



Overview of State Decommissioning Activities January 2016

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January 28, 2016 NDCAP Meeting



On-Going Public Service Department Filings

- ▶ Appeal Discontinuation Emergency Response Data System (ERDS) feed for VT Radiological Emergency Response Plan
- ▶ Continued NRC Dialogue on Valid Uses of the VY Decommissioning Trust Fund (DTF)
- ▶ Oppose EPZ Reduction to the VY Site fence line

*Response to NRC Decommissioning
Rulemaking Efforts is underway*



ERDS Discontinuation Appeal

- NRC has formally terminated Vermont's access to ERDS (11/28/15)
 - NRC must still provide action recommendations during VY Emergency Conditions
 - VY must still provide Emergency Declaration & Facility Status for assessing potential radiological releases
- Decommissioning rulemaking invites commentary on "continuation of ERDS" issue

*Efforts on a potential work-around
"real-time" system continue*



Valid Uses of DTF Dialogue

State Petitions for detailed review of proposed VY DTF Uses:

- ▶ Requests “Robust, comprehensive, & participatory review,” either by NRC Commissioners or a single designated ASLB
- ▶ Still awaiting NRC Action
- ▶ Massachusetts, New Hampshire and Connecticut Attorney General’s Offices have voiced support for Petition.
- ▶ VY Continues to File 30-Day Notifications prior to DTF withdrawals, as required (*November, December, January*)
- ▶ Decommissioning rulemaking invites commentary on “legitimate uses of DTF” issue



Opposition to EPZ Reduction

- ▶ NRC Grants VY License Exemptions & Amendments for EPZ Reduction to Site Fence Line (early December 2015)
 - Cannot be implemented until Mid-April 2016
 - Funding for Offsite EPZ continues through June 2016
- ▶ State's Appeal to NRC Commissioners still pending
- ▶ Decommissioning rulemaking invites commentary on Emergency Response and EPZ issues

The State continues to discuss matter with NRC & Entergy



Construction of Second VY Spent Fuel Dry Cask Storage Pad

Certificate of Public Good Proceedings continue:

- ▶ Pre-File Testimony process is concluding
 - PSD Pre-File Testimony is complete
 - ANR (with DOH consultation) Responses to Surrebuttal Discovery continue
 - February 3 Deadline
- ▶ Depositions & Technical Hearings will start in late in February
(dates to be scheduled)



NRC Decommissioning Rulemaking

Advanced Notice of Proposed Rulemaking (ANPR) Public Comment Period underway

- Opened November 17, 2015
- Original deadline was January 4, 2016
- Comment deadline extended to March 18 after numerous stakeholder requests
- Multiple State Agencies (PSD, DOH, ANR, DEMHS, AGO) currently preparing responses to ANPR Questionnaire
- Targeting first draft of comments available in early February



NRC Decommissioning Rulemaking

ANPR Questionnaire Topics Include:

- Emergency Preparedness
- Physical Security Requirements
- Fitness for Duty Programs
- Training of Certified Fuel Handlers
- Current Regulatory Approach*
- Applicability of Backfit Rule
- Decommissioning Trust Fund Uses
- Onsite & Offsite Insurance Requirements
- General Questions*



NRC Decommissioning Rulemaking

ANPR Current Regulatory Approach Topics Include:

- Decommissioning Options
 - Are DECON, SAFSTOR & ENTOMB options adequate?
 - Should options be redefined or more added?
 - Should length of decommissioning period change (currently up to 60 years)?
- PSDAR Content & Approval Requirements
- Role of State, Local Government & Public during Decommissioning
- **Establishment & Role of Citizen Advisory Panels**



NRC Decommissioning Rulemaking

ANPR General Questions address:

- Control Room Use requirements during Decommissioning
- Appropriate staff levels for Decommissioning
- Cost / Benefit Analysis for Decommissioning changes
- Inclusion of any new Decommissioning-related topics



NRC Decommissioning Rulemaking

- ▶ Draft Regulatory Bases (i.e. topics for incorporation into rulemaking) still expected in late 2016
- ▶ Final Regulatory Bases in 2017
- ▶ Proposed Rules & Draft Regulatory Guidance in 2018
- ▶ Final Rules & Regulatory Guidance Submitted to NRC Commissioners in 2019

Publishing of the Draft & Final Regulatory Bases, Proposed Rules & Draft Regulatory Guidance will each include public comment periods & public meetings.



Additional State – NRC Interactions

- ▶ State Nuclear Engineer monitoring NRC's realignment of resources (AIM 2020 Program)
 - Hope to assure adequate NRC resources for Decommissioning Oversight
 - NRC Rulemaking efforts (including Decommissioning Rulemaking) given high priority
 - Detailed AIM 2020 Recommendations expected in March 2016
- ▶ PSD Commissioner presents State Expectations for Decommissioning Rulemaking at NRC Regional Radiological Emergency Preparedness Conference



Additional State Activities

- ▶ State Nuclear Engineer & DOE High Level Rad-Waste Transportation Planning
 - Council of State Governments High Level Rad-Waste Transportation Task Force supports proposals for Consolidated Interim Storage in Andrews County, TX & Eddy / Lea Counties, NM
 - DOE / CSG Rail Transportation Working Group is developing Route Selection & Railcar Inspection Guidelines for Spent Nuclear Power Plant Fuel
 - DOE is developing a community consent-based High Level Rad-Waste Facility Siting Process



State Decommissioning Reminders

- ▶ All presentations made at NDCAP meetings are available through the **NEW** Public Service Department Website:

<http://publicservice.vermont.gov/electric/ndcap>

- ▶ Comments / Questions for NDCAP may be emailed to PSD.NDCAP@vermont.gov or through PSD's Consumer Affairs & Public Information Division:

http://publicservice.vermont.gov/about_us/contact_us

800-622-4496



State Decommissioning Reminders

The Vermont Comprehensive Energy Plan (CEP) and Electric Plan for 2016 has been issued.

- ▶ CEP required by 30 VSA § 202b
- ▶ VT Electric Energy Plan required by 30 VSA § 202
- ▶ Current updates adopted January 1, 2016
- ▶ Updates now required every 6 years
- ▶ http://publicservice.vermont.gov/publications-resources/publications/energy_plan
- ▶ The 2011 & 1998 Plans are also available at this site



- ▶ Any additional comments from PSD, ANR or VDH?
- ▶ Questions?