

DRAFT MINUTES

Meeting Minutes for Inaugural
Vermont Nuclear Decommissioning Citizens Advisory Panel (NDCAP) Meeting
September 25, 2014
Brattleboro Union High School
Multi-Purpose Room

NDCAP Members Attending the Meeting:

- Dr. William Irwin, designee for the Secretary of Human Services
- David Mears, Commission of Environmental Conservation, designee for the Secretary of Natural Resources
- Christopher Recchia, Commissioner of Public Service, ex officio
- Deputy Secretary Lucy Leriche, attending on behalf of Pat Moulton, Secretary of Commerce and Community Development, ex officio
- VT State Representative Michael Hebert, member of the House Committee on Natural Resources and Energy
- Chris Campany, Executive Director of the Windham Regional Commission (WRC)
- Stephen Skibniowsky, representing the Town of Vernon
- Kate O'Connor (Brattleboro), citizen appointee of Governor Shumlin
- James Matteau (Westminster), citizen appointee of Senate President Pro Tempore John Campbell
- James Tonkovich (of Wilder), citizen appointee of Senate President Pro Tempore John Campbell
- VT State Representative David Deen (Westminster), citizen appointee of Speaker of the House Shap Smith
- Derrick Jordan (Putney), citizen appointee of Speaker of the House Shap Smith
- Christopher J. Wamser, Site Vice-President, Entergy Nuclear Vermont Yankee (VY)
- T. Michael Twomey, Vice-President External Affairs, Entergy Nuclear Vermont Yankee
- David Andrews, International Brotherhood of Electric Workers (IBEW); representing present & former employees of Vermont Yankee
- NH State Senator Molly Kelly (Keane, NH), representing the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, New Hampshire.
- MA State Representative Paul W. Mark (Peru, MA), representing the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts.

The following NDCAP members were absent from the meeting:

- VT State Senator Mark MacDonald, member of the Senate Committee on Natural Resources and Energy
- Martin Langeveld (Vernon), citizen appointee of Governor Shumlin

1. Welcoming Remarks

Commissioner Recchia welcomed the public and introduced State Nuclear Engineer Tony Leshinskie to the Panelists. Each Panelist then briefly introduced themselves. Deputy Secretary Lucy Leriche noted that she was attending in lieu of Pat Moulton (Secretary of Commerce and Community Development). It was also noted that Panelist Martin Langeveld and State Senator Mark MacDonald were not in attendance this evening.

2. Brief Discussion of NDCAP Mission

VT State Nuclear Engineer Tony Leshinskie provided a brief summary of the mission and responsibilities of the NDCAP, as specified in VT State Law. Also discussed were potential resources for the Panel (The Public Service Department & other State Agencies, Entergy, Outside Consultants and other

DRAFT MINUTES

Decommissioning Public Engagement Panels, past and present.) The slide presentation used for this discussion is available online at the Public Service Department (PSD) website.

3. Brief Description of Settlement Agreement

Commissioner Recchia provided a verbal summary of the Settlement Agreement reached between Entergy Vermont Yankee and the VT Public Service Board regarding the closure of the plant at the end of 2014 and the plant's subsequent decommissioning.

- a. Agreement reached 12/23/2013
- b. Lays out a schedule for the Site Assessments & Post-Shutdown Decommissioning Activities Report (PDSAR) by the end of 2014.
- c. Calls for good faith effort to establish site restoration standards following radiological decommissioning of the VY site. (Entergy working closely with Commissioner Mears & Dr. Irwin to establish these standards.)
- d. The Settlement recognizes that there will be issues on which Entergy and the State of Vermont will not agree. (Such will be discussed by the Panel in the future.)
- e. The Settlement identifies a number of commitments that Entergy agreed to make by specific calendar dates; so far, Entergy has met all calendar deadlines specified in the Settlement.
- f. One key commitment met by Entergy: \$10 Million contribution to site restoration fund.
- g. The State of Vermont continues to pursue the remaining issues regarding Vermont Yankee's decommissioning.

Note: The Settlement Agreement is available for reading online at the Public Service Department website.

4. Questions / Comments on Settlement Agreement

- a. Panelist Comments:
 - i. WRC Director Chris Campany: Requested that Windham Regional Economic Development Funds related to VY decommissioning be reported as appropriate.
 - ii. Representative David Dean inquired about website and printed material availability of the documents discussed tonight. Commissioner Recchia responded that all NDCAP material will be available online at the PSD website. Printed material can be made available to Panelists upon request. Mike Twomey of Entergy also noted that Entergy will establish a website that will contain "the majority" of material that Entergy presents at NDCAP meetings. Rollout date of this website is uncertain.
 - iii. Dr. Bill Irwin noted what the Site Assessment "ought to be" should be discussed somewhat to assure that the Site Assessment meets expectations.
- b. Public Comments:
 - i. Leo Schiff (of Brattleboro): Is it within the scope of the Panel to discuss / advise on any matters of safety (question directed to Commissioner Recchia); Response noted that nuclear power plant safety is the purview of the US Nuclear Regulatory Commission (NRC). The Panel can discuss such matters, but whether such comments have impact must be "sorted out" between state and federal interests. Commissioner Recchia did note that the Public Service Department is "fully engaged" with the NRC in providing comments on all aspects of VY's decommissioning.
 - ii. Frances Crow (of Northampton, MA): When will spent fuel be moved to dry casks and where do you plan to bury the dry casks (not on the flood plain)? Commissioner Recchia deferred a response to this question since Entergy's presentation for this meeting will include a status discussion on dry cask storage.
 - iii. Mike Mulligan (Hinsdale, NH – also noted self as a fired Entergy VY employee): How will information from the plant be independently obtained? (Underlying concern is that, at least in the past, VY's bureaucracy prevented accurate evaluations from appearing in

DRAFT MINUTES

documentation.) Commissioner Recchia replied that the State Nuclear Engineer is on-site most of the time. Additionally, the NRC has resident inspectors on-site. These sources can feed back information to the Panel. It was also noted that the State Nuclear Engineer has access to anything that the NRC is allowed to see.

