

Official Transcript of Proceedings

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Citizens' Advisory Panel Meeting

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 VERMONT NUCLEAR DECOMMISSIONING CITIZENS'

5 ADVISORY PANEL MEETING

6 + + + + +

7 THURSDAY

8 MAY 25, 2017

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10 BRATTLEBORO, VERMONT

11 The Public Meeting was convened at 109
12 Sunny Acres in Brattleboro, Vermont at 6:00 p.m. by
13 Kate O'Connor, Chair of the Vermont Nuclear
14 Decommissioning Citizens Advisory Panel, presiding

15 PRESENT:

16 Chris Campany, Windham Regional Commission.

17 David Deen, Citizen Member

18 Mark MacDonald, Vermont Senate Representative

19 Steve Skibniowsky, Town of Vernon

20 David Andrews, International Brotherhood of Electrical
21 Workers

22 Jim Tonkovich, Vermont Senate Representative

23 Martin Langeveld, Citizen Member

24 Jim Matteau, Citizen Member

25 Derrik Jordan, Citizen Member

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1 Bill Irwin, Department of Health Radiological and
2 Toxicological Sciences.
3 Riley Allen, Deputy Commissioner, Vermont Department
4 of Public Service.
5 Mike McKenney, Entergy.
6 Jack Boyle, Entergy
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P-R-O-C-E-D-I-N-G-S

(6:05 p.m.)

CHAIR O'CONNOR: Good evening. Good evening, everybody. My name is Kate O'Connor, and I am the chair of the Vermont Nuclear Decommissioning Citizens Advisory Panel, which is the meeting you are all at tonight. And I want to officially call to order the May 25th, 2017, meeting of the Panel.

What I'm going to do for some of you who may -- this may be your first meeting, I want to explain a little bit about what the Panel is and what we do. We are a nineteen-member panel that was formed by the Legislature back in 2014 when Entergy announced that they would be closing Vermont Yankee. We have been meeting since September 2014. And in that time, I think we've had twenty-five or twenty-six meetings. So we've been meeting pretty much on a regular basis.

The Legislature gave us a series of duties, but the one that is really most relevant for tonight is that we are -- we are to serve as a conduit for public information and education, and to encourage community involvement in all matters related to the decommissioning of Vermont Yankee.

Before I go over the agenda, I want all of our Panel members to introduce themselves. We have a

1 diverse group. I was appointed by Governor Shumlin as
2 a citizen member of the Panel.

3 So Chris, do you want to start that on
4 your end?

5 MR. CAMPANY: Chris Campany, Windham
6 Regional Commission.

7 MR. DEEN: David Deen, citizen appointee
8 by the Speaker of the House.

9 SENATOR MACDONALD: Mark MacDonald,
10 Representative Vermont Senate and on this Panel.

11 MR. SKIBNIOWSKY: Good evening; I'm Steve
12 Skibniowsky, representing the Town of Vernon and
13 nominated by the Vernon Board of Selectmen.

14 MR. ANDREWS: David Andrews, representing
15 the International Brotherhood of Electrical Workers
16 and representing the past and present employees of
17 Vermont Yankee.

18 MR. TONKOVICH: Jim Tonkovich, I'm an
19 appointee from the Senate President Pro Temp.

20 MR. LANGEVELD: Martin Langeveld, a
21 citizen member appointed by Governor Shumlin.

22 MR. MATTEAU: Jim Matteau, also a citizen
23 member appointed by the President Pro Temp.

24 MR. JORDAN: Derrik Jordan, citizen member
25 appointed by Shap Smith.

1 DR. IRWIN: Bill Irwin, representing the
2 Agency of Human Services. I work for the Department
3 of Health Radiological and Toxicological Sciences.

4 MR. ALLEN: And I'm Riley Allen. I'm
5 Deputy Commissioner of the Vermont Department of
6 Public Service. I'm here sitting in for Commissioner
7 June Tierney, who is out of the country.

8 MR. MCKENNEY: Good evening. I'm Mike
9 McKenney. I'm representing Entergy.

10 MR. BOYLE: Good evening. I'm Jack Boyle,
11 also representing Entergy. I'm the Decommissioning
12 Director at Vermont Yankee.

13 CHAIR O'CONNOR: We're going to have you
14 guys -- you folks introduce yourselves in a minute.

15 This is an official meeting of our Panel.
16 And tonight, we have our special guests which are
17 representatives from Entergy and NorthStar and the
18 NRC. And they're going to be, as you know, on the
19 agenda for later.

20 The representatives from the NRC are here
21 to take public comment on the license transfer, which
22 is the sale from Entergy to NorthStar, and NorthStar's
23 post-shutdown decommissioning activities report, which
24 is called the P.S.D.A.R., which for all of you who
25 don't know what that is, it's the decommissioning plan

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which includes the cost estimates for decommissioning
the plant.

The NRC is required to take public comment on the license transfer, but they are not required to hold a public meeting. But they have agreed to come here tonight. The Panel invited them to come, as did Vermont's congressional delegation. And I want to thank their representatives of Senator Sanders, Congressmen Welch, and Senator Leahy here tonight. We have Haley Pero from Senator Sanders' office, Tom Berry from Senator Leahy's office, and George Twigg from Congressman Welch. And they can all wave.

Just so everybody knows, when we get to
the comment period all of the converse -- comments are
going to be recorded by the Nuclear Regulatory
Commission and entered into the public record. If you
don't want to comment this evening, there is a
mechanism that you can do so through the NRC website.
And the comment period is going to be through June
23rd.

25 And what we're going to do is put the link

on how to do it on the State of Vermont's website.
And if no one minds, if you signed up, I will send you
how to get that. So if you're shy and you don't want
to make a comment tonight, you have another close to
a month to do so.

13 One of the things I want to remind
14 everybody is that this is an NDCAP meeting and we're
15 a Panel that was created by the state, which means we
16 follow all Open Meeting Laws and we follow Robert's
17 Rules of Order and a charter that we all developed two
18 and a half years ago.

19 So what I would ask is that everybody sort
20 of respect how we run our meetings. They've gone
21 smoothly in the past, so I'm hoping that they will go
22 smoothly tonight. And I think we're going to start
23 what we normally do at -- at our meetings, Joe Lynch,
24 who is the Senior Government Affairs Manager, gives us
25 an update on the decommissioning of the plant.

1 So for those of you who have been here
2 before, this will be like the next chapter or whatever
3 in the book. For some of you, this may be the first
4 time that you hear a decommissioning report from Joe.
5 And everything that -- the presentations that Joe
6 gives are on -- the Entergy has a website, V Y
7 decommissioning dot com. So if you're really
8 intrigued and want to watch everything that's happened
9 before -- or see everything that's happened before you
10 can easily catch up with that.

11 So I guess we'll turn it over to Joe.

12 MR. LYNCH: Thank you, Kate.

13 Next slide, please.

14 As Kate has mentioned, my name is Joe
15 Lynch. I'm a Senior Government Affairs Manager for
16 Entergy Vermont Yankee. I'm going to provide you with
17 a brief update on the status of decommissioning, the
18 decommissioning trust fund, and some of the activities
19 that we have moving towards the transaction.

20 Next slide, please. Next slide.

21 One of the key projects right now at the
22 site is the construction of the second of two dry fuel
23 storage pads. The construction on the second pad
24 started back in 2016. There was a break over the
25 winter period due to weather. We restarted

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1 construction of the pad on March 13th. We've been
2 moving right along with progress. Just this week, we
3 completed the reinforcing bar placement for the second
4 pad. So the pad is now ready to accept concrete. And
5 that -- that pour will be scheduled, we believe, next
6 week, weather depending.

7 In addition to that, we've been going
8 through the efforts of getting ready for our 2017 dry
9 fuel storage campaign. At this point, we're
10 estimating that if we start over the next couple
11 weeks, which is our target, we'll be loading
12 approximately twenty dry casks in 2017. Then again,
13 we'll take a break over the winter for weather reasons
14 and we'll complete the remaining dry casks. There's
15 a total of forty-five casks that have yet to be
16 loaded. There are thirteen on the pad right now for
17 our total of fifty-eight.

18 Our target is to have all fuel transferred
19 either in the late third quarter of 2018 or early
20 fourth quarter of 2018. Again, part of that is
21 weather dependent and ensuring that our -- we meet our
22 -- our schedule.

23 Next slide, please.

24 Some current pictures in the upper right-
25 hand corner, that is the correct configuration of the

1 first pad with the thirteen casks. We recently
2 rearranged that configuration to be ready for the
3 acceptance of the new loaded cask, which I had
4 mentioned we'll start very soon.

5 The picture in the lower left is the
6 pouring of what is known as the leveling slab. So
7 this is essentially the -- a pad that is put in place.
8 We can then place the rebar on top of it. That was
9 done recently and that sets the stage for then
10 constructing the second pad.

11 Next slide, please.

12 On the right-hand side, you can see
13 workers putting the rebar in place -- the reinforcing
14 bar in place on top of that leveling slab. And then
15 you can see, in the lower left, the rebar being rigged
16 in place. This is very heavy steel that is placed in
17 a -- in a very detailed configuration. It is then
18 wired together and in advance of us pouring the
19 concrete.

20 Next slide, please.

21 We've been talking about water management
22 for about a year and a half now. As many of you know
23 from previous meetings, we have water entering into
24 the lower elevations of our turbine building. Over
25 that period of time, we have made measures to capture

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1 that water stored on site and then ultimately ship it.

2 We continue to monitor the intrusion water
3 and address it by making repairs to any cracks or
4 crevices where water is coming in. We continue those
5 efforts and they've been very successful in reducing
6 the amount of intrusion water. This time of year and
7 in the springtime is -- is typically a time of the
8 year that you see an increase in the groundwater
9 elevation and, therefore, an increase in that
10 intrusion. Because of the efforts we've been able to
11 maintain and manage that to very low numbers. I don't
12 have today's number, but I think we're looking at
13 about three -- about six hundred gallons a day is --
14 is the number that -- that we're seeing.

15 The groundwater is captured, placed into
16 frac tanks, tested and then shipped to EnergySolutions
17 where they have a licensed disposal site in Tennessee.
18 Right now, we're shipping about three per month at the
19 present intrusion rate. And we've shipped five
20 hundred and seventeen thousand gallons to date.

21 Next slide, please. Next slide.

22 In regards to the two efforts that are
23 necessary to go forward with the transaction, one, of
24 course, will be discussed in a very short matter of
25 time as the NRC has been requested to take a look at

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1 a license transfer application, as well as the revised
2 P.S.D.A.R. We're also going through the process of
3 seeking approval from the State of Vermont Public
4 Service Board through the Certificate of Public Good
5 Process.

6 The first round of discovery requests on
7 us were sent out on March 17th. We provided responses
8 on April 26th. There has been a request by Department
9 of Public Service and others to extend -- extend that
10 a bit because of certain documents that are -- are
11 confidential in nature. So we had to file a motion to
12 ensure that these confidential documents were treated
13 in a certain way, and that those -- those entities
14 that intervened would -- would respect them that way.

15 There's also a couple of documents that
16 are very sensitive to NorthStar's business that also
17 need special treatment. And we're going through the
18 process right now of getting that protocol worked out.

19 So the second round of discovery requests
20 on us were supposed to be May 10th, but because of the
21 delay in this handling of documents, that will be
22 delayed to be about three weeks after all documents
23 have been produced.

24 There's also been some motions by some of
25 the intervenors, including New England Coalition,

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1 asking for partial summary judgment going back to some
2 earlier dockets on some orders that had already been
3 made. Those are going through the process in the
4 Public Service Board.

5 Bottom line, very detailed, very
6 comprehensive process of going through this approval
7 in the State of Vermont. And we're hoping that this
8 will all take place over the next year or so with
9 approval at the end of first quarter 2018.

10 Next slide, please. Next slide.

11 An update on the Nuclear Decommissioning
12 Trust Fund at the end of March, last reported the
13 Decommissioning Trust Fund was at five hundred and
14 sixty-eight point nine million dollars. The most
15 current number at the end of April was five hundred
16 and seventy million dollars. That increase was due to
17 positive market performance, offset by the qualified
18 reimbursements that we have made from the trust and
19 some of the fund expenses that we have to pay,
20 essentially taxes.

21 So to date in 2017, we've made just under
22 twelve million dollars in qualified withdrawals.
23 We've earned about twenty-one point seven million
24 dollars in market gains and paid one point four
25 million dollars in -- in expenses.

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1 The second trust that we've been
2 maintaining is a Site Restoration Trust. This is
3 wholly funded by Entergy. We have made four payments
4 of five million dollars, or twenty million dollars.
5 However, due to growth of the trust fund, that
6 currently stands at twenty-three point six million
7 dollars at the end of April. And we have one five
8 million dollars contribution yet to be made at the end
9 of this year.

10 Next slide, please.

11 Insofar as our communications and
12 providing information to the public, we continue,
13 obviously, to participate in this Panel. We continue
14 to do speaking engagements, media interviews, local
15 advertising, and we continue to be very strong
16 partners with our community. On occasion, we are able
17 to do tours at the site. They, of course, are going
18 to be impacted by ongoing site activities. So we need
19 to be mindful to a lot of work that's going on at the
20 site. So we ask, if we have these type of tours, we
21 get advance notice.

22 And then of course, we continue to put
23 information out through our website V Y
24 decommissioning dot com. And I'm happy to report that
25 the website has been updated recently and it continues

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1 to be updated. This is a screenshot. If you were to
2 go on to V Y decommissioning dot com, you will see
3 kind of the updated website that now has search
4 capabilities. And it is being updated constantly with
5 the latest information.

6 And we're also going through the process
7 of renaming a lot of these documents to make it easier
8 for individuals to find them and kind of migrate their
9 way through. There's been a lot of information put
10 out. And we're committed to making sure that we can
11 get that information out efficiently.

12 And unless there's any questions, that was
13 kind of the end of what I planned and prepared, Kate.

14 CHAIR O'CONNOR: Great; thank you, Joe.

Just so everybody -- I'm not sure how many people have the paper agenda. And we're going to flash it up on the screen later. The public comment portion of this meeting will start in about an hour. And if you want to speak and haven't signed up, there are sign-up sheets over on the table. We will have a break after the presentations are made. So you don't have to storm the table right now. There will be opportunity between when this portion ends and when the public comment period begins.

25 Next, I want to invite Scott State, who is

1 the C.E.O. of NorthStar, and Mike Twomey, who is the
2 Vice President for External Affairs of Entergy, to --
3 I guess, you're going to walk us through the license
4 transfer and possibly the P.S.D.A.R., but I'll let you
5 tell us what you're going to talked about.

6 MR. TWOMEY: Thank you, Kate.

7 This is Mike Twomey on behalf of Entergy.
8
9 This is a joint presentation between Entergy and
NorthStar. I have a limited role at the frontend of
the presentation and I'll be turning it over to Scott
11 in just -- just a few minutes.

12 I want to thank the Panel and the
13 chairwoman for inviting us to participate in this
14 meeting tonight, provide additional information about
15 this transaction. So with no more introductory
16 remarks, I'll go to the next slide.

17 Start briefly with what I hope is a
18 complementary update without duplicating anything that
19 Joe Lynch just covered. Right now, we have
20 approximately a hundred and fifty employees at the
21 site. That is our -- our staffing level that we
22 expect to maintain through approximately the third or
23 fourth quarter of 2018. The next major milestone is
24 the completion of the dry fuel storage project.

So when that work that Joe was referring

1 to earlier is completed, when all of the canisters
2 have been moved on to the pad, all the spent fuel
3 moved out of the pool, we will have a staffing
4 reduction at that time. Along the way, we will
5 continue to have our communications with the Panel, as
6 well as employees and regulatory bodies.

7 Joe mentioned we've got a certificate of
8 public good pending in front of the Public Service
9 Board. In -- in general, for those of you who weren't
10 that familiar with it, it's an application seeking
11 approval from the Public Service Board for the
12 transaction that we've proposed.

13 We have a similar, but -- but separate,
14 filing pending in front of the Nuclear Regulatory
15 Commission. We also need approval from that federal
16 agency for the transaction.

17 Joe spent some time talking about the
18 discovery issues. I'll say that right now the
19 procedural schedule contemplates one more public
20 hearing opportunity, similar to the one that we had
21 earlier in the year. I don't believe the date of that
22 has been nailed down. I think it's currently
23 September 5th or 6th, depending on -- on availability.
24 That date, itself, may be adjusted, depending on where
25 we are with the discovery process and the -- and the

1 testimony process.

2 We will have evidentiary hearings,
3 technical hearings, I believe, is the right term in
4 front of the Public Service Board, late in the year.
5 Those hearings are currently scheduled for November.
6 But it is -- is possible that the discovery issues and
7 the testimony deadlines will impact the schedule for
8 the technical hearing. So I would say that at this
9 point those -- those are not set in stone.

10 We have requested that the board take
11 action on the application by the end of the first
12 quarter of 2018. We obviously have no power to compel
13 the schedule for the board. We've simply told them
14 that -- that that's the schedule we -- we would hope
15 they could meet. And we'll just see how the process
16 unfolds.

17 We've got the license transfer application
18 pending at the NRC. And NorthStar submitted an
19 updated post-shutdown decommissioning activities
20 report on April 6th. And I'm going to let Scott talk
21 about those details. But in general, those of you
22 who've been following this closely, Entergy filed a
23 P.S.D.A.R. back in November of 2014.

24 This document, this new P.S.D.A.R. would
25 be a substitute for the earlier filed Entergy document

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1 and would become the operative document for the
2 project if the transaction is approved by both the NRC
3 and the P.S.B. The -- the timeline at the bottom
4 there on -- on this slide is -- is the timeline that
5 was reflected in the post-shutdown decommissioning
6 activities report that Entergy submitted back in 2014.
7 Everyone knows we ceased commercial operations in
8 December of 2014. The reactor was permanently
9 defueled in January 2015. We contemplated fuel
10 transfer by 2020.

11 So the first update that you've gotten in
12 the last few months is that we now believe we can
13 complete that fuel transfer by the third or fourth
14 quarter of 2018, which is a two-year improvement on
15 the fuel transfer schedule that we had originally
16 anticipated.

