

**Basic Concepts for a (Name your State)/Responsible Entity Agreement
For willing acceptance to host a Geologic Repository
For Spent Nuclear Fuel & Defense High Level Waste
June 2010**

- State and Host County Retain Rights under the NWPA to Assure the Safety of the Repository and Its Operations
 - State and host county would be able to fully participate in the Nuclear Regulatory Commission licensing proceeding in a role equivalent to Nuclear Regulatory Commission and Responsible Agency staff
 - State and Local County would be funded to undertake their own Site Characterization and Performance Confirmation programs; Responsible Entity would provide funding to support development of world class repository science education and research capability at University of State's choosing.
 - State and Local County would have veto authority for repository closure decision provided it was based on a legitimate technical concern, supported by a properly constituted Peer Review Panel
 - State and Host County would form a citizen's advisory/oversight board to meet monthly in public with Responsible Entity management to review design and operational safety and environmental issues for the repository and the transportation system
 - State would establish airborne and water radioactivity release monitoring stations at locations of its choosing and have access to all data collected
 - State and Host County would be able to have resident inspectors located at the repository
 - A process would be established to identify and implement environmental impacts from repository construction and operation and to determine needed mitigating measures

- State and Host County Would Be Financially Compensated for the Impacts of the Repository
 - State's and Host County's costs associated with the above activities would be reimbursed by Responsible Entity
 - State and County-owned infrastructure improvements needed as the result of the repository construction and operations would be borne by Responsible Entity
 - Environmental mitigation measures required resulting from the EIS analyses and the above process would be paid by Responsible Entity

- State Would Have a Long-Term Financial Incentive
 - Title to commercial spent nuclear fuel would pass from DOE to the State when the fuel enters the repository site. This would make the state the owner of the feedstock for a potential spent nuclear fuel reprocessing plant if one were to be developed
 - Responsible Entity and its contractors would agree to utilize local labor and industry to the maximum extent possible
 - Responsible Entity and its contractors would agree to invest in education avenues for professional and craft labor needed to build and operate the repository and rail line

- In exchange for the Above Incentives, the State and Host County Would become Cooperating Entities
 - State and Host County would agree not to appeal any final decision by the NRC hearing boards or the commission
 - State and Host County would agree not to file any court challenges to final agency decisions (EPA/NRC, etc.)
 - State would agree to issue all required permits for water, air, RCRA, etc. after expedited review with timely resolution of outstanding issues
 - State and Host County would agree to fully cooperate in good faith in all repository and transportation planning and regulatory activities
 - State would agree not to influence its Congressional delegation inappropriately in matters of legislation allowing the expeditious construction of the repository, including land withdrawal and correcting the structural problems of the Nuclear Waste Fund