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Nuclear Decommissioning Citizens Advisory Panel
DRAFT Advisory Opinion for Discussion at 1.28.16 NDCAP Meeting

A Second Independent Spent Fuel Storage Installation Storage Pad Should Be Constructed in the Location Proposed by Entergy Vermont Yankee in Public Service Board Docket No. 8300

BACKGROUND:

Currently, the Vermont Public Service Board has before it an open docket for the approval of an expanded Independent Spent Fuel Storage Installation (ISFSI) at the VY station. The proposal before the Board is for a second ISFSI pad to be constructed 30 feet to the west of the existing ISFSI beginning in mid-2016 to facilitate the transfer of all fuel from the spent fuel pool to the ISFSI by the end of 2020. In December 2015, ENVY announced plans to accelerate the initiation of the fuel transfer process by two years, beginning in 2017.

It is widely acknowledged that dry fuel storage is an acceptable alternative to wet storage, and no parties to that docket oppose the ISFSI construction or ENVY's plans to transfer all spent fuel to the ISFSI by the end of 2020.

Consistent with the above, ENVY's Site Assessment Study (SAS), prepared in October 2014 as part of the settlement agreement negotiated with State agencies, stated that

“...we believe that moving all of the VYNPS spent nuclear fuel into robust dry fuel storage containers on a seismically-hardened Independent Spent Fuel Storage Installation (ISFSI) in the short term is in the best interest of all parties, and that will be our primary focus over the next several years.” (SAS, October 2014, page 1)

Entergy has committed to fund the construction of the second ISFSI pad as designed, procurement of dry storage systems and transfer of the fuel from the spent fuel pool to the ISFSI totaling approximately \$145 million from external credit lines, rather than from the Nuclear Decommissioning Trust Fund.

ENVY states that it considered several alternative locations for a second ISFSI elsewhere on the VY Station site, including making that second ISFSI a single consolidated storage site for all of VY's spent nuclear fuel (including the fuel now stored on the existing ISFSI pad). However, each of the other potential locations that were evaluated has distinct disadvantages, as compared to the current proposed location. In its pre-filed witness testimony in Docket No. 8300, ENVY states those disadvantages include the potential for increased radiation dose to members of the public and additional aesthetic impacts to neighboring residential properties. In addition, constructing an ISFSI at another location on the VY Station site would significantly delay the transfer of spent fuel from the spent fuel pool to dry cask storage beyond 2020.

NDCAP is concerned with site restoration; a process which will begin after radiological decommissioning is completed and which is considered the last step in a sequence of decommissioning steps. The impact of the proposed ISFSI pad on the eventual reuse of the Vermont Yankee

site is an issue that is currently being considered and will be addressed by the PSB in Docket No. 8300. While the ENVY Site Assessment Study explains the basis for ENVY's assumption that the proposed location of the second ISFSI pad will not delay decommissioning or site restoration activities, it also notes that restoration of the entire Vermont Yankee site cannot be completed until all used fuel is removed by the US DOE. Therefore it is imperative that, separate from this PSB action, Congress acts to find a solution for the timely removal of used fuel from Vermont Yankee.

RECOMMENDATION:

The Vermont Nuclear Decommissioning Citizens Advisory Panel recommends that the Public Service Board approve the construction of a second ISFSI storage pad in the location proposed by ENVY in its petition for a certificate of public good in Docket No. 8300 to ensure the timely, cost-effective transfer of fuel from wet to dry storage starting in 2017 and completion by the end of 2020, provided that ENVY assures the PSB that:

1. The existence of the Dry Fuel Storage (DFS) casks in the proposed location will not unduly delay the commencement of site restoration, and
2. Any site restoration activities that can be conducted while the DFS casks remain in their current and proposed locations will be borne by the Site Restoration Fund and if needed supplemented by the owner of the property.

Furthermore, because full site restoration cannot be completed until the removal of the used fuel from the site, NDCAP further recommends that Vermont Congressional delegation take immediate legislative actions that will facilitate DOE acceptance and removal of spent fuel from Vermont Yankee and the State of Vermont, as expeditiously as possible.

—END—

Note to Panel: There is no agreement among the parties drafting this compromise opinion regarding whether to include this point #3 to the above recommendation:

3. The cost of DFS relocation or new ISFSI construction, should any be required to accomplish site restoration, will be borne by the property owner.

The stated reason against including this point is that it is similar to testimony submitted to the PSB by other parties and with which ENVY disagrees, so it logically is not something that ENVY could endorse here. Supporting it here and opposing it at the PSB would be inconsistent.

The reason in support of including is that delays or other interference caused by the ISFSI being adjacent to the facility to be dismantled are a public concern, and any associated costs should be borne by the owner and not the public or the DTF. If the location is indeed not a problem then this should be a moot point.