

1 **DRAFT Subject to Approval (prepared for approval at the September 27, 2018 meeting)**  
2 **Nuclear Decommissioning Citizens Advisory Panel (NDCAP)**  
3 **Thursday, May 24, 2018**  
4 **Brattleboro Union High School – 131 Fairground Rd, Brattleboro, VT**  
5 **Meeting Minutes**  
6

7 NDCAP Members Present:

- 8 • **June Tierney**, *Commissioner of Public Service, ex officio*
- 9 • **Katie Buckley**, *Commissioner, Department of Housing and Community Development, designee for the Secretary of Commerce and Community Development*
- 10 • **Michael Root**, *representing the Town of Vernon, VT (appointed May 2018)*
- 11 • **Kate O'Connor** (*Brattleboro*), *citizen appointee of (former) Governor Peter Shumlin (4-year term, Panel Chair through August 31, 2018)*
- 12 • **Jim Matteau** (*Westminster*), *citizen appointee of (former) Senate President Pro Tempore John Campbell (4-year term through August 31, 2018)*
- 13 • **Lissa Weinmann** (*Brattleboro*), *citizen appointee of Senate President Pro Tempore Tim Ashe (joined meeting in progress)*
- 14 • **Derrick Jordan** (*Putney*), *citizen appointee of Speaker of the House Mitzi Johnson*
- 15 • **VT State Representative David Deen** (*Westminster*), *citizen appointee of (former) Speaker of the House Shap Smith (4-year term through August 31, 2018)*
- 16 • **Corey Daniels**, *Director of Decommissioning, Entergy Nuclear Vermont Yankee (VY)*
- 17 • **Michael P. McKenney**, *Technical Coordinator, Entergy Nuclear Vermont Yankee*
- 18 • **David Andrews**, *International Brotherhood of Electric Workers (IBEW); representing present & former employees of Vermont Yankee*
- 19 • **VT State Representative Laura Sibilia**, *member of the House Committee on Energy & Technology*
- 20 • **VT State Senator Mark MacDonald**, *member of the Senate Committee on Natural Resources & Energy (joined meeting in progress)*
- 21 • **Chuck Schwer**, *Department of Environmental Conservation Director, attending lieu of Peter Walke, Deputy Secretary, Agency of Natural Resources*

22 The following NDCAP members were connected to the meeting via teleconference:  
23  
24

- 25 • **Dr. Bill Irwin**, *Department of Health, designee for the Secretary of Human Services*
  - 26 • **Bob Gustafson**, *Assistant Planning Chief, Radiological Emergency Preparedness, New Hampshire Emergency Management and Homeland Security, representing the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, NH, interim appointee of the NH Governor's Office*
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1 The following NDCAP members were absent from the meeting:

- 2 • **Chris Company**, *Executive Director of the Windham Regional Commission (WRC)*
- 3 • **Martin Langeveld (Vernon)**, *citizen appointee of Governor Phil Scott*
- 4 *(Panel Vice-Chair for 2018)*
- 5 • **MA State Representative Paul W. Mark (Peru, MA)**, *representing the Towns of*
- 6 *Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts,*
- 7 *appointee of (former) MA Governor Deval Patrick*

8  
9 Meeting called to order at 6:08 pm; A video recording of the meeting is available online at  
10 <http://publicservice.vermont.gov/electric/ndcap> and at  
11 [https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-52418-mtg)  
12 [52418-mtg](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-52418-mtg).

#### 13 **INTRODUCTION OF THE PANELISTS AND OVERVIEW OF THE AGENDA:**

14 The Chair (Kate O'Connor) gave an overview of the meeting agenda and welcomed new Panel  
15 member Michael Root, representing the Town of Vernon. Panel members then introduced  
16 themselves. *The Chair's introduction begins at 00 hours, 00 minutes & 00 seconds, 00:00:00,*  
17 *into the meeting recording. Individual Panelist introductions begin at 00:00:43 into the meeting*  
18 *recording.*

19  
20  
21 **Approval of Meeting Minutes:** *Meeting minutes approval begins at 00:02:42 on the meeting*  
22 *recording.*

23 Motion to approve the minutes for the November 16, 2017 meeting was seconded and  
24 approved with no "nays" or abstentions heard.