17 That means that the SAFSTORE dormancy
18 period would commence under our ownership, if we
19 retain ownership, after the fuel is moved to the pad
20 in 2018. And that will be of some indeterminate
21 length. I don't want to go into too much detail
22 tonight because we're really focused on the license
23 transfer application. But that SAFSTORE period will
24 be however long it needs to be under the requirements
25 of the settlement agreement that we have at the State

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1 of Vermont, the funding of the Nuclear Decommissioning
2 Trust Fund, and the decommissioning cost estimate that
3 we have for the project under Entergy's ownership.

4 And so the rest of the dates are -- are,
5 again, dates that would be in -- in effect if Entergy
6 retains the ownership of the site.

7 So if we go to the next slide?

8 I'll just -- you know, introduce this
9 concept again, which is that one of the primary
10 benefits of the proposed transaction is that it
11 substantially accelerates the safe decommissioning of
12 the plant under ownership of a company and -- and with
13 work, with a team that it's put together that has the
14 capacity and the experience and the expertise to
15 complete the decommissioning project on a much quicker
16 timeline than under Entergy's ownership.

17 And so with that, I'll turn the
18 presentation over to Scott State.

19 MR. STATE: Thank you, Mike.

20 And thank you, Kate.

21 I'm Scott State. I'm the Chief Executive
22 Officer of NorthStar. Just with a show of hands, how
23 many folks are here that haven't been to any of these
24 meetings before where we've spoken? Not too many.
25 That -- that's good. That means there's, I think,

1 good engagement among the community here. I'm not
2 going to go over a lot of things that I've gone over
3 before. But I do want to, initially here, cover who
4 our team is.

5 NorthStar, if -- if you go around the
6 room, you can see we've put up some large photographs
7 this evening to show you some of the large-scale
8 projects that -- that we've done. And I'm going to
9 get to that in a little bit, but it's important, just
10 in terms of the scale of work that we do, as we
11 consider how we would do this project. And you know,
12 what you'll find is that the size of projects that
13 we've done in many -- many cases bound the size of
14 Vermont Yankee. And -- and I'll talk through that a
15 little bit more as we get into it.

16 In addition to ourselves on our team,
17 we've got AREVA and we've talked about AREVA at past
18 meetings. AREVA's a large nuclear services business.
19 It's a French-owned company. The subsidiary that we
20 work with is a U.S. based firm in Washington D.C. And
21 they have a couple of specific things they're going to
22 do for us on this project.

23 One is they are going to segment the
24 reactor vessel and the reactor vessel internals. And
25 that -- that's a significant component of the project

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1 in that it's got a high degree of highly radioactive
2 material. That's one of the first activities that
3 we'll do. AREVA will also be assisting us over the
4 many years that we will be caretaker for the spent
5 nuclear fuel that will remain at the site until the
6 Department of Energy comes and removes it.

7 A second subcontractor is Burns and
8 McDonnell. Burns and McDonnell is a large engineering
9 firm based in Kansas City. And they are specifically
10 going to support us with some engineering activities
11 and some licensing activities as we do this project.

12 And our third supplier is Waste Control
13 Specialists, or W.C.S., based in Texas, an important
14 component of this team because they take the
15 radioactive waste or the material that comes from the
16 decommissioning project and it goes to their site in
17 Texas for disposal.

18 W.C.S. is part of -- is the disposal site
19 for the Texas and Vermont Compact. So by statute, the
20 material created at this project will have a right to
21 be disposed at that site and they're are partner on
22 this project as well.

23 Turning to the next slide, I'll let Mike
24 start off. This is a transition period between
25 Entergy and -- and NorthStar.

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1 MR. TWOMEY: So for very briefly, we shut
2 the facility down in 2014 and over the next several
3 years we've been focused on getting the dry fuel
4 storage campaign completed. That is taking the spent
5 nuclear fuel that's currently in the spent nuclear
6 fuel pool and moving it into the canisters that are on
7 the dry cask storage cask pads in the yard. And the
8 -- the effort to do that, when completed, will have
9 removed approximately ninety-five percent or more of
10 the radioactive material from the plant and isolated
11 that to the ISFSI pad.

20 And so in an effort to be responsive to
21 those concerns, we evaluated the potential for another
22 owner of that facility who is an expert in
23 decommissioning, and -- and made the determination
24 that this project could be turned over to a new owner
25 who could do it as safely as we could, but more cost

1 effectively and more efficiently than we could. And
2 then that presents the opportunity for this
3 transaction that we're talking about this evening.

4 And with that, I'll turn it over to Scott
5 to talk about what work they would do if the
6 transaction were approved.

7 MR. STATE: So if -- if this transaction
8 does get approved in 2018, we will take ownership of
9 the site. And the first two years of our project work
10 will be focused on segmenting the reactor vessel and
11 the reactor vessel internals. And that will take the
12 removal of radiological material out of the plant to
13 about ninety-nine percent of what was the original
14 source term, leaving about one percent residual
15 radioactive material that we will be removing, with a
16 very vast majority of the volume of material coming
17 out of the site after that. And this is contamination
18 on concrete and that sort of thing that we will be
19 dealing with post the removal of the vessel in the
20 internals.

21 So you can see the title of this chart is
22 actually Vermont Yankee Contaminated Site Cleanup.
23 And it's -- it's an important distinction that we make
24 when we look at a project like this. We aren't
25 nuclear power plant operators. And we don't really

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1 view this specifically as a cleanup of a facility
2 that's a nuclear power plant. We view it as
3 decommissioning of a contaminated site.

4 And all around this room, you see pictures
5 of large projects that we've done where we've
6 decommissioned some type of contaminated site. And it
7 may have been contaminated with radiological materials
8 or P.C.B.s or mercury or other hazardous components or
9 asbestos, but -- but everything that we do as a
10 company is -- involves remediating contaminated
11 facilities or sites. And that's exactly how we view
12 Vermont Yankee.

13 So you know, our project durations here,
14 you can see that once we get the vessel out, and the
15 internals, those are segmented, they're packaged, and
16 they are shipped to Texas. We've got about a six-year
17 program planned at this point in time for the final
18 decommissioning activities which would take the site
19 to what would be determined a partial site release.

20 And it's called a partial site release
21 because the ISFSI with the spent fuel in the -- in the
22 canisters that are -- are there, that piece of the
23 site can't be released until that fuel is taken away.
24 So site-wise, you know, all but a very small number of
25 acres can be released in -- in roughly 2026. And that

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1 would be our target schedule at this point.

2 And then how long we -- we have the ISFSI
3 in place is -- is really not in our control. We
4 certainly would like to see D.O.E. come and take that
5 fuel away. Once that piece of the project is done, we
6 will remove the ISFSI pad. And all of that remaining
7 material and the site then will be -- will go for a
8 final license determination and a full site release.

9 So as I mentioned, as a company, NorthStar
10 has decommissioned thousands of facilities of various
11 sizes with various types of contaminants. There's a
12 number of projects back here that have radiological
13 components, some of them significantly larger in
14 various aspects of the work. What we've done with
15 these -- with these photographs -- and we'll probably
16 present these again at -- at future meetings. And you
17 know, if folks want to talk when we're at the break
18 with any of our people, we've got quite a few of our
19 employees here this evening that can kind of walk you
20 through these various projects.

21 But there's placards on each project that
22 show you the volume of contaminated concrete metal and
23 soil that was involved in each one of them. And then
24 there's also a line on those that show you what the
25 equivalent or the same amount -- materials are in

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1 Vermont Yankee. And it will give you kind of an idea,
2 I think, that we've got a lot of bounding projects on
3 a comparative basis.

4 We also have a short video which we'll
5 show in just a few minutes. And it's -- a lot of it
6 is time lapse footage of us removing large structures,
7 commercial industrial structures, and that type of
8 thing. And you can see -- over, you know, less than
9 ten minutes, you'll see many years of work that we've
10 done on a time lapse basis.

11 So going forward to the next -- excuse me
12 -- three charts, this chart -- on each of the next
13 three charts, you'll see a green box. The green box
14 is the volume of material that we will be removing on
15 an annual basis at Vermont Yankee. Vermont Yankee is
16 a six-year project with various phases. So on an
17 annual basis, we look at how much material we would
18 generate in each of three primary waste classes;
19 concrete, metals, and soil.

20 So in terms of concrete, I don't know if
21 you can read this in the audience or not, but the --
22 the primary large structures that we deal with that
23 have concrete are going to be commercial. Power
24 plants -- you know, nuclear power plants have a
25 significant amount of concrete because it's -- you

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1 know, it's the way the plants are built and it has
2 shielding capabilities. But for the most part, the
3 very large amounts of concrete waste that are
4 generated in decommissioning projects come from
5 commercial jobs.

6 And as you can see, the -- the largest
7 facility here, an industrial facility, which happened
8 to be a smelter, had two hundred thousand tons of
9 concrete per year. And the reason this is important
10 is in a project like this, these types of projects are
11 logistics jobs. You're -- you're moving volumes of
12 material and your ability to move volumes of material
13 will determine how quickly you can get the work done.

14 So you know, just on a comparative basis,
15 Vermont Yankee is about sixteen thousand tons of
16 concrete per year. Our largest project that we've
17 done in the last five to seven years is two hundred
18 thousand. All of these projects, there's
19 approximately fifteen I think here, are -- are, you
20 know, roughly double or more the size of the amount of
21 concrete that we will generate and remove at Vermont
22 Yankee.

23 Similarly, the next slide shows metals.
24 In a project like this, the primary metals in a
25 nuclear plant are going to be rebar. Joe showed you

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1 the construction of the ISFSI. The laying of rebar.
2 If you are familiar with how this plant was built, the
3 -- the structures of this plant have a lot of very
4 heavy rebar in them. So we will be breaking the
5 concrete out and separating the metal, typically, the
6 rebar mesh, and packaging all of this for disposal at
7 the W.C.S. site in Texas.

8 So from -- from this figure, you can see
9 that as far as metals on projects, there are a lot of
10 these projects that are power plants. And a fossil
11 plant, interestingly enough, has a lot more structural
12 steel in it than a nuclear plant. The structural
13 materials in a nuclear plant, a lot of those are
14 actually concrete. In a fossil plant, there are
15 typically large steel members and then a lot of rebar
16 mesh, as well.

17 But you know, here, you can see we've got
18 a number of projects, some two to three times the size
19 of Vermont Yankee, on an annual production basis of
20 metals that we would have removed and disposed of.

21 And then the last slide deals directly
22 with soils. And when we went through and looked at
23 these kinds of projects, we actually -- we do a lot of
24 heavy civil environmental work where we maybe build
25 levees and dams and that sort of thing. We took all

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1 of that out because that's really not dealing with
2 contaminated soils. This is all projects that deal
3 with soil that has some type of contamination.

4 And you know, at power plant sites, that
5 could be things like coal ash and a number of
6 different things, soils that maybe come out of an
7 industrial facility that have mercury or P.H.s or
8 P.C.B.s or something like that. At Vermont Yankee,
9 we're looking at a site that's, you know, likely going
10 to have more radiological contamination in the soil
11 than these other types of components.

12 In one of the pictures in the back corner
13 is a project that we did a couple of years ago at the
14 Hanford site where we removed two hundred and fifty
15 thousand tons of soil, radiologically contaminated
16 soil. And by comparison, we -- we think the, you
17 know, soil volume, as we currently are looking at it,
18 is about twenty-eight thousand tons at Vermont Yankee.
19 So a project roughly ten times the size of Vermont
20 Yankee in terms of remediating radiologically
21 contaminated soils.

22 MR. TWOMEY: All right. So I think we
23 covered this, but the -- but the milestones then are
24 -- we are -- we have requested that the NRC take
25 action on the license transfer amendment by the end of

1 the year. I'll make the same disclaimer I made with
2 respect to the Public Service Board. We have no
3 ability to control the schedule at the NRC. So we've
4 simply made the request. And we are hopeful that if
5 we have submitted all the proper material and they've
6 got the information that they need, that a decision
7 could be reached. But that's a hope and a target, not
8 a -- not a definitive date.

9 And the Public Service Board, I mentioned
10 March 2018 was the -- was the request. And the spent
11 fuel movement to the ISFSI, I'd say that's an element
12 over which we have much greater control. That's --
13 that's operational control on our side. The dry cask
14 campaign for 2017 should begin next week to move
15 twenty of the remaining forty-five casks. That would
16 leave twenty-five casks to be moved next year. If we
17 stay on schedule, we should be done by -- by the
18 fourth quarter.

19 And then if we receive approvals from the
20 NRC and the Public Service Board, and if those
21 approvals do not contain any conditions that are
22 unacceptable to the parties, we would hope to close
23 the transaction at the end of 2018.

24 And with that, I believe there's a short
25 video that the -- our expert driver over there is

1 going to tee up and get moving.

2 (A video was played.)

3 MR. STATE: This is a project that we did
4 a couple of years ago. And it's basically an entire
5 city block in the middle of Los Angeles. And so you
6 can imagine the logistics, trying to get material out,
7 fifty thousand tons of concrete. And essentially, we
8 -- we removed this building one floor at a time,
9 taking the material from the top to the bottom,
10 putting it on transport vehicles, and taking it out of
11 the middle of the City of Los Angeles. And when we
12 got done, that's a site much like Vermont Yankee will
13 look like.

14 This project, we did about four or five
15 years ago. This is Launch Pad 39-B, which has some
16 historical significance. It's the launch pad that the
17 Challenger launched from. I'm not sure if it's the
18 last launch from that pad. This video doesn't really
19 give you necessarily a good idea of the scale of this
20 structure. It's -- it's incredibly large and there
21 were lot of constraints on this. We couldn't drop
22 material like this to the ground. The pad -- the
23 launch pad itself had to be retained and kept in good
24 order because they had a mobile launch structure they
25 were going to use on the pad after we finished.

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1 This just shows some of the specially
2 equipment we use that -- that we will be using here,
3 as well. And then this is a time lapse of the
4 structure over a period of a number of months as we
5 picked and peeled away all the pieces and -- and took
6 the entire structure apart.

This is a structure in the middle of Las Vegas. Anybody that's been there would probably recognize the facility. This -- this was a twenty-seven-story building that was constructed, never opened, had structural defects, and had to be removed. It sits right on Las Vegas Boulevard, so again a very significant logistics challenge to get that much concrete out on a busy corner, another successful job about two years ago.

16 This is a project at an Ivy School. We do
17 a lot of work in the northeast, removing old
18 facilities at the -- the Ivy League schools and -- and
19 other facilities in the Boston area. And so this is
20 a project that we've -- I think we're still conducting
21 today, but it's some work I believe we did last year.

22 What you see there is the concrete and
23 rebar mesh that's -- that's generally mixed together.
24 This is a project that's larger than Vermont in every
25 respect. It's a powerplant in New York. And it's a

1 project that we are just finishing up some of the
2 soils remediation at this point in time and receding.
3 But you can see this is a project that was done in the
4 city environment, and large boilers, so a lot of
5 metal, a lot of concrete, a very old structure, a lot
6 of contamination from the types of fuels used here.
7 And, you know, at the end of the day a site that --
8 that went off without a hitch. And, you know,
9 logically probably or size-wise, the property is,
10 you know, similar size to Vermont Yankee, as well.

11 Those are stacks that are somewhat similar
12 to the Vermont Yankee stacks. Those are about three
13 days apiece using specialty equipment that we use the
14 stack removal.

15 So this is a New York Power Authority
16 plant that we did about a year and a half ago. We
17 finished a very large project. This plant actually
18 has a boiler. We believe it's the largest boiler that
19 -- that may have ever been constructed. Massive steel
20 structure to deal with in this -- this facility, and
21 a pretty -- pretty intense environment in terms of
22 working, essentially, in the City of New York, taking
23 this plant down.

24 We do take down a number of structures in
25 the middle of New York City. We removed the entire

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1 St. Vincent's Hospital. We did all the renovation
2 work at Madison Square Garden. We did most of the
3 removal of Yankee Stadium. None of those projects are
4 depicted here. They're not particularly relevant to
5 Vermont Yankee. But we're accustomed to doing very
6 large projects in -- in complicated and difficult
7 places.

8 There's some key -- you know, key things
9 about this kind of project and about Vermont Yankee.
10 You know, we -- we do a lot of decontamination and
11 removal of environmental contaminants inside these
12 structures. When you peel off the outside of the
13 structure, then you're just removing structural
14 materials and steel in an environment that's been
15 decontaminated.

16 And this is another facility in Las Vegas
17 that we did last summer, a large multi-block structure
18 that we did on a very accelerated timeline. We
19 actually did this project in about nine months. It
20 was a Fastrac site. One of the things you don't see
21 here is this is a site that we actually imploded. And
22 I didn't want to have video of implosions because
23 we're not going to use implosions at Vermont Yankee.
24 I didn't want to give anybody the visual of the
25 massive cloud of dust that rises when you do that type

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1 of thing.

2 We do have a photograph in the back, left
3 corner of a cooling tower at the Savannah River
4 nuclear site that we also took down by implosion. It
5 was a clean tower that our government had built for
6 about one hundred million dollars and never used. So
7 we imploded it and removed that a few years ago.

8 But, yeah, this is a site when you can do
9 implosion, it's a very fast way to take down
10 structures of this type. And you get the material to
11 the ground, you process the concrete out and the metal
12 out.

13 So of note, you know, we've stated a
14 number of times that we're a very safety conscious and
15 environmental regulatory compliant company and -- and
16 every project you saw there was operated in that type
17 of manner.

18 That's it.

19 CHAIR O'CONNOR: Great. Thank you very
20 much.

21 Now, I want to introduce, or have them
22 introduce themselves, the representatives that have
23 come here from the Nuclear Regulatory Commission.
24 They're going to explain the process that they go
25 through in order to approve or not approve the license

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1 transfer that Entergy and NorthStar are asking for.

2 And again, I want to thank you folks for
3 coming tonight. And I know we'll have some questions
4 and comments for you after your presentation. So
5 thank you.

6 MS. KOCK: My name's Andrea Kock. I'm the
7 Deputy Director of our Decommissioning Division in NRC
8 Headquarters from Rockville, Maryland. I also wanted
9 to thank Kate and her colleagues of the Panel for
10 inviting us here tonight, as well as the Vermont
11 delegation.

