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Funding of a Decommissioning Community Advisory Panel: the Maine Yankee Experience

This is a brief report to the Vermont Nuclear Decommissioning Community Advisory Panel (NDCAP) as Requested by Robert Stewart, Vice-President New England Coalition Board of Trustees and the Board of Trustees Meeting February 1, 2020. The author of this report served on the Maine Yankee Decommissioning Advisory Panel for the duration of that decommissioning (1997-2005). In 2000 and 2001, he was an invited presenter on the topic of Public Involvement in Decommissioning at the US Nuclear Regulatory Commission's Annual Regulatory Information Conference. He has served as a NEC Trustee since 1982 and as Technical Advisor to the Coalition since 1998.

I. Introduction – NDCAP has scheduled a meeting for February 2, 2020, to consider changes to funding and funding mechanisms in support of panel activities. This report briefly outlines the Maine Yankee Decommissioning Community Advisory Panel (MYCAP) approach in order to provide a sense of comparative purpose, scope, and scale.

II. Some Differences and Similarities – Maine Yankee was a rate-base plant that ceased operation 16 years short of the end of license. In practical terms that meant that ratepayers had to make up for a shortfall in the decommissioning fund through a small tariff (a fraction of a cent/kilowatt) on electric bills. Despite this charge, Central Maine Power electric rates actually went down for several years following the Maine Yankee closure. Vermont Yankee, by contrast, is a stand-alone merchant plant with a fully-funded decommissioning trust. Current owner, NorthStar, will pay itself approximately 38% of the decommissioning fund to administer decommissioning activities which are divided among some 500 fixed-price contracts. Each contract contains a modest 10% cost-overrun cushion which NorthStar considers potential profit accruing to the company – *on each contract*.

In addition, NorthStar anticipates an end-of-the-day surplus in excess of \$20 million –to be divided 55/45 between NorthStar and Vermont Utilities.

Maine Yankee Atomic Power Company, following a chemical industry and Three Mile Island model founded, funded and fostered an in-house community advisory panel. Maine Yankee also hosted more technical advisory meetings of stakeholders including environmental advocates and state and federal regulators. In each case, Maine Yankee sought early stage stakeholder buy-in to its decommissioning plans. This necessitated an open, transparent, information-rich and collaborative process. (More information may be had at www.maineyankee.com, or www.threeyankees.com.) Maine Yankee CAP meetings routinely featured informative presentations by the State Nuclear Safety Inspector (who had a field lab and office on site during decommissioning), the State Nuclear Safety Advisor, and other state and federal regulators.

Vermont chose to convene its own advisory panel, which to date has depended on funding from the state. NorthStar's participation has largely been limited to voting through its two NDCAP seats and prepared summary presentations on decommissioning activities.

NorthStar has also engaged in side conversations with the Town of Vernon, the Elnu Abenaki, and Vermont news media.

III. Allocation of Funding – Maine Yankee decommissioning budgets, which should contain precise figures for CAP funding, are on file with the Federal Energy Regulatory Commission and US NRC.

The timing of this report prohibits raking back through the author's records at this hour, however, we can get a rough idea of the kinds of monies that Maine Yankee spent on its CAP by looking at a short list of the kinds of educative actives Maine Yankee sponsored and paid for. The CAP toured two sites deploying dry fuel storage systems similar to those then proposed for Maine Yankee, Calvert Cliffs Nuclear Power Plant (NPP) in Maryland and Palisades NPP in Michigan. The CAP toured plants undergoing decommissioning including Connecticut Yankee NPP and Big Rock Point NPP Michigan. The CAP participated in American Nuclear Society decommissioning conferences in Michigan, Connecticut, and Nevada (which included an engineering tour of national repository at Yucca Mountain). The CAP participated in meetings with its counter-part advisory panels in Connecticut and Michigan. The CAP participated in a industry decommissioning conference in Florida and NRC conferences in Washington, DC and Middletown, Connecticut. Where travel and lodging, expenses and conference-fees are involved, one should include in any back-of-the-envelope calculations the fact the CAP averaged 14-15 members; thus a conservative factor of 15 should be tallied.

In addition Maine Yankee hosted various experts and educators to present to the CAP on nuclear topics. This included a two-day managers course in MARSSIM (Multi-Agency Radiological Site Survey Investigation Manual) put on by a team from the Oak Ridge Associated Universities. The MARSSIM regimen is now pretty much standard protocol for nuclear site clean-up.

Maine Yankee assigned one professional as full-time support staff (former lead public outreach person) who worked with several (part-time) assistants.

This information provides not only a sense of scale (hundreds of thousands of dollars; not tens of thousands of dollars), but also, it is hoped a sense of purpose; that is, education, without which nuclear-related oversight can only be arbitrary and vaguely effective.

Maine Yankee recognized at the onset that in order to communicate effectively it needed to develop a commonly understood language about decommissioning. This involved not only attentive and discerning listening to community stakeholders but also offering them the opportunity to familiarize themselves with nuclear processes and regulation.

Finally, it is hoped that readers can glean from this slim outline of the Maine Yankee experience that, for effective community participation in nuclear decommissioning, informed, respectful collaboration and collegiality can beat an informal tribunal and an adversarial setting every time.