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Nuclear Decommissioning Citizens Advisory Panel  
Vermont Department of Public Service

Panel Members,

The decommissioning dilemma facing NDCAP right now is far greater than any advisory opinion it may or may not issue regarding Centralized Interim Storage(CIS). That dilemma is 58 casks of High Level Nuclear Waste(HLNW) sitting on a concrete pad on the banks of the Connecticut River in Vernon, Vermont. This Panel would not exist were it not for this waste.

The suggestion by Department of Public Service counsel, without evidence or argument, that it is questionable whether or not the Panel has the authority to issue an opinion on federal policy is contradicted by the Panel's own actions. On 11/12/15, it adopted an Advisory Opinion entitled, "Effectively and Substantively Engaging Host Communities in Nuclear Regulatory Commission Reactor Decommissioning Rulemaking." No hesitation there in having an opinion on federal policy. Further, the NRC's own "Best Practices" guidelines on Community Advisory Boards includes in its "Topics to be Brought Before the CAB," "spent nuclear fuel; radiation monitoring; storage and disposal of spent nuclear fuel; dry cask storage issues; spent fuel transportation, geologic disposal . . . ." The Panel as a whole might wish to explore why its sponsor, the Department of Public Service, seems to be discouraging those very activities it was convened to address.

Northstar Panel member Cory Daniels argues that the failure of years of debate within the government and the industry to find a solution to the disposal of spent nuclear fuel should steer the Panel away from the problem. Such logic is, frankly, misguided. This panel, and others like it past, present, and future, are in fact uniquely positioned to take the lead toward understanding what a real solution, one which embraces the needs and priorities of those standing in the middle of this dilemma, will look like. This lack of

such input is perhaps the major stumbling block in reaching a just and equitable solution to this problem.

President Obama's Blue Ribbon Commission, after many hearings across the country seeking citizen input, in fact arrived at a blueprint to address these seemingly recalcitrant problems. The problem, added on to the original ones, is that the nuclear industry, and its representatives embedded in the nation's regulatory structure, were able to lobby the political establishment, itself woefully ignorant of the issues and in large measure beholden to its benefactors in the industry as well as its constituents working in the industry, to grandfather the two projects already in the regulatory pipeline. Hence, none of the principles which should certainly have eased the decision-making process were ever given a chance to work.

If the town of Vernon feels betrayed by the fact that the government has not lived up to its agreement to dispose of the waste upon the closure of Vermont Yankee, it might have some sympathy with the largely Hispanic and Native American communities where this waste is destined. Haven't they suffered enough from the toxic legacy of uranium mining and bomb testing poisoning their communities since the very beginnings of the nuclear age and which are still straddled with literally thousands of abandoned mines, their above-ground radioactive tailings, and a raft of generational health issues? Aside from a few low-paying and highly hazardous jobs in the mines, they have gotten zero economic benefit from nuclear power. Now they are being offered up, possibly forced, to host tens of thousands of tons of the most toxic substances known for a minor tax break. If this doesn't seem a worthy consideration, perhaps the Panel should be encouraging Governor Scott to consult with the governors of Texas and New Mexico both where it is proposed these facilities be located.

The push is on to approve these two projects. The one in Andrews, Texas, Interim Storage Partners, and the entity decommissioning Vermont Yankee are both subsidiaries of NorthStar Group Services, Inc.. The host corporations of these proposed Consolidated Interim Storage Facilities, both LLC's should anything go wrong, stand to make enormous profits from their instant monopoly on the storage of HLNW. And the nuclear industry, threatened on virtually all fronts, is particularly challenged by its inability to justify making more HLNW if there remains no

solution in sight for the huge inventory of waste it has already made. Its motto is, "Get it out of here at any cost," and it is sparing none in lobbying Capitol Hill to pass legislation which would absolve it of any, I repeat, any responsibility for its toxic legacy of the past sixty years.

There are alternatives to CIS being discussed, including the "hardening" of current storage facilities--Hardened On Site Storage, or HOSS--for storage on site until a permanent repository is operational. And there is proposed legislation which would compensate host communities, substantially and immediately, for storing the waste until a solution to its final disposition is found.

This Panel's issuance of an Advisory Opinion in support of CIS, without careful consideration of the larger implications of such advice, adds nothing to the debate on what to do with HLNW. Current Cost/Benefit analysis suggests there is at best no financial advantage to CIS as opposed to leaving it in place until it can be moved once to a permanent repository. And this analysis gives no consideration to the dangers of such a massive undertaking.

At the Panel's last meeting, Representative Sara Coffey stated that the Panel is interested in learning more about spent fuel issues. Senator Sanders representative Haley Pero has offered to keep the Panel apprised of spent fuel legislation. And the Panel has a particular advantage in considering CIS, and its alternatives, in its newest member, Marvin Reznikov, who has extensive knowledge of spent fuel decommissioning, storage, and transport issues.

I'll remind you of Maine Yankee's Citizen Advisory Board Chair Don Hudson's simple observation on HLNW policy. "All we talk about is waste." Better to talk about it now, when you might actually have a chance to affect policy here very much at the beginning of VY's decommissioning rather than five years from now when national policy will likely already have been established, whether you like it or not.

Vermont, despite its size, has often taken the lead on national policy issues. The current disfunction in Washington only points to the urgency and importance of this panel taking the lead once again. If not you, who else will represent Vermonters on this critical aspect of national policy? I challenge this panel to do what it is supposed to do: educate itself on the one issue which is at the heart of all the work it does, the legacy of High Level Nuclear Waste,

and work in whatever way is necessary to make sure that legacy is safely put to rest.

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Schuyler Gould is a trustee of Citizens Awareness Network and a former president of New England Coalition on Nuclear Pollution.