

1 Vermont Nuclear Decommissioning Citizens Advisory Panel (VT NDCAP)
2 Issues Committee Meeting Notes
3 Thursday, November 12, 2020 (5:30 to 7:00 PM)
4 Microsoft Teams Webcast & Teleconference
5

6 An audio / webcast recording of this meeting is available at:

7 <https://web.microsoftstream.com/video/16e0eb3c-8f87-48d0-bcff-0989693a8306>
8

9 *Note: These meeting notes were compiled by Tony Leshinskie. They will be reviewed and*
10 *revised as necessary based on any comments received from VT NDCAP Members who attended*
11 *the November 12 meeting.*
12

13 VT NDCAP Members Present:

- 14 • **Josh Unruh**, *Citizen Appointee of Governor Phil Scott, Panel Chair*
- 15 • **Lissa Weinmann**, *Citizen Appointee of Senate President Pro Tempore Tim Ashe, Panel Vice-*
16 *Chair*
- 17 • **Madeline Arms**, *Representative for the Town of Vernon*
- 18 • **Chris Campany**, *Executive Director of the Windham Regional Commission (WRC)*
- 19 • **VT State Representative Sara Coffey**, *Citizen Appointee of Speaker of the House Mitzi*
20 *Johnson*
- 21 • **Corey Daniels**, *ISFSI Senior Manager, NorthStar Vermont Yankee (VY)*
22

23 The following VT NDCAP Issues Committee members were absent:

- 24 • **Bob Leach** (*Brattleboro*), *citizen appointee of Governor Phil Scott*
- 25 • **VT State Representative Laura Sibilio**, *Member of the House Committee on Energy &*
26 *Technology*
27

28 The following VT NDCAP member who is not a member of the Issues Committee was present:

- 29 • **Marvin Resnikoff, PhD**, *Citizen Appointee of Speaker of the House Mitzi Johnson*
30

31 The following Vermont State Employees were present:

- 32 • **Tony Leshinskie**, *Vermont State Nuclear Engineer (VT Public Service Department), meeting*
33 *facilitator*
- 34 • **Michelle Laperle**, *VT Public Service Department, meeting facilitator*
- 35 • **Eric Guzman**, *VT Public Service Department Special Counsel*
36

37 The following members of the public were present:

- 38 • **Anne Darling**, *Citizens Awareness Network, East Hampton, MA*

- 1 • **Schuyler Gould**, *New England Coalition*, Brattleboro, VT
- 2 • **Susan Smallheer**, *Brattleboro Reformer*, Brattleboro, VT
- 3 • **Clay Turnbull**, *New England Coalition*, Brattleboro, VT

4
5 The meeting convened at 5:37 PM after several individual connection checks.

6
7 **Discussion of Potential December 7, 2020 Panel Meeting Agenda Items:**

8 Tony Leshinskie provided an initial list of likely meeting agenda items for consideration. This list
9 is available from the VT NDCAP website (<https://publicservice.vermont.gov/electric/ndcap>) in
10 the “Issue Committee Meeting of November 12, 2020” It was noted that the first 10 items were
11 based on the Panel’s typical business items at most meetings. Items 13 and 14 were also
12 recognized as typical meeting business items. Item 3, “Introduction of Panelists,” is being
13 dropped to save a little bit of time. (This was previously done at the Panel’s May 4 and
14 September 21 meetings.) Even after dropping this item, the remaining items will likely bring
15 the meeting time to roughly 165 minutes (2 hours, 45 minutes).

16
17 The Committee then discussed items 10 through 12 on the list, but not in consecutive order.
18 Josh Unruh noted that Item 12, “Panel Chair / Vice-Chair Election” must occur at the December
19 Meeting. No further discussion on this item occurred. It was also noted that Item 11 “Review
20 of Panel Annual Report” needs to happen as well.

21
22 Most of the Panel’s subsequent discussion turned to Item 10, “Panel Spent Fuel Storage
23 Position,” a potential Advisory Opinion that Lissa Weinmann requested at the September 21
24 Panel meeting. The reason for this item is that Lissa is concerned a letter that the Panel Chair
25 signed in 2015 puts the Panel on record as supporting Interim Spent Fuel Storage. There is also
26 concern that the Panel Chair signed the letter prior to discussing it with the rest of the Panel.
27 With the turnover of Panel members since 2015 (only 4 current members were on the Panel in
28 2015), Lissa suggested that the majority of Panel members may no longer support this position,
29 and that perhaps an Advisory Opinion on the subject of Spent Fuel Storage is in order.

30
31 The letter in question appears as Appendix E in the Panel’s 2015 Annual Report, which is
32 available from the Panel’s 2015 archive webpage:

33 <https://publicservice.vermont.gov/content/ndcap-meeting-archives-2015>

34
35 Discussion of the Panel’s Advisory Opinion Process ensued. The approved process is available
36 online from the Panel website at:

37 <https://publicservice.vermont.gov/content/panel-advisory-opinion-process-0>

1 Key to this process is that the Panel must first vote on whether to move forward with an
2 Advisory Opinion after one is proposed by a Panel member. An Advisory Opinion can be
3 proposed, but a written draft of the Opinion must be provided to the Panel Chair at least four
4 weeks in advanced of the meeting at which it will be discussed. The Advisory Opinion draft
5 must be circulated to Panel members and posted on the Panel’s website for public comment.
6 Rebuttals to the Advisory Opinion are possible, but must be made available to the Panel Chair
7 for posting and distribution at least one week in advanced of the Panel meeting where they will
8 be discussed.