25  
26 **Entergy Update on Decommissioning Activities at VY:** *This presentation begins at 00:03:49 on*  
27 *the meeting recording.*

28 Joe Lynch, Government Affairs Manager, Entergy Vermont Yankee, gave an update on recent  
29 activities at the VY site. Although the Dry Fuel Storage Project has been delayed for inspections  
30 of dry cask storage components, all dry casks were found to be intact. The Dry Fuel Storage  
31 Project remains ahead of its original schedule. The Project is anticipated to complete by the  
32 end of 2018 or sooner. The blue building depicted in the slide show will be the new Central  
33 Alarm Station. It will house all dry storage cask monitoring equipment and will be the site's  
34 main security station. Further updates are in the presentation slides, available online at  
35 <http://publicservice.vermont.gov/electric/ndcap> and <http://vydecommissioning.com/ndcap/>.

36  
37 **State of Vermont Update on Decommissioning Activities at VY:** June Tierney, Commissioner  
38 VT Department of Public Service, provided the State Activities update. *This presentation begins*  
39 *at 00:13:57 on the meeting recording.*

40 PUC Hearings for the proposed VY Sale have concluded. Following the hearings, the PUC posed  
41 written questions, which were principally about what might happen if NorthStar filed for  
42 bankruptcy. This matter is currently being reviewed and answers are being prepared. The PUC  
43 is considering whether they should wait until after the NRC's decision on VY's License Transfer.

1 It was also noted that neither Kyle Landis-Marinello from the AG's office nor Public Service  
2 Department attorney Steph Hoffmann are here tonight, since both have taken new positions  
3 elsewhere. However, the Public Service Department has retained the services of Wilmer-  
4 Cutler, a Boston law firm that has well-represented Vermont in these proceedings since their  
5 beginning.

6

7 **PANEL QUESTIONS AND COMMENTS: On State and Entergy Updates**

8 *Questions begin at 00:16:27 on the meeting recording.*

9

10 Representative David Deen asked Joe Lynch whether any fixes to the casks required getting into  
11 a highly radioactive area (of the casks). Joe Lynch and Corey Daniels responded that the  
12 inspected casks were all new and have not held radioactive material. A description of the  
13 concern on the casks and how they were inspected was also provided.

14

15 Representative Deen asked if additional action is currently being taken to reduce groundwater  
16 seepage into the (VY Turbine) Building. Joe Lynch replied that several options are being  
17 evaluated, but right now there is no next step in place.

18

19 Representative Deen then asked Joe Lynch what additional information the NRC has requested.  
20 Joe Lynch replied that the request primarily focused on financial issues concerning NorthStar.  
21 Commissioner June Tierney added that the NRC asked questions similar to the PUC's on  
22 whether NorthStar could realistically rely on money recovered from litigation against the  
23 Department of Energy for failure to take custody of the waste (Spent Nuclear Fuel), which is a  
24 significant component of NorthStar's decommissioning cost calculations.

25

26 Representative Laura Sibilgia asked that if the end goal is zero ground water seepage (into the  
27 Turbine Building), what would trigger stopping groundwater shipments off-site. Joe Lynch  
28 replied that it would either zero in-leakage or when they can collect and evaporate in-leakage  
29 faster than can be shipped off-site. The site can only store about 20,000 gallons, so ground  
30 water will be shipped indefinitely unless NorthStar begins active decommissioning. NorthStar  
31 would have their own intrusion water management methods in this case.

32

33 Representative Sibilgia asked Commissioner Tierney if that (groundwater) conversation is part of  
34 the transaction (proposed VY sale). Commissioner Tierney responded that it is unclear who has  
35 authority over the issue; but noted that Tony Leshinskie, the Department's nuclear engineer,  
36 can give an assessment of the progress on water seepage and shipments. However, it is not  
37 something that we (VT Public Service Department) directly regulates.

38

39 Representative Sibilgia then asked who had responsibility to send the water off site and at what  
40 point would that stop. Will this responsibility shift with the transaction? Commissioner Tierney  
41 responded that with NorthStar stepping into Entergy's shoes, it assumes all of Entergy  
42 obligations.

