

# CONSENT-BASED SITING





**1**

Engage with  
the public  
and  
interested  
parties on the  
elements of a  
consent-  
based siting  
process

**2**

Design a  
consent-based  
siting process  
to serve as a  
flexible  
framework for  
engaging with  
potential host  
communities

**3**

Use  
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SEAs, with instructions, and will request that SEAs commence submitting FY 2015 data to the Census Bureau on Tuesday, February 2, 2016. SEAs are urged to submit accurate and complete data by Friday, March 18, 2016, to facilitate timely processing.

Submissions by SEAs to the Census Bureau will be analyzed for accuracy and returned to each SEA for verification. SEAs must submit all data, including any revisions to FY 2014 and FY 2015 data, to the Census Bureau no later than Monday, August 15, 2016. Any resubmissions of FY 2014 or FY 2015 data by SEAs in response to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau must be completed by Tuesday, September 6, 2016. Between August 15, 2016, and September 6, 2016, SEAs may also, on their own initiative, resubmit data to resolve issues not addressed in their final submission of NPEFS data by August 15, 2016. All outstanding data issues must be reconciled or resolved by the SEAs, NCES, and the Census Bureau as soon as possible, but no later than September 6, 2016.

In order to facilitate timely submission of data, the Census Bureau will send reminder notices to SEAs in May, June, and July of 2016.

Having accurate, consistent, and timely information is critical to an efficient and fair Department of Education (Department) allocation process and to the NCES statistical process. To ensure timely distribution of Federal education funds based on the best, most accurate data available, the Department establishes, for program funding allocation purposes, Monday, August 15, 2016, as the final date by which the SEAs must submit data using either the interactive survey form on the NPEFS data collection Web site at: <http://surveys.nces.ed.gov/ccdnpefs> or ED Form 2447.

Any resubmissions of FY 2014 or FY 2015 data by SEAs in response to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau must be completed through the interactive survey form on the NPEFS data collection Web site or ED Form 2447 by Tuesday, September 6, 2016. If an SEA submits revised data after the final deadline that result in a lower SPPE figure, the SEA's allocations may be adjusted downward, or the Department may direct the SEA to return funds. SEAs should be aware that all of these data are subject to audit and that, if any inaccuracies are discovered in the audit process, the Department may seek

recovery of overpayments for the applicable programs.

**Note:** The following are important dates in the data collection process for FY 2015:

February 2, 2016—SEAs can begin to submit accurate and complete data for FY 2015 and revisions to previously submitted data for FY 2014.

March 18, 2016—Date by which SEAs are urged to submit accurate and complete data for FY 2014 and FY 2015.

August 15, 2016—Mandatory final submission date for FY 2014 and FY 2015 data to be used for program funding allocation purposes.

September 6, 2016—Mandatory final deadline for responses by SEAs to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau. All data issues must be resolved.

If an SEA's submission is received by the Census Bureau after August 15, 2016, the SEA must show one of the following as proof that the submission was mailed on or before that date:

1. A legibly dated U.S. Postal Service postmark.

2. A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

3. A dated shipping label, invoice, or receipt from a commercial carrier.

4. Any other proof of mailing acceptable to the Secretary.

If the SEA mails ED Form 2447 through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

1. A private metered postmark.

2. A mail receipt that is not dated by the U.S. Postal Service.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an SEA should check with its local post office.

**Accessible Format:** Individuals with disabilities may obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to: Mr. Stephen Q. Cornman, NPEFS Project Director, National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education, Telephone: (202) 245-7753 or by email: [stephen.cornman@ed.gov](mailto:stephen.cornman@ed.gov).

**Electronic Access to This Document:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Authority:** 20 U.S.C. 9543.

Dated: December 18, 2015.

**Ruth Neild,**

Deputy Director for Policy and Research  
Delegated the Duties of the Director for the  
Institute of Education Sciences.

[FR Doc. 2015-32266 Filed 12-22-15; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF ENERGY

### Invitation for Public Comment To Inform the Design of a Consent-Based Siting Process for Nuclear Waste Storage and Disposal Facilities

**AGENCY:** Fuel Cycle Technologies, Office of Nuclear Energy, Department of Energy.

**ACTION:** Notice of Invitation for Public Comment (IPC).

**SUMMARY:** The U.S. Department of Energy (DOE) is implementing a consent-based siting process to establish an integrated waste management system to transport, store, and dispose of commercial spent nuclear fuel and high level defense radioactive waste. In a consent-based siting approach, DOE will work with communities, tribal governments and states across the country that express interest in hosting any of the facilities identified as part of an integrated waste management system. As part of this process, the Department wants public input on implementing this system. In order to solicit public feedback, DOE is submitting this Invitation for Public Comment (IPC). Through this IPC, we are requesting feedback from communities, states, Tribes, and other interested stakeholders on how to design a consent-based siting process. In addition, the Department intends to host a series of public meetings to engage communities and discuss the development of a consent-based approach to managing our nation's nuclear waste.