9
10 Lissa Weinmann agreed to provide a first draft of the Advisory Opinion for the December 7
11 meeting.

12

13 **Additional Agenda Item Discussed**

14 Marvin Resnikoff requested that the disposition of Vermont Yankee’s Greater Than Class C
15 (GTCC) radioactive waste be added as an agenda item. Josh Unruh noted that this could be
16 included in NorthStar’s status report (Item 5). Corey Daniels agreed to include a GTCC
17 discussion as part of NorthStar’s report.

18

19 None of the “Potential Additional December 7 Meeting Items” or the “Potential Items (probably
20 for early 2021 Panel Meetings) included on the list of potential agenda items were discussed.

21

22 Chris Company expressed concern over the length of the meeting since it will be done
23 completely as a webcast. However, there wasn’t anything obvious list of potential agenda
24 items that could be cut. It was suggested that having the Panel meet more often in 2021 could
25 reduce the length of the NorthStar and State Agencies’ reports, leading to shorter meetings.

26

27 Tony Leshinskie indicated that he would encourage NorthStar and the State Agencies to make
28 their December 7 reports as short as possible.

29

30 **Additional Topics Discussed by Committee Members**

31 Sara Coffey suggested that the Panel should take up the proposed changes in Panel
32 composition and duties that the Panel approved in February. The bill that would implement
33 these changes needs to be reintroduced in the Legislature, along with the recommendations for
34 Panel funding. It was asked whether the Public Service Department had found a way to accept
35 NorthStar’s offer to provide funding for the Panel. Tony Leshinskie indicated that he had not
36 heard anything more on this subject, but would see what he can find out.

37

1 Sara Coffey indicated that she would like to hear more presentations and summaries from Tony
2 Leshinskie at Panel Meetings, since he is attending meetings and conferences where national
3 decommissioning and spent fuel-related topics are being discussed. Sara would also like to
4 hear Tony’s take more on how VT Yankee’s decommissioning is progressing.
5

6 Tony indicated that current Public Service Department policy is such that most of the
7 Department’s presentations at Panel meetings requires presentation by the Commissioner, one
8 of the Department’s Directors or one of the Department’s attorneys. Much of what is
9 presented does include information that Tony has provided to the Department.
10

11 Corey Daniels added that there is much to discuss about the activities currently ongoing at VT
12 Yankee. The Panel may be better off focusing on that, since the Panel is unable to resolve
13 national issues.
14

15 Several Panel members inquired when the draft Annual Report would be available for their
16 review. Tony Leshinskie indicated that he is still working on it, but plans on having a draft ready
17 by November 20. Some of the report will need to be revised for end of year activities, e.g. a
18 summary for the December 7 meeting will still need to be written. (Tony previously committed
19 at the September 21 Panel meeting to have the Annual Report draft available one week before
20 the next meeting, i.e., November 30.)
21

22 For finalizing the December 7 meeting agenda, Tony Leshinskie suggested a revised name for
23 the “Panel Spent Fuel Storage Position” agenda item (Item 10 from the discussion list), namely:
24 “Potential Panel Advisory Opinion on Interim Spent Fuel Storage.” After a brief discussion, the
25 Committee members agreed this was appropriate.
26

27 **Summary of December 7, 2020 Panel Agenda Items**

28 Based on the Committee’s discussions, the following items will be included in the December 7,
29 2020 meeting agenda:
30

- 31 1. Nuclear Engineer instructions for webcast participation
- 32 2. Welcome, Opening Remarks & Overview of Meeting Agenda; Amendments to Agenda
- 33 3. Review & Approval of September 21, 2020 Meeting Minutes
- 34 4. NorthStar update on VT Yankee activities
- 35 5. State Agencies’ Updates
- 36 6. Panel Questions on NorthStar & State Agencies Reports
- 37 7. Public Questions on NorthStar & State Agencies Reports
- 38 8. Early Public Comments Period
- 39 9. Panel Advisory Opinion on Interim Spent Fuel Storage

- 1 10. Review 2020 Panel Annual Report Draft
- 2 11. Panel Chair / Vice-Chair Election for 2021
- 3 12. Scheduling Early 2021 Panel Meetings
- 4 13. General Public Comments Period

5

6 **Public Comments**

7 Comments from several members of the public were received and are summarized below.

8

9 **Schuyler Gould** noted that VT NDCAP is in a unique position to understand what can be done to
10 address high level radioactive waste within the United States. He expressed concern that the
11 Panel was not taking spent fuel issues seriously.

12

13 In response, Panel Member Maddy Arms indicated that she believed that the Panel and the
14 Town of Vernon is taking spent fuel storage and disposal seriously. However, there are more
15 immediate matters to be considered while VT Yankee’s active decommissioning is underway.

16

17 **Anne Darling** requested that the Panel review the NRC’s Best Practices Guidance for Citizen
18 Advisory Boards that was published earlier this year when deciding on the scope of topics that
19 should be discussed by the Panel. She also noted that Panel discussion and positions frequently
20 go back and forth during meetings. It is sometimes unclear when Panelists are expressing
21 personal opinions, the opinions of the organizations they represent or those of the Panel itself.
22 She requests that Panelists be clear on when they are speaking as individuals, as meeting
23 facilitators or as their Panel positions such as Panel Chair.

24

25 In response, Josh Unruh, Panel Chair indicated that he would take this request under
26 advisement to be clearer.

27

28 **Adjournment**

29 The meeting adjourned at 6:45 PM.