



Secretary of Energy Advisory Board

Washington, DC 20585

April 26, 1991

Secretary of Energy James D. Watkins has named 12 members to a new Secretary of Energy Advisory Board Task Force on Civilian Radioactive Waste Management. The task force was formed to explore what additional steps the department's program to dispose of radioactive waste can take to strengthen public trust and confidence. It will hold its first meeting on May 14, 1991 in Washington, D.C. The meeting marks the beginning of a year-long study that will culminate with a report to the Secretary containing recommendations for ensuring that the department acts in a manner that merits public trustworthiness. The report will also provide guidance on how to implement those recommendations. A copy of the task force's Terms of Reference is enclosed for your information.

The task force is chaired by Dr. Todd La Porte, Professor of Political Science, University of California at Berkeley. Other members include: Dr. William Bishop, Vice President, Desert Research Institute, Las Vegas, Nevada; William Eichbaum, Vice President, World Wildlife Fund, Washington, D.C.; Robert Fri, President, Resources for the Future, Washington, D.C.; Kristine Gebbie, Secretary of Health, State of Washington, Olympia, Washington; John Landis, Senior Vice President, Stone and Webster Engineering Corporation, Boston, Massachusetts; David Lester, Executive Director, Council of Energy Resource Tribes, Denver, Colorado; Dr. Francis Rourke, Professor of Political Science, Johns Hopkins University, Baltimore, Maryland; Dr. Alfred Schneider, Professor of Nuclear Engineering, Georgia Institute of Technology, Atlanta, Georgia; Mason Willrich, Chief Executive Officer, PG&E Enterprises, San Francisco, California; Michael Wilson, Member, Florida Public Service Commission, Tallahassee, Florida; and Dr. Mayer Zald, Professor of Sociology and Social Work, University of Michigan, Ann Arbor, Michigan.

The task force's first meeting, which is open to the public, will be held at the department's headquarters in the Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585 from 8:30 AM to 5:00 PM. In addition to hearing from Secretary Watkins, the task force will discuss plans for the study and will be briefed by representatives from the department's Office of Civilian Radioactive Waste Management, Nuclear Regulatory Commission, Office of Nuclear Waste Negotiator, Nuclear Waste Technical Review Board, Edison Electric Institute, and Natural Resources Defense Council. The task force will travel at a later date to Nevada, where the Department has been directed by Congress to characterize a possible site for a waste repository, in order to obtain the views of that state's government officials and general public.

Individuals wishing to attend the meeting should call (202) 586-7092 before May 9, 1991 to make arrangements for visitors' passes. Additional information about the task force study and about the first meeting can be obtained from Dr. Daniel S. Metlay, Secretary of Energy Advisory Board, 1000 Independence Avenue, S.W., Washington D.C. 20585. He can be reached at (202) 586-3903.

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**TERMS OF REFERENCE
SECRETARY OF ENERGY ADVISORY BOARD
TASK FORCE ON CIVILIAN RADIOACTIVE WASTE MANAGEMENT**

INTRODUCTION

The Department of Energy recognizes that the resolution of outstanding institutional issues, such as access to sites, social and economic impacts, and organizational design, is as critical to the ultimate success of the civilian radioactive waste management program as the resolution of outstanding technical issues. No institutional issue commands as much attention and is as widely regarded as pivotal and far-reaching as the question of public trust and confidence. It is, for example, a common theme in reviews by organizations such as the National Academy of Sciences, the Congressional Office of Technology Assessment, and the Nuclear Waste Technical Review Board.

Although numerous oversight and advisory bodies are examining the technical foundations of the program, there is currently little systematic analysis and guidance on developing the institutional framework for managing radioactive waste in a manner that ensures public trust and confidence. Such analysis and guidance would be helpful not only to the existing policy-making organizations that are conducting many of the program's immediate activities but also in the ongoing creation and design of the technical development and operating organizations that will play increasingly critical roles in the program's future. The objective of the Secretary of Energy Advisory Board (SEAB) Task Force on Civilian Radioactive Waste Management is to begin to undertake those institutional analyses and to suggest approaches for establishing public trustworthiness so as to facilitate progress toward the Department's satisfaction of its statutory obligations.