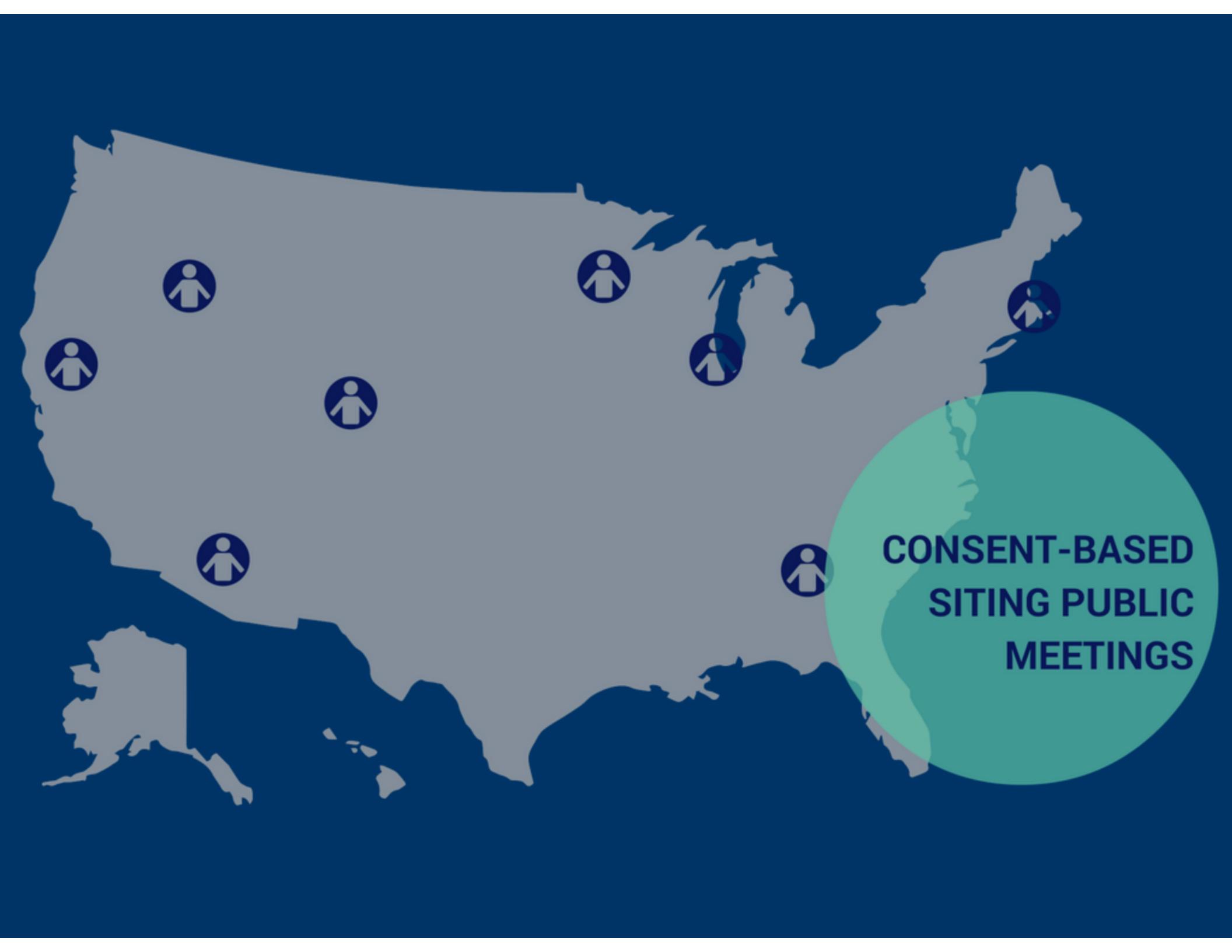
**DATES:** Written comments will be accepted beginning December 23, 2015 through June 15, 2016. Separate announcements will be made for each public meeting.

