Vermont Nuclear Decommissioning Citizens Advisory Panel (VT NDCAP)
Issues Committee Meeting Notes
Wednesday, June 3, 2020 (6:00 to 7:00 PM)
Microsoft Teams Teleconference

An audio / webcast recording of this meeting is available at:
https://web.microsoftstream.com/video/a852edd3-fc71-48c8-a532-6036c4758a70

Note: These meeting notes were compiled by Tony Leshinskie. They will be reviewed and revised as necessary by the VT NDCAP Members who attended the June 3 meeting.

VT NDCAP Members Present:
• Josh Unruh, Citizen Appointee of Governor Phil Scott, Panel Chair
• Lissa Weinmann (Brattleboro), citizen appointee of Senate President Pro Tempore Tim Ashe, Panel Vice-Chair
• Corey Daniels, ISFSI Senior Manager, NorthStar Vermont Yankee (VY)
• VT State Representative Sara Coffey (Guilford), Citizen Appointee of Speaker of the House Mitzi Johnson
• Madeline Arms, Representative for the Town of Vernon
• Bob Leach (Brattleboro), citizen appointee of Governor Phil Scott

The following VT NDCAP Issues Committee members were absent:
• VT State Representative Laura Sibilia, Member of the House Committee on Energy & Technology
• Chris Campany, Executive Director of the Windham Regional Commission (WRC)

The following VT NDCAP member who is not a member of the Issues Committee was present:
• Emily Davis, Citizen Appointee of Senate President Pro Tempore Tim Ashe

The following Vermont State Employees were present:
• Tony Leshinskie, Vermont State Nuclear Engineer (VT Public Service Department), meeting facilitator
• Eric Guzman, VT Public Service Department Special Counsel

The following members of the public were present:
• Anne Darling, East Hampton, MA
• Sister Joan Brown, Carlsbad, NM
• Karen Bonime, Albuquerque, NM
• Diane Dorego, no location provided.

There were 5 additional phone connections made to the meeting from which no verbal comments were provided.

The meeting convened at 6:02 PM.

Discussion of Potential September 21, 2020 Panel Meeting Agenda Items:
Tony Leshinskie provided an initial list of likely meeting agenda items for consideration. This list is available from the VT NDCAP website (https://publicservice.vermont.gov/electric/ndcap) in the “Issue Committee Meeting of June 3, 2020” section.

The Committee briefly discussed items 1 through 14 on this list. It was recognized that these comprised the Panel’s typical business items at most meetings, e.g. review and approval of meeting minutes, updates from NorthStar and the several State Agencies, Questions and Answers Periods, etc. It was agreed that these items should be included on the September 21 meeting agenda.

The potential agenda items were reviewed by the