12 We do appreciate the opportunity to be
13 here and we are pleased to be here. And I mean that
14 sincerely because it is important for us to consider
15 your comments with regard to our regulatory processes.
16 It's important that we touch base with you and
17 consider those comments as part of our process. We do
18 very much appreciate the invitation this evening.

19 As Kate mentioned, the main purpose of us
20 being here tonight is to gather your comments with
21 regard to our review of the application we have before
22 us for transfer of the Vermont Yankee license to
23 NorthStar. And Kate also mentioned that we recently,
24 just this week, issued a federal notice asking for
25 comments on the application. So this is your

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1 opportunity to get your comments in early.

2 And I also wanted to mention that we're
3 transcribing your comments during the meeting tonight.
4 So if you have a comment you've made the comment at
5 the meeting, there isn't a need for you to submit an
6 additional comment on the docket to the NRC.

7 What we're going to do tonight is provide
8 you an overview, as Kate mentioned, of what we look at
9 when we look at a transfer application, our process,
10 and the criteria that we use. And I want to assure
11 you that that review will be independent and thorough.
12 As one of the cornerstones of the way the NRC operates
13 as an independent regulator, it's very important to us
14 as an organization and it's important to me as an
15 individual that that's the way we operate.

16 And part of us being independent and
17 thorough is getting out in the community to hear from
18 you, but also getting out to the sites that we
19 regulate. And in that vein, we did visit the Vermont
20 Yankee site today to get a sense of what's going on
21 there from a decommissioning perspective. And I think
22 that helps us to put our own eyes on the site and
23 gather our own thoughts so that we make sure we are
24 being independent, as well as having a good
25 understanding of what's going on, on the ground.

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I'll just take a minute here to introduce
the NRC staff that are going to present this evening.

First, we're going to hear from Bruce Watson. He's
our Chief of the Reactor Decommissioning Branch. He
has extensive experience in decommissioning and he's
going to go over for you just an overview of the
decommissioning process and our process for review of
the transfer application.

9 And then we're going to hear from Jack
10 Parrott, here to my left. He's our project manager
11 for the Vermont Yankee site. He's going to go into a
12 little bit more detail for you about the process we
13 follow and some of the considerations that we look at
14 in the transfer application.

15 And then lastly, we'll hear from Mike
16 Dusaniwskyj. He's an economist who works for the NRC.
17 He looks at all of the decommissioning funding reviews
18 that we do to make sure that plants have adequate
19 decommissioning funding to decommission.

I just also wanted to mention that we have
Ray Powell here. He's from our Philadelphia office in
the region. He's sitting here in the front row. If
you have questions about our oversight process, an
important thing that Bruce will touch on is that the
NRC's oversight doesn't stop when a plant goes into

1 decommissioning. We do extensive inspections
2 periodically and Ray's group leads those inspections
3 from our regional office in Philadelphia.

And just one final note and then I'll turn it over to Bruce. I did want to echo something that Kate said. Our review is currently ongoing of the application. So we haven't made any conclusions about whether NorthStar is financially or technically qualified to hold the license. We're still in the initial stages of our review. So we won't be able to give you any bottom-line conclusions about what we think about this or that.

13 And I don't want you to take that as us
14 being standoffish or -- or hiding something. We're --
15 just we're not at that point of process. We can tell
16 you what we look at, the criteria that we go by, but
17 we haven't drawn any conclusions one way or the other
18 at this point in the review.

19 We can let you know where we are in the
20 process. We're happy to answer questions. We would
21 really appreciate your comments. And because we
22 haven't made any conclusions, some of our responses
23 may be just thank you for your comment because we
24 don't at this point have a conclusion. And I wanted
25 to make that clear.

At this point, I'll turn it over to Bruce Watson. And again, thank you for inviting us.

3 MR. WATSON: Well, thank you again for
4 having us come out tonight and for the invitation.

I want to give a real quick, brief overview of -- of a few of the items before we get into some of the more detail from the staff. On slide one, I just remind everybody that the NRC role in decommissioning is to ensure that the facility or site is removed from service, and that the radiological conditions will meet the license -- criteria for license termination.

22 And for this particular site, I believe
23 both Entergy and NorthStar will be -- have the
24 criteria that they're going to release the site,
25 terminate the license for unrestricted release.

Also, I want to point out that once the license is terminated, or in parallel with the license terminations process, the actual restoration of the site is up to the owner and the state and its stakeholders. So once the radioactive material's removed, they're free to do whatever they choose to do for the site.

8 Can we go to the next slide, please?

In April 2017, a revised P.S.D.A.R., post-shutdown activities -- post-shutdown decommissioning activities report, was submitted to the NRC by NorthStar. It is contingent on the sale and license transfer.

24 And of course, we've issued the Federal
25 Register notice and we will accept -- be accepting

1 comments on both the license transfer and the
2 P.S.D.A.R. And this will end on June 23rd, 2017.

3 And with that, I'll turn it over to Jack
4 Parrott to talk about the license transfer process.

5 MR. PARROTT: Okay. If we could go to the
6 next slide, please.

7 So reactor decommissioning license
8 transfers, they are a relatively common occurrence.
9 The license for Vermont Yankee, which previously
10 transferred to Entergy in 2002. NRC has regulations
11 in place to ensure that reactor licenses are
12 transferred to a technically and financially viable
13 company. Transfers of licenses to facilitate the
14 decommissioning of reactors have occurred twice before
15 for the Zion and La Crosse plants.

16 Next slide, please.

17 Our review process, the application for
18 license transfer was submitted in February -- on
19 February 9th, 2017. The license transfer documents
20 are available on our public website on the U.R.L. on
21 the slide there. Acceptance review was documented --
22 our acceptance review of the -- of the license
23 application was documented by letter dated April 6th,
24 2017.

25 Our acceptance review looked to see that

the technical and financial re -- review topics are covered. But nevertheless, there still could be a request for additional information from our subsequent review.

The notice of consideration was published
in the Federal Register yesterday. It includes an
opportunity for hearing and an opportunity for public
comment. The opportunity for hearing and intervention
is open to any person whose interest may be affected
by NRC action on this application. The opportunity
remains open twenty days after the notice of
consideration that was published yesterday.

13 The -- the opportunity for public comment
14 is a thirty-day period where written comments can be
15 submitted for consideration by the staff during the
16 review -- our review process.

17 As Andrea mentioned, our technical and
18 financial review is underway. If found acceptable, a
19 safety evaluation report, an order, and a license
20 amendment will be issued by the NRC.

21 || Next -- next slide, please.

22 The -- the two things that we review,
23 primary areas are the technical qualifications and
24 financial qualifications. The technical qualification
25 review areas focus on the management, the technical

1 support, and onsite organization to ensure that they
2 are involved in, informed of, and dedicated to the
3 safe operation of the plant, and to determine if
4 sufficient qualified technical resources will be
5 provided for safe operations.

6 All requirements -- this is an important
7 point. All of the requirements of the current plant
8 operator and owner at the time of transfer, should --
9 should the transfer be approved, will be -- will
10 transfer to the new -- the new company, NorthStar.
11 Implementation of those requirements is the key and
12 will be under the continued oversight of NRC.

13 At this point, I'd like to turn over to
14 Mike Dusaniwskyj to talk about the financial
15 qualification review.

16 MR. DUSANIWSKYJ: Good evening. The
17 financial qualification review in this particular
18 license transfer is going to be focusing on
19 decommissioning funding assurance, foreign ownership
20 control or domination, and the price and its indemnity
21 and nuclear insurance. In this regard, staff will
22 seek reasonable assurance that the licensee maintains
23 adequate funding to complete decommissioning to NRC
24 standards and terminate the license and adequate
25 financial protection remains available on-site and

1 off-site commensurate with the risk of the
2 decommissioning plant.

3 Next slide.

4 The NRC maintains a comprehensive
5 regulatory -- regulation-based framework to provide
6 assurance that the new licensee for a license transfer
7 maintains the financial means to safely decommission
8 the facility and terminate the license. This
9 framework includes consideration for spent fuel
10 management and ISFSI decommissioning. ISFSI stands
11 for independent state -- I'm sorry; I've forgotten
12 again.

13 MR. PARROTT: Independent Spent Fuel
14 Storage Installation.

15 MR. DUSANIWSKYJ: Thank you.

16 CHAIR O'CONNOR: Also known as the dry
17 cask storage pad for us civilians.

18 MR. DUSANIWSKYJ: Yes.

19 Through our operations, licensees are
20 required to certify that adequate funding for
21 decommissioning will be available when needed. For a
22 plant that is transitioned to decommissioning, the
23 same requirements apply and licensees provide evidence
24 of adequate -- adequate funding through annual reports
25 submitted to the NRC. These reports separately

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1 provide transparency in the license -- in the
2 license's use of decommissioning trust funds, the
3 estimated costs for -- to complete decommissioning and
4 management of spent fuel, available funding to cover
5 these costs and any material changes to the trust
6 agreements or other allowable funding mechanisms. For
7 a license transfer, these responsibilities are
8 incumbent on the new licensee.

9 Next slide, please.

10 And as -- as a summary of this, the NRC
11 regulations require licensees to maintain adequate
12 financial assurance for decommissioning at all times.
13 Oversight of financial assurance continues until a
14 license is terminated. Licensees submit a financial
15 assurance status reports annually. The report
16 includes amounts spent on decommissioning remaining
17 for trust fund balance and estimated cost to complete
18 decommissioning. The report is reviewed for a
19 reasonable assurance of the adequacy of
20 decommissioning funding.

21 And with that, I'll hand it over now to
22 Bruce.

23 MR. WATSON: Thank you, Mike.

24 I thought I'd conclude our -- our
25 presentation with a brief discussion on our inspection

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1 program. And I want to be clear that our inspection
2 program continues to ensure the safe decommissioning
3 of the site until the license is terminated. We have
4 a dedicated inspection manual chapter for power
5 reactor decommissioning. It's available on our
6 website. It's I.M.C., or Inspection Manual Chapter,
7 2561. It contains core inspection procedures that
8 have to be done every year and a variety of
9 discretionary inspection procedures which are done
10 commensurate with the work that is being performed.

11 Our inspection frequency and the amount of
12 time we spend in the inspection process will be
13 commensurate with the amount of activities on-site.
14 So we will be coordinating closely with the licensee
15 performing the decommissioning activities. So they'll
16 see us a lot when there's a lot of activities going
17 on. And they won't -- won't see us as often if
18 there's no activities or very little activities going
19 on.

20 We are required to conduct the inspection
21 -- inspection procedures annually. And these
22 inspection -- our inspection reports are publicly
23 available unless they can turn -- contain information
24 that's specific to security or safeguards.

25 So with that, I'd like to close our

1 discussion. I want to thank you for your -- for
2 listening. And we look forward to your comments.

3 CHAIR O'CONNOR: Great; thank you very
4 much.

5 What we're going to do now is take a very
6 short period of time to have the Panel ask questions
7 and comments. And I'm going to tell everybody right
8 now not everyone is going to get to ask a question or
9 make a comment. And what I would ask is, because our
10 time is so limited, that we keep them to, you know,
11 one or two minutes because we want to have enough time
12 for anyone and everyone in the public who wants to
13 make a comment or ask a question to do so.

14 And I'm going to -- because I have the
15 mic, I'm going to ask the first question, which I know
16 is one that has come up with the public and members of
17 the Panel. And it's a question, I think, for the NRC,
18 NorthStar, and Entergy, if you all would like to
19 answer it.

20 As the NRC just outlined, one of the main
21 points that you're going to look at is the financial
22 assurance that NorthStar gives you that they -- that
23 they can complete the decommissioning within the
24 amount of money they say they are. And one of the big
25 questions that has come up is if the decommissioning

1 is not completed and the money and the nuclear
2 decommissioning trust fund runs out, who is
3 responsible for paying for the -- the shortfall?

4 And one of the issues, I think, that comes
5 up around this is, since Vermont Yankee is a merchant
6 plant, which means it's not getting any money from
7 ratepayers, there's no ratepayers to go back to -- to
8 get the money. So I guess our question really is who
9 -- and we -- we know we've heard that there won't run
10 out of money, but there's concern here that there will
11 -- there could be a shortfall of funds.

12 So we'd like to know who picks -- who's on
13 the hook for the money?

14 MS. KOCK: I keep forgetting to turn that
15 on. I can start out and then turn it over to some of
16 our experts. And then, I think, Kate, as you pointed
17 out, I think NorthStar would have a piece of this,
18 too. So Scott will probably want to jump in there.

19 But as far as the NRC is concerned --.

20 CHAIR O'CONNOR: Hey, Andrea. I'm sorry;
21 can I -- everyone has to speak up a little because of
22 the rain.

23 MS. KOCK: It's raining. Okay. I'll
24 speak up.

25 As I said, I can -- I can start out and

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1 then turn it over to some of our experts. And I think
2 part of this can be answered by North -- NorthStar, as
3 well.

From the NRC's perspective, the responsibility for funding is with the licensee. It's very clear and very straightforward. So for all regulatory activities, we look to the licensee they are responsible. So if the license is transferred to NorthStar, they're responsible for the funding. And if there's a shortage, they're responsible for making up that shortage.

12 Our regulations require that they have
13 decommissioning financial assurance at all times. As
14 Mike laid out, we look at the transfer application
15 from the beginning to make sure there's adequate
16 funds. But going forward, our regulations simply
17 state that you have to have adequate funding at all
18 times. And if there is a gap or shortage, they're
19 required to make that up. And the responsibility for
20 that would be NorthStar.

21 As far as how they would make that up. I
22 think that's the piece that NorthStar could help you
23 understand what provisions or where they would look or
24 their contingency plan is for that. We simply set the
25 regulation to say they have to make that funding up.

1 I'll just add a few more points and then
2 turn it over to others to add on. As far as, you
3 know, what assurances do we have for decommissioning
4 financial assurance -- and I think we've touched on a
5 lot of these already. As Mike mentioned, we have
6 ongoing oversight through decommissioning. So
7 annually, we look at how much is left in the fund,
8 what's their estimate for how much it's going to cost
9 to complete the decommissioning, and then we look to
10 see if there's any gap. So it's not as if we look at
11 it once when the application -- when the transfer
12 occurs and then not again.

13 We also do a thorough review at the
14 beginning, as we mentioned, and then we do our annual
15 reviews. The only other thing that I would add is --
16 I think Bruce mentioned this well. We have had ten
17 power reactors go into decommissioning and have their
18 licenses terminated. In all cases, that's been done
19 safely and funding has been made available. Either
20 the fund was adequate from the beginning or if there
21 were shortages during the decommissioning period,
22 those funding shortages were made up.

23 And again, how -- how those can be made
24 up, there's a variety of ways. I'll turn it over to
25 NorthStar to answer how they would look at that. But

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1 people could have contingency funds. They could have
2 parent company guarantees. There's a variety of ways
3 in which those funds could be made up. We don't
4 dictate how it be done, just that it would be done.

5 MR. STATE: I guess, I'll just add a few
6 comments about how NorthStar looks at this. So the --
7 you know, the front line of defense for us is we know
8 how much money is in the trust fund today. We can see
9 it. We can call the bank and they can tell us. And
10 at inception of this project, the way we've
11 established our -- our work and the way we pay
12 ourselves, we are limited to the amount of money we
13 take out of the trust account by performance of the
14 work.

15 So in our breakdown of this project, we've
16 got a little over nine hundred work elements. And if
17 we execute all nine hundreds of those work elements,
18 the site will be clean and it will be released for
19 unrestricted use.

20 So when we broke it down into those work
21 elements, we assigned a cost to each of them. We
22 added all that cost up and that cost had to be less
23 than or equal to the amount of money we had to work
24 with to do the decommissioning. So our first line of
25 defense is we simply don't take money out of the trust

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fund unless we've actually executed the work that that
money is tied to.

3 And with that, you know, assurance that we
4 don't ever -- it's a performance-based assurance that
5 we don't ever take more money than work actually
6 performed, if you -- you know, if you track it all the
7 way through and we take out exactly the amount we say
8 we will for each of the work elements, and the work
9 element gets done, then we'll complete this project
10 within the amount of funding that we have. And the
11 certainty of us executing each of these work elements
12 for that cost is that we will provide a form of surety
13 or guarantee for performance of each of those work
14 elements as we do them.

15 So you know, that's what we view as the
16 most important way to do a project like this. And
17 it's, frankly, the way we do every project the company
18 conducts, nationwide, every day. We work as a fixed
19 price contractor, doing work like this all the time.
20 And we worked to budgets on individual work elements.

Now, in the event that -- that somehow
there's a bust, and that doesn't work out, we've also
committed one-hundred-twenty-five-million-dollar
performance assurance above and beyond the amount of
money that's in the trust fund. And that will be a

1 guarantee by the company.

As we conduct this work, we actually will be taking a percentage of all the funds that we remove from the trust account and putting them into an escrow. And that's a cash first line of defense to support the -- the -- any needed cash obligations that might be above and beyond the nuclear decommissioning trust. So you know, it's kind of a two-step process. It's a process of limiting cost and then a process of making additional financial capability available above and beyond the funds that we know are present today.

12 || CHAIR O'CONNOR: Thank you.

13 || Bill?

14 MR. JORDAN: Yes; thank you. This is,
15 likewise, likely to be answered by the Panel, NRC,
16 Entergy, and NorthStar, and really dovetails to Kate's
17 question and also to my sincere pleasure to hear that
18 the site could be available to this community for
19 other uses much sooner than originally planned. And
20 I hope that that does come to pass.

21 An -- an obstacle to that, in my mind, is
22 represented at the Connecticut Yankee facility, Yankee
23 Rowe facility, and the Maine Yankee facility where
24 there are many more acres of land, and yet, the ISFSI
25 remains and no development has occurred on any of

1 those three plots of land.

So my question is does the NRC have any practical limitations with a site of about one hundred twenty to a hundred thirty acres, some of which is going to be taken up by the electric infrastructure of the switch yard and also by the ISFSI, of having another -- some other development on the remaining plot of land that was released for unrestricted use.

9 And two, does NorthStar feel confident
10 that, unlike the other owners of plants around New
11 England, they will be able to find a means by which
12 that land can be put back to productive use?