**ADDRESSES:** You may submit questions or comments by any of the following methods:



## GUIDING QUESTIONS

- How can the Department ensure that the process for selecting a site is fair?
- What models and experience should the Department use in designing the process?
- Who should be involved in the process for selecting a site, and what is their role?
- What information and resources do you think would facilitate your participation?
- What else should be considered?



A map of the United States where each state is represented by a light gray silhouette. Inside each state, there is a blue circular icon containing a white outline of a person, representing a "consent-based siting public meeting". There are approximately 10 such icons distributed across the country. A large, semi-transparent teal circle is drawn around the states of New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. Inside this circle, the text "CONSENT-BASED SITING PUBLIC MEETINGS" is written in bold, dark blue capital letters.

**CONSENT-BASED  
SITING PUBLIC  
MEETINGS**



**45 SMALL  
GROUP  
DISCUSSIONS**



**1**

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**2**

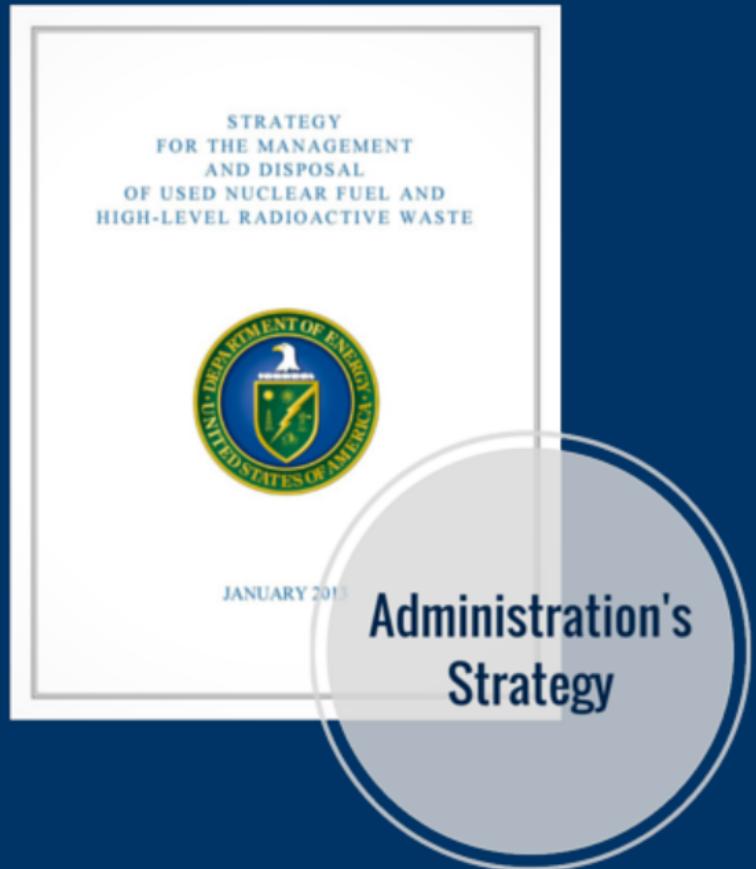
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U.S. DEPARTMENT OF  
**ENERGY**

Office of  
Nuclear Energy



# CONSENT-BASED SITING





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## Designing a Consent-Based Siting Process Summary of Public Input

Draft Report

September 15, 2016



**“...the bottom line here is that  
the agencies dealing with  
nuclear waste in this country  
have an enormous credibility  
gap. The public lacks  
confidence in everything that's  
gone on before...”**



**“Transparency, openness  
between the community and  
the operator of the site so  
everybody has a feeling of  
trust, which is so important  
and lacking to date.”**

It is important to insulate the process from the normal election cycles and attempt to immunize the process from ‘politics’ or ‘ideology.’

Creating a new agency does not resolve the issue of trust that plagues the federal government and DOE in particular, when it comes to waste management. Rather DOE should strive to restore trust in the agency and correct [their] behaviors and culture.

**“We want to trust the agency that goes forward with this process, but we need you to make some overtures that say, ‘We can trust you.’”**



**“There was never an understanding that once the plant closed...that we would play host to a radioactive dump....that was not part of the deal that we would be hosting these things.”**

**“So the best we can hope for is 15 to 20 years for the removal of the nuclear storage waste out of San Onofre. Obviously, we need to get started today. If not us, who? If not now, when?”**

66

We are talking about something that stays toxic and dangerous for generations to come. How can one generation give ‘consent’ for future generations?

