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BEFORE THE COMMISSION ON AMERICA'S NUCLEAR FUTURE

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From 1987 to 1994, the United States sponsored a novel and significant initiative to explore the voluntary siting of facilities for the temporary or permanent storage of high-level, spent nuclear fuel. The Office of the United States Nuclear Waste Negotiator, acting as an independent agency reporting directly to the Congress and the President, solicited interest in May of 1991 from all the states, territories and recognized Indian tribes.

Within nineteen months, twenty potentially interested host jurisdictions had applied for exploratory grants to self-evaluate the risk and reward of such a proposition. This unpredicted level of interest was generated by the conceptualization and use of a unique, staged process giving the volunteer entity exclusive control over its own participation. The then announced principles of this dialogue were:

- * The process must and will be truly voluntary;
- * Requests for information and preliminary dialogues will not be viewed as a commitment to proceed any further;
- * Any dialogue is terminable at the will of the prospective host;
- * Indian tribes and states will be provided with resources to obtain independent and credible information upon which they may make their own decisions;
- * All discussions should begin with the thoughtful evaluation of issues concerning health, safety, and the protection of our environment;
- * Choices of technology and participation in oversight controls should be utilized to

assure compliance with safety and operating standards;

- * There are no irrelevant issues;

- * A prospective host is entitled to achieve an equity for helping to solve a national problem. The nature and means of achieving that equity should represent the individual needs, concerns and desires of the host;

- * The process should encourage broad public participation, and seek and credibly consider the views of all affected stakeholders;

- * This process can work only with participation.

Despite the level of interest generated by the proposal, the Office of the Negotiator expired upon the non-renewal of its authorizing legislation in January, 1994. Several of the interested jurisdictions continued to explore siting possibilities without federal support, although none has been ultimately successful.

The art and science of public facility siting has continued to evolve over the past decade and one half. However, the basic concepts and unique process utilized by the Office of the Negotiator remain viable and could be usefully employed in future federal projects. In fact, participatory, information-driven and collaborative siting processes are likely to be the only initiatives by which new nuclear waste facilities will be established within the United States during the twenty first century. The Commission should consider linking the establishment of a new generation Negotiator's Office to any of its other proposals which require a federally driven siting process.