13 MR. WATSON: Yeah, this is Bruce Watson.
14 I -- I think that the plants that have been
15 decommissioned -- as I said, that they all have been
16 decommissioned for unrestricted use. So it's really
17 up to the owner what they want to do. About a third
18 of them had additional generation facilities placed on
19 them, built on them, and -- and back into generating
20 power because they do have the grid infrastructure
21 there, they do have a source of cooling water, and
22 they previously had an environmental impact statement
23 for an operating nuclear power plant. So about one-
24 third add generating capacity to the site.

25 One-third have chosen not to do anything

1 with the site, which would include Connecticut Yankee
2 and a few others. At Maine Yankee, they've chosen to
3 make part of the land a park. I think they donated
4 part of the land to a nonprofit organization, I think
5 dedicated to naturalization of the -- of the land. So
6 it's an -- it's a mixed bag on what happens with the
7 property once the license is terminated.

Granted, the dry storage facility is there. It is still under a license. We have strict requirements for that security of that facility. So yes, some of the land is taken up for that particular purpose. But from the NRC's view is that the remaining lands that are not required to be under the license are available for any -- any -- any development or unrestricted use that the owner would have for that.

17 So I hope I answered that part of the
18 question.

19 CHAIR O'CONNOR: Yes? Wait one second
20 because we're going to let somebody --.

21 UNIDENTIFIED SPEAKER: Counting our
22 chickens here --?

23 CHAIR O'CONNOR: Well, wait one second.
24 We got to -- we've got to get the full answer here.

25 MR. STATE: So you know, the owners of the

1 three facilities you mentioned, I've been -- I haven't
2 been to Connecticut Yankee site. I've been to Yankee
3 Rowe. I've been to Maine Yankee. You know, those are
4 somewhat remote locations, somewhat remote sites.
5 And, you know, the ownership structure there is you
6 still have utility owners or cooperatives, in essence,
7 multiple parties that own those sites. And I think,
8 as a result, you know, they're people that operate or
9 -- or there are cooperatives that were formed to
10 operate these plants. I'm not sure that any one of
11 those individual utilities has any specific desire to
12 do anything with those sites.

13 We're commercially a very different setup.
14 You know, we are not interested in being the long-term
15 owner and developer of the site after it's clean.
16 What we're interested in doing is working with the
17 local community to find the highest and best use of
18 the property.

19 We've heard suggestions of, you know,
20 potentially looking at a micro-grid. That could be a
21 great idea. We've suggested a solar facility might be
22 an option there. But we're not wedded to any specific
23 future use, but we are wedded to finding a future use.
24 And -- and we will be, I would say, very easy to work
25 with in terms of positioning the property for its best

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1 potential.

2 CHAIR O'CONNOR: Great. Thank you.

3 Does anyone on this side --?

4 SENATOR MACDONALD: I'm surprised we would
5 be using this time to discuss what to do with a site
6 that may or may not be cleaned up. And that is
7 premature. I've been doing this job long enough to
8 have been to this point, several times, with the NRC.
9 And on the original sale of Vermont Yankee to Entergy,
10 we were given assurances by the NRC that the
11 decommissioning fund was adequate, that the new
12 operation would provide benefits to the state of
13 Vermont, there would be additional revenues to put
14 into the cleanup.

15 And what happened was, at Vermont, the
16 owners shipped all the profits out of state and left
17 the decommissioning fund inadequate enough so that
18 tonight we're here discussing how to clean the place
19 up.

20 The second time we arrived at this point
21 was when the owners of the plant came in and asked to
22 do an up-rate. And your advisory Panel that preceded
23 this one recommended in a vote not to do the up-rate
24 because the decommissioning fund was inadequate
25 because the NRC assured us that there would be a

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1 depository for nuclear waste available if we did an --
2 an up-rate. And your Nuclear Advisory Panel said that
3 that would not happen.

4 And the NRC gave us assurances that there
5 would be a place to send the waste, and despite the
6 recommendation that the assurances were not worth --
7 the assurances failed to materialize, no additional
8 funds were required from the owners to be put into
9 decommissioning to cover the additional waste. That
10 was the second time we were here.

24 And the Chair has asked what happens if a
25 company like NorthStar, a relatively new company with

1 no deep pockets, sold the plant and fails to complete
2 the cleanup, who is left holding the bag. And, Madam
3 Chair, the reason I asked that question was when an
4 up-rate was being discussed and your VSNAP panel said
5 don't do the up-rate unless the NRC can tell us what
6 will happen and who will pay and who will be left
7 holding the bag if there is no National Nuclear
8 Depository.

9 And those that make these decisions were
10 persuaded to accept the assurance of the NRC and to
11 trust the owners that things would turn out all right.

12 And we are here today because of -- this
13 is about the fourth time that I have served where
14 we're given a slideshow, promises, guarantees that
15 these people are more clever, better accountants, and
16 more responsible than their predecessors. And they're
17 asking us to sign off on a recommendation.

18 But if this doesn't work, the answer is
19 the NRC doesn't have a rule for who will be
20 responsible. The rule is the people who would be
21 responsible are the people that have no money. Madam
22 Chair, I say that because when -- when, in the past,
23 the NRC told us that there will be a nuclear
24 depository available for the waste by a certain year,
25 and we said we don't believe you, and they said that's

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1 our rule, there must be, you're not going to get left
2 holding the bag. And when it became clear that there
3 was no nuclear depository available, they, the NRC,
4 changed its rule.

5 CHAIR O'CONNOR: I don't want to cut you
6 off, but --.

7 SENATOR MACDONALD: You would like to talk
8 about what we're going to do with this plant after
9 it's been cleaned up?

10 CHAIR O'CONNOR: Yeah.

11 SENATOR MACDONALD: Instead of what is the
12 guarantee that we're going to be -- this is going to
13 be cleaned up and that the NRC, who writes the rules
14 we have to obey, writes a rule for this other than
15 that the people that have no money are responsible.

16 CHAIR O'CONNOR: Thank you.

17 I mean I -- I don't know if there's --
18 you've -- you answered the question when I asked about
19 who's on the hook. I don't know if you want to add
20 anything?

21 MS. KOCK: No, I didn't want to add
22 anything. I just wanted to clarify one thing
23 unrelated to the funding issue, which is that the NRC
24 doesn't -- does not set the policy for when and where
25 there will be a national depository. We're

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1 responsible for reviewing any application we might get
2 for a repository, making sure that it's safe, and
3 issuing a license if we think it's appropriate. But
4 we do not set the national policy on whether there
5 will be a repository, where it will be, or when it
6 will be. That is not something that's within our
7 control or authority. So I just wanted to make that
8 one clarification, but nothing else to add. Thank
9 you.

10 SENATOR MACDONALD: That's --.

11 CHAIR O'CONNOR: Thank you.

12 SENATOR MACDONALD: That's true, Madam
13 Chair. But they assured us, while they don't set the
14 policy, that someone else did -- they assured us that
15 there would be a depository there. They gave us
16 their assurance. They don't make the policy, but they
17 gave us the assurance. And when it failed, they made
18 up a new set of rules to allow a hundred years for --
19 for getting rid of the waste.

20 CHAIR O'CONNOR: Thank you.

21 Chris?

22 MR. CAMPANY: Chris Campany, Windham
23 Regional Commission. The Town of Vernon asked the
24 Windham Regional -- or had initial planning grant to
25 have the Windham Regional Commission prepare a

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1 resilience plan for what would happen when the plant
2 would eventually close. And this was back in 2012.

3 And I just want to see if you can add any
4 clarity of as far as when the site might be released
5 with the presence of the ISFSI there? On June 12th,
6 2012, I had a phone conversation with Ronald Bellamy,
7 Chief Reactor Project Branch of NRC, Region One. And
8 he said that as long as the ISFSI was there after
9 decommissioning, that it would be unlikely the site
10 would be able to be released for reuse. So that was
11 from -- I think -- I think he's retired now and he
12 can't be here to explain his logic.

13 But I just wondered what you might want to
14 add or what your position would -- might be now?

15 MR. WATSON: I can't comment on what the
16 conversation was with Mr. Bellamy, back then. But any
17 land that is taken off the license, with the exception
18 of the license property, which is the dry storage
19 facility, it will be -- I guess, should say is planned
20 to be released for unrestricted use, which means it
21 can be used for anything that the owner or the town or
22 whatever choose to do, whoever controls the property
23 rights to that piece of land.

24 Yes, the ISFSI will be there until the
25 Department of Energy removes the fuel. At that time,

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1 when the fuel's removed, the -- the actual facility
2 will be decommissioned. And then the entire piece of
3 property will be available for, I would believe at
4 that point, unrestricted use and for development for
5 whatever purpose the owners would have.

6 So, you know, I can't comment on the basis
7 of the conversation you had with him. But like I
8 said, at other facilities, the -- the remaining pieces
9 of land have been -- have been -- added generating
10 plants and -- and used for other purposes. And some
11 have chose not to use the property at all for -- just
12 letting it sit for right now so.

13 MR. CAMPANY: So I just -- so, Kate, can
14 I ask just a follow-up? So -- so, I guess what I'm --
15 so what's the -- like the security perimeter likely to
16 be around the ISFSI? I mean, how much of the site
17 would likely be available?

18 I'm asking you because -- one of the
19 reasons, when we went to Connecticut Yankee, one of
20 the reasons why they moved the spent fuel so far away
21 from the site was to facilitate redevelopment of that
22 site. And they did that at a considerable expense to
23 move that away. I thought that was -- and I thought
24 at Maine Yankee that was part of the reason, too, for
25 removing the spent fuel pretty far away, so they could

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1 really -- and of course, those are much larger sites
2 and then V.Y. So what would you anticipate like this,
3 the perimeter might be around the ISFSI?

4 MR. WATSON: I really can't really answer
5 that because I -- we don't normally look into ISFSIs
6 too much. But I'm sure that there's a certain amount
7 of land that's required for the security plan around
8 it to be under the owner control to make sure that the
9 people who are providing security and for the facility
10 have adequate time to respond to any threats.

11 I can tell you that the facility at
12 Connecticut Yankee, the dry storage facility was
13 purposely moved up on the hill because the original
14 location had it down in a valley. And they thought
15 that was a -- not a wise decision for the actual
16 security of the facility, and that the better place
17 would be up on the hill so that it was on high land
18 for -- for security reasons.

19 So I hope that answers your question to
20 the best I can -- can do today.

21 CHAIR O'CONNOR: Okay. We'd have one more
22 Panel question. We'll let Jim Matteau.

23 MR. MATTEAU: Thank you.

24 It's actually, two questions, but they're
25 both very quick and I'll throw them both out there

1 together. The first one for NorthStar.

2 Not -- not knowing the details of the
3 commitment, I understand the -- the price per
4 component and everything, and that's -- that's
5 encouraging. I'm really optimistic about that. But
6 is there anywhere in there, if you encounter something
7 significant that you could make a clear case was
8 reasonably not foreseeable, is there any way for you
9 to go back and seek an increase allotment for that
10 component, which it seems to me would, in turn,
11 jeopardize -- could jeopardize the balance of the
12 trust fund?

13 And the second question for the NRC is, if
14 something like that were to happen or, for whatever
15 reason, it got to the point that there wasn't enough
16 money to complete the decom, would it be possible for
17 the owner to apply to go back -- excuse me -- to go
18 back into SAFSTOR? That's a one-word answer.

19 MR. STATE: So the -- the -- the first
20 issue you raised is if -- if -- I think you're saying
21 if we find an unknown source of contamination or
22 something. If -- if we simply execute poorly, we have
23 no recourse to anyone for anything. If, in fact,
24 during a certain specified period of time, we find
25 contamination that was undisclosed as part of the

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1 transaction, we've got a level of indemnification from
2 the seller. That doesn't go on forever. That goes on
3 for a certain period of time.

4 So, you know, it behooves us early on in
5 this process to make sure we've got the best
6 characterization we can and determine if there's any
7 unknown contamination that -- that was not disclosed
8 to us.

9 If, in fact, we go through the process and
10 we find unknown contamination after a certain date,
11 it's our obligation to remove that. And we have to
12 remove that to, you know, achieve what the objective
13 here, which is unrestricted use of the site.

14 So, you know, we've done a lot of
15 facilities like this and we've got a pretty good idea
16 if there should be or would be certain types of
17 contamination. These are not hard things to find. We
18 know what the site was used for. We know, generally,
19 you know, what kinds of things were at the site.

20 I can tell you that large sites that had
21 large motor pools, a lot of times, are really bad
22 sites because, you know, back in the day you just
23 threw out the back door and now it's all over in the
24 groundwater.

25 We know there's been certain events at the

1 site. We think those are pretty well documented. And
2 we will certainly do a high level of investigation
3 upon ownership to confirm all of that -- all of the
4 facts that -- that we've got. But, you know,
5 generally, we feel like there aren't any of those
6 really big gotchas out there. But if there are, we do
7 have a certain ability to protect ourselves, you know,
8 day one, for those types of things.

9 MR. SACHS: Uh --.

10 CHAIR O'CONNOR: Hey, Gary, we're trying
11 to do our meeting, so let the NRC -- there will be
12 public comment in a minute.

13 MR. SACHS: (Off mic) Can I --

14 CHAIR O'CONNOR: Yes -- yes, please do.

15 Okay. Please go on, Bruce.

16 MR. WATSON: Obviously, the NRC's view of
17 the decommissioning is that the decommissioning has to
18 be completed in sixty years. So given the fact that
19 this is the business model that NorthStar is taking,
20 they're using to -- to actually take the sale of the
21 property, it's their risk they're taking in doing
22 their review of the site to ensure that they can meet
23 the commitments that they're telling us in the -- in
24 the documents in the -- in the financial information.

25 So for many, like previous license

1 transfers, we would have expected them to do their due
2 diligence to protect themselves, review the site
3 history, look at the characterization to ensure that
4 they -- they have a good assurance that they can clean
5 up the site within the funds.

6 Back in 2012, we strengthened our
7 decommissioning regulations. We actually call it the
8 Decommissioning Planning Rule. And it required that
9 the sites do additional groundwater monitoring close
10 to sites which could produce contamination into the
11 environment so it would be discovered early. I think
12 that enhanced the ability to prevent a lot of
13 underground soil contamination, which has been found
14 at a few of the sites that were previously
15 decommissioned.

16 So these -- these regulations enable the
17 owner or the operator at the time, the licensee, to
18 find contamination and make a determination whether
19 they need to clean it up now or later.

20 So the answer is yes, they could go into
21 a SAFSTOR situation, do -- for -- for whatever reason
22 they choose to. But as I think that's their choice.
23 But in this particular case, they're telling us
24 they're planning to the clean the site up from a
25 radiological standpoint by 2026.

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1 CHAIR O'CONNOR: Okay. We have one quick
2 follow-up. Then we have to move on.

3 MR. WALKE: Mr. State, I just want to
4 follow-up quickly on the point about you're going to
5 do your due diligence post-transfer. We've talked
6 about phase one complete before transfer of the
7 environments non-radiological environmental review.
8 As the state agency is responsible for the non-
9 radiological piece, it -- it seems to me that the --
10 the that I have about the risk associated with the
11 transfer is related to why wouldn't we want to do that
12 diligence up front and know that information from the
13 phase two prior to transfer, so you know what the
14 gotchas are and we have come -- more comfort into the
15 financial resources?

16 MR. WATSON: I'd like to add one more
17 piece to -- to my previous comment, in that the NRC
18 regulations require that any incident or -- I'll call
19 it event that would result in information that would
20 be important -- in particular, radiological
21 information that would be important to the
22 decommissioning of the future of the site be recorded.

23
24 And so we do have a requirement that if
25 they had a spill or -- or a contamination that that'd

1 be well-documented in the record for the site history.
2 And so that's one area that could be looked at from a
3 radiological standpoint.

4 MR. TWOMEY: At -- at one level, there
5 have been numerous evaluations of the conditions on
6 that site. Certainly, the prior owners before Entergy
7 had an obligation to maintain their compliance with
8 all the NRC --

9 MR. SACHS: (Off mic)

10 MR. TWOMEY: -- all of the requirements
11 that they had to comply with for the NRC When we --
12 when Entergy bought the facility in 2002, we did a
13 comprehensive due diligence prior to that sale. And
14 then --

15 || MR. SACHS: (Off mic)

16 CHAIR O'CONNOR: Hey, Gary.

17 || MR. TWOMEY: -- we also did --

18 CHAIR O'CONNOR: Gary.

19 MR. TWOMEY: -- we also did a --

20 MR. SACHS: Could you speak up?

21 MR. TWOMEY: -- site assessment study in
22 2014.

23 MR. SACHS: Is there a reason you won't
24 speak up?

25 MR. TWOMEY: Is there a reason --

1 CHAIR O'CONNOR: Could everybody --?

2 MR. TWOMEY: -- you're interrupting me?

3 CHAIR O'CONNOR: Yeah, please don't
4 interrupt.

5 MR. SACHS: I can't hear you. There's
6 nothing to interrupt.

7 UNIDENTIFIED FEMALE SPEAKER: (Off mic)

8 CHAIR O'CONNOR: Well, we're going to let
9 him finish the question, so we can move on.

10 MR. SACHS: (Off mic)

11 MR. TWOMEY: We did a comprehensive site
12 assessment study in 2014. And then NorthStar's been
13 doing their own due diligence as we've been working on
14 this transaction.

15 And I'll let Scott speak to the level of
16 due diligence they've done.

17 MR. STATE: It -- it -- I don't want you
18 to misinterpret what I said before. It's not as if we
19 haven't done any due diligence or -- or done any level
20 of evaluation. I was speaking merely to, you know,
21 post-closing and opening of structures and doing a
22 very invasive testing that you wouldn't do prior to
23 closing of a transaction to, you know, get absolute
24 confirmation of what we believe to be true today.

25 But, you know, we've -- we are relying on

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1 past -- past practices and past evaluations and data
2 that's been generated from prior work on the site.
3 And you know, we will continue to do that kind of
4 work. We've continued to do due diligence. We are
5 initiating certain work activities, the second half of
6 this year and all next year, running up to the closing
7 of the transaction.

8 So we're not just sitting idly, hoping
9 there's nothing there. We are doing, you know, a
10 substantial amount of work to verify the condition of
11 the site at closing.