43

1 Representative Sibia then asked whether the Panel should ask NorthStar these same questions  
2 about ground water and how long they plan to monitor. Commissioner Tierney responded that  
3 this was not currently happening to her knowledge, but it does not belong in the transaction  
4 discussion. Chuck Schwer added that the Agency of Natural Resources (ANR) does not  
5 necessarily have (regulatory) authority for the groundwater for radiation, but is concerned  
6 about (has authority for) its non-radiological contamination. On many of the sites that ANR  
7 addresses in clean up, how groundwater is handled is based on site characterization. ANR  
8 intends to address this and NorthStar has presented some initial plans. Commissioner Tierney  
9 added that subjecting the site to this characterization study is a term for the transfer (to  
10 NorthStar). Joe Lynch added that water management is part of the decommissioning cost  
11 estimate.

12  
13 Dr. William Irwin noted that when demolition begins, water will flow differently onsite. There  
14 will be potential for significant contamination. The Panel should ask how the water will be  
15 monitored and controlled.

16  
17 Lissa Weinmann asked for a dollar amount for the price of shipping groundwater offsite and  
18 does that come decommissioning fund. Joe Lynch replied that the cost is approximately \$4 per  
19 gallon, but does not know the payment source. He will research both and answer at a later  
20 date.

21  
22 Lissa Weinmann asked if it was only the newer version of the dry casks that needed inspection  
23 and they the same model of cask. Joe Lynch explained that the dry casks used at the site where  
24 the flaw was discovered are slightly different than those used at VY. Each site's casks use the  
25 same base cask design, but the design is specific to the fuel at each site. There was a root cause  
26 evaluation done that included the design of both current and previous casks. VY was unable to  
27 duplicate the problem (seen at the other site).

28  
29 Lissa Weinmann then asked in relation to NRC approval, when will the proposed changes to the  
30 security plan, particularly the perimeter line around ISFSI, be determined. Lynch explained that  
31 approval is needed before declaring the new area operational. Entergy asked for a date, but  
32 ultimately, the NRC has its own schedule. Lissa Weinmann then asked if the proposed changes  
33 are a required prerequisite for the license transfer approval. Joe Lynch says part of the  
34 arrangement with NorthStar is that Entergy will provide fuel on ISFSI pads in an approved  
35 Protected Area. So indirectly, yes.

36  
37 **PUBLIC QUESTIONS AND COMMENTS: On State and Entergy Updates**

38 *Questions begin at 00:36:15 on the meeting recording.*

39  
40 Betsy Williams of Westminster West, VT asked for more details about the new security  
41 perimeter as well as more details about the monitoring station. Joe Lynch provided a general  
42 answer, noting that only those with a need to know have access to the details of the site  
43 security plan.

1 Williams also asked if any of the equipment is there to monitor the integrity of the casks  
2 themselves. Joe Lynch replied that cask temperatures are monitored and radiation readings are  
3 taken by hand. Together, that is enough to indicate any potential problems.

4  
5 **Annual Report Discussion & Approval Update on Meeting with Legislators**

6 *The Annual Report discussion begins at 00:39:50 on the meeting recording.*

7  
8 Kate O'Connor reminded the Panel about several editorial changes to the report that were suggested at  
9 the last meeting. A discussion of these changes ensued. Additional suggestions were then discussed.

10 Lissa Weinmann suggested that the NDCAP Chair should have a salary. Kate O'Connor  
11 requested that this discussion be postponed until later on the agenda.

12 Panelist David Andrews provided a brief summary of the Panel's presentation to the Vermont  
13 Legislative Committees. The purpose of the Annual Report is to inform the (Legislature's)  
14 Energy Committees of what is going on, ideally early enough in the legislative session such that  
15 there is time to take action, if needed. If the report is completed at the end of the year, it will  
16 not make it to Montpelier in time. With this in mind, David suggested completing the 2018  
17 report in September.

18  
19 David Deen explained that even if additional resources were to be made available for the Panel,  
20 this would happen through Commissioner Tierney's (Public Service Department) budget, or  
21 through ANR's budget or through ACCD (Commerce & Community Development) rather than  
22 through legislation. This can be discussed in depth later, but it would be a good idea to extract  
23 commitments from administration representatives as they get into the process of building  
24 budgets to present to the Legislature for next year. Representative Deen believed it would be  
25 more effective to have this built into the Governor's (budget) proposal. Commissioner Tierney  
26 agreed, stating that this an impending conversation, but it does not belong here. Jim Matteau  
27 added that Chris Company had brought this up multiple times in 2017, and it needs to be dealt  
28 with.

29  
30 Lissa Weinmann added that the Annual Report should, in the future, reflect whether the panel  
31 is being successful in its goals. Having financial resources would greatly help in this.

