

CONSENT-BASED SITING PROCESS

for Federal Consolidated Interim Storage
of Spent Nuclear Fuel

APRIL 2023

Exploring the background, fundamentals,
roles, and more associated with
DOE's consent-based siting process



www.energy.gov/consentbasedsiting

U.S. DEPARTMENT OF
ENERGY

Office of
NUCLEAR ENERGY

 **CONSENT-BASED
SITING**

ACRONYMS

DOE		<i>U.S. Department of Energy</i>
RFI		<i>Request for Information</i>
MTHM		<i>Metric Tons of Heavy Metal</i>
R&D		<i>Research and Development</i>
NWPA		<i>Nuclear Waste Policy Act</i>
NEPA		<i>National Environmental Policy Act</i>
FOA		<i>Funding Opportunity Announcement</i>
NRC		<i>U.S. Nuclear Regulatory Commission</i>

TABLE OF CONTENTS

1. Introduction	4
2. Background and Context	6
3. Basis for DOE's Current Consent-Based Siting Efforts	8
4. Changes in This Revision to the 2017 Draft Consent-Based Siting Process	10
5. Fundamentals of Consent-Based Siting	13
6. Key Roles of Tribes and States	16
7. Consent-Based Siting Process	18
8. Proposed Approach to the Issue of Consent	31
9. Accountability to Public Input	33
10. Conclusion and Opportunities for Providing Further Input	36

LIST OF FIGURES

Figure 1. The Consent-Based Siting Process	20
--	----

LIST OF TABLES

Table 1. Phase 1A: Planning	21
Table 2. Phase 1B: Building Capacity	23
Table 3. Phase 2: Site-Screening and Additional Criteria Development	25
Table 4. Phase 3: Preliminary Site Assessment	26
Table 5. Phase 4: Detailed Site Assessment	27
Table 6. Phase 5: Site(s) Selection and Negotiation	28
Table 7. Phase 6A & 6B: Implementation	29
Table 8. DOE's Approach to Address Public Feedback	34

1. INTRODUCTION

In this document, the U.S. Department of Energy (DOE) outlines its road map for implementing a consent-based siting process to site one or more federal consolidated interim storage facilities for spent nuclear fuel.

The Department's efforts to develop a consolidated interim storage capability are consistent with direction provided by Congress in the Consolidated Appropriations Act, 2021, the Consolidated Appropriations Act, 2022, and the Consolidated Appropriations Act, 2023. DOE's efforts to develop a consent-based siting process by working collaboratively with members of the public, communities, stakeholders, and governments at the Tribal, state, and local levels began in 2015. At that time, DOE solicited public feedback on consent-based siting and conducted a series of public meetings. Drawing on that feedback, and on the findings of several expert groups, DOE developed and requested public comment on the "Draft Consent-Based Siting Process for Consolidated Storage and Disposal Facilities for Spent Nuclear Fuel and High-Level Radioactive Waste" (hereafter, the draft consent-based siting process) in January 2017. Subsequent to the enactment of the Consolidated Appropriations Act, 2021, the Department issued a request for information (RFI) on "Using a Consent-Based Siting Process to Identify Federal Interim Storage Facilities" (86 FR 68244)² in December 2021.

This document revises and improves upon the draft consent-based siting process issued in 2017. It reflects public input provided in response to the 2021 RFI,³ DOE's request for public comment on the initial draft consent based siting process in 2017, several expert reports, and lessons learned from decades of siting experience with nuclear waste management, and other

types of facilities in the United States and abroad.⁴ It also reflects several core principles and guiding values, including a commitment to protect public health and safety and the environment, prioritize environmental justice and social equity, focus on communities, enable broad participation, and work to build and sustain public trust and confidence.

DOE's approach to consent-based siting is in accordance with key presidential directives on environmental justice and equity, including Executive Order 12898 on "Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations," Executive Order 13985 on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government," and Executive Order 14008 on "Tackling the Climate Crisis at Home and Abroad."

Because a consent-based siting process, by its nature, must be flexible, iterative, adaptive, and responsive to community concerns, the Department will continue refining the process as it learns more.



¹ Draft Consent-Based Siting Process for Consolidated Storage and Disposal Facilities for Spent Nuclear Fuel and High-Level Radioactive Waste, <https://www.energy.gov/sites/prod/files/2017/01/f34/Draft%20Consent-Based%20Siting%20Process%20and%20Siting%20Considerations.pdf>

² Federal Register: Notice of Request for Information (RFI) on Using Consent-Based Siting Process to Identify Federal Interim Storage Facilities, <https://www.federalregister.gov/documents/2021/12/01/2021-25724/notice-of-request-for-information-rfi-on-using-a-consent-based-siting-process-to-identify-federal>

³ Consent-Based Siting Request for Information Comment and Summary of Analysis, <https://www.energy.gov/sites/default/files/2022-09/Consent-Based%20Siting%20RFI%20Summary%20Report%200915.pdf>

⁴ Designing a Process for Selecting a Site for a Deep-Mined, Geologic Repository for High-Level Radioactive Waste and Spent Nuclear Fuel, https://www.nwtrb.gov/docs/default-source/reports/siting_report_summary.pdf?sfvrsn=3

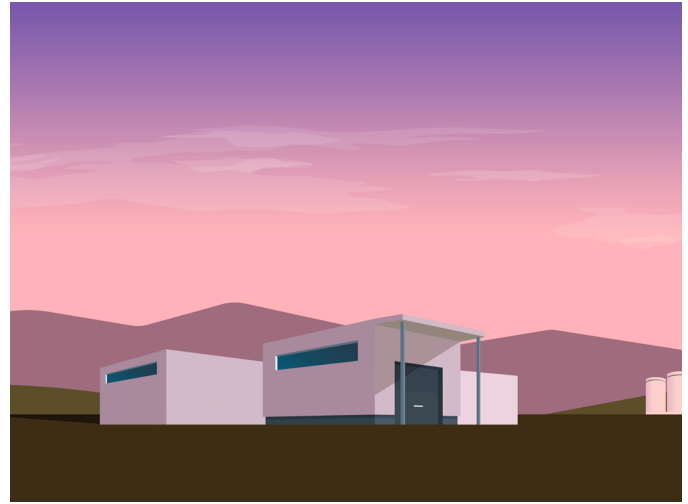
2. BACKGROUND AND CONTEXT

Safe long-term management and disposal of spent nuclear fuel and high-level radioactive waste must remain a national priority. At present, nuclear accounts for nearly 20% of U.S. electricity production and half of the nation's carbon-free energy. Nuclear energy is key to achieving the nation's goal of a 50% reduction in carbon emissions by the end of the decade, 100% clean electricity by 2035, and a net-zero emissions economy by 2050.

The use of nuclear energy requires an effective, integrated system for safely managing, storing, and permanently disposing of spent nuclear fuel. The term “spent nuclear fuel”⁵ refers to uranium fuel that has been irradiated in a reactor, typically over a period of four to six years, after which the fuel can no longer efficiently sustain the desired level of fission reactions. At that point, the fuel is considered “spent” and removed from the reactor for storage. Commercial reactors use fuel rods that consist of small ceramic pellets of enriched uranium oxide stacked vertically and encased within a metal cladding. Fuel rods are usually grouped together to form an assembly.