12 CHAIR O'CONNOR: Thank you.

I think what we're going to do right now
is take a five-minute break. So at seven forty-five,
we're going to take public comment and questions. And
if you want to make a comment or ask a question, there
are signup sheets right over there. So in -- we'll
take five minutes.

19 (Off the record)

20 || (The meeting resumed.)

21 CHAIR O'CONNOR: Okay. Now, what we're
22 going to do is take comments or questions from the
23 public. And I just want to remind everybody that the
24 NRC is here because it's the official public comment
25 period on the license transfer application that

1 Entergy and NorthStar has filed. And that, of course,
2 is about the sale.

What I'm going to ask is when you come up,
if you could state your name and what town or state
and/or state you are from. It is being recorded by
the NRC. And as Andrea said earlier, you don't -- if
you speak tonight, you do not have to send written
comments to the NRC. But if you choose not to speak
tonight, there is a mechanism that you can go online
on the NRC website and either email a comment in or
you can do a written comment. And those comments are
due by June 23rd.

I also want to remind everyone that while you may pose a question to the NRC, again I think Andrea stressed this, is that they are still in the process of reviewing the license transfer application. So they may not have an answer for you because they haven't finished the review.

I would also ask that if people can keep
their comments down to two or three minutes, we'd
appreciate it so we can move the meeting along. And
again, I want to remind everyone that this is a
meeting of the Nuclear Decommissioning Citizens
Advisory Panel. And we run by Robert's Rules of Order
and our charter and I just ask everyone to respect

1 that you are at a Panel meeting and respect all your
2 fellow commenters or people that are here this
3 evening.

4 And I'm going to call people's names in no
5 particular order, so I don't want anyone to think you
6 -- I'm playing favorites in any way. And what I'll do
7 is I'll, maybe, call two names at a time so the next
8 person knows that it's their -- their shot.

9 The first up is going to be Skyler Gould.
10 And then second is Brad Ferlin. And again, if you can
11 say your name and your town and state, so we have it
12 in the record. Yes?

13 MR. GOULD: All right. Thank you very
14 much.

15 CHAIR O'CONNOR: You may have to talk
16 louder than usual because of the rain on the --.

17 MR. GOULD: I'm Skyler Gould of
18 Brattleboro -- I'm Skyler Gould. I live in
19 Brattleboro these days. Thanks very much for allowing
20 us to come here tonight.

I have a couple of quick questions. Has the NRC approved the new Holtec dry cask design which would allow the earlier unloading of fuel beyond -- shorter than the usual five-year cooling off period?

25 CHAIR O'CONNOR: I think what I want to do

1 -- I think what I want to do is have you ask all the
2 questions?

3 MR. GOULD: Okay.

4 CHAIR O'CONNOR: So you could ask all your
5 questions and then they can answer all at the same
6 time.

7 MR. GOULD: And another is -- is there
8 some reason the comment period has been reduced from
9 the normal sixty days to thirty days? Twenty or
10 thirty days, I'm not sure. I think I heard thirty
11 this evening.

12 A more difficult question. On March 29th,
13 just this year, a judge in the Court of Chancery, of
14 the state of Delaware -- I have the opinion -- found
15 that one of the two members of the NorthStar Group
16 Holdings, of which Scott State is the current C.E.O.
17 -- current corporate members, I'm quoting here, has
18 adequately alleged facts that, if true, demonstrate
19 fraudulent representation, unquote.

20 This is a charge by the other member of
21 NorthStar Group Holdings. So basically there are two
22 members of NorthStar Group Holdings. One is accusing
23 the other of fraud. Excuse me. NorthStar
24 Decommissioning Holdings, the limited liability
25 corporation incorporated -- incorporated last November

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1 which is seeking to purchase Vermont Yankee from
2 Entergy is owned by NorthStar Group Services, which is
3 owned by L.V.I. parent corporation. which is owned by
4 NorthStar Group Holdings. which is at the heart of
5 this fraud case, they're seeking over two hundred and
6 thirteen million dollars in damages.

7 Essentially, Scott State and his -- his
8 member of the NorthStar Group Holdings are accused of
9 misrepresenting their corporate members' assets and
10 liabilities to the tune of two hundred and thirteen
11 million dollars. So my question to the NRC is do the
12 facts of this case --?

13 MR. SACHS: Did you know this?

14 CHAIR O'CONNOR: Gary --.

15 MR. GOULD: Gary, please, give me a break.

16 Do the facts of this case concern the
17 Commission and will the Commission fully consider this
18 above-mentioned suit and what it may say about the
19 integrity of the terms of the proposed sale?

20 And secondly, is the Commission confident
21 that should the plaintiff in the above case prevail,
22 which the judge in the case has concluded is enough of
23 a possibility to allow the case to go forward, will
24 the structural integrity of the NorthStar Enterprise
25 -- the larger NorthStar Enterprise allow the

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1 decommissioning of -- of Vermont Yankee to be
2 completed according to regulatory requirements? Thank
3 you.

4 MR. WATSON: Yes, I'll try and answer the
5 questions in order. First of all, the Holtec change,
6 I think that's still under technical review.

7 MR. GOULD: So is it conceivable, if
8 that's not approved, that that will delay --?

9 MR. WATSON: Well, it isn't approved yet,
10 nor is it denied. So it's still under review. Okay?

11 The requirement for a public period for a
12 license transfer is thirty days in the regulations.
13 So that's what's -- that what's published in the
14 Federal Registry so.

15 MR. GOULD: Excuse me. I understand. It
16 was never sixty days?

17 MR. WATSON: No; it's thirty days.

18 MR. GOULD: Excuse me. I see.

19 MR. WATSON: And in response to the -- I
20 guess, the lawsuit you're -- yeah, we have no real
21 comment on it. That is not part of our review. The
22 only comment I would have as a person that is an
23 accusation of -- of wrongdoing is not -- not an
24 assessment of guilt until the court decides it. So
25 it's not part of our review at all.

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1 MR. GOULD: Thank you.

2 CHAIR O'CONNOR: And I do want to say one
3 thing that we as a -- we as a Panel can request an
4 extension on public comment period if we needed to
5 because we've done that in the past. So that is an
6 option.

13 We've testified before you a number of
14 times over the years and welcome you back to Vermont.

The Vermont Energy Partnership was formed in 2005, largely through the foresight of Governor Thomas Salmon. We're comprised of a diverse group of business, labor, and community leaders. And over the years, the Vermont Energy Partnership was a strong advocate for Vermont Yankee as an economic engine, a job provider for not only Windham County, but for the State of Vermont, supplying low cost power. And we were in support of that.

24 One of the things we heard over the years
25 in debate was if Vermont Yankee closed, that an

1 accelerated decommissioning would be desired. And lo
2 and behold, with NorthStar here, this -- this promise
3 or this desire can actually be met. So -- and to make
4 the site available for future economic uses. So we
5 view this new opportunity of having Vermont Yankee
6 acquired by NorthStar and have them put in place this
7 accelerated and safe decommissioning process as great
8 news for Vermont.

We've had the opportunity to meet with
NorthStar officials on a number of occasions and hear
explanations of how they plan to operate in Vermont
and decommission Vermont Yankee. We appreciate the
fact that it's going to provide, in segments, jobs and
economic stimulus for -- for the region and for the
state.

So we thank you.

23 CHAIR O'CONNOR: Great. Thank you very
24 much.

25 And I'm so sorry if I mispronounce

1 people's names. Meredith Angwin and then Robert
2 Stewart?

3 MS. ANGWIN: Hello; my name is Meredith
4 Angwin and I live in -- I live in Wilder, Vermont.
5 And I have blogged for many years at Yes Vermont
6 Yankee in case people are wondering what side of the
7 fence I'm on.

8 I would like to just make a comment about
9 the decommissioning. And that is that while the plant
10 was still running and Governor Shumlin -- at that
11 point he was governor, right -- was very much against
12 it. And he said, at one point in a press conference,
13 that if Vermont Yankee was decommissioned, it would be
14 a huge jobs bonus for this area. It would be fabulous
15 and it wouldn't actually lay people off because it
16 would take the plant a couple years to cool down and
17 people would still be employed. He -- the polite way
18 to describe this sort of thing is that he pulled this
19 stuff out of the air. That's the polite way.

20 At any rate, I was very interested in his
21 comments and I tried to figure out what actually
22 happened in decommissioning. And then during the
23 course of this, I interviewed a lot of people at three
24 Yankees, at Energy Solutions, I read articles from
25 EPRI. I read articles from all over the place. I

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1 used to work in the nuclear industry, so I can figure
2 some of these things out.

3 And what I found out was that a lot of the
4 data that I would've liked to find, but was really
5 very wrapped up in -- in the economics of the
6 different companies doing the decommissioning and was
7 proprietary. So the idea that this particular case,
8 there was proprietary economic data and that's so --
9 so shocking to some people, it's just standard. I
10 mean, I wish it wasn't -- sometimes it wasn't
11 standard.

12 For example, I would have -- I wanted to
13 know what percentage of the decommissioning money
14 actually went to truck drivers and to transport, as
15 opposed to people working on the site. This is
16 proprietary data. I was told that by everybody and I
17 think it's true and I think companies have a right to
18 proprietary data. I -- my -- my point isn't that we
19 should look more or look harder or look this or look
20 that.

21 My point is that decommissioning and many
22 other processes like this do have proprietary economic
23 data. This is not the first time. As I say, I was
24 looking all over the country for this kind of data.
25 And it kept coming up proprietary because that's how

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1 it's handled.

2 CHAIR O'CONNOR: Great. Thank you.

3 I have Robert Stewart and then Patty
4 O'Donnell.

5 MR. STEWART: Yes, I'm Robert Stewart,
6 although I go by Jake. And I live in Brookfield,
7 Vermont. I'm a professional engineer and I've been
8 concerned about radioactivity ever since the plant
9 started operation.

10 And I'm particularly concerned now, among
11 other things, but about the rubblization. If that
12 becomes a possibility, I think that's a big mistake to
13 leave radioactive material on-site. Even if it's
14 diluted with other less radioactive material to dilute
15 it, I think it all should be removed.

16 The -- you know, diluting it is really not
17 a solution. And the radioactive isotopes will
18 migrate. They will get into the Connecticut River and
19 already are. And the -- they also will get into the
20 aquifer. They cannot be stopped. So I think the less
21 material that's radioactive on-site, the better. So
22 I hope that all of that material will be, as much as
23 possible, can be removed. Thank You.

24 CHAIR O'CONNOR: Thank you.

25 We'll have, after Patty, Janet Rasmussen.

1 MS. O'DONNELL: Good evening. Thank you
2 so much for coming here tonight and giving us the
3 opportunity to speak to you. As Kate said, my name is
4 Patty O'Donnell. I have -- I come from the Town of
5 Vernon and I have over twenty years of experience of
6 representing the Town of Vernon in one way or another.
7 I've served on the school board, the select board, and
8 I've been a state representative for twelve years.

9 And I have to say coming from Vernon is
10 not always an easy thing. It's not always easy to be
11 the town with the nuclear power plant, although we
12 have felt for years that we certainly helped the state
13 out and are reaching out in many, many ways.

As a legislator, I heard, for over twenty

1 years, we want that plant decommissioned, we want that
2 plant closed. Well, they got their way; the plant is
3 closed. Now, we want our way. We want a viable,
4 fair, honest looking into the proposal. If everything
5 works out well, we want the plant decommissioned as
6 fast as we can. You will hear after, peers of mine in
7 Vernon will tell you about our plans for the future
8 and how we've been working very hard in our planning
9 commission to reinvent ourselves, but nothing can be
10 done until the plant is gone.

11 We have already developed or started to
12 develop a relationship with -- with Scott. We had a
13 wonderful relationship with Vermont Yankee. I know we
14 will continue our relationship with NorthStar. And
15 they're already working with us. But please, give us
16 a chance for a future. We certainly have given our
17 state enough in the last forty-two years.

18 MS. RASMUSSEN: Janet Rasmussen, a
19 resident of Vernon and a member of the Vernon Planning
20 Commission. I think Patty said everything far more
21 elegantly than I could.

22 FROM THE AUDIENCE: No one can hear you,
23 ma'am.

24 MS. RASMUSSEN: I'm Janet Rasmussen. I'm
25 a resident of Vernon and also a member of the Planning

1 Commission. I think Patty O'Donnell said what I would
2 like to say a lot more elegantly than I could.

3 But what I really want to underscore is we
4 live in Vernon. We work in Vernon. Our economic
5 future is dependent on this plant being -- plant being
6 decommissioned as quickly as possible, but also as
7 safely as possible.

8 No one has a seat closer at the table than
9 we should, because we live there. We are -- the
10 Planning Commission has become intervenors in the
11 process. We are -- we will read everything that we
12 can. We have had permission from the select board to
13 hire experts, if we can, to help us through the
14 process.

15 We're encouraged about the process thus
16 far and we hope that we are allowed to have a fair
17 hearing. And please know no one wants this to happen
18 more than us, economically and safely. Thank you.

19 CHAIR O'CONNOR: Thank you.

20 Howard Shaffer and then Madeline Arms?
21 And because it's raining, you do have to yell a little
22 bit louder into the microphone.

23 Howard's passing. So does Maddie want to
24 go next? And next up is going to be Lissa Weinmann.

25 MS. ARMS: Madeline Arms, Town of Vernon

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1 resident and also member of the Planning Commission.
2 Thank you very, very much for coming here, and
3 listening to everyone, and taking all of our opinions
4 and our hopes and our dreams into your consideration.

5 I certainly would like to add my support
6 to what Patty and Janet have said. This has been a
7 topic of much discussion in the Planning Commission
8 and throughout the Town of Vernon. And I sincerely
9 believe that it will not be just the Town of Vernon
10 that benefits from this revitalization. It's going to
11 spread to the surrounding towns and to actually the
12 whole state of Vermont, as well. Thank you very much.

13 CHAIR O'CONNOR: Thank you.

14 Lissa?

15 MS. WEINMANN: Hi; I'm Lissa Weinmann.
16 I'm a resident of Brattleboro and, again, I, too,
17 appreciate you coming here tonight to hear views from
18 our community.

19 I would say that in my view the Town of
20 Brattleboro is really the host town for the reactor.
21 Vernon is -- is the town where it is, but it's really
22 the Town of Brattleboro that -- that absorbs a lot of
23 the -- the emergency preparedness and other things
24 that have to do with the plant really emanate from
25 Brattleboro. So I would say that, in my view,

1 Brattleboro is the town of record here, more than
2 Vernon.

3 But I have a couple of things I just want
4 to say, quickly, which is I think that in this process
5 really when there is a license transfer that a new
6 P.S.D.A.R. should be completed. I think it's a new
7 entity and really demands that a new P.S.D.A.R. be put
8 forth and not just a revised one.

I would also say that I have a lot of issues with the cost of the decommissioning. Entergy thought it was going to be one point two billion. Our Public Service Department did an independent assessment and they thought it would be along the lines of two billion to -- to decommission the reactor. So those numbers are so wildly different, it's hard for the public to really reconcile what is real here.

I know that the overhead is going to come down and there's a lot of reasons why it's lower, but that's a lot lower. And that calls into question the credibility of the numbers in my mind.

22 I just want to say also that I do believe
23 that as long as the spent fuel is in the pool and the
24 whole process of moving the fuel to dry fuel storage
25 means that we should have an adequate level of

1 emergency planning that the NRC has reduced. And I
2 understand that decision's been made, but I take issue
3 with that and I think it was a foolish decision.

I'd also like to -- to just on record say
that I think that allowing Entergy to use the
decommissioning fund in ways that it has put forth was
not also something that the community supported. And
I took issue with that, the NRC's decision with that
as well.

I would like -- I know that you have an environmental impact study that was generically done for this site but --.

13 CHAIR O'CONNOR: Lissa, I don't want to
14 rush you, but I'm going to rush you.

MS. WEINMANN: Okay. All right. Well,
two more points. One is that are any of the other
reactor sites have a school at the front door?
Because I think that the presence of school children
who we know children are much more susceptible to
radio -- radiation. I mean, they -- they absorb it
much differently than adults do. What are the
measures that are going to be taken for the very
unique circumstance that this plant is in, in having
a school at its doorstep? I don't think that's the
case with any other plants anywhere.

1 And then finally, I would just say that I
2 am against the rubblization. It flies in the face of
3 what Entergy had agreed to do. And while it may be
4 acceptable for the NRC and Federal standards it's not
5 what Entergy had promised in -- in its agreement with
6 the state.

I still have a lot of other things, but
I'll put them in my written comments. And again, I
appreciate your review.

10 CHAIR O'CONNOR: All right. Thank you.

11 Next up is going to be Bill Sayre and then
12 Dan Jeffries.

13 MR. SAYRE: My name is Bill Sayre. I'm an
14 economist from Bristol. My family has a lumber
15 manufacture and as such -- is that better -- and as
16 such, I'm also representing Associated Industries of
17 Vermont, which is the trade association for Vermont
18 manufacturers. I want to thank you for making the
19 trip up to Vermont to hear what we have to say and
20 appreciate the opportunity to speak to you all.

21 I may take a different view. I will take
22 a different view than some who will speak to you
23 tonight. I want to start by expressing my -- my
24 association and my company's gratitude to Vermont
25 Yankee and Entergy Corporation for all the years of

1 reliable, affordable, low-carbon energy that they
2 provided to the manufacturers of Vermont. We
3 appreciate it very greatly.

4 And we now appreciate the agreement that
5 they've reached with NorthStar to transition into a
6 decommissioning process that will be more rapid and
7 just as safe and just as high quality. We believe
8 this is good for Windham County and it's good for
9 Vermont. It secures the important safety and health
10 standards that we all want to see, keeps the economy
11 going, and gets the process completed in a more timely
12 fashion.

13 Thank you very much.

14 CHAIR O'CONNOR: Thank you.

15 After Dan Jeffries, it will be Bob
16 Spencer.

17 MR. JEFFRIES: Good evening. Thank you
18 NRC for making the trip up here. We were kind of
19 joking that down in the NRC, somebody must have asked
20 for volunteers to come up to Vermont. But it looks
21 like they got some players. Appreciate your being
22 here.

23 I got a question. This is something I
24 probably knew at one time, but have forgotten, and
25 there's a reason for asking it. The question is who

1 owns these spent fuel, the dry casks, after the
2 decommissioning is complete? One of the reasons
3 that's on my mind is it seems to me that it would be
4 appropriate for the Republican Congress to pass a law
5 forcing the ownership of those dry casks onto the
6 Department of Energy.

