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Comment:	DOE seeks information in the following area: 3. What type of involvement if any should the Department [of Energy] or other federal agency consider having with the PI and the community regarding organizational, structural, and contractual frameworks and why? Here is our response: Mention of "the Department or other federal agency" is an important reminder that the DOE should not even be conducting this Request for Information proceeding. The second highest recommendation by the BRC was for DOE to be removed from high-level radioactive waste management. This is because DOE has proven, over the course of decades, its incompetence and worse -- that it
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cannot be trusted by the public, in such vital matters. Such high-stakes matters as defining "consent-based siting" should be carried out by a trustworthy and competent replacement for DOE. A competent and trustworthy replacement for DOE would not have even considered PIs for centralized interim storage, since this violates the law, the Nuclear Waste Policy Act, as Amended. Re: contractual frameworks, of course the consequences of any intentional wrongdoing, or even unintentional negligence, must be the liability of the PI. Otherwise, as Tom "Smitty" Smith of Public Citizen's Texas office has warned, this would "invite disaster because the private owners will be cutting costs at every turn to maximize profits." For example, Waste Control Specialists (WCS) in Texas has baked-in the contractual requirement, in its application for a license to construct and operate a centralized interim storage site, that DOE would not only hold title to the irradiated nuclear fuel, but would be entirely liable should anything go wrong (such as an airborne release of hazardous radioactivity, or a leak into the groundwater below, which could contaminate the Ogallala Aquifer). This of course means U.S. taxpayers would bear ultimate liability, and pay all costs. The Price-Anderson Act already provides liability protection unique in industry -- but even that isn't good enough for WCS! To remove all liability from a PI is a moral hazard with a radioactive twist, inviting catastrophe through company short cuts on safety, to pad their own pockets. And of course U.S. congressional committees of jurisdiction, as well as Offices of Inspector General and Investigations, at all federal agencies with jurisdiction (DOE, NRC, EPA, etc.), should all be fully engaged, and do their jobs, to oversee and watchdog any centralized interim storage proposals, during licensing, operations, and decommissioning. Their duty, of course, is to protect public health, safety, security, and the environment, as well as taxpayer pocketbooks, not to cater to the nuclear power industry's or radioactive waste dumps' lobbyists. *🌐

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