Since the 1950s, approximately 90,000 metric tons of heavy metal (MTHM) of spent nuclear fuel have been generated from commercial nuclear power generation in the U.S. This inventory grows by approximately 2,000 MTHM every year. This commercial spent nuclear fuel is currently stored at over 70 sites in more than 30 states where it is either enclosed in steel-lined concrete pools of water or in steel and concrete containers known as dry storage casks.

The U.S. also has an inventory of non-commercial spent nuclear fuel and high-level radioactive waste. That inventory includes a portion of the roughly 360,000 cubic meters (m³) of reprocessing waste managed by DOE. Non-commercial spent nuclear fuel is generated by activities including the operation of the U.S. Navy's



nuclear fleet and DOE's R&D activities. DOE's current spent nuclear fuel inventory from R&D activities totals approximately 2,400 MTHM.

Management of the Nation's spent nuclear fuel and high-level radioactive waste is DOE's legal responsibility under the Nuclear Waste Policy Act (NWPA) of 1982, as amended. This includes finding sites to store and eventually dispose of this material. As described in the following section, DOE is currently focused, per congressional direction, on the development of federal consolidated interim storage capability for commercial spent nuclear fuel and will use a consent-based siting process to identify suitable sites.

⁵. The term “spent nuclear fuel” is often used interchangeably with “used nuclear fuel” or “nuclear waste.” The legal definition of “spent nuclear fuel” is provided by Section 2 of the NWPA of 1982. 42 U.S.C. 10101(23).

3. BASIS FOR DOE'S CURRENT CONSENT-BASED SITING EFFORTS



In the Consolidated Appropriations Act, 2021, Congress authorized funding for DOE to work on establishing federal capability to consolidate and store commercial spent nuclear fuel⁶ on an interim basis using a consent-based siting process. In the Consolidated Appropriations Act, 2022, and the Consolidated Appropriations Act, 2023, Congress continued to fund the pursuit of federal consolidated interim storage using a consent-based siting process. This document outlines the consent-based siting process DOE will use to achieve this goal. The consent-based siting process is flexible and adaptive and will be revised as DOE learns more from communities, stakeholders, states, and Tribes.

DOE must receive authorization from Congress to begin construction of a federal consolidated interim storage facility for commercial spent nuclear fuel. However, consistent with congressional direction and funding, DOE can pursue a range of activities relating to federal consolidated interim storage, also known as “monitored retrievable storage” under existing authority. This includes collaborating with the public and potentially interested communities on the consent-based siting process and working to identify an interim storage site. Current law, including Subtitle C of Title I of the NWSA of 1982, as amended, allows the Department to

proceed with a consent-based siting process, negotiate an agreement with a host community, and design and seek a license for an interim storage facility. DOE anticipates that an interim storage facility would need to operate until the fuel can be moved to final disposal. The duration of the interim period depends on the completion of a series of significant steps, such as the need to identify, license, and construct a facility, plus the time needed to move the spent nuclear fuel. Further development and operation of a federal interim storage facility are subject to the resolution of specific constraints that would need to be addressed.

While DOE’s current activities are specifically focused on establishing federal interim storage capability, a permanent disposal solution for spent nuclear fuel and high-level radioactive waste will still be needed. DOE will apply lessons learned from consent-based siting for one or more interim storage facilities to future siting efforts for other elements of an integrated nuclear waste management system. An integrated waste management system will include consolidated interim storage capacity, a permanent disposal pathway, and the transportation infrastructure needed to move spent nuclear fuel and high-level radioactive waste from one place to another.

⁶ The term “spent nuclear fuel” is often used interchangeably with “used nuclear fuel” or “nuclear waste.”

4. CHANGES IN THIS REVISION TO THE 2017 CONSENT-BASED SITING PROCESS

The consent-based siting process described in this document retains many of the features and characteristics of the draft consent-based siting process published in 2017 – and, most importantly, it shares the same core commitment to a fundamentally collaborative, consent-based, flexible, and adaptive approach to siting. However, this document incorporates some changes and updates from the 2017 version, including changes that respond to additional public input and new congressional direction since 2017. The key differences are summarized below.

a) Current focus on siting one or more federal facilities for consolidated interim storage.

DOE's 2017 draft consent-based siting process encompassed multiple types of nuclear waste management facilities (including facilities for interim storage and deep geologic disposal). Given congressional direction and appropriations, DOE is currently focused on siting only federal consolidated interim storage facilities.⁷ DOE continues to support R&D on options for permanent disposal as well.

The Department is simultaneously working to develop a comprehensive, integrated strategy for the management and disposal of spent nuclear fuel and high-level radioactive waste. Establishing a federal consolidated interim storage facility is an important element of such a system because it will allow for the removal of spent nuclear fuel from reactor sites until a final disposal pathway is determined, promote new jobs and economic

opportunities for host communities, and begin reducing U.S. taxpayers' exposure to financial liability as a result of the federal government's failure to meet a statutory and contractual deadline to start accepting spent nuclear fuel in 1998.⁸ Success in developing a federal consolidated interim storage facility will also provide useful research opportunities for DOE and help to build trust with communities, stakeholders, states, and Tribes by demonstrating a new approach to siting.

b) Greater emphasis on equity and environmental justice.

Comments submitted in response to DOE's 2017 draft consent-based siting process and the 2021 RFI underscore the need to build trust between communities and DOE, ensure fairness in the stakeholder engagement process as a matter of procedural justice, acknowledge historical harms to disadvantaged communities, and prevent any targeting of underserved and vulnerable communities going forward. In the broadest sense, justice and equity principles demand "appropriate and meaningful inclusion" of diverse communities, stakeholders, states, and Tribes in decisions that affect them.

These principles also require that "people are treated fairly" both procedurally and in terms of how costs, privileges, rights, and benefits of decisions are distributed. There is also a growing understanding that "intergenerational considerations" matter, particularly when talking about decisions that involve long time periods, such as how to manage spent nuclear fuel. Finally, respect for the self-determination of communities also continues to be an important consideration for

⁷ Although the NWPA contemplates that only one such facility will be selected, it expressly allows multiple sites to be considered. Compare NWPA, Section 144 ("the Secretary may conduct a survey and evaluation of potential suitable sites for a monitored retrievable storage facility.") (emphasis added) with NWPA, Section 145(a) ("The Secretary may select the site ... that the Secretary determines ... to be the most suitable[.]") (emphasis added). Selection of more than one site would require Congressional authorization.

⁸ The U.S. Treasury's Judgment Fund has already paid over \$10 billion in settlements and judgments to spent nuclear fuel contract holders to cover the costs of storage at reactor sites attributable to DOE's partial breach. The federal government's remaining liability is currently estimated at approximately \$30.9 billion.



those who may desire to learn more about the potential benefits and drawbacks of hosting a consolidated interim storage facility. The right to voluntarily proceed or withdraw from DOE's consent-based siting process at a community's own discretion will be critically important to interested communities and all parties who may accept federal resources to conduct or participate in public engagement activities on consent-based siting.

c) Increased role for potential host communities in developing additional site-specific assessment criteria.