7 The Federal Government said they would
8 take this spent fuel way back in the '60s when they
9 initially allowed the industry to start building the
10 nuclear power plant. So I think they should take it
11 by law and not leave that open to argument.

12 Number two question is -- is NorthStar
13 publicly held. And if so, how's business? And the
14 reason I ask that question is that I'm an Entergy
15 retiree and when I was looking at my retirement plans,
16 I was looking at how secure is this Entergy retirement
17 check I'm going to be getting. Entergy is a large
18 utility, down south. Regardless of what might have
19 happened with any of their nuclear power plants up
20 here, I always felt that they were a very secure
21 company and that my check was highly reliable.

22 If NorthStar is publicly traded and can
23 comment on their -- you know, how things are going
24 business-wise, I would expect that if they needed to
25 bring more money to the table for the next, you know,

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1 five years, past 2026, ten years past, if the cash
2 flow is there, I consider the finances secure.

3 May not do much for the stockholders if,
4 in fact, it's publicly -- publicly held, but if
5 they've got the cash flow, it should come to Vermont
6 Yankee if necessary.

7 And the other thing that's on my mind --
8 by the way, I forgot to comment, I'm a resident of
9 Brattleboro. So one thing I've noticed in all the
10 discussion is -- and I can't quite get a grip on it --
11 is what's so important about this one hundred acres
12 down here in Vernon. If you take a ride up and down
13 the river, there's a lot of undeveloped land up and
14 down the river. Why is this one hundred acres so
15 extremely important? It seems like this real estate's
16 value is extremely exaggerated in my mind. And to
17 that end, I'm comfortable with the four -- four-foot
18 reclamation. And I'm also comfortable with the
19 rubblization as proposed. Thank you.

20 CHAIR O'CONNOR: Thank you.

21 Again, it's Bob Spencer and then Peggy
22 Farabaugh is next.

23 MR. SPENCER: Good evening and thank you
24 to the NRC. Bob Spencer, I'm Chair of the Vernon
25 Planning Economic Development Commission. We've heard

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1 from three of our members already. We also have two
2 other members here, Jeff Dunkley and also Martin
3 Langeveld, who is on the Panel.

4 So we are the -- the board that's charged
5 with looking at future use of this site. And we
6 recently prepared an op-ed piece that was put into the
7 local papers. I was just going to hit a couple
8 highlights of that.

9 That basically what we're looking at is a
10 Reenergize Vernon campaign. We like the idea that
11 some of the other decommissioned sites have hosted
12 other -- energy generating facilities. We are looking
13 at such things as microgrid battery storage,
14 hydroelectric because of the existing TransCanada, now
15 ArcLight facility, possibly solar, and the spinoff
16 businesses such as cloud storage and other high energy
17 intensive using -- uses.

18 We'd also like to point out the over one-
19 hundred-year history of Vernon in hosting energy
20 production, starting with the Vernon hydroelectric dam
21 in the early 1900s and then transitioning into the
22 nuclear power plant. So we feel we have a history and
23 a mission, sort of, to keep hosting this sort of
24 technology that benefits, really, three states and
25 hundreds of thousands of people.

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1 The -- this next chapter that we're
2 talking about, we're -- we're working through a number
3 of municipal planning projects with the Windham
4 Regional Commission to update our town plan to look at
5 hosting and facilitating development of such
6 facilities. We also are amending our plan to make it
7 -- give it something that the state has a new
8 regulation that would give us a substantial deference
9 in supporting or opposing energy facilities.

10 So we're doing a lot that we feel will
11 help facilitate redevelopment of this site. And we
12 really are -- as an intervenor, as Janet said, we'll
13 be commenting formally on this process and are
14 cautiously optimistic that this deal will happen.

15 So thank you everyone for your -- your
16 professional review and the due diligence from the
17 private entities, too.

18 CHAIR O'CONNOR: Great. Thank you.

19 After Peggy, it's going to be Betsy
20 Williams and then Josh Unruh.

21 MS. FARABAUGH: Thank you, Kate and Panel
22 for the opportunity to speak.

23 My name is Peggy Farabaugh. I'm from
24 Vernon. I have lived there for twenty years. My
25 husband was laid off from Entergy, so I'm coming from

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1 a point where a lot of people are -- in Vernon are
2 coming from. We've suffered a lot from the shutdown
3 of the plant. But the community has come together in
4 an amazing way to rebirth the town.

5 And I've heard a lot of opinions tonight
6 about how to do that, but none of them speak to me
7 about the difference between the environmental health
8 and safety of a plant that's six years versus sixty
9 years. So I'd just encourage you on behalf of the
10 folks who I know in Vernon to make it sooner than
11 later.

20 CHAIR O'CONNOR: We have Betsy and then
21 Josh Unruh.

22 MS. WILLIAMS: Okay. My thoughts are a
23 little bit scattered. I'll try to keep it focused.

24 We've had a long history of interacting
25 with various representatives from the NRC in the past.

1 And as somebody said earlier, I commend -- I don't
2 know which raffle you won to come up here. They
3 haven't always been very pleasant interactions in the
4 past.

I think one thing that's different this time is that in the past, we were debating the continued operation of a plant and now what we're talking about is how do we safely and efficiently and cost effectively decommission it and decontaminate it.

10 We have a common goal. I think I've -- I
11 think -- I guess I don't know, but I would assume that
12 pretty much everybody in this room wants the same
13 thing, which is we want that site to be cleaned up and
14 cleaned up to the highest possible level it can, and
15 for that not to become a burden financially on anyone
16 other than the owners of this -- of the plant.

17 I think what we do debate is how we'll get
18 there and how we'll get there in a way that we all can
19 trust. Trust is a big issue here. We have lots and
20 lots of reasons not to trust this company, and lots
21 and lots of reasons not to trust the NRC, quite
22 frankly.

23 We're talking about the most dangerous
24 substance known to humankind that we are dealing with.
25 I can appreciate that NorthStar has deconstructed many

1 sites much larger and more involved than Vermont
2 Yankee. But most of them were not dealing with the
3 most dangerous substances known to humankind.

4 We're talking about many of those
5 substances leaving a legacy for up to a thousand
6 generations. A thousand generations. That's our
7 legacy. So what we do here in these next few years is
8 really, really, really important and it cannot be
9 taken lightly.

10 And I have been frustrated by decisions by
11 the NRC in the past. For example, I do not believe
12 that the Holtec decision, that that was the cask to
13 use on the site, was the best decision. I don't
14 believe that the NRC is committed to holding the --
15 whichever company is involved in this process -- to
16 the very highest possible standard known to humankind
17 today. That's what they should be held to. Not to
18 what -- the last time I was at the NRC hearing, I was
19 told by an NRC representative that the Holtec casks
20 were adequate. I'm not looking for adequate.

21 I don't think the people of Vernon or
22 Brattleboro or anywhere in this Tri-State region are
23 looking for adequate. They are looking for the
24 highest possible standard that we know of. And that's
25 what I would like the NRC to be looking for, as well.

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1 And I would like to feel assured that that is what the
2 NRC is going to be holding whichever company
3 accountable to.

4 It concerns me greatly, as it does many
5 others in this room, that my understanding and I --
6 I'm not completely sure of this, but my understanding
7 is that most, if not all, of the decommissionings that
8 have happened to date have had cost overruns. Almost
9 all of them, if not all of them. While it would be
10 wonderful if that did not happen here, I think that we
11 clearly have to have an absolutely assured plan of
12 what happens should that happen.

13 And a company that has gone belly up,
14 whether or not they're the owners, does not give me
15 assurance of then who's going to bear the burden of
16 this very dangerous legacy.

17 || CHAIR O'CONNOR: Betsy --.

18 MS. WILLIAMS: And I'm about to wind up,
19 Kate.

20 || CHAIR O'CONNOR: Okay.

MS. WILLIAMS: So it also concerns me that what we're talking about here are two things that I think are in real competition with each other, which is we're trying to keep things to a certain cost which makes sense, but we're also trying to do it at the

1 most -- the highest possible standard of safety that
2 we know of, which usually also translates to being a
3 more expensive process.

4 The better casks are more expensive. The
5 process for handling the materials in the most careful
6 way is more expensive. And those two things are in
7 direct opposition to each other. And that is the very
8 difficult path that we are navigating. Thank you.

9 CHAIR O'CONNOR: Thank you.

10 Josh -- is Josh Unruh -- Josh Unruh and
11 then Haley Pero.

12 And I just want to remind people if you
13 could say your name and where you're from and keep
14 your comments to about two minutes, that would be much
15 appreciated.

16 MR. UNRUH: I can do that. I'm Josh
17 Unruh, Select Board Chair in Vernon. I'd like to
18 thank everybody for their time this evening.

19 To reiterate what has been said, there is
20 no one with a stronger stake in the sale in the site's
21 safe decommissioning than the Town of Vernon. I stand
22 in support of the sale of Vermont Yankee to NorthStar.
23 I've had the opportunity to meet with the NorthStar
24 Executives regarding their purchase and their
25 potential new partnership with the Town of Vernon.

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1 Through these conversations, my personal
2 questions and concerns have been put to rest. Among
3 many -- among many things over the last several months
4 we've heard, and we've also heard it tonight, is
5 concerns about the school across the street from
6 Vermont Yankee. The funny thing is that none of these
7 people have children at Vernon Elementary School. I
8 do. I have three little girls at Vernon Elementary
9 School.

I'm no scientist. I'm no demolition expert. So I put my trust in the people that deal in this industry day in and day out that will govern the sale and demolition. That's the NRC and NorthStar. To get this land back to a usable state safely is paramount for Vernon and Southern Vermont for economic development. To not allow this sale is further cutting the Town of Vernon and Southern Vermont off at its knees. Thank you.

19 CHAIR O'CONNOR: After Haley, we're going
20 to have Ann Darling and then Leo Schiff.

21 MS. PERO: Thank you for the opportunity
22 to say a few words. My name is Haley Pero and I work
23 in Senator Bernie Sanders' office. Tonight, I'm
24 joined by my colleagues, Tom Berry in Senator Leahy's
25 office, and George Twigg in Congressman Welch's

1 office.

2 On behalf of the delegation, we'd like to
3 thank the NRC for making the trip to Vermont to hear
4 directly from Vermonters. We think that's very
5 important. And we'd also like to thank the Panel for
6 making this meeting possible and also being a conduit
7 for public information.

8 The delegation has long believed that
9 public engagement is really critical to this process,
10 so it's terrific to see so many members of the public
11 here tonight.

12 As many of you may know, Bernie has
13 introduced legislation a few years ago to make sure
14 that local and state input is a meaningful and formal
15 part of the decommissioning process, particularly on
16 the P.S.D.A.R. Bernie will soon be reintroducing this
17 bill and including an opportunity for the public to
18 give input on license transfers, so then situations
19 like we find ourselves, the public will still have a
20 voice. Thank you.

21 CHAIR O'CONNOR: Thank you, Haley. And
22 again, thanks to the Congressional delegation. They
23 were very helpful in getting the NRC to come here this
24 evening.

25 Ann?

1 MS. DARLING: Hi; I'm Ann Darling. I live
2 in East Hampton, Massachusetts, which is down the
3 river. And -- but for until a few years ago, I was a
4 thirty-five-year resident of this area. And I
5 consider myself -- this is my home. So I guess, you
6 know, we're -- the Vermont Yankee site, it's in the
7 corner of Vermont, but it's right close to
8 Massachusetts and New Hampshire.

16 So my -- I'm asking the NRC what your
17 commitment is to communicating with all of these
18 parties and coordinating, particularly, with the State
19 of Vermont? But all of us, as moving forward, it's
20 kind of germane to what you were just saying. We have
21 -- these are our lives. So we want you to talk to us.
22 I did ask a question.

23 CHAIR O'CONNOR: Yeah. Would you folks
24 like to respond?

MS. KOCK: I keep forgetting the

1 microphone. So sorry. I'll try and -- and, Kate,
2 I'll try and be brief.

3 To answer your question about what our
4 commitment is on being transparent and communicating,
5 transparency is another one of the NRC's cornerstones.
6 I don't know how else to say it more clearly. I can
7 tell you as a -- the Deputy Director in the
8 decommissioning division, it's extremely important to
9 me as well. It's why we're here. It's why we have
10 four of us sitting up here today. And so you do have
11 our commitment. It is part of what's -- extremely
12 important to us. Everything we do should be
13 transparent.

14 And it is -- I don't know if nice is the
15 right way to put it, but it is nice and striking to me
16 to sit here and listen to concerns, questions,
17 comments, no matter what side of the issue that you're
18 on, but it's extremely important to me and I'm happy
19 to be here.

20 MS. DARLING. Thank you.

21 I just want to say that, like my friend
22 Betsy, many, many times we've sat with the NRC We
23 haven't -- some of us have not felt that -- that we
24 were more important than the industry -- the nuclear
25 industry. And so I -- you're going to run into that

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1 and we don't just want transparency. We want you to
2 really listen and take our opinions into
3 consideration. We want our -- what we say to have an
4 impact. And that means people of Vernon and everybody
5 else that lives here. We want to -- we want you to
6 listen and do something about what we think. Thank
7 you.

8 CHAIR O'CONNOR: Thank you, Ann.

9 After Leo, it's going to be Guy Page and
10 then Bob Leach.

11 MR. SCHIFF: Hi there. My name's Leo
12 Schiff. I live in Brattleboro. And I really
13 appreciate the representatives of the NRC coming. I
14 understand that this might be your last trip ever to
15 Brattleboro. And because of that, I've got a question
16 for you that is a little bit tangential to the sale of
17 the property.

18 First, I want to locate myself as firmly
19 against nuclear weapons and nuclear power, and in
20 favor of long-term onsite stewardship of the dry casks
21 in Vernon. What I'd like to ask you is what makes you
22 so sure that it would be safe to transport the highest
23 level nuclear waste and other medium or low level
24 nuclear waste along our decaying rail lines and with
25 the possible threats of terrorism?

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1 CHAIR O'CONNOR: Do you have any other
2 questions, Leo?

3 MR. SCHIFF: No, but I'd love to get an
4 answer.

5 CHAIR O'CONNOR: Okay. Great. Thank you.

23 MR. PAGE: Guy Page, Berlin, Vermont,
24 Vermont Energy Partnership. So welcome back to
25 Vermont. Last time you were here I think the room is

1 about forty-five degrees, if I remember correctly.
2 And just so you know, tonight the last leaves at ten
3 with all the rain.

4 So anyway, as I think Mr. Twomey pointed
5 out, the decommissioning trust fund is five hundred
6 and seventy-two million. The expenses of the
7 NorthStar plan, as I understand it, about four hundred
8 and ninety-eight million. So that's about a seventy-
9 four-million-dollar surplus. That's pretty good.
10 Additional cost overrun, risk mitigation, you've got
11 some guaranteed fixed payments and bonding. Team
12 performance bonds, team contractual commitments, and
13 one hundred and twenty-five million dollars support
14 agreement, basically an insurance policy.

15 And, you know, you guys are going to be
16 doing the deep dive on -- you know, on the -- the
17 ability of the company to -- to -- you know, have the
18 financial wherewithal on the technical skill and all
19 that. But service, that seems like that's a good
20 prudent plan.

21 The other thing is, you know, we've really
22 got to look at NorthStar's past and their future.
23 They -- they've decommissioned hundreds of power
24 facilities. You know, we've seen all these. And as
25 I've been Googling them, I haven't found any accounts

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1 of, you know, oh, boy they really messed up this one.
2 I haven't found any those. Okay? It seems that
3 they've got a pretty good record. Extensive
4 experience in nuclear decommissioning.

5 And -- and really in terms of failing, the
6 questions were asked were what happens if you find
7 something you didn't think you're going to find, and
8 I thought Mr. State's answer was a good one. But
9 really you don't become a world leader by failing to
10 see and deal with the unforeseen. That's just a
11 characteristic of -- of a business successes. You
12 know how to deal with these things. So I -- my sense
13 is that that they do.

14 And -- and a big question I think you
15 really need to ask is, okay, what's the alternative.
16 The alternative is sixty years SAFSTOR. As Peggy
17 said, you know, we're all dead by the time this thing
18 is done.

19 So I -- I know you're going to do due
20 diligence on this. And I know the public service work
21 is going to do due diligence. And that's all very
22 good. That's all very necessary but I just hope the
23 take on this is we want to get to yes. Okay? Because
24 it's good for the community. It's even good for the
25 environment. And I just hope it gets done. Thank

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1 you.

2 CHAIR O'CONNOR: Thank you, Guy.

3 I just want to assure everybody if you
4 signed up to speak, you will get to speak. So don't
5 -- don't worry about that.

6 After Bob Leach, we're going to have Paul
7 Blanch.

8 MR. LEACH: Good evening -- evening. My
9 name is Bob Leach. I'm a Brattleboro resident and I
10 strongly support the transfer of the license and the
11 sale of Vermont Yankee to NorthStar.

12 I'm a Vermont Yankee retiree. For many
13 years, I was the R.P.M., Radiation Protection Manager.
14 I was also certified a reactor operator, a senior
15 reactor operator. I'm a plank owner. For those who
16 don't know the Navy terminology, it's anybody that was
17 there when they commissioned it. I was there when it
18 was still a hole in the ground.

19 I looked into NorthStar and the team
20 that's working on this project with NorthStar, W.S.C.
21 and Areva. Areva is an international company.
22 They've been building power plants -- nuclear power
23 plants around the world for as long as I can remember.
24 They're a very respectable company. They have an
25 outstanding reputation in the nuclear industry.

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1 Excuse me.

2 W.S.C. is an operator of the radioactive
3 waste disposal site down in Texas. Vermont Yankee --
4 or Vermont and Texas are the compact folks that
5 established that particular site. W.S.C.S. operates
6 that facility and they do it in a safe and
7 professional manner. It will be an extremely valuable
8 asset in the process of preparing, scheduling, and
9 shipping the huge amount of radioactive waste which is
10 going to be leaving Vermont Yankee.