As detailed below, the Task Force should examine what is meant by "public trust and confidence" and describe the conditions that are important for ensuring it. The group should explore what additional steps the program might take to strengthen public trust and confidence in efforts to dispose of radioactive waste. The Task Force should investigate whether attempts to increase public trust and confidence affect other objectives such as timely waste acceptance and cost-effectiveness. Finally, the group should consider how its recommendations and guidance might be implemented.

STUDY OBJECTIVES

The Meaning and Development of Public Trust and Confidence

The phrase "public trust and confidence" is frequently used, but its meaning is rarely articulated with precision. Consequently, misunderstandings among parties with an interest in those ends may arise, and accusations of bad faith may be leveled, leading ironically to reduced trust and confidence. The Task Force should strive to develop a clear understanding of what it means for the radioactive waste management program to have public trust and confidence

extended or withheld. The group should then analyze the factors and processes that cause it to be gained, maintained, lost, and reestablished. Among the questions the Task Force should address are:

- Whose trust and confidence is most critical? Why?
- What are the most important factors affecting the level of public trust and confidence in the program?
- What lessons has the program learned from the past? What can be done to build on past successes and avoid past failures?

Opportunities for Ensuring Public Trust and Confidence

The management of radioactive waste poses a number of challenges, which, in combination, may make the establishment and maintenance of public trust and confidence problematic. Hazardous materials must be processed and transported; the benefits of nuclear power are widely distributed, but many of the costs of waste management are geographically concentrated; political and technical accountability must be sustained over extended periods; a relatively large-scale technological system with a complex institutional infrastructure must be created; some errors may only arise in the far future, and others may be hard to detect. Based on the understanding and insights developed in the first phase of the study and through other means, the Task Force should consider questions such as these:

- How can the challenges that tend to make public trust and confidence in the radioactive waste management program problematic be addressed?
- Under what circumstances, if any, can alternative financial, organizational, and regulatory arrangements for the program promote public trust and confidence?
- Can the organizational structures and processes adopted for similar programs in other nations provide models for increasing the perceived trustworthiness of the U.S. program?

Consequences of Ensuring Public Trust and Confidence

Actions taken to ensure a significant reservoir of public trust and confidence may affect other program objectives such as the timely acceptance of waste, cost-effectiveness, and confidence in the program's schedule. Those other factors must be taken into account as any long-term implementation plan is developed. If trade-offs between conflicting goals have to be made, it is important that the stakes be clarified and the balancing of advantages and disadvantages of various approaches be done explicitly. To inform choices that will have to be made, the Task Force should investigate these questions:

- To what degree would additional efforts to foster public trust and confidence disrupt established program routines and organizational interactions?

- How would efforts to ensure high levels of public trust and confidence influence the timeliness and the cost of the radioactive waste management program?
- To what extent would initiatives to increase public trust and confidence affect or be affected by the regulatory regime for developing and licensing a repository?

Recommendations

Having assessed alternative approaches for ensuring public trust and confidence and having considered in general terms what the central advantages and disadvantages of each might be, the Task Force should present recommendations to the Secretary of Energy. Included in those recommendations should be guidance on what steps can be taken to implement them. In particular, the Task Force should note which actions can be taken under authority already vested in the Department, which actions require new authority, and which actions depend on the cooperation of other governmental and non-governmental entities.

In pursuing these objectives, the Task Force can

- Obtain the advice of recognized experts in organizational design;
- Examine program decisions and policies over the last decade that have strongly contributed to the current level of public trust and confidence;
- Solicit the views of informed and interested individuals both inside and outside of government;
- Secure information from DOE program offices and contractors that helps identify the characteristics of the policy-making, technical design and development, and operating organizations of the radioactive waste management system.