Unlike the 2017 draft consent-based siting process, this document does not include initial siting considerations or screening criteria. DOE is developing separate guidance on these topics, which will be published in the early phases of its consent-based siting process. In this revision, interested communities will have an opportunity to develop additional, site-specific criteria early in the consent-based siting process to ensure that hosting a facility aligns with their goals and interests (see Section 7, Phase 2 for details).

d) Increased use of funding opportunities to support meaningful community participation.

The provisions for funding opportunities to be issued (subject to annual congressional appropriations) are included in each phase of the siting process, up to the implementation phase, to support community involvement and collaboration in key activities. In addition to these opportunities, communities may engage with DOE's consent-based siting process through other avenues. For example, communities may become involved in citizen science projects, focus groups, and other activities.

Some of these additional opportunities will be designed in collaboration with communities; relevant Tribal, state, and local governments; and applicable stakeholders, and will thus evolve over time. Funding for communities to participate in facility implementation will continue based on the terms agreed to in consent-based agreements and will be subject to the availability of appropriations. A consent-based agreement will be a legally binding contract that governs the terms and conditions that need to be met (and maintained) between DOE and the host community to site a federal consolidated interim storage facility.

5. FUNDAMENTALS OF CONSENT-BASED SITING

In general, siting is a process for determining where a facility (of any kind) should be physically located. The siting process determines key parameters such as which communities might host a facility, how a potential host community may be involved in the decision-making process, and where the facility could be built within the community. Siting processes include social, economic, and technical considerations. On the social and economic side, the public can participate in the siting process in a variety of ways, including through public meetings and hearings, advisory panels, studies that assess community well-being and long-term planning, and other outreach or educational efforts.

On the technical side, studies such as geologic site characterizations and environmental analyses are conducted, as appropriate, and will include public participation to the extent practical. These types of studies investigate whether a potential site and facility will be protective of human health and the environment and meet all applicable regulatory requirements. In addition, any major federal action related to a proposal to site, construct, operate, and ultimately close a spent nuclear fuel storage or disposal facility, including associated transportation, must comply with the requirements of the National Environmental Policy Act (NEPA).⁹

Consent-based siting is an approach to siting facilities that prioritizes the participation and needs of people and communities and seeks their willing and informed consent to accept a project in their community. DOE is firmly committed to a consent-based approach to siting one or more consolidated interim storage facilities that enables meaningful and inclusive public participation, addresses community well-being and community needs, and centers equity and environmental justice as core values. A consent-based siting process must, by nature, be flexible, iterative,

and adaptive. Accordingly, consent-based siting processes will evolve and be strengthened through ongoing engagement with communities; Tribes; elected officials at the local, state, and federal level; and other interested parties. The process will align with the goals and aspirations of host communities, and support of community well-being. While a consent-based siting process is flexible and adaptive, it must also ensure that future spent nuclear fuel management facilities will protect human health and the environment by complying with all applicable regulatory requirements.

DOE's consent-based siting process for one or more federal consolidated interim storage facilities for spent nuclear fuel will be guided by the following values and principles:

- **Prioritization of Health and Safety** – The highest priority will be to site, design, construct, operate, and close one or more spent nuclear fuel management facilities in a safe and secure manner that is protective of workers, surrounding communities, and the environment.
- **Environmental Responsibility** – The siting process will support the development, construction, operation, and closure of facilities that successfully isolate radioactive materials from the environment and use best practices with respect to rigorous planning, implementation, and monitoring.
- **Regulatory Requirements** – The siting process will support the development of facilities that meet or exceed applicable regulatory requirements. Regulatory requirements will be applied rigorously and transparently.
- **Value Relationships with Tribal Nations** – The siting process will respect Tribal sovereignty

⁹ NEPA, <https://www.ceq.doe.gov/index.html>

and self-determination, lands, assets, resources, and treaty and other federally recognized and reserved rights. The process will take into account siting impacts on sacred Tribal lands, and other areas and resources of religious or cultural significance, as well as recognizing the need for Tribes' early and meaningful involvement. The importance of recognizing Tribes' special trust relationship with the federal government in the siting process is discussed further in Section 8 of this document.

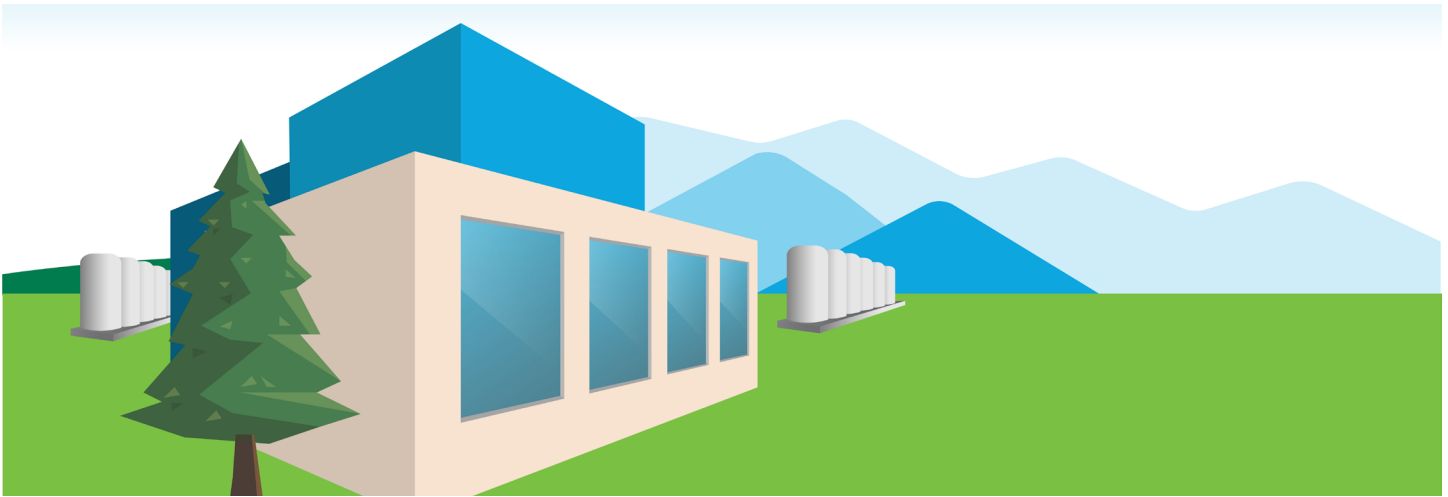
- **Environmental Justice** – The consent-based siting process will pursue fair treatment and meaningful involvement of all people. The process will also embrace environmental justice principles and comply with federal requirements and guidance on these issues.
- **Informed Participation** – Consent is not meaningful unless it is informed. This means that DOE will share information and provide financial and technical resources to communities to enable effective participation and provide for informed decision-making.
- **Equal Treatment and Full Consideration of Impacts** – The siting process will be conducted in a manner that is considerate of parties who are or may reasonably be affected, identifies and shares information about potential impacts, and makes explicit the role of fairness and equity considerations in decision-making. Under current authority, DOE is legally responsible for implementing the waste management program.
- **Community Well-Being** – Communities will want to weigh the potential opportunities and risks of hosting a facility, including the positive and negative social, economic, environmental, and cultural effects. To ensure that the siting process is fair and durable, consideration of all these impacts and benefits will be integral to the siting process.
- **Right to Volunteer and Withdraw** – Participation in DOE's consent-based siting process will

be voluntary and communities will be able to volunteer on their own accord. Further, a community that volunteers to be considered for hosting a spent nuclear fuel management facility will reserve the option to reconsider and withdraw itself from further participation up to the point that a consent-based agreement has been signed. Specific terms of reconsideration and withdrawal can be negotiated as part of the consent-based agreement. A consent-based agreement is referred to in the NWPA as a "benefits agreement."