11 NorthStar has reputation for
12 decommissioning non-nuclear power plants for years.
13 They were used as a major subcontractor in one of the
14 Midwest power plants. And everything I heard from
15 that, they've been doing an outstanding job.

16 They did operate and successfully
17 decontaminate a nuclear facility that was not a power
18 plant. They did some work of Vermont Yankee,
19 recently. It was potentially the removal of the north
20 warehouse. Some of you are aware of that building.
21 That was the first building at Vermont Yankee that
22 received any radioactive waste, radioactive material,
23 and it was used to store radioactive material right up
24 until it was -- was decommissioned.

25 They brought in a professional crew,

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1 relatively small crew. They brought in the right
2 equipment and they completed the job on schedule and
3 on budget. NorthStar and their partners are very
4 capable, knowledgeable, and they've got extensive
5 experience in this kind of job.

6 CHAIR O'CONNOR: Bob, I'm going to have to
7 move you along.

8 MR. LEACH: Okay.

9 CHAIR O'CONNOR: I won't gong you or
10 anything like that but.

11 MR. LEACH: Okay. Sorry.

12 Listen, we're just saying they've got the
13 expertise and the ability and I strongly support
14 giving them the chance to do it.

15 I would like to ask one question to the
16 NRC. I understand the State of Vermont is trying to
17 become or looking into becoming an agreement state.
18 I think I know the answer, but if they do become an
19 agreement state, would they -- I know that the NRC
20 regulates power plants, but decommissioning is
21 slightly different. And would Vermont be obligated in
22 any way if they become an agreement state? That's a
23 yes or no question.

24 MR. WATSON: The answer is no.

25 MR. LEACH: Thank you.

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1 MR. WATSON: Part 50 licenses are the
2 responsibility of the NRC to regulate.

3 CHAIR O'CONNOR: Okay. After Paul Blanch,
4 we're going to have Kyle Landis-Marinello and then
5 Clay Turnbull.

6 MR. BLANCH: Good evening. Thank you,
7 Members of the Panel and Madam Chairman.

8 My name is Paul Blanch. I reside in West
9 Hartford, Connecticut, about seventy miles south of
10 the plant. I'm a -- I'm going to cut my speech, in
11 the interest of time, a little bit short. But I have
12 passed out copies to members of the Panel and also to
13 Andrea of the NRC. So I'm going to cut out the major
14 part of it, as Mark MacDonald so eloquently described
15 my concerns.

I'm a professional engineer with more than
fifty years of nuclear safety experience and
regulatory experience. I've worked at Maine Yankee
during the decommissioning, at Connecticut Yankee
during the decommissioning, and I sat on a similar
panel overseeing the decommissioning of Millstone Unit
One. So I have quite a bit of experience in
regulatory issues and a limited amount of experience
in decommissioning.

25 But I was going through the regulations

1 and it was just briefly mentioned in one of the NRC
2 slides, but no one seems to have amplified on it --
3 and I have a couple extra copies. And that's 10
4 C.F.R. 50.75. So I would like the Panel to review
5 that. It has to do with financial stability of the
6 licensee and guarantee of -- decommissioning funds.

7 So following up from Mark's dialogue, I'd
8 like to make some recommendations to the Panel that
9 Vermont must consider the requirements of some type
10 of, quote, surety method insurance or other guaranteed
11 method, close quote, as required by 10 C.F.R. 50.75 as
12 a condition for transfer of the Vermont Yankee
13 license.

1 50.75.

2 A couple of statements were made by Scott
3 about indemnification. If there is indemnification or
4 bonding, certainly that kind of statement needs to be
5 in writing and checked out.

6 And the other thing that somewhat bothered
7 me by some of NorthStar's statements were the amount
8 of contamination they have removed from various sites.
9 And I don't disagree they have removed contamination,
10 but nuclear contamination is not the same as lead,
11 asbestos, P.C.B.s. It has its own characteristics.
12 And they need to have that expertise, that power plant
13 expertise on board to assure a safe decommissioning.

14 CHAIR O'CONNOR: Thank you, Paul.

15 MR. BLANCH: Thank you very much.

16 CHAIR O'CONNOR: Kyle Landis-Marinello and
17 then Clay Turnbull.

18 MR. LANDIS-MARINELLO: I'm Kyle Landis-
19 Marinello. I'm an Assistant Attorney General for the
20 State of Vermont. Our office is looking at this
21 transaction, closely. This is a matter that the
22 Attorney General was briefed on, on day one when he --
23 when he took office.

24 The Attorney General's office is
25 participating in the proceeding at the Public Service

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1 Board, along with the Agency of Natural Resources and
2 the Public Service Department, and with some
3 consultation with the Department of Health, as well.
4 We plan to participate in the proceeding at the NRC,
5 along with all of those agencies.

6 Generally, we want this site cleaned up
7 quickly, and the transaction looks good for that
8 reason. But this transaction needs to be fully
9 vetted. We need to ensure, one, the site is going to
10 be fully cleaned up, and two, that the cost of that
11 cleanup do not fall on Vermonters.

12 A full vetting requires more information.
13 For instance, there's a line item in the new
14 decommissioning plan of two hundred twenty-three
15 million dollars for decontamination and dismantlement.
16 That's very different from the line-by-line breakdown
17 that was provided in the original decommissioning cost
18 estimate.

19 A second example, the spent fuel costs for
20 this transfer assume that the Department of Energy
21 will pick up all of the fuel by 2052. There's no
22 guarantee that will happen. If it doesn't happen,
23 there could be massive costs, particularly if we reach
24 the one-hundred-year mark where dry casks would
25 possibly need to be repackaged. And even if the pick-

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1 up occurs by 2052, there's a chance that the
2 Department of Energy is going to require different
3 casks for transportation.

4 These type of costs need to be looked at
5 and there needs to be an answer of where those costs
6 would come from. So there is more information needed
7 to fully vet this transaction.

8 It was encouraging to hear that the NRC
9 still has the availability of request for additional
10 information and we would support the NRC availing
11 itself of that to provide more information to itself
12 and to the public about how this transaction will do
13 what everyone wants it to do and get the site cleaned
14 up quickly.

15 CHAIR O'CONNOR: Thank you, Kyle.

16 We're going to have Clay Turnbull. And
17 then after Clay, we're going to have Gary Sachs.

18 MR. TURNBULL: Hi. Good evening. Thanks
19 for coming up to Vermont. So it's -- this is a warm
20 welcome. Yeah.

21 I hope, in -- in not too many years, you
22 folks at NRC are going to be able to, if -- almost
23 brag that you were up at this meeting in Vermont
24 because the decommissioning turned out so successful
25 in Vermont that it's -- it's like -- it's what people

1 talk about and you'll be able to say yeah, we were
2 there early in that process.

In a -- in a complex project like this, to be successful, it is essential to know what the goal is. And in this case, that -- that is like what will the site look like post-decommissioning. And I -- oh, I'm sorry. Clay Turnbull. I live in Townshend and it's been a long time since I said and I proudly live in a solar powered home for twenty-five years, off grid.

We're presented with one option is let it
rust. The other option is to wait sixty years.
Another option is let's rush into this and get it --
let's -- we need to do this now. It's got to be done
by the end of the month, you know, make your decisions
right away, the rush or rust option. Or another
option is you can have a greenfield. Sixty years from
now, Entergy is going to honor their commitments.
They're not going to rubblize. You're going to have
a really beautiful site in sixty years or so;
decommissioning will be done. Or you can get a

1 brownfield and we'll do it now.

2 And it's -- and it's -- we're given these
3 -- these greenfield or brownfield or rush-or-rust
4 options. What if we all have the goal of making that
5 site just as clean as possible, at least as clean as
6 Maine Yankee, so that we can all look back and not too
7 far down the road it would be -- really wonderful to
8 have that site decommissioned and ten years from now
9 be saying what a great job we did. So I say how about
10 we start with -- with that as a goal in mind.

11 Thank you.

12 CHAIR O'CONNOR: Thanks, Clay.

13 After Gary, we're going to have R.T. Brown
14 and then Lorie Cartwright.

15 MR. SACH: Thanks for coming up, NRC.

16 Mr. State, I'm a little bit -- I haven't
17 been to these meetings, many of them, because I was
18 undergoing chemotherapy. And I would -- I remembered
19 Chairman Yeskel of the NRC came and met with the
20 activists a few years ago. I sure would like to meet
21 Mr. State to get some answers questioned because it
22 seems like this whole thing that's based on
23 proprietary data.

24 You know, if Entergy -- I mean, I'm sorry,
25 NorthStar, Entergy, they're so close to each other.

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1 If NorthStar disappears 2028, let's say,
2 what do we do? Go back to proprietary information?
3 I don't see how that works. I'd like to understand
4 more. Mr. Marinello -- Kyle Landis-Marinello spoke
5 about that line item piece in the original. And I
6 didn't see that in the current P.S.D.A.R.. But
7 needless to say, I haven't started.

8 2007, the World Business Academy wrote if
9 private investors won't buy into nuclear, why should
10 the public? In 2007, Entergy tried to spin off its
11 reactors into a company called SpinCo. In 2009,
12 Entergy officials were found to have misspoken.
13 Punishment was minimal, financial or not at all. What
14 happened is that Entergy, after the misspeaking of
15 2009, promised to be honest and forthcoming. Then it
16 shut down.

17 How sad that we, here in Vermont, never
18 got the chance to believe or experience Entergy making
19 good on their promises to be honest and forthright
20 with us. However, they have come up at Election Day,
21 this past year, hey, we found somebody to buy our
22 reactor. Where the heck with NorthStar when Entergy
23 was trying to sell the reactor for all those years?
24 How come you didn't buy in then? What is this crap
25 now?

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I mean, so in Election Day 2016, Entergy made -- I mean, found a buyer. Here's NorthStar. Is Entergy hiding responsibility for its poor purchase decisions? Where was NorthStar when Entergy had the reactor on sale? What insurance does the NRC have that Mr. State can provide that there are no potential liens into him for perhaps millions of dollars from previous court cases or endeavors? I'd like to know that before this happens.

Areva is being bailed out by the French government. W.C.S. is already involved here, per the compact. So to have them as part as -- of this NorthStar is kind of redundant. But Burns and McDonnell's always good to get a discount.

Okay. I perceived the D.U.I. settlement agreement as an ultimatum. If it wasn't accepted verbatim, it would not have been approved. It would not have been passed into law. That's not a negotiation. That's an ultimatum.

The -- this P.S.D.A.R. means very little in a sense because the NRC doesn't approve it. It's simply that NorthStar has to do it. It's like there's a box they have to check off between here and the decision.

Is there an ISFSI pad being built right

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1 now? It started in April as per the --

2 UNIDENTIFIED SPEAKER: (Off mic)

3 MR. SACH: Great. Good.

4 I believe this NorthStar deal is to --

5 well, I'll leave that for the last.

6 Okay. Vernon has been pro-V.Y. for forty-
7 two years. Can we let them have the waste? I mean,
8 many of the Vernon residents, I mean, no disrespect,
9 had said we'll take the dry casks. Let's let them
10 have some, not have to put it all on the concrete,
11 give it all to -- make you guys responsible.

12 CHAIR O'CONNOR: Gary, I'm going to ask
13 you --

14 MR. SACH: Wait, very quickly.

15 CHAIR O'CONNOR: Okay.

16 MR. SACH: I've got two things.

17 I need a picture from you guys, either
18 Entergy or NorthStar, how much of that site is going
19 to be visible or going to be usable for people? One-
20 hundred-twenty-five-acre site. Maine Yankee has a lot
21 of site that's not accessible because of the ISFSI.
22 Can we get a picture?

23 Would you guys like to see a picture to
24 see if there's actually going to be a recreational
25 area? Have you seen it?

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1 A project -- a projected picture of what
2 it would look like, have you seen it, Panel? No.
3 Thank you. I'd like to see that prior to whatever
4 transfer occurs. I'd like Mr. State to be more
5 forthcoming. I know, I'm sorry, I was going through
6 cancer, but I give you guys responsibility. I think
7 this entire deal is to line Mr. State's pocket.

8 CHAIR O'CONNOR: Thank you.

9 R.T. Brown and then Lorie Cartwright. And
10 then we're going to have Rich Holschuh next, after
11 them.

12 MR. BROWN: Hi. Good evening. Thank you
13 to the Panel, the NRC, and to NorthStar for being here
14 tonight. I've timed myself to a minute and a half.
15 Let's see if I can achieve this.

16 Closer. Good evening. My name is R.T.
17 Brown. I work for the Brattleboro Development Credit
18 Corporation and I'm the Windham County Economic
19 Development Programs Project Manager. I also
20 administer some programs related to entrepreneurship
21 and innovation in the region.

22 The B.D.C.C. is one of twelve regional
23 development corporations throughout the state and we
24 serve the Windham region. Our sister entity, the
25 Southeastern Vermont Economic Development Strategies,

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1 developed the region's CEDS, or Comprehensive Economic
2 Development Strategy. It's essentially a road map for
3 the region -- or economic development road map.

4 My academic and professional background is
5 in applied economics as it relates to local and
6 regional development.

7 We entirely support the expedited process
8 as proposed by NorthStar as an accelerated timeline by
9 decades poses many opportunities for the community in
10 the region. Due to the accelerated timeline and
11 speaking from their perspective of regional economic
12 development entity, it should be noted that this --
13 this place has a greater pressure on the Town of
14 Vernon, which has very limited resources, to
15 sufficiently and clearly plan and develop the best
16 possible long-term reuse of the site.

17 There is an opportunity here to think
18 about Vernon's infrastructure and what -- what can be
19 done to provide the greatest possible long-term
20 economic impact for what has been a very supportive
21 rural host community. I think it was said very well
22 in the last P.S.B. meeting by someone -- and my
23 apologies, I don't -- I don't know their name.

24 But essentially the idea is that NorthStar
25 has a tremendous opportunity to show their leadership

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1 in this field that is only going to grow. We
2 encourage the parties here to put the community first
3 and do everything possible to not simply meet
4 expectations, but exceed them in ways that exhibit
5 innovation, thoughtfulness, and leadership as the next
6 chapter of nuclear power generationers is written
7 starting in Vernon, Vermont. Thank you.

8 CHAIR O'CONNOR: Thank you, R.T.

9 Lorie Cartwright and then after Rich, it's
10 going to be Peter Vanderdoes.

11 MS. CARTWRIGHT: I apologize, I wasn't
12 closer. It happened faster than I expected.

13 I am Lorie Cartwright and I am from
14 Brattleboro, Vermont. I would also like to take this
15 chance to thank the Nuclear Regulatory Commission for
16 coming to Brattleboro to speak to us and to hear us.

17 As a taxpayer, a citizen of this great
18 state and nation, a mother, and a fierce proponent of
19 truly renewable energy, solar, wind, and hydro, I
20 would like nothing more than to see this site be
21 cleaned up as expeditiously and safely as possible,
22 especially if it paves the way for the site to be made
23 available for the production of such truly renewable
24 forms of energy. It would be a boon to the local
25 economy.

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1 It seems that what divides some of the
2 people that we've heard from tonight from Vernon, from
3 some of the other people we've heard from tonight, is
4 this notion of having the site be released on an
5 unrestricted basis. The Nuclear Regulatory Commission
6 representatives outlined what some of the
7 decommissioned sites look like. But I wish that when
8 I'm done with my comment, they would just go over that
9 point again because I was always under the conception
10 that there aren't any former commercial reactor sites
11 that have been unrestricted. And that would include
12 the entire site of the former commercial reactor.

13 So if -- if somebody from the NRC could
14 articulate that for us again at the end of my comment
15 period, I would -- I would really appreciate it.

16 I do, again, think that that is the deep
17 divide. And for something this important, I think
18 that, frankly, I don't see there being anything more
19 important facing this world right now than the
20 cleaning up of nuclear power plant sites and the
21 storage of the high level, medium level, low level,
22 any level radiated waste. It's the most critical
23 issue for all of us.

24 So if we could have a better understanding
25 about the real feasibility of seeing that site cleaned

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1 up and redeveloped in our lifetimes, I think that that
2 would be really helpful for everyone here to get
3 closer to what it is that they want at the end of
4 this.

5 I do have concerns about some of the ways
6 that the proposed purchaser is going to want to go
7 about cleaning up the site, and I won't spend a lot of
8 time talking about it. I apologize. I'm just -- I'm
9 really emotional about this because, like I said, I
10 can't consider anything more important to us than
11 this.

12 But rubblization is a concern; that is
13 diluting the pollution.

14 CHAIR O'CONNOR: Lorie, I'm going to have
15 to ask you to wrap it up.

16 MS. CARTWRIGHT: Okay. Okay. And then I
17 just -- I do want to say that it was great concern to
18 me that one of the representatives from NorthStar
19 suggested that they saw this sort of a clean-up the
20 same as any other site, that the fact that it was a
21 radioactive site really didn't make that much of a
22 difference to them. I think that that makes all of
23 the difference in the world.

24 Thank you.

25 CHAIR O'CONNOR: Thank you, Lorie.

1 There was a question, I think, to the NRC.

2 MR. WATSON: Yes, let me go ahead and

3 follow up on that. The sites that had been

4 decommissioned, all ten of them have been released for

5 unrestricted use, meaning the owner can do what they

6 want to on them. A few of them that which the fuel

7 was removed completely before by the -- the fuel was

8 removed by the Department of Energy are fully open to

9 any redevelopment that they want to. That would

10 include Shoreham, Pathfinder, Saxton.

20 And at La Crosse -- both Humboldt Bay and
21 La Crosse right now are undergoing decommissioning,
22 but La Cross has a large coal powered plant right next
23 to the nuclear plant. So the sites can be reused for
24 a variety of purposes. It's really up to the owner.

MS. CARTWRIGHT: If I may, just a point of

1 clarification, sir, thank you. The sites where the
2 fuel has not been removed, are those fully
3 unrestricted sites.

4 MR. WATSON: Yes, except for the fuel
5 facility -- the storage facility.

6 MS. CARTWRIGHT: Okay. Thank you.

7 MR. WATSON: Uh-huh.

8 CHAIR O'CONNOR: It's your turn, Rich.

9 MR. HOLSCHUH: (Foreign language spoken)
10 My name is Rich and I'm from this place, namely
11 Brattleboro. I serve on the Vermont Commission for
12 Native American Affairs. I work with the contemporary
13 Native community in the State of Vermont. I'm here as
14 spokesperson for the Elnu Abenaki Tribe, with the
15 backing of the Nulhegan and the Koasek.

