

Consent-Based Radioactive Waste Siting: Finding a Better Path Forward

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Panel Discussion

The Blue Ribbon Commission on America's Nuclear Future

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The BRC draft

- Some challenges are technical, many are social, institutional, economic, political.
- A staged, adaptive, learning-based process is needed.
- A new organization should lead effort.
- Clear principles must guide all aspects of waste management.
 - Equity, Transparency, Meaningful participation of interested and affected parties, Consent-based siting, Informed by high quality science

A finding and a recommendation

- There are universal principles, but no universal rules for realizing principles in every situation.
- Yet, some minimal standards are needed to ensure equity and consistency.
- The BRC should recommend that generic standards for consent, fairness, participation, transparency, etc. be established in parallel with “basic, initial siting criteria.”

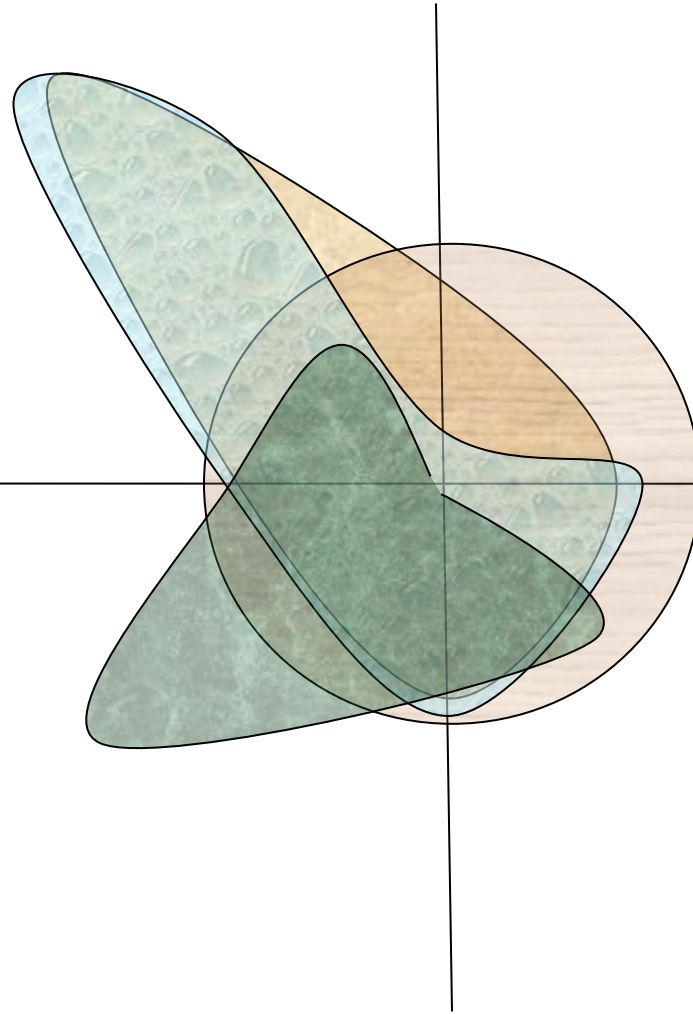
What is a good process?

Science plays leading role

Analytical
and
bureaucratic

Deliberative
and
democratic

Science plays supporting role



What counts as *consent*?

- Who gets to decide?
 - Local officials or leaders?
 - Referendum of residents?
 - Host community, adjacent communities, state, Tribe?
- How many have to agree?
 - A 75% majority?
 - A 642 to 639 majority?
 - A minority, with a plurality opposed?
- What makes for informed consent?
- When is it finally decided?

- Decisions cannot be made by experts. Nor by plebiscite.
- They should be based on the best use possible of expert science and the wisdom of lay people to make moral choices in legitimate ways.
- The BRC is not the right group to resolve these issues.
- Will a new organization succeed – and act differently than those in the past?
 - Proposed data base of past experience is insufficient.
 - Proposed oversight and advisory boards are insufficient (NWTRB, GAO, Stakeholder Advisory Group)

A second recommendation

- The BRC should recommend a structure that ensures high quality social science and empirical evaluation inform planning and management.
 - Systematic research *and* empirical evaluation are required as part of an adaptive staged process
 - Has the public been informed?
 - Has the public been heard?
 - Are best practices being followed?
 - What are experiences elsewhere (e.g., FutureGEN)?

Some examples

- Systematically gather informed input about public preferences.
 - Participatory technology assessment and consensus conferences, <http://www.wilsoncenter.org/sites/default/files/ReinventingTechnologyAssessment1.pdf>
- Generate publicly available evidence that supports practice.
 - DOE EM SSAB evaluations
 - *Communicating Risks and Benefits: An Evidence-Based User's Guide*, <http://www.fda.gov/AboutFDA/ReportsManualsForms/Reports/ucm268078.htm>
- Expand the oversight of NWTRB to explicitly include social sciences or create a new, parallel board.