- **Transparency** – DOE will be open to input throughout the siting process and transparent with respect to how decisions are made. Every effort will be made to share information and input with all participants in the process and explain how this information and input is being considered or applied. DOE's consent-based siting process will be objective and science-based and implemented in a transparent manner with easily observed and evaluated steps.
- **Stepwise and Collaborative Decision-Making** – The implementation will be done in consultation with interested communities, stakeholders, states and Tribes. Decisions will be based on sound social, technical, and scientific siting considerations and regulatory requirements will be applied rigorously and transparently. The siting process will recognize the value of supporting broad participation, encouraging multiple applications, and keeping options open, especially in the early phases of the siting process.



6. KEY ROLES OF TRIBES AND STATES



The public comments DOE has received consistently emphasize the central role of elected officials at the Tribal, state, and local government levels in consent-based siting. Tribes and states have recognized powers that require special attention throughout such a process. Tribes and states are responsible for protecting the health and safety of their citizens and states may have jurisdiction over their local authorities. Tribes are sovereign nations that hold decision-making authority on their lands.¹⁰ The federal government has a responsibility to recognize Tribal governments and to protect Tribal sovereignty and self-determination; Tribal lands, assets, resources; and treaty and other federally recognized and reserved rights. In the United States, “Federal Indian [i.e., Tribal] reservations are generally exempt from state jurisdiction, including taxation, except when Congress specifically authorizes such jurisdiction.”

In addition, Tribes retain treaty rights and Tribal interests in large areas beyond reservations. Nuclear waste legislation over the past four decades, including the NWSA, has consistently recognized the fundamental and distinct roles of Tribes and states in the federal system. DOE’s consent-based siting process described

in this document builds and improves from this foundation. The consent-based siting process will follow applicable provisions in the NWSA concerning Tribes, states, and affected units of local government. In the case of the government-to-government relationship with Tribal Nations, the consent-based siting process will also follow DOE’s American Indian and Alaska Native Tribal Government Policy and implementation guidance, as well as broader federal guidance including Executive Order 13175 concerning “Consultation and Coordination with Indian Tribal Governments” and the presidential memorandum of January 26, 2021, concerning “Tribal Consultation and Strengthening Nation-to-Nation Relationships.”

Throughout the consent-based siting process, DOE will also seek to engage and communicate with Tribes and states adjacent to the host, while also initiating conversations with new and existing stakeholders that the Department has not successfully reached in the past. From the outset, these conversations will also include other affected jurisdictions in accordance with relevant executive orders, statutes, and regulations.

¹⁰. What is a federal Indian reservation?, <https://www.bia.gov/faqs/what-federal-indian-reservation>

7. CONSENT-BASED SITING PROCESS

Figure 1 illustrates DOE’s road map for its consent-based siting process. This road map has been updated from the 2017 version, primarily based on stakeholder feedback, and highlights a sequence of activities across three broad stages in the siting process:

- 1. Planning and Capacity Building (includes phases 1A and 1B),**
- 2. Site-Screening and Assessment (includes phases 2, 3, and 4), and**
- 3. Negotiation and Implementation (includes phases 5, 6A, and 6B).**

DOE’s aim in this document is to offer general direction, not to set out a rigid blueprint to be followed. Because siting processes for complex and controversial facilities are inherently unique and, for federal facilities, are subject to appropriations and authorization constraints, the steps described here may not occur exactly in the sequence described and may need to be modified in collaboration with participating communities. In addition, some steps could proceed in parallel with others.

While each phase of DOE’s consent-based siting process has unique elements, they share a common theme: the provision of resources to communities and communities’ voluntary participation in the process. In phases 1–5, federal funding would be provided to interested parties to learn more, increase engagement, and strengthen their capacity to participate in the consent-based siting process.¹¹ Initially, in Phase 1, federal resources can be directed primarily to community engagement, information sharing, and relationship building. DOE will not ask communities to volunteer to host a facility during Phase 1. Rather, a wide range of communities could participate in Phase 1 simply to learn more about spent nuclear fuel, consent-based siting, and the role an interim storage facility could play in the long-term planning and vision for the community. In Phase 2, communities may use funds to support their review of basic site selection and facility design criteria at

the community level to assess social, environmental, and technical feasibility. This could include creating activities for mutual learning or hiring experts to help communities carry out analyses that they decide would be necessary or helpful. In Phase 2, and thereafter, initial volunteer host communities will be sought, technical assessments will be conducted, and qualified and interested communities will have an opportunity to evaluate their options and choose to proceed, or not, to the next phase of the process.

It is important to note that an interested community does not need to participate in federal funding opportunities to be considered a potential volunteer host community. DOE will work with all communities that are interested in formally volunteering to be considered to host a facility in Phase 2 and beyond. DOE will establish a formal mechanism (e.g., via a request for information, funding opportunity announcement, or other application process for interested communities to “raise their hand” to be considered) to host a site using DOE’s consent-based siting process.

Communities may enter the consent-based siting process at any phase, but DOE’s expectation is that any community interested in participating:

- a) will generally follow (or have generally followed) DOE’s consent-based siting process, and
- b) reasonably demonstrate that
 1. members of the community are willing and informed, and
 2. issues of environmental justice have been addressed within the involved community.

Beginning with preliminary site assessment in Phase 2 and beyond, collaborative activities become more place-based and aimed at exploring potential volunteer host communities and sites. By providing resources to support community participation in the process, emphasizing the voluntary nature of the decision to collaborate, and demonstrating a strong commitment to listen and enable mutual learning, DOE hopes to achieve a more inclusive and fair process.

¹¹ As noted, funding for all awards and future budget periods are contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority.

PLANNING AND CAPACITY BUILDING STAGE (ANTICIPATED REMAINING DURATION 2-3 YEARS)

PHASE 1A: PLANNING (COMPLETE)

- ✓ Receive authority and funding
- ✓ Initiate outreach and engagement
- ✓ Issue request for information (RFI)
- ✓ Issue RFI summary analysis report
- ✓ Issue revised consent-based siting process
- ✓ Prepare for Phase 1B

PHASE 1B: BUILD CAPACITY (2-3 YEARS)

- ✓ Issue Funding Opportunity Announcement (FOA) to provide resources to communities interested in learning more
- Conduct robust outreach and engagement
- Enable mutual learning
- Refine consent-based siting process
- ★ **DOE is not looking for volunteer hosts in this phase**

SITE SCREENING AND ASSESSMENT STAGE (ANTICIPATED DURATION 4-7 YEARS)

PHASE 2: SITE SCREENING AND ADDITIONAL CRITERIA DEVELOPMENT (1-2 YEARS)

- Conduct robust outreach and engagement
- Issue list of screening criteria and assessment criteria
- ★ **DOE issues national call for volunteers**
- Issue FOA for community-led development of additional site-specific criteria