16 Thank you for traveling here to the Land
17 of the People Separated, the southwestern most part of
18 Ndakinna, the Abenaki homeland.

19 As indigenous people, our concern is both
20 for the land and the people for they are the same. I
21 would like to open with a short perspective of how we
22 see this situation. You may not have heard this
23 before. I don't know. But I'd like to make three
24 brief comments, not questions just comments.

25 This -- tonight, this gathering is the

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1 latest step in a story that has been unfolding for
2 less than fifty years, blink of an eye. The spiritual
3 beliefs of the indigenous people tell us that time is
4 a whole, not a linear progression. We are all part of
5 the same. There is no separation from anyone or
6 anything else, no matter the time or the shape, only
7 a relationship in a different way of being in the
8 world.

9 Energy and matter are conserved, basic
10 physics. Everything matters. The past is always with
11 us and the future is now. We have a great
12 responsibility as Native people and hopefully as human
13 beings to honor these relationships and conduct
14 ourselves in a matter befitting our role in creation.

15 But now we have some new strange things,
16 things that have never been here before. Things that
17 we can't see, but they're still real. Radionuclides,
18 they're not a part of natural law. They have never
19 been here before in these quantities. They're
20 antithetical to life itself. They don't fit. They're
21 not part of the story, a story that's been going on
22 for millennia.

23 But yet, here they are. Somebody made a
24 decision to step outside of relationship and now we
25 have to live with it. The deliberations of the

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1 moment, today, the next few weeks, years, will be with
2 us for hundreds and thousands of years. Seems like a
3 long time and it is.

4 I ask you to remember that the Abenaki and
5 their ancestors have been in this land, the land where
6 Vermont Yankee sits, for twelve thousand years.
7 That's a long time. They've been flourishing
8 sustainably within the relationship. And with
9 thankfulness, we are still here. (language other than
10 English) as we say in our language. And we want to
11 honor this place, our homeland. We want the future
12 generations to be able to give thanks in the same
13 manner and enjoy these gifts, as well.

14 We ask that you make these decisions
15 regarding the disposition of this great incongruity
16 carefully. It affects everyone and everything. So
17 I'd like to make three short comments.

18 CHAIR O'CONNOR: Rich, they do have to be
19 short.

20 MR. HOLSCHUH: Okay. These are with
21 respect to the P.S.D.A.R. Vermont Yankee sits on an
22 ancient gathering place, a place for settlement,
23 gathering, fishing, working the land, performing
24 ceremony, and a final resting place when it came time
25 to walk on. The cultural significance of the site has

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1 never been fully acknowledged.

2 I don't know if everybody knows this, but
3 that's the case. NorthStar should know this. The
4 original 1972 Atomic Energy Commission license for the
5 plant makes it very clear, stating, quote, no formal
6 archaeological survey was conducted at Vermont Yankee
7 Nuclear Power Station prior to initial construction.
8 And yet, for one example, historic newspaper accounts
9 record the unearthing of multiple indigenous burials
10 in the immediate area for the two hundred years
11 immediately preceding the facility.

12 I'll leave it at that. This needs to be
13 on the record.

14 The P.S.D.A.R. and the revised P.S.D.A.R.
15 merely quote the license that came before, and it's
16 all made up. It's a myth.

17 Second point. Environmental review
18 procedures that have been put in place at Vermont
19 Yankee Nuclear Power Station regarding undertakings
20 that involve land disturbing activities, this is
21 beyond decommissioning, undisturbed areas, require a
22 notification procedure involving the State Historic
23 Preservation Officer to establish the -- actions
24 necessary to protect known or undiscovered cultural
25 resources.

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This is going to carry through in site restoration, as well. There is going to be a lot of staging areas, a lot of storage areas beyond the plant, itself. We request the tribes be included in these procedures, going forward, and the protocols that will accompany them.

Now we all know where the nuclear waste sites are. They are settled -- they are set in areas with marginalized, usually indigenous people. While you're considering how this is going to take place and where these things are going to go, we want you to know that we stand with these people, we ask that you consider their lives equally and fairly as your responsibility.

23 | Thank you.

24 CHAIR O'CONNOR: Thank you.

25 Peter Vanderdoes, and then Nancy Braus.

1 MR. VANDERDOES: I think Nancy Braus has
2 left us.

Peter Vanderdoes from Brattleboro. First,
I'd like to thank Ms. O'Connor for her very concise
and intelligent question. Who will be left holding
the bag? And Senator MacDonald's point that the
people holding the bag will have empty pockets.

Initially, it was estimated at three point five billion euros, but the cost has ballooned to ten point five billion euros.

17 Another point is the Olkiluoto Nuclear
18 Power Plant in Finland, which Areva was working on,
19 was due to be finished in 2009. It is also still
20 under construction. And the initial cost has gone up
21 from three point five billion euros to eight billion
22 euros. The Finnish Electrical Utility, T.V.O., is
23 taking Areva to court.

24 I had a whole bunch of financial
25 information, which I was going to go through, but it

1 was very lengthy. So I decided just to point out to
2 the Nuclear Regulatory Commission 10 C.F.R. 50.38, the
3 ineligibility of certain applicants. Any person who
4 is a citizen, national, or agent of a foreign country
5 or any corporation or other entity which the
6 Commission knows to be owned, controlled, or dominated
7 by an alien foreign corporation or foreign government,
8 shall be ineligible to apply for or obtain a license.

9 So I know that that's sort of pushed under
10 the rug because Areva has done a lot of work in the
11 United States. But I'm wondering why shouldn't an
12 American Corporation be doing that work? We need the
13 jobs.

14 Thanks very much.

15 CHAIR O'CONNOR: Thank you, Peter.

16 Nancy Braus appears to have left the
17 building.

18 Is there anyone else who hasn't signed up
19 or I've missed you that would like to make a comment?

20 Yes, please come to the microphone.

21 MS. BURNETT: My name is Audrey Burnett.
22 I'm a member of the Vermont Yankee Decommissioning
23 Alliance. I understand that NorthStar is partnering
24 with the Texas-based W.C.S., to send our high-level
25 nuclear waste to a community in Andrews County, Texas.

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1 Our group, along with other citizen-based groups,
2 recently sponsored residents from Andrews County who
3 are very opposed to receiving our high-level nuclear
4 waste.

5 They are concerned that although they are
6 told this is interim storage, there is presently no
7 safe long-term plans for high-level nuclear waste
8 storage. They're concerned about environmental
9 impacts or potential terrorist attacks on this waste.
10 I mean, this is where they live and where they're
11 raising their children. They say that they had no
12 nuclear power plants and yet they're hosting our
13 waste.

14 I'd like everyone to consider what's being
15 proposed and the people that will be affected by our
16 poisonous waste for possibly generations to come.
17 Thank you.

18 CHAIR O'CONNOR: Thank you very much.

19 Is there anyone else who hasn't made a
20 comment, but would like to? Yes, please come to the
21 microphone.

22 MR. ZALUZNY: Hi. Steve Zaluzny, resident
23 of Vernon, Vermont. Just quick, a little bit of
24 history. My father was a selectperson for years in
25 Vernon. He was there when they built the plant, along

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1 with other select people, obviously. Spent a lot of
2 time and had a lot of late night meetings, one or two
3 o'clock in the morning, to deal with the nuclear power
4 plant coming to town.

5 So I don't want to bore you with too much
6 of that. But one of the promises that was made,
7 obviously and I don't know all the background or the
8 paperwork or the legal documents, but the people of
9 Vernon were promised that the nuclear waste would be
10 removed once the plant was shut down. So that
11 obviously has become an issue.

1 a legal situation trying to deal with it.

2 I guess, my comments in regard to a
3 contract are obviously up front you need to know what
4 the costs are. Okay? That's critical especially in
5 this case. So whoever we're going to trust, Public
6 Service or the NRC or whoever it is, we need to know
7 what the costs are accurately before the contract is
8 signed and the work is done.

9 Once that is established, a schedule of
10 values has to be set. That is basically what the cost
11 of each segment of the job will be.

12 Once the work proceeds, it is critical
13 that the contractor is paid accordingly to what work
14 is done as far as its value. If a contractor would be
15 overpaid, that's not a good situation. So that is why
16 whoever will oversee this is able to measure the work
17 that's done and that it's done properly. That way, if
18 a contractor defaults, there's still enough money left
19 to finish the work. So that is also critical.

20 So I think that's really important to any
21 contract. Obviously, this has nuclear waste involved,
22 but these requirements are -- are still relevant for
23 any contract. And I think that's what I, as a
24 resident of Vernon, want my government to do in this
25 situation, that they scrutinize and make sure that the

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1 contract is followed. And that's really going to make
2 this work. Whether it's done over six years or sixty
3 years that still has to happen to this -- for this to
4 work.

5 So now again to my question on storage,
6 whoever should try to answer that as far as cost and
7 who pays the cost of storage if it were -- if we don't
8 have a place to put nuclear waste, you know, in -- you
9 know, in the time span we're hoping that will happen.

10 MR. DUSANIWSKYJ: I recognize your concern
11 about spent fuel. And I want to remind everyone in
12 this room that we do not make policy as to what is
13 going to be the disposition of spent fuel. The
14 Nuclear Regulatory Commission only maintains that they
15 be held safely, securely, and all the other issues.

16 I can tell you that there's going to be
17 some point where if there is no resolution found for
18 spent fuel, there will be additional costs. But a lot
19 of things will have to transpire between now and then.
20 This is not something that's going to happen
21 overnight.

22 There is sufficient funding right now,
23 under the guidance given by the Department of Energy
24 -- and I grant you that the Department of Energy has
25 not had a very good track record as to what their

1 promises are or not. That's a fact. But there will
2 become a point, and I'm not going to deny it, that
3 sometime -- sometime, additional funding will have to
4 be found.

5 The problem that we're going to be having
6 is that they're not going to be necessarily popular
7 answers. The licensee would still be held responsible
8 for all costs because the license for the ISFSI or the
9 dry cask storage is not terminated until such time
10 that the fuel is removed.

11 So I cannot sit here and tell you what the
12 costs are to an infinite time. There's very little
13 way that I could do that for you. All I can say is
14 that if it's going to happen, the licensee will be
15 responsible for the cost.

16 Now, an added point to this, many of the
17 licensees have been suing the Department of Energy to
18 reclaim some of these costs, and they have been
19 winning in court. There's also been, unfortunately,
20 not necessarily a very good payment on these
21 judgments.

22 I don't have answers to what's going on
23 with the Department of Energy. All I can tell you is
24 that the Nuclear Regulatory Commission does not make
25 that policy. So one way or the other, as we've been

1 talking about throughout the evening, the licensee is
2 responsible for the costs until the license is
3 terminated completely.

4 MR. ZALUZNY: Okay. Thank you very much.
5 I appreciate your answer.

6 CHAIR O'CONNOR: Thank you. I think there
7 was one more person who wanted to comment? Yes?

8 MS. OLSON: I was reluctant to come up
9 because I --.

10 CHAIR O'CONNOR: You have to introduce
11 yourself.

12 MS. OLSON: Oh, I'm sorry. I'm Tina
13 Olson. And I live in Brattleboro. I came here from
14 New York City. I've been here three years. I grew up
15 in Massachusetts. But I belong here. This is --
16 these are my people. This is my land. I love the
17 Connecticut River. And I'm a music therapist and so
18 of all the details that is involved here I don't know
19 much.

20 But what I hear is that we share a future.
21 And I think, probably deep down, all of us love the
22 land. So it seems to me, after listening, this comes
23 down to a commitment to do the absolute best to save
24 the land and ourselves and the future.

25 And I also understand that there really

1 isn't a satisfactory way to store this terrible --
2 curse in a way. So -- and I felt like I do need to
3 say something in honor of our democracy. And I
4 appreciate all of us here together, which I think deep
5 down we share the same desire and that we can come
6 together and hear each other so.

I don't normally do this, but I felt that
I need to speak. And I think all I can say is let us
do the best we can in a way, even if it is the most
expensive, and even if it takes a long time because we
do love the land and our people. Thank you.

12 CHAIR O'CONNOR: Thank you very much.

13 Is there anyone else in the public that
14 wants to make a comment or has a question? All right.
15 Thank you so much.

I want to thank -- we're not done the meeting. But I want to thank the public for coming this evening. I think it was important and it was because of the public that we asked the NRC to come here this evening. So I want to thank all of you for showing up. And it's -- I think it's very instructive for us as a Panel to hear what -- what you're thinking and what your thoughts and concerns are because that's part of what we -- we like to know, as well.

Just a little bit of housekeeping, if you

1 want to make a comment and you didn't want to do it in
2 this forum or you go home tonight and you think of
3 something that you want to say, the NRC is accepting
4 comments on the license transfer until June 23rd. And
5 again, you can go on the NRC website or what we'll be
6 doing is emailing you out --.

7 MR. PARROTT: Kate, could I -- this is
8 Jack Parrott over here in NRC --

9 Could I elaborate on that?

10 CHAIR O'CONNOR: Yes -- yes.

11 MR. PARROTT: -- public comment part?

12 Yesterday, we published our Federal
13 Register notice that it offers that opportunity. And
14 I just want to make sure you know that it's -- the
15 website to do that is W W W dot regulations dot gov.
16 And you use the docket number NRC dash 2017 dash zero
17 one two five. And all that information is in the
18 Federal Register notice.

19 I don't know if it's -- if it's possible
20 if you could put that Federal Register notice, maybe,
21 on your website, it might make it easier for people to
22 find information.

23 CHAIR O'CONNOR: Yes, we will. We'll put
24 that on this -- our Panel has a site on the State of
25 Vermont's website, located on the Public Service

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1 Department site. And what we'll do is we'll make sure
2 that that link is on it. And I'll make sure that we
3 email out to everybody what that email address is and
4 what the link is. So we'll push the information out
5 as much as we can so that everybody has that
6 information.

7 There was a question earlier about where
8 people can find the slides from tonight's
9 presentations. And there are two places. Entergy has
10 a website, V Y decommissioning dot com. And again,
11 it's also on the State of Vermont's Public Service
12 Department website. And the Nuclear Decommissioning
13 Citizens Advisory Panel has our own site there. So if
14 you're looking for that, you can find it.

15 The meeting will be re-broadcast on
16 B.C.T.V., if you want to watch it on your television
17 or you can see it any time online. So anything you
18 wanted, you can rewatch the meeting at two in the
19 morning if you -- if you have nothing else to do and
20 you can't sleep.

21 I want to thank -- before we -- before we
22 do a little bit more housekeeping on the Panel, I do
23 want to thank the representatives from the NRC for
24 coming. And I want to thank Scott State and Mike
25 Twomey for coming. We appreciate it very much.

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1 And I think somebody said this may be the
2 last time we ever see the NRC. And I don't think
3 that's true because there are other issues that are
4 going to be coming up. And I had a conversation with
5 them, prior to this meeting, and there may be other
6 reasons for them to come up and fill us in on what's
7 going on. So we -- we appreciate that offer, as well.

The next NDCAP meeting is, at this point, scheduled for June 22nd. We have confirmed that representatives from Holtec, they are the company that is doing the transferring of the fuel from the spent fuel pool, to the second dry cask storage pad. They have confirmed that they will be coming to the meeting.

15 We also have confirmation that
16 representatives from Areva, which is one of the
17 partners with NorthStar, will be coming to the
18 meeting. There is a chance, based on everybody's
19 schedule, we're dealing with a lot of people, that
20 that meeting may be pushed back a week. And this is
21 news to some people in the room here, so I apologize
22 for springing it on you.

23 So I'm going to be sending an email out to
24 the Panel and to all the people that are impacted if
25 we change the date and see if that's a changeable date

1 or not. And what we do for all of you here is we post
2 all the information, the days and times and places of
3 our meetings, again on the State of Vermont website.
4 And we also email it out so we get it out as much as
5 possible.

6 So tentatively, put June 22nd, but it may
7 be bumped back a week, depending on the logistics of
8 doing that.

9 I don't know if anyone else on the Panel
10 wants to say anything before we adjourn our meeting?
11 No? Everybody is going no. So again, I want to --.

12 SENATOR MACDONALD: I'm sorry. Say that
13 again, Madam Chair?

14 CHAIR O'CONNOR: Does anyone want to say
15 anything before we adjourn the meeting? Oh, yes, we
16 got to give you a microphone, Senator.

17 SENATOR MACDONALD: Madam Chair, public
18 policy and decisions of this sort are best made when
19 there are clear rules of what happens in the future.
20 And the NRC's job or the Congress' job is to make it
21 clear who is responsible if such -- if this goes
22 forward.

23 Many of us, including myself, would like
24 to see the money spent sooner, rather than later. But
25 if the NRC is not telling us who's responsible if a

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1 good faith project comes up short and the answer is
2 we'll find out when it happens, what use is the NRC?

3 CHAIR O'CONNOR: Does anyone else on the
4 Panel want to make a comment?

5 Yes, Steve?

6 MR. SKIBNIOWSKY: Steve Skibniowsky here.

7 I'd like to just certainly thank all the
8 panelists and NRC. that are here this evening. But I
9 would also like to remind the panelists that during
10 the presentations, during the public comments and so
11 forth, it would be most courteous to refrain from
12 talking and essentially ignoring what the individuals
13 are saying, until they're finished speaking.

14 And I think it's a matter of common
15 courtesy in a public forum like this and I would like
16 to remind all of my fellow panelists that that, at
17 least, is the type of protocol that I'm familiar with
18 and would certainly support in the future.

19 CHAIR O'CONNOR: Thank you, Steve.

20 Any other comments or questions from
21 anyone on the Panel?

22 All right. Again, thank you all for
23 coming.

24 David Andrews has made the motion to
25 adjourn. Does anyone second that motion?

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1 UNIDENTIFIED SPEAKER: Second.

2 CHAIR O'CONNOR: Everybody seconds that
3 motion.

4 All those in favor?

5 THE PANEL: Aye.

6 CHAIR O'CONNOR: Thank you. We're
7 adjourning and thank you so much, everyone, for
8 coming.

9 (The meeting adjourned at 9:36 p.m.)

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