5. VY Decommissioning & Stakeholder Engagement Assessment Findings

A summary presentation by Catherine Morris of the Consensus Building Institute of an assessment commissioned by the Public Service Department several months ago. The slide presentation & the report itself are both available online at the PSD website. Questions of interest & concerns from survey:

- a. Where do you want to turn for information?
- b. How do you pay for decommissioning?
- c. How quickly can decommissioning be done?
- d. How clean is clean enough for decommissioning?
- e. When will independent verification be done?
- f. Disposition of fuel:
 - i. How fast to dry cask?
 - ii. Permanent storage options?
 - iii. What is potential for long term storage pilot project?
- g. Concern over location of on-site dry cask storage
- h. Loss of trust in plant operator
- i. NRC needs to reestablish trust; there is concern that they are the only, final authority on nuclear safety decisions.
- j. Panel focus concerns:
 - i. Panel needs to look at its responsibilities & rule of engagement
 - ii. Work decisions to consensus
 - iii. People need to understand how information is used (Transparency+)

6. Questions / Comments on Engagement Assessment

- a. Panelist Comments:
 - i. Request from Commissioner Mears to engage CBI for establishing meeting agendas; consider engaging other Decommissioning Panels; use experience from EPRI report on Maine Yankee Decommissioning.
- b. Public Comments
 - i. Susan Lance (Northampton, MA): Will CBI continue working with Panel? Could ease concern / trust issues.
 - ii. Beth Fox (City of Keane, NH): How can Panel keep people outside of VT informed? Suggested from panel: online signup for notifications, website.

7. Entergy Presentation: Summary of Current Decommissioning Activities

This slide presentation will soon be online at the PSD website. Additional VY clean-up info will also be available at safecleanandreliable.com. VY wants to put as much decommissioning info online as possible.

- a. Planning Construction of second on-site Dry Cask pad is moving slower than expected due to additional moisture content discovered in soil evaluation of Pad #2 site.
- b. Site Assessment underway – this study is unique to VY; part of settlement with PSB.
- c. Wet Fuel Hot Management Phase
- d. Wet Fuel Cool Management Phase, starting late 2016
- e. Staffing level changes
- f. Within 120 days of adequate funding determination in Decommissioning Trust Fund, decommissioning will begin

DRAFT MINUTES

- g. Video presentation demonstrating VY site physical changes as decommissioning progresses (video to be available online)

8. Questions / Comments on Entergy Presentation

- a. Panelist Comments:
 - i. NH Senator Kelly noted that she has a number of questions, but will defer them until a later date; She did later ask whether NRC representation on the Panel was appropriate; Panel response was that the NRC could be invited as a guest at subsequent meetings.
 - ii. MA Representative Mark inquired whether site could be seen by the panel; Entergy representatives indicated that a site tour for the Panel was possible before winter really sets in.
- b. Public Comments: (to be added)

9. Election of NDCAP Chair & Vice-Chair

- a. Jim Matteau & Chris Recchia nominated as Co-Chairs
 - i. Jim expressed concern that he could not devote enough time to Panel to successfully Co-Chair
 - ii. During discussion of this nomination, it was suggested that since Panel is a Citizen's Advisory Panel, the Chair should be one of the citizens on the panel rather than an elected official.
 - iii. Ultimately, this nomination was not seconded
- b. A motion was then made to table the Chair election until January 2015
 - i. Proposed Chris Recchia to continue as Chair
 - ii. The rationale for motion being that the Panelists may want a different Chair once the Panelists have more experience working with each other.
 - iii. Commissioner Recchia noted that VT Law establishing the Panel required Chair & Vice-Chair elections at first meeting.
 - iv. Ultimately, this motion was not seconded
- c. Based on previous motion, a modified motion was made and seconded to nominate Chris Recchia as Chair through the end of 2014 calendar year. The motion was passed unanimously by yea / nay vote.
- d. A motion was made and seconded to nominate Chris Campanay as Vice-Chair through the end of 2014 calendar year. The motion was passed unanimously by yea / nay vote.

10. Open Public Comments & Questions

- a. Comments to be added after reviewing video of meeting
- b. Panel Requests for following material
 - i. PowerPoint Presentations from tonight's meeting
 - ii. Settlement Agreement
- c. Department of Emergency Management & Homeland Security Deputy Commissioner Ross Nagy was introduced to Panel; Deputy Commissioner Nagy noted that an Emergency Drill would be conducted at VY on October 8; focusing on FEMA exercise requirements.
- d. Aaron Kisicki, a lawyer in the Public Service Department was introduced to the Panel (frequently works on VY-related issues).

11. Scheduling of Next Panel Meeting

After review of Panel member schedules, the next 3 meeting dates were set as follows:

- Thursday, October 30, 2014
- Thursday, November 20, 2014
- Thursday, December 18, 2014

DRAFT MINUTES

Meeting locations and agendas will be determined at a later date.

- a. Bill Irwin noted that he would be out-of-state on business on October 30 & November 20.
- b. One additional Panelist was uncertain of availability on October 30.
- c. Call-in capability for meetings requested; believed to be doable via cellphone provided meeting location has a descent public address system

Meeting adjourned at ~8:50 PM.