➡ Qualified and interested communities decide to proceed (or not) to next phase

PHASE 3: PRELIMINARY ASSESSMENT (1-2 YEARS)

- Conduct robust outreach and engagement
- Issue FOA for DOE-led preliminary assessment evaluation of sites in collaboration with communities

➡ Qualified and interested communities decide to proceed (or not) to next phase

PHASE 4: DETAILED ASSESSMENT (2-3 YEARS)

- Conduct robust outreach and engagement
- Issue FOA for DOE-led detailed assessment evaluation of sites in collaboration with communities

➡ Qualified and interested communities decide to proceed (or not) to next phase

NEGOTIATION AND IMPLEMENTATION STAGE (ANTICIPATED DURATION TO INITIAL OPERATION READINESS 4-5 YEARS)

PHASE 5: SITE(S) SELECTION AND NEGOTIATION (1 YEAR)

- Conduct robust outreach and engagement
- Issue FOA for communities to develop and negotiate terms and conditions of consent agreement(s)
- Consent agreement(s) are signed between hosts and DOE

PHASE 6A: LICENSING AND CONSTRUCTION (3-4 YEARS)

- Conduct robust outreach and engagement
- License and construct facility
- ★ **Facility ready to operate**

PHASE 6B - FACILITY OPERATION, CLOSING, AND DECOMMISSIONING (LENGTH OF OPERATION DEPENDS ON NEGOTIATED AGREEMENTS WITH HOST COMMUNITIES AND THE TIMELINE FOR PERMANENT DISPOSAL CAPABILITY).

- Conduct robust outreach and engagement
- ★ **Facility starts operation**
- Complete construction of additional expansion phases as needed
- Complete closure and decommissioning

7.1 PLANNING AND CAPACITY BUILDING STAGE

The Planning and Capacity Building Stage is the first stage of this process and consists of phases 1A and 1B, which focus on the consent-based siting process, building relationships along with increasing capacity, and developing a common understanding of nuclear waste management and associated topics.

Phase 1A: Planning

This phase was completed in mid-2022 and was focused on collecting public feedback and planning for consent-based siting. The major activities of this phase included:

Activity	Description	Status
Receive congressional authorization	In the Consolidated Appropriations Act, 2021, the Consolidated Appropriations Act, 2022, and the Consolidated Appropriations Act, 2023, Congress directed and provided funds for the Department to move forward on establishing and pursuing a federal interim storage capability (as described in more detail in Section 3 above).	Complete
Initiate public engagement and outreach	DOE initiated public engagement by issuing a RFI titled “Using a Consent-Based Siting Process to Identify Federal Interim Storage Facilities” (86 FR 68244) on December 1, 2021. The RFI requested feedback on using a consent-based siting process to identify sites to store the Nation’s spent nuclear fuel. DOE also held a press conference, a webinar, and participated in multiple meetings, discussions, and conferences as requested by the public. In this phase DOE attempted to learn more about how the public wants to hear from the Department, and what type of information the public and interested parties would like DOE to provide. Engagement and outreach will continue throughout the life cycle of the consent-based siting process, although the shape and form of these activities will change depending on the phase.	Complete
Collect public input	Approximately 225 submissions were received in response to the 2021 RFI. Responses to the RFI have informed next steps, including development of this updated consent-based siting process document, consideration of a funding opportunity for interested groups and communities, and a strategy for an integrated waste management system.	Complete

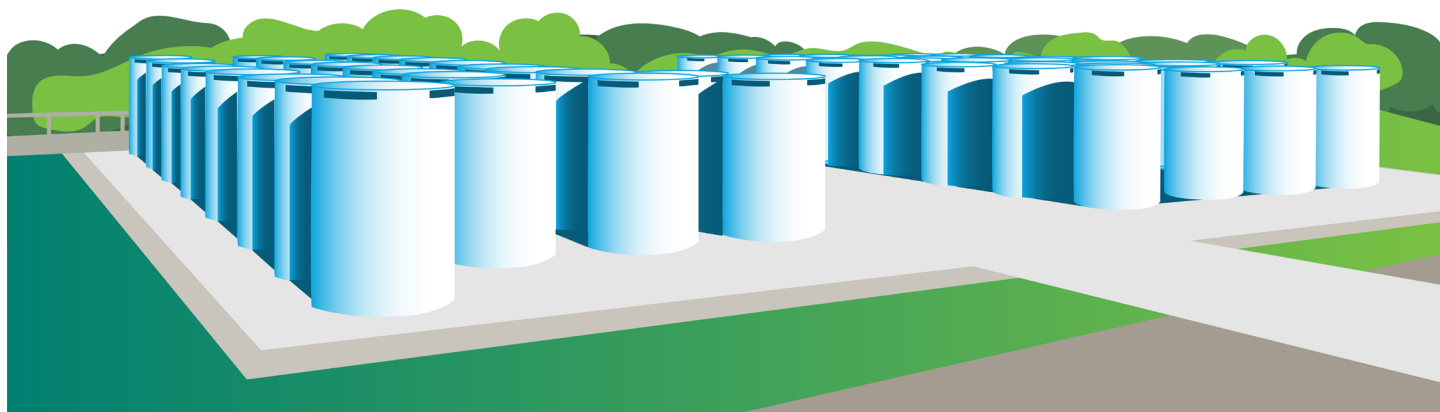
Table 1. Phase 1A: Planning

Activity	Description	Status
Issue report summarizing analysis of public feedback	Responses to the 2021 RFI, along with comments on the 2017 draft consent based siting process were carefully analyzed and a summary of findings was published on DOE's website in September 2022. See www.energy.gov/consentbasedsiting	Complete
Issue revised consent-based siting process	This document reflects public feedback and policy changes since 2017 (e.g., the current focus on federal consolidated storage capability per congressional direction). A summary of changes since 2017 is included in Section 4 above.	Complete
Prepare FOA to support Phase 1B	Multiple public comments in response to the 2021 RFI and prior feedback stressed the need to provide resources to communities to allow them to learn more and educate themselves on their own terms. In this phase, DOE prepared a FOA to be issued in Phase 1B.	Complete

Table 1. Phase 1A: Planning (continued)

Phase 1B: Building Capacity

Consistent with public feedback, this phase focuses on providing federal support and resources to allow communities the opportunity for more in-depth engagement, mutual learning, and building capacity among its members. It is important to note that DOE is not looking for volunteer host communities to express their interest in hosting a facility in this phase. At the time of publication of this document, this is the current Phase of the consent-based siting process. The following activities have been initiated and have an anticipated duration of two to three years.