32 A motion to approve the annual report was made as corrected and passed. The Annual Report  
33 will be added to the NDCAP website.

34  
35 Lissa Weinmann asked about the "end of year rate at 200 to 300 gallons (of groundwater) per  
36 day" and would like to know where these numbers came from, since at times, the rate was  
37 much higher. David Andrews replied that this is what Entergy reported as their "end of year  
38 rate."

39  
40 **State of Vermont Position on Spent Fuel Removal Requirement Outlined in (PUC) Docket**

41 **6545:** *The Docket 6545 discussion begins at 00:52:18 on the meeting recording.*

42  
43 Kate O'Connor noted that the 2002 agreement for this docket makes mention of spent fuel:  
44 "ENVY [Entergy Nuclear Vermont Yankee] agrees that it must use its commercial best efforts to

1 assure that the spent fuel is removed from the VY site in a reasonable manor as quickly as  
2 possible rather than stored at the VY site. ENVY shall allow the Department [of Public Service]  
3 to participate in the discussions with DOE that involve the VY site and to participate in the  
4 decision whether to pursue the discussions or to litigate.” This document was signed by  
5 Christine Salembier, who was Public Service Commissioner at the time.  
6

7 Kate O’Connor asked Commissioner June Tierney how the Public Service Department sees its  
8 role in that part of the MOU. June Tierney responded saying though she did not work on this  
9 herself, she was familiar with the docket, having watched it be created. Though it is important,  
10 it is not a top priority at the moment. The current focus is on whether the transaction (VY sale  
11 to NorthStar) will be approved.  
12

13 Additional Panel discussion ensued.  
14

15 **QUESTIONS AND COMMENTS FROM THE PUBLIC: On State of Vermont Position on Spent Fuel**  
16 **Removal**

17 No comments or questions were received.  
18

19 **Panel Discussion on Spent Fuel Management Issue: How the Panel would like to tackle the**  
20 **issue moving forward**

21 *This discussion begins at 01:01:20 on the meeting recording.*  
22

23 Kate O’Connor reported that a representative from the US Department of Energy will  
24 teleconference into the June meeting to discuss spent fuel storage and transportation issues.  
25 Additionally, representatives from Senator Leahy, Senator Sanders and Congressman Welch’s  
26 Offices will speak about what is happening in Washington DC concerning these issues. NDCAP  
27 is also attempting to have a Vermont member from the Vermont-Texas Low Level Radioactive  
28 Waste Compact Commission attend the June meeting. The purpose of the current Panel  
29 discussion is to plan this upcoming meeting, as well as clarifying the Panel’s role regarding to  
30 spent fuel. O’Connor asked for the Issues Committee members to weigh in.  
31

32 David Andrews (an Issues Committee member) explained that Spent Fuel Management will be a  
33 two-part discussion during the May (today’s) and June (the next) meetings. The purpose is to  
34 examine spent fuel options for shipping, interim storage and permanent disposal as opposed to  
35 leaving the spent fuel where it is. No decisions will be made. Instead, all options will be  
36 investigated.  
37

38 Lissa Weinmann stated that the Issues Committee’s discussion about the Panel taking a position  
39 or gaining knowledge about spent fuel has to do with promises being made about the NorthStar  
40 transaction allowing for expedited redevelopment of the property. It is likely that the spent  
41 fuel will remain on the site for decades, so it is important to come up with a plan as soon as  
42 possible. It is difficult to get an answer from the Department of Energy because there is no  
43 current plan. This Panel took a position about supporting interim consolidated storage, which

1 requires a change in law that is now being considered in Washington. The Panel needs to  
2 revisit the decision and add details.

3  
4 Derrick Jordan agreed that the Panel should decide where it stands before the next meeting.

5  
6 David Deen added that whatever position is taken, the Panel should inform the national  
7 delegation.

8  
9 Bill Irwin added that he recently met with Leigh Ing, a representative for the Vermont-Texas  
10 Compact. The next meeting of the Compact Commission will be held in Manchester, Vermont  
11 on Thursday, October 11<sup>th</sup> from 8:30 to 9:30am. Final details are being worked out; Irwin will  
12 be kept informed. The Commission is interested in addressing NDCAP. Although this does not  
13 have to happen in October, that meeting is an option. It would be an opportunity for the Panel  
14 and members of the public to get a broader sense of the situation.

