violating the law for six years
- Payments for disposal of commercial nuclear fuel (including interest) exceed $40 billion

**IS THERE NO SHAME? THIS IS NOT A TRANSACTIONAL ISSUE!**

Imperative Need for Progress

- Responsible environmental management requires timely geological disposal of commercial used nuclear fuel and high-level radioactive waste
  - International consensus
  - Intergenerational equity
- Failure to achieve an ultimate solution for used fuel disposal is a major impediment to the deployment and operation of nuclear power plants which provide reliable, economical carbon-free electricity generation
- U.S. influence in nuclear power and nonproliferation suffers from failure to act responsibly in managing used fuel
- Government financial liabilities for its failure to live up to contracts for used fuel disposal are large and mounting
  - Total liability estimate exceeds $20 billion
  - Assumes government begins to accept used fuel in 2021
Nuclear Infrastructure Council Backend Working Group Recommendations

- Issued February 2016 – to be updated January 2017

- Complete Yucca Mountain Licensing
- Assure Shared Value for Host Communities
- Transportation Planning and Execution
- New OCRWM
- Un-decommingle
- Pursue Consolidated Storage
- Management and Funding Reform
- Research, Development and Demonstration

Un-decommingling

- So-called “commingling” decision made by President Reagan in 1985
  - Basis of the U.S. used fuel and high-level waste management program since inception
- 2015 memorandum by President Obama documenting finding that a “defense-only” repository is needed (sometimes referred to as “decommingling”)
  - No public input
  - No coherent rational
- The separate repository decision must be stayed or reversed, at least until the U.S. program has progressed to the point it can be justified with a straight face
  - What is the impact of decommingling on a decision to resume Yucca Mountain licensing?
  - What about Department of Energy used fuel that will undergo direct disposal?
  - What is the real justification for prioritizing disposal of defense waste ahead of commercial used nuclear fuel?
Conclusion

- Actions send messages
- Inaction sends messages

THE TIME IS NOW