Activity	Description	Status
Conduct robust public engagement and outreach	Engagement and outreach activities continue in this phase. Early on, DOE will focus on issuing a FOA (described below) and building awareness of its consent-based siting process. The FOA in this phase will center on engagement and outreach. Other activities will provide general awareness, help DOE analyze information and resource needs in FOA recipients' activities, and provide additional engagement opportunities.	Initiated
Issue FOA	DOE issued a FOA in September 2022. The FOA is intended to provide meaningful resources in support of more comprehensive engagement with interested communities, Tribes, government officials, members of academia, non-governmental organizations, industry, and members of the public than has occurred to date. Topics for this engagement may include additional input to its consent-based siting process, exploration of the role that one or more federal consolidated interim storage facilities may play in a community, community visioning, mapping public values and goals, and topics associated with nuclear waste management. FOA is available at www.energy.gov/consentbasedsiting	Complete. Application period closed Jan. 31, 2023 after an extension to the original date of Dec. 19, 2022.
Evaluate applications and award funding	Funding awards will be made to qualified applicants in accordance with the FOA selection criteria.	Awards anticipated to be made six months after FOA release
Work with funding recipients to enable mutual learning	DOE will work with FOA recipients to listen and enable mutual learning. Details will be subject to the FOA provisions and FOA application proposals.	During FOA period of performance (18-24 months)
Refine consent-based siting process	This document is expected to be updated, based on dialogue and information obtained through this phase. The process will be updated in later phases as needed.	Not started
Prepare for Phase 2 FOA and activities	Planning for the Phase 2 FOA will be conducted based on lessons learned during this phase.	Not started

Table 2. Phase 1B: Building Capacity

Among communities that participate in Phase 1B, some may wish to continue to participate and move to Phase 2. Participation in Phase 1B is not required to participate in Stage 2.



7.2 SITE-SCREENING AND ASSESSMENT STAGE

The Site-Screening and Assessment Stage is the second stage of the process and includes three broad phases. These phases gradually transition from planning and learning to broad discussions about general site criteria characteristics of importance and site selection considerations. It starts with DOE issuing a list of site-screening and preliminary assessment criteria. Then, DOE will issue a national call for volunteer host communities followed by interested communities responding with an expression of interest.

This second stage offers a wide range of opportunities for voluntary participation by interested communities. Funding is made available to communities to allow for their meaningful participation. Participation could take the form of assistance with community planning, economic development strategies, or visioning activities, as well as efforts to investigate the risks and benefits of hosting a facility. One result could be an articulation of a community's values and vision for the future. Another result could be a community strategic plan, or economic plan centered around, or in consideration of, a federal consolidated interim storage facility. This stage

also provides the opportunity to address equity and environmental justice concerns and integrate different viewpoints. With a clearer vision of its long-term objectives, a community can more easily evaluate the different impacts of hosting a facility — including impacts on local economic development, labor market, transportation infrastructure, public safety infrastructure, utilities, energy, and community services — and reach a conclusion about whether those impacts align with the community's values and priorities. Importantly, communities may choose to use funds derived from the FOA to hire their own independent experts to assist with these activities. DOE will discuss its decision-making processes and the bases for its decisions clearly and openly with the community prior to, during, and after the assessment phases. Communities, in turn, may develop and determine the best approaches for their own decision-making processes.

Phase 2: Site-Screening and Additional Criteria Development

This phase focuses on early screening of communities interested in considering being a volunteer site and allowing the interested communities to develop a set of additional screening/assessment criteria to address issues of importance to their community. The following activities have an anticipated duration of one to two years.

Activity	Description
Conduct robust public engagement and outreach	DOE continues outreach and engagement activities with communities; affected Tribal, state, and local governments; and relevant stakeholders.
Issue a list of screening criteria and initial set of assessment criteria	In the beginning of this phase, DOE will make a list of screening criteria and initial assessment criteria publicly available. The technical, social, and logistical screening criteria will be based on high-level, readily detectable factors that could exclude a community from further consideration. These criteria will be used by an interested community to determine if they qualify to be considered as a potential host. Preliminary assessment criteria will be made public with the aim of allowing interested communities to see if they wish to develop additional criteria to ensure protection of values that are particularly important to them (this might include, for example, specific geographic, economic, environmental justice, and cultural considerations).
Issue call for volunteer host communities	DOE issues a formal notice for communities to volunteer by expressing initial, non-binding interest in being considered as a potential host community. Communities can “raise their hand” either by responding with a letter stating their formal expression of interest or by applying for the FOA described later in this phase. While applying for the FOA is not required to be considered as a potential host, communities will self-evaluate their initial suitability based on the screening criteria, and the Department will confirm these self-evaluations while reviewing communities’ expressions of interest or FOA applications.
Issue FOA, evaluate FOA applications, and award funding	The FOA is for qualified communities to evaluate existing screening criteria and develop additional, site-specific criteria. DOE will evaluate applications against selection criteria and other criteria specified in the FOA.
Communities develop additional criteria	Interested communities assess existing screening criteria and develop a list of additional criteria that may be of importance to each community. These criteria may include geological, geographical, and environmental factors; community/regional sentiment; cultural elements; demographics; decision-making capacity; socioeconomic resilience; or other factors. Communities may wish to develop such criteria on their own, with the help of independent experts, or request DOE to develop criteria collaboratively.
Communities interested and qualified by DOE decide to move to the next phase	Interested communities, including those that participated in the FOA and those that expressed interest to be formally considered a volunteer host community and did not participate in FOA, request a preliminary assessment of a candidate site.
Refine consent-based siting process	This document is expected to be updated, based on dialogue and information exchanged throughout this phase.
Prepare for Phase 3 FOA	Planning for the Phase 3 FOA will be conducted based on lessons learned during this phase.

Table 3. Phase 2: Site-Screening and Additional Criteria Development

Phase 3: Preliminary Site Assessment

This phase builds on results from Phase 2 and includes technical surveys and analyses along with a parallel exploration of host community considerations. The following activities have an anticipated duration of 1-2 years.

Activity	Description
Conduct robust public engagement and outreach	DOE will continue outreach and engagement activities with communities; affected Tribal, state, and local governments; and relevant stakeholders.
Issue FOA, review application, issue awards	A FOA will be issued for interested and qualified communities to support community participation in the preliminary assessment. Applications will be reviewed against selection criteria and awards will be made to qualified applicants.
DOE conducts preliminary site assessment with community participation	DOE will conduct preliminary assessments of each site, including a preliminary consideration of each of the suitability factors set forth in Section 144 of the NWPA. Communities will determine how they would like to participate in the assessment. In addition, communities will identify any additional features of interest that would be important in terms of supporting community wellbeing. Facility design and features, as well as amount and sources of spent nuclear fuel, are expected to be discussed with the communities. Communities will start assessing other benefits that they would like to see as a part of the economic development.
Communities interested and qualified by DOE decide to move to the next phase	One or more communities voluntarily participating in DOE’s consent-based siting process that pass the preliminary site assessment will decide whether to request a more detailed assessment.
Refine consent-based siting process	This document is expected to be updated based on dialogue and information exchanged throughout this phase.
Prepare for Phase 4 FOA	Planning for the Phase 4 FOA will be conducted based on lessons learned during this phase.

Table 4. Phase 3: Preliminary Site Assessment



Phase 4: Detailed Site Assessment

This phase focuses on a comprehensive technical and environmental review of the location(s) being considered to support facility design and licensing along with continuing community participation and evaluation. The following activities have an anticipated duration of two to three years.