I'm not willing, as a citizen with 14 grandchildren, to kick the can down the road, to the next, and the next, and the next generation. I believe it's up to us to resolve this and to do it in a way that's respectful, that's trusting and that's enduring and sustainable.

99

**“Just using the word ‘siting’ without adding the word ‘transportation’ seems like we’re going to pick a place and then worry about it later... it’s critical that we think about transportation from the get-go.”**

**“The key message here is that as we consider consent-based siting in host states and communities, we should simultaneously consider the acceptance of transportation in corridor states and communities.”**

**I think that communities that are  
already at a disadvantage  
economically and culturally will  
have less resources and less ability  
to cope with the challenges of this  
kind of endeavor.**



**“Let's do an inclusive thing - bring everybody to the table. Everyone should know what's going on.”**



**“There is a role for non-technical people in technical decision-making, and it should not be underestimated. It's not easy. It's not straight-line decision-making, and requires a significant amount of education, commitment and listening.”**

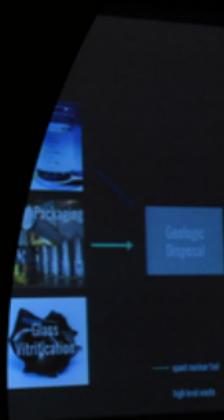
**“Before the Department adopts and implements a consent-based approach, it must appropriately recognize state approval is not necessary for decisions made on tribal land.”**

**“As sovereign nations, Tribes are not equivalent to states. Sovereignty and trust responsibility aside, from an ethical standpoint, Tribes should be treated at a minimum, in tandem with states.**

**“In order for communities to be able to consent, they need to fully understand what all this means.”**

**“...the more informed we are, the more likely we would be to give you consent or to give you our very clear message that we don't give you consent to do this. But we want to be informed, either way.”**

**“...it is equally important  
that funds be made  
available for communities  
to participate in the  
process...”**



**“We need clear and understandable safety and environmental standards.”**

**“Although a strong technical basis for siting is absolutely critical, criteria relating to social equity and social acceptance must be developed.”**

**66**  
To be fair, consent must  
be democratic. Consent  
means the willing  
approval by governments  
and a majority of the  
people..."

**It is a ruse to  
discuss terms of  
consent if there  
is no choice to  
refuse consent!**

**But clearly consent-based is not the same  
thing as consensus...even if people don't  
agree with the final decision, we need to  
have some way to know whether it's a  
consent-based system.**

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# 1

Engage with the public and interested parties on the elements of a consent-based siting process



Invitation for Public Comment in the Federal Register



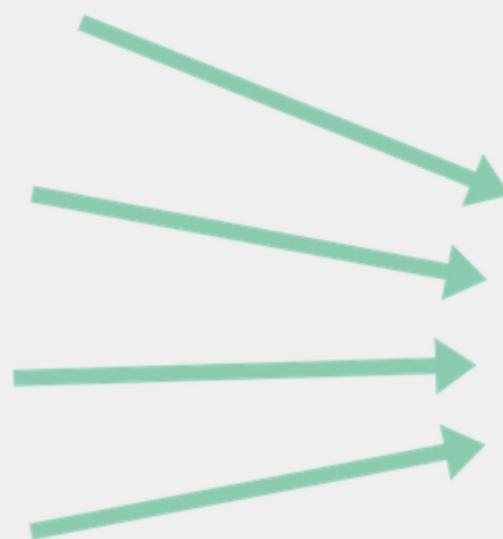
Public meetings hosted across the country



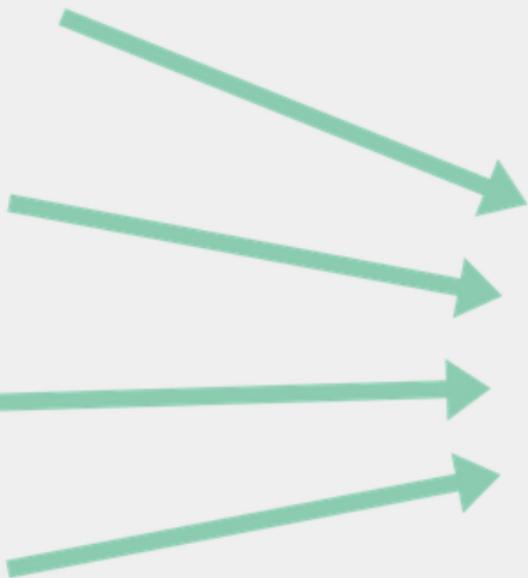
Public webinars or conference calls



Meetings with stakeholders and groups by request



Summary report for public review and comment



Summary report for  
public review and  
comment



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2

Design a consent-based siting process to serve as a flexible framework for engaging with potential host communities

