Advisory Opinion Process

Advisory Opinion Committee Recommendations
for discussion at the September 24, 2015 NDCAP Meeting

Background

The Advisory Opinion Subcommittee of NDCAP was formed by the Panel at the June 25, 2015 NDCAP meeting with the purpose of presenting recommendations to the Panel in regards to issuing advisory opinions.

Panel members present at the Advisory Opinion Subcommittee meeting on September 2, 2015: David Deen, Martin Langeveld, Jim Matteau, Trey Martin, Kate O'Connor, and Jim Tonkovich. Chris Campany, a member of the committee, was unable to attend. Staff present: Tony Leshinskie, Department of Public Service.

The committee agreed to recommend the following process to the Panel at the 9/24/15 NDCAP meeting:

1. A topic is introduced by a Panel member at an NDCAP meeting. The majority of the Panel must vote in favor of moving the topic forward before an advisory opinion is drafted.

2. If the topic moves forward, a member of the Panel will write an opinion. The first draft must be submitted to the NDCAP chair 4 weeks prior to the next scheduled NDCAP meeting. The draft will be circulated to members of the Panel and posted on the Department of Public Service website for public comment. Alternative draft opinions must be submitted to the NDCAP chair no later than one week prior to the next scheduled NDCAP meeting. The draft(s) will be circulated to Panel members and posted on the Department of Public Service website for public comment.

3. The draft opinion(s) will be on the agenda for a vote at the next scheduled NDCAP meeting, unless expert testimony is necessary. In this case, the vote will take place at a future meeting, but at the earliest date possible.

4. If a draft is presented and approved by a majority vote, it becomes a position or recommendation of NDCAP. In the event two or more alternative draft opinions on a particular issue are presented, the Panel will vote their preference on the multiple options. Assuming that one option receives a majority vote, any alternative draft opinions will be appended to it as minority opinions, provided they are supported by at least two members. If no option receives a majority, the Panel does not have a position or recommendation on that issue.

5. A record of how each Panel member votes will be included on all opinions.

The committee agreed to recommend the following issues for consideration as advisory opinions to the Panel at the 9/24/15 NDCAP meeting:

1. Nuclear Regulatory Commission closure rules
2. Certificate of Public Good process on second ISFSI
3. Vermont Department of Health groundwater monitoring through license termination