Activity	Description
Conduct robust public engagement and outreach	DOE continues outreach and engagement activities with communities; affected Tribal, state, and local governments; and relevant stakeholders.
Issue FOA, review application, issue awards	DOE issues a FOA for interested and qualified communities to support community participation in detailed assessment. Applications will be reviewed against criteria identified in the FOA.
DOE conducts detailed assessment with community participation	DOE conducts detailed assessment of each interested and qualified volunteer site in an open, collaborative, and transparent manner. This assessment will include a detailed consideration of the suitability factors specified in Section 144 of the NWPA as well as site-specific activities in accordance with Section 145 of the NWPA. Communities will determine how they would like to participate in the assessment. Data obtained working alongside a given community will be used to finalize the facility design, satisfy requirements of NEPA – in accordance with Section 145(d) of the NWPA – and other environmental laws, and prepare license application documentation.
Communities interested and qualified by DOE decide to move to the next phase	One or more communities voluntarily participating in DOE’s consent-based siting process that are determined to be suitable after the detailed site assessment will decide whether to move to a negotiation phase.
Refine consent-based siting process	This document is expected to be updated based on dialogue and information exchanged throughout this phase.
Prepare for Phase 5 FOA	Planning for the next phase FOA will be conducted based on lessons learned during this phase.

Table 5. Phase 4: Detailed Site Assessment

It is expected that each of these phases in the Site-Screening and Assessment Stage will generate a public report that documents the process and details outcomes from each assessment developed by DOE in collaboration with one or more participating communities.

7.3 NEGOTIATION AND IMPLEMENTATION STAGE

The Negotiation and Implementation Stage is the third and final stage of DOE’s consent-based siting process and includes two broad phases. These phases include DOE’s selection of one or more sites, and the subsequent negotiation of a durable consent-based agreement between a qualified and willing host community and DOE. This is followed by activities related to facility licensing, construction, and operation.

Phase 5: Site(s) Selection and Negotiation

Within this phase, federal funding will be provided to support a community’s development of proposed terms and conditions for hosting a facility and the community’s subsequent negotiations with DOE. The following activities have an anticipated duration of one year.

Activity	Description
Conduct robust public engagement and outreach	DOE will continue outreach and engagement activities with communities; affected jurisdictions of local, Tribal, state governments; and relevant stakeholders. The activities will include all necessary notifications required under Sections 145(e) and (f) of the NWPRA.
Preliminary site selection	Upon review of all the information collected during the consent-based siting process, DOE will select one or more sites to host a federal consolidated interim storage facility. ¹² This will include careful consideration of all the social, technical, and scientific data, as well as other relevant information to inform the decision.
Issue FOA, review applications, award grants	Federal funding will be provided to support a community’s development of proposed terms and conditions for hosting a facility and its subsequent negotiations with DOE. Applications will be reviewed, and funding awarded to qualified recipients.
Community develops terms and conditions	The community drafts and proposes the terms and conditions of an agreement with DOE to host the facility. Terms and conditions will vary from community to community, but may include items such as finalizing the types and amounts of spent nuclear fuel that can be accepted at the storage site(s), and may include additional information such as emergency response protocols, additional regulatory requirements, terms for governance and oversight, modes of facility operation, conditions and performance metrics, economic development commitments, access to information, communication and reporting commitments, non-federal co-oversight options, and terms for continued engagement and dialogue.

Table 6. Phase 5: Site(s) Selection and Negotiation

¹². Phase 5: Site(s) Selection and Negotiation.

Activity	Description
Negotiate terms and conditions of consent-based agreement	The community and DOE discuss, collaborate, and negotiate to achieve a workable, durable consent-based agreement. Any potential terms and conditions that are inconsistent with the requirements in the NWPA concerning a benefits agreement would require congressional authorization. ¹³ DOE and the community determine whether to enter into a formal consent-based agreement.
Final site selection. Sign consent-based agreement(s) ¹⁴	The community determines the method to be used to ratify the consent-based agreement that the community considers suitable. If the agreement is ratified, DOE and the community accept its terms, and all required parties sign. Agreement is approved by the necessary parties and finalized. If an agreement is reached and these steps occur, then the parties will proceed to the next phase.

Table 6. Phase 5: Site(s) Selection and Negotiation (continued)

Phase 6: Implementation

This phase encompasses comprehensive efforts, spanning multiple decades, conducted in partnership between the volunteer host community and DOE, and grounded in the terms and conditions of the consent-based agreement. Phase 6A includes the steps necessary to obtain a facility license and the activities have an anticipated duration of three to four years. Phase 6B involves facility construction, operation, closing, and decommissioning with a duration based on negotiated agreements with host communities and the timeline for permanent disposal capability.

Phase 6A – Licensing and Construction	
Activity	Description
Conduct robust public engagement and outreach	DOE continues outreach and engagement activities with communities, stakeholders, states, and Tribes.
License facility	DOE and the community work together to finalize the design, safety analysis, license application(s), and environmental impact statement in accordance with Section 148(a) of the NWPA. The license application is submitted to the Nuclear Regulatory Commission (NRC) for review and decision. NRC considers the application under the laws and regulations applicable to the specific type of facility proposed, with opportunities for involvement by other parties as provided in those laws and regulations.

Table 7. Phase 6A & 6B: Implementation

¹³. See, e.g., NWPA, sections 170 and 171.

¹⁴. Section 170(e) of the NWPA permits only one benefits agreement for a federal consolidated interim storage facility to be in effect at any one time. Execution of more than one benefits agreement would require congressional authorization.

Activity	Description
Construct a facility	Given the constraints set forth in the NWPA, congressional authorization would be required to start facility construction. Assuming all necessary authorizations are in place, DOE constructs the facility. Depending on facility size and capacity, construction is likely to occur in phases. Preparations for transportation and other logistical and infrastructure steps are finalized several years prior to start of operation. DOE continues to work collaboratively with the community to ensure commitments to the community are maintained and upheld throughout this phase. At the end of this phase, the facility is ready to receive spent nuclear fuel.
Phase 6B - Facility Operation, Closing, and Decommissioning (length of operation depends on negotiated agreements with host communities and the timeline for permanent disposal capability).	
Operate the facility	The facility operates under DOE management and DOE continues to work collaboratively with the host community to ensure commitments to the community are maintained and upheld throughout the lifetime of the facility. The length of facility operation and conditions of operating extensions will be defined by terms and conditions in the consent-based agreement negotiated between the host community and DOE.
Close and decommission the facility	DOE and the community work together to close and decommission the facility under the terms agreed to in the consent-based agreement achieved under the consent-based siting process, and consistent with applicable statutory and regulatory requirements. DOE conducts any other needed activities post-decommissioning.

Table 7. Phases 6A & 6B: Implementation (continued)

8. PROPOSED APPROACH TO THE ISSUE OF CONSENT



As the above sequence of stages and phases indicates, potential host communities and DOE, as the implementing organization, will confront multiple decision points throughout its consent-based siting process. Early on, communities can volunteer to participate without any restrictions or agreements in place with DOE; later in the process, more formal statements of consent leading to a durable agreement will be needed to proceed to subsequent phases.

Timely and frequent engagement with stakeholders will be critical to navigate each of these decision points in a way that is tailored to the local and regional contexts of potential host sites. In particular, key questions about the nature of consent and the mechanisms for registering consent will need to be discussed throughout the process, up to the point where a final agreement to move forward with a facility license application is signed.