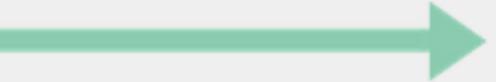


Draft a consent-based siting process based on public input

Issue preliminary siting considerations to provide a baseline for siting discussions



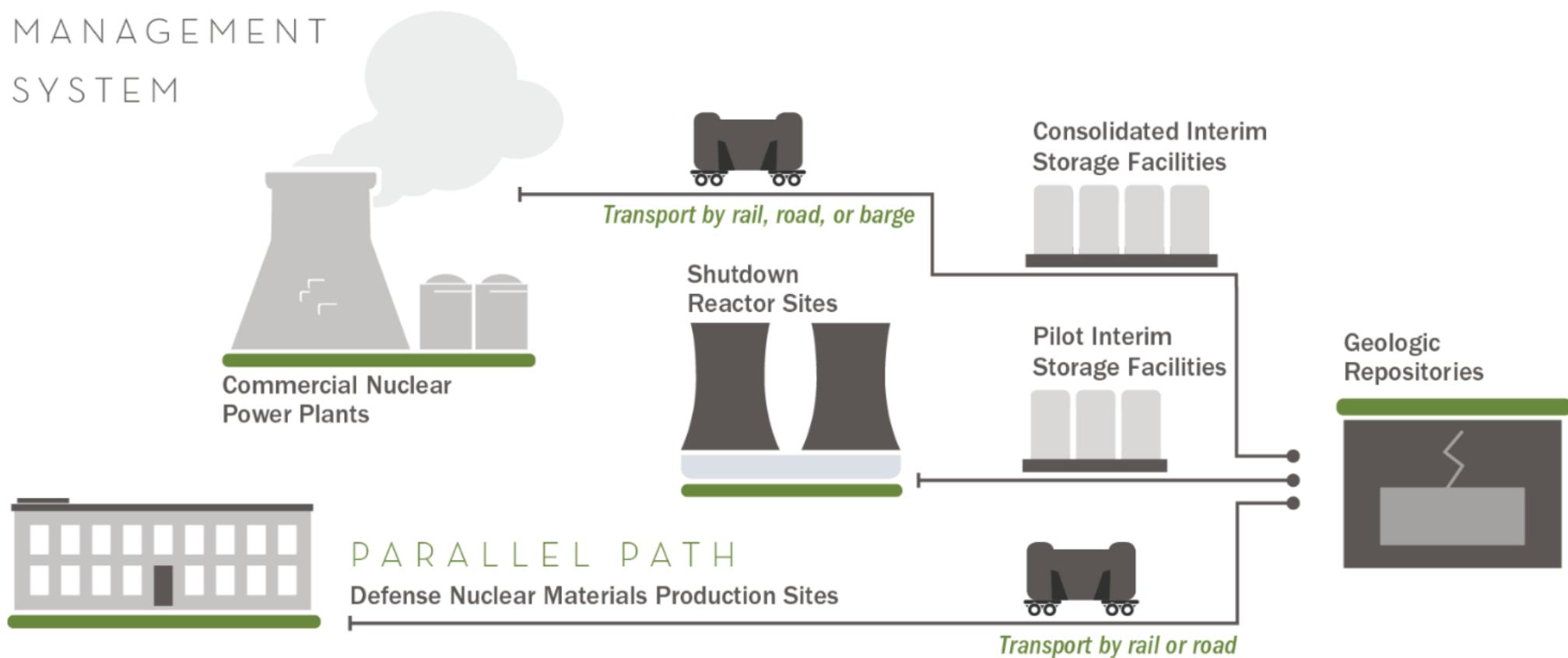
Proposed funding  
opportunity announcement  
for interested communities  
to seek information on  
consent-based siting



3

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# INTEGRATED WASTE MANAGEMENT SYSTEM





*Transport by rail, road, or barge*

**Shutdown**

## Consolidated Interim Storage Facilities



*d, or barge*

es

## Pilot Interim Storage Facilities



Geologic  
Repository

erim  
Facilities



*rail or road*

## Geologic Repositories



# CONSENT-BASED SITING

