

Private ISF

From: Gary Gover <govers@bellsouth.net>
Sent: Friday, January 27, 2017 4:55 PM
To: PrivateISF
Subject: Response to RFI on Private Initiatives to Develop Consolidated SNF Storage Facilities
Attachments: Untitled Draft.docx

DOE --

Please find my comments in the attached Microsoft Word document.

Thank you,

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1. What key factors should be considered to ensure that PIs, as part of the overall integrated nuclear waste management system, would provide a workable solution for interim storage of spent nuclear fuel and high-level waste?

PI centralized interim storage is illegal under the terms of the Nuclear Waste Policy Act. This is a fatal flaw.

These criteria must be met: scientific (geologic, hydrologic, etc.) site suitability; free and fully informed consent-based siting; long-distance shipments happen once, to suitable, consent-based, environmentally just permanent disposal; and, environmental justice for current and future generations.

A private centralized interim storage facility could easily become a de facto permanent dump.

2. How could a PI benefit:

a. the local community and state or Tribe in which an ISF [Interim Storage Facility] is sited?

b. neighboring communities?

Jobs would be a benefit to the local and neighboring communities. However, property values and other economic development will be significantly decreased at and near a centralized interim storage site, as well as along transport corridor routes. Products from the area will be avoided by consumers.

Any socially or economically disadvantaged communities should be protected by exclusion from impact from the initiative and its transportation corridors.

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?

DOE should be excluded from high-level radioactive waste management because it has proven its incompetence over the course of decades.

U.S. congressional committees of jurisdiction, as well as Offices of Inspector General and Investigations, at all federal agencies with jurisdiction (DOE, NRC, EPA), should be fully engaged to oversee centralized interim storage proposals, licensing, operations, and decommissioning, their duty, to protect public health, safety, security, wealth, and the environment.

4. What are the benefits and drawbacks of a PI, compared to a federally-financed capital project resulting in a government-owned contractor-operated (GOCO) interim storage facility?

High risk operations requiring high security can be done more successfully by Government.

DOE should be excluded from high-level radioactive waste management because it has proven its incompetence over the course of decades. A private initiative can create a degree of separation of DOE from the business of high-level radioactive waste management. DOE must be replaced with a competent, trustworthy radioactive waste management Federal agency.

5. What assurances to the Government do you think would be appropriate, to ensure that SNF [Spent Nuclear Fuel] stored at a private ISF [Interim Storage Facility], would be managed effectively so as to contain costs to the Government?

An important assurance would be, that hazardous radioactivity will not be released to the environment.

Any contracts signed by DOE's replacement radioactive waste management agency must be at fixed cost. B

The PI should be required to be entirely privately financed to protect the public wealth.

6. What possibilities are there with respect to business models for a PI, and what are the benefits and disadvantages of those models?

High risk operations requiring high security can be done most successfully by Government, however models which may be considered in greater detail include:

Contracting out - the state pays a non-state organization to perform a task, set out in a formal agreement enforceable by law.

Lease and concession of monopolies - the private sector is given managerial and financial responsibility for a set term. In some cases the contractor covers the running costs from revenues (leases); in other cases the contractor must cover running costs but also invest or contribute towards fixed costs through investment (concession).

Licensed competition between producers - government intervention aims to ensure equitable access or to mitigate the effects of unrestrained competition on society at large.

Joint ventures - government enters into contractual relationships with the private sector both in setting up the company and in awarding the company the contract to undertake the work.

Co-production - government, the private sector and the beneficiaries of public services may collaborate by making complementary but independent contributions to the production and delivery of services, often without any formal or contractual underpinning.

Public-private partnership - partnership may be through joint ownership and investment or through complementary investment where, for example, the public sector may facilitate private action.

7. How could a PI manage liabilities that might arise during the storage period?

All costs, liabilities, and risks should be managed by the PI. Potential liabilities should be managed by insurance and bonding.

8. What state/local/tribal authorizations/approvals would be needed?

Tribal communities and economically disadvantaged communities must be excluded from any potential negative PI impact as a basic matter of environmental justice.

Any PI impacted communities and transport corridor communities must provide free-, fully informed consent.

Any Interim Storage Facility siting must be scientifically suitable (geologically, hydrologically) and geographically operationally sensible.

Any PI must agree to bear the burden of full liability and must agree to pay all costs associated with the operation and not be a burden to the ratepayer or the public.

9. How can the Government continue to explore or implement the PI concept in a fair, open and transparent manner going forward?

PI centralized interim storage is illegal under the terms of the Nuclear Waste Policy Act. DOE should not go forward with this initiative.

This undertaking should be taken under the terms of the National Environmental Policy Act (NEPA), the Atomic Energy Act (AEA), and the Administrative Procedures Act (APA).

10. What, if any, supporting agreements might be expected between the Government and the host state/tribe/local community associated with a PI?

All liability must remain with the PI companies.

PI companies must meet fixed costs commitments.

Tribal communities and economically disadvantaged communities must be excluded from any potential negative PI impact as a basic matter of environmental justice.

11. What other considerations should be taken into account?

Irradiated nuclear fuel and high-level radioactive waste is a million-year hazard and this demands intergenerational equity and environmental justice.

Permanent abandonment of irradiated nuclear fuel at an Interim Storage Facility the reactors where it was generated would result in catastrophic releases of hazardous radioactivity into the local environment as dry casks failed over time.

DOE should publish a Draft EIS, allow for public comment over an adequate period of time, and hold multiple public hearings for all impacted county and states for public comment.

12. Are there any alternative approaches to developing non-federally-owned facilities that might be proposed (e.g. how projects would be financed, anticipated regulatory and legal issues, etc.). If so, what are they, are there proposed solution [sic., solutions], and how would the above questions be answered with respect to such approaches?

PI centralized interim storage is illegal under the terms of the Nuclear Waste Policy Act. [No alternative approaches avoid this problem. DOE should cease and desist.