In addition, the siting process will need to address a number of important issues and questions that cannot be specified in advance, but that will have to be resolved

through active consultation, dialogue, and engagement between DOE and affected parties, including Tribes, states, and regional and local governmental entities. Examples of such issues include how to address the concerns and interests of neighboring states and Tribes; how to identify and engage other key stakeholders; how proposed agreements, including benefits and incentives, will be reviewed and evaluated; and what type of cooperation and oversight role host jurisdictions have in the development, operation, and decommissioning of the proposed facility. New legislation may be required to resolve some of those issues.

DOE proposes to approach the question of consent — including what constitutes consent, how consent is to be determined, and the roles of communities, states, and Tribes in providing consent — as another issue to be negotiated with individual communities and appropriate levels of local, Tribal, and state governments. DOE anticipates that consent mechanisms may be different in each participating community.

9. ACCOUNTABILITY TO PUBLIC INPUT

As noted in the introduction, DOE has sought input on the topic of consent-based siting on multiple occasions and through multiple venues since 2015. Building on the recommendation of the Blue Ribbon Commission on America’s Nuclear Future, DOE issued an “Invitation for Public Comment to Inform the Design of a Consent-Based Siting Process for Nuclear Waste Storage and Disposal Facilities” in December 2015. The response to this invitation included more than 10,000 comments that spoke to critical issues such as trust, transparency, volunteerism, the nature of consent, and many other important questions. In 2016, DOE hosted, attended, or participated in more than 50 meetings and conferences, engaging with thousands of citizens on these issues. Feedback from these public meetings and from the 2015 invitation for public comment was summarized in a report titled “Designing a Consent-Based Siting Process: Summary of Public Input.”

DOE incorporated this input in its first draft consent-based siting process, issued in 2017. A request for public comment on that document generated an additional 30 public responses but the Department paused its work on consent-based siting between 2017 and 2021 given the change in Administration and resulting shift in priorities. As previously stated, subsequent to enactment

of the Consolidated Appropriations Act, 2021, the Department resumed work on consent-based siting, and issued a RFI on “Using a Consent-Based Siting Process to Identify Federal Interim Storage Facilities” (86 FR 68244) in December 2021. In general, feedback gathered by DOE, including from 225 unique responses to the RFI issued in 2021, has covered a wide range of issues and considerations. This included feedback on what “consent” is or isn’t, or how much consent is enough. DOE will not define “consent” up front because it could take different forms in different communities. Overall, this feedback points to five major areas for a viable engagement process:

- 1. provide resources to empower communities to participate meaningfully,
- 2. build trust with institutions and among participants,
- 3. ensure benefits outweigh drawbacks and no community is singled out,
- 4. respect self-determination in all aspects of consent, and
- 5. design fair, inclusive, flexible, and adaptive processes.

The table below summarizes actions DOE is taking to improve its approach to consent-based siting based on public feedback.

Common Themes in Public Feedback Related to a Viable Engagement Process	DOE’s Approach to Address the Public Feedback
Communities and interested stakeholders require funding to support their participation and independent involvement in the consent-based siting process.	DOE issued the first in a series of FOAs related to consent-based siting on Sept. 20, 2022. Subject to federal appropriations, DOE will make funding and other resources available to support the participation of interested communities and other relevant parties in the co-development and co-implementation of the consent-based siting process at each phase.
There is a lack of trust in DOE and DOE’s outreach and engagement practices.	The consent-based siting process will invest in building relationships with and provide opportunities for Tribes, states, local governments, communities, and stakeholders to learn about spent nuclear fuel management at their own pace, develop assessment tools and engagement processes, and engage with DOE. DOE is committed to listening to and learning from communities and stakeholder feedback.

Table 8. DOE’s Approach to Address Public Feedback

Common Themes in Public Feedback Related to a Viable Engagement Process	DOE's Approach to Address the Public Feedback
Host communities should meaningfully benefit from consenting to a facility and harm should be minimized. DOE should not “target” vulnerable communities in its search for a nuclear waste management facility and should avoid the perception of “bribing” communities to accept a facility.	Fairness entails meaningful inclusion of Tribes, states, local governments and diverse stakeholders in decision-making processes and outcomes. The consent-based siting process centers environmental justice and social equity. Consent-based siting is voluntary, so that the process itself does not target or exclude any particular community. DOE will place special emphasis on distributive justice, which refers to the unequal distribution of benefits and drawbacks of a project or action among communities, stakeholders, states, and Tribes.
For consent to be voluntary, communities should be able to decline hosting a facility and withdraw from participation at multiple points during the process.	DOE respects a community's right to make its own informed, voluntary decisions. Community participants in the consent-based siting process can freely enter and exit at any time, up to the point where a consent-based agreement is formally agreed to and signed.
Design fair processes tailored to specific communities, stakeholders, states, and Tribes with attention given to who consents and how.	DOE prioritizes the inclusion and representation of communities; local, Tribal and state governments; stakeholders; and individuals in the process. Requests for public input issued to date, as well as ongoing and future opportunities to provide feedback will help DOE make further refinements and ensure a fair and transparent siting process. DOE will place special emphasis on procedural justice, which addresses access to decision-making processes and equitable processes of decision-making.
DOE should engage in government-to-government consultation, recognizing the importance of Tribal sovereignty and trust responsibility.	DOE recognizes Tribal governments as sovereign governments that have primary authority and responsibility for the protection of the health, safety, and welfare of their citizens. DOE will build on the framework provided in “Department of Energy American Indian Tribal Government Interactions and Policy” (DOE Order 144.1) and the 2021 presidential memorandum on “Tribal Consultation and Strengthening Nation-To-Nation Relationships” to develop and implement a Tribal consultation and engagement strategy that will facilitate communication, collaboration, and consultation with Tribes as it relates to the consent-based siting process and activities that may impact Tribal resources, environments, and the health and welfare of Tribal citizens.

Table 8. DOE's Approach to Address Public Feedback (continued)

10. CONCLUSION AND OPPORTUNITIES FOR PROVIDING FURTHER INPUT

.....

The consent-based siting process described in this document is informed by DOE's engagement with the public, Tribes, states, local governments, multiple stakeholders, and other interested parties since 2015. It is also informed by numerous studies and siting experience in the U.S. and internationally. Following the release of this document, DOE plans to continue to provide opportunities for public dialogue and engagement through a FOA and other activities. Information on these activities will be available and updated regularly at: www.energy.gov/consentbasedsiting.

DOE also welcomes interested parties to contact the Department about consent-based siting and related issues at any time through the website listed above or directly, at consentbasedsiting@hq.doe.gov or 301-903-3301. While DOE's consent-based siting effort is focused on consolidated interim storage facilities

for spent nuclear fuel, the Department expects to apply what it learns through this process to the siting of permanent disposal and other waste management facilities in the future.

DOE appreciates the insights, suggestions, and feedback that many individuals and organizations have already provided to inform this effort. DOE looks forward to continuing an active dialogue with stakeholders and interested communities, Tribes, and states as it seeks to refine and implement a new approach to siting that reflects the best expertise and core values of a broad cross-section of participants and prioritizes people and communities. Moreover, a new and thoughtful approach to siting will lead to the production of safe, durable, and widely accepted solutions to the Nation's longstanding spent nuclear fuel management challenges.

.....