15  
16 Lissa Weinmann suggested inviting (PUC Commissioner) Sarah Hofmann to speak, since she is  
17 the heads the national Nuclear Waste Strategy Coalition. Additionally, there is legislation  
18 supported by Representative Welch, to compensate those communities that store spent fuel  
19 until a permanent repository is available. It is similar to what the federal government has done  
20 with (military) base closings. Instead of spending the money to transport and store the fuel  
21 elsewhere, perhaps we should consider how that money might be used in the Town of Vernon  
22 and the larger Brattleboro area.

23  
24 Senator Mark MacDonald asked what Entergy does if the temperature of the casks go up.  
25 Corey Daniels responded that the temperature can only go up in the unlikely case that there is a  
26 blockage in the ducting that provides the airflow through the dry casks. If that happens,  
27 Entergy would take immediate action to clear the blockage. In the wintertime, heavy ice and  
28 snow have accumulated around the casks, but these are closely monitored. MacDonald asked  
29 if there is any record of the casks failing due to heat. Daniels replied that none have, to his  
30 knowledge. MacDonald then asked what the protocol would be if a cask overheated and the  
31 ducts could not be cleared. Joe Lynch explained that there is an emergency procedures manual  
32 from Holtec (the cask manufacturer) that would be followed. Not much can go wrong with the  
33 casks because the design is simple. They are meant to be functional for over one hundred  
34 years; though they are licensed for twenty years of operation and then relicensed through the  
35 NRC. Corey Daniels added that casks' abnormal operating procedures have significant  
36 flexibility, but include cooling the exterior of the cask with water. However, needing to do that  
37 is extremely unlikely. Senator MacDonald pointed out that most of the discussion points on the  
38 Panel today are issues that we were told would not come to be. With that in mind, it is difficult  
39 to take confidence in the dismissive nature of a potential problem with the casks.

40  
41 **Discussion of Panel Organization Issues**

42 *This discussion begins at 01:23:08 on the meeting recording.*

1 Kate O'Connor's four-year term ends on August 30<sup>st</sup>. She has asked the Governor to not  
2 reappoint her. This means a citizen's seat and the Panel Chair will be open in September.  
3 (State Nuclear Engineer) Tony Leshinskie, Chris Campany and Kate O'Connor have compiled a  
4 list of tasks that Kate has taken on as Chair, the tasks of other Panel members, as well as  
5 Leshinskie's (NDCAP-support) tasks. Unless the Panel meets in July or August, the June meeting  
6 will be O'Connor's last. An election for Panel Chair would be needed either at the end of the  
7 June meeting or during the September meeting.

8  
9 David Andrews noted that O'Connor, and others, have taken on several unpaid tasks for the  
10 Panel. One such duty is setting the sound system up for each meeting, which he currently  
11 performs. Andrews is a member of the IBEW Local 300, appointed by the union's Business  
12 Manager for Vermont, to represent the VY workers. As the plant functions end, so do the jobs.  
13 As a result, the September meeting will be Andrew's last meeting since his VY position will no  
14 longer exist. He will no longer be around to set up the PA system. He recommends that this  
15 task should not be added to the State Nuclear Engineer's duties. The BCTV contract should be  
16 revised for them to manage the PA system or it should be dealt with otherwise.

17  
18 Lissa Weinmann commented that this should be BCTV's responsibility and they should be asked  
19 for a cost estimate. David Andrews added that this duty would have to be part of their  
20 contract.

21  
22 June Tierney indicated that her agency has a \$1.2million deficit and is therefore short on  
23 resources. VY was once owned by CVPS and GMP. Incurred regulatory costs were passed to  
24 ratepayers. Entergy operated VY as a merchant plant rather than a public service utility  
25 regulated by the State of Vermont. This means that, unlike the CVPS and GMP, Entergy did not  
26 pay gross receipts tax on earnings from selling VY power. The gross receipts tax funds Tierney's  
27 department. Entergy has been involved in several regulatory proceedings. PSD expenditures in  
28 those proceedings have been billed back to Entergy, but Entergy has otherwise not been  
29 contributing to PSD's budget. It does not seem like this point was considered when NDCAP was  
30 created. Money spent supporting NDCAP comes from Vermont ratepayers, not from Entergy  
31 (or NorthStar if VY's sale is approved). Regarding the sound system: as much as Tierney  
32 appreciates the Panel's desire to protect the (State Nuclear) engineer, it is not the Panel's  
33 decision to make. Tierney must make it based on affordability. Kate O'Connor has done quite a  
34 bit for the Panel; she will be hard to replace. This may mean having several people take over  
35 her tasks.

36  
37 Laura Sibilila asked whether there is a process to talk about what the Panel needs on an annual  
38 basis. Has this been written down? If not, this should be done.

39  
40 Kate O'Connor replied that such discussion has happened at least yearly. (Former Public  
41 Service) Commissioner Recchia and Commissioner Tierney have indicated that there is no  
42 money set aside. Previous discussions were typically efforts make experts available for the  
43 Panel. Originally, there was no one available to record meeting minutes.

1 While the current system allows the Panel to continue, it is not working well. To fix what isn't  
2 working, discussion and clarification of the Panel's role is needed: both in the issues it  
3 addresses and who does what going forward. The state statute (establishing the Panel)  
4 requires four meetings a year. Early on, Panel met almost monthly, which might not be  
5 necessary anymore. A game plan needs to be ready before O'Connor leaves the Panel after  
6 August 30<sup>th</sup>.

7  
8 Laura Sibilina suggested that a group meet with O'Connor to sort ideas before the next meeting.  
9

10 David Deen added that the Issues Committee membership has been fairly steady and narrowly  
11 focused, but they are capable of taking on a "big picture" perspective to address the concerns  
12 brought up by Sibilina and O'Connor. Deen suggest that they (Issues Committee) meet before  
13 the June meeting to discuss.

14  
15 June Tierney stated that the Issues Committee must be functioning well since they have been  
16 successful at identifying what needs attention. The issue at hand is a combination of mission  
17 and logistics. It may not be appropriate to delegate these to a subset of the Panel. If the Panel  
18 does choose to do so, Tierney urged the Panel to reconsider its composition, since this ties back  
19 to the Panel's duties going forward. Tierney added that she is very mindful of her statutory  
20 duties for providing Panel resources and support. The Panel should identify what scope is  
21 reasonable for its future. The Panel does quality work, but it may be inefficiently done. The  
22 Panel has used Kate O'Connor's good will for quite a while but cannot continue to do that.  
23 Tierney does not have the funds available were the job to be professionally.

24  
25 Lissa Weinmann stated that in the (VY Sale) MOU, there was some discussion of an outreach  
26 group separate from, or under, NDCAP. Is this an opportunity to pass the torch onto NorthStar  
27 to fund the work of the Panel?

28  
29 June Tierney replied that the MOU is still pending PUC approval. It is an interesting idea,  
30 however it would be premature to consider as the deal is not finalized.

31  
32 Lissa Weinmann added that in Canada these citizens panels are funded by the government, and  
33 the panels' role is recognized as necessary. She suggested Chris Campany as a potential Panel  
34 Chair, but he would likely need a salary for his time. Weinmann then asked whether Laura  
35 Sibilina should introduce legislation that would fund the Panel. Weinmann also acknowledged  
36 that while the IBEW may no longer being represented on the Panel, there would still be a role  
37 for a worker's representative on the Panel.

38  
39 David Andrews (current IBEW rep on the Panel) noted that the Panel is bound by the statute as  
40 it exists right now. The Legislature could change the enabling legislation, but it is set for the  
41 moment.

42  
43 David Deen asked the three State Agencies present to clarify if the Administration will consider  
44 including financial assistance for this Panel as part of a budget request. The existing legislation

1 required DPS (Public Service Department) to support this Panel. However, the support was not  
2 defined. Since the start, the Panel has asked for financial assistance that has not been  
3 forthcoming. Without administrative support, introducing legislation is a vacant gesture. Deen  
4 would like to build an administrative partnership and get some resources for the Panel to do  
5 some of the work that has been discussed.

6  
7 June Tierney observed that the statute speaks to resources in two places. Subsection 1702 says  
8 “The Department of Public Service, the Agency of Human Services and the Agency of Natural  
9 Resources shall furnish administrative support to the Panel with assistance from the owners of  
10 VYNPS as the Commissioner of Public Service may consider appropriate.” There is already a  
11 mechanism for administrative support as her (Tierney’s) judgment finds appropriate.

12  
13 David Deen commented that support is a matter of resource capacity. For there to be enough  
14 available in Tierney’s department (Public Service), the Department of Health or Agency of  
15 Natural Resources, money is needed.

16  
17 June Tierney stated that she has been forthcoming and clear about her department’s resources.  
18 The last time this was discussed, it was in the context of providing experts for the Panel in the  
19 litigation in which all three departments were representing the State and the people. This is a  
20 different conversation. Tierney also worried about potential duplication of efforts. She  
21 believed the State and its representatives could address this and encouraged the Panel to  
22 advise. Tierney added that the statutory language would need to be addressed as to what is  
23 possible and what is up to her discretion. The Panel should reconsider whether Representative  
24 Sibilias ought to introduce legislation.

25  
26 Kate O’Connor added that she and (State Nuclear Engineer) Tony Leshinskie have compiled a  
27 spreadsheet of NDCAP-support tasks along with who has been doing them.

28  
29 Laura Sibilias expressed willingness to introduce changes in legislation for Panel support if they  
30 are needed.

31  
32 Kate O’Connor agreed with June Tierney’s statements on Panel mission and logistics. These  
33 should be top priority to figure out, which will help set future agenda items.

34  
35 Laura Sibilias, June Tierney, Lissa Weinmann, Michael Root and David Andrews volunteered to  
36 be on the committee or at least attend a meeting to discuss Panel mission and logistics. Kate  
37 O’Connor noted that Chris Company also previously expressed interest in such a meeting.

38  
39 Lissa Weinmann requested that this issue be included in the Annual Report to the Legislature to  
40 note this as an ongoing discussion.

41  
42 Kate O’Connor indicated that she will share the meeting time and location once they a set, so  
43 that others can join.

1 **Public Comments:** *Public comments begin at 02:01:09 on the meeting recording.*

2 Carol Levin of Brattleboro, VT thanked the Panel for its hard work and help and hopes that the  
3 Panel continues in some reasonable form. Levin also stated that she believes this (spent fuel)  
4 storage was never intended to be interim.

5  
6 Lissa Weinmann requested that Clay Turnbull (New England Coalition representative in the  
7 meeting audience) comment on his understanding of the terms NorthStar and Entergy have  
8 agreed upon regarding the Citizen’s panel, which includes NEC, and how it differs from NDCAP.  
9 Clay Turnbull replied that the MOU needs to speak for itself as written. It would not be right to  
10 speak for or against any aspect of it.

11  
12 Commissioner Tierney noted that if Kate O’Connor’s role (NDCAP Panel Chair) is not filled by  
13 August 30<sup>th</sup>, there are measures set in place. Under Title 18, Section 1700 (c), “The  
14 Commissioner of Public Service shall serve as the Chair until the Panel elects a Chair or Co-  
15 Chairs under subsection (d) of this section.” Subsection D reads “The Panel annually shall elect  
16 a Chair or Co-Chairs, and a Vice-Chair for 1 year terms commencing with its first meeting  
17 following the effective date of this section.” Before NDCAP there was a panel called VSNAP.  
18 Based on that panel’s experience, it seems best that someone other than the (Public Service)  
19 Commissioner is in charge.

20  
21 Representative David Deen added that this was discussed when the Panel first formed. It was  
22 decided that someone other than an agency representative should Chair of the Panel. Best of  
23 all would be a citizen representative.

24  
25 **Updates/Wrap Up/Other Business:**

26 *Conclusion discussion begins at 2:09:10 on the meeting recording.*

27 Kate O’Connor asked Bill Irwin to elaborate on his suggestion that Panel members visit the  
28 State’s (environmental) lab on May 29<sup>th</sup>.

29  
30 Bill Irwin reported that the Issues Committee requested that he look into NDCAP visiting the  
31 lab, which processes all environmental samples that the State obtains around VY. It is available  
32 for a tour, discussion of sampling and other aspects of VY’s environmental surveillance. David  
33 Andrews noted that this had been discussed several times. There is a tentative date but would  
34 like to know if Panelists are interested.

35  
36 Lissa Weinmann expressed interest but was could not make the date.

37  
38 Bill Irwin stated that May 29 would not be the last opportunity. Other dates could be arranged  
39 to better fit the Panel’s plans.

40  
41 **UPDATES, WRAP UP AND ADJOURN:**

42  
43 Next meeting: June 28, 2018 at a site to be determined in Vernon or Brattleboro.

44 **MEETING ADJOURNED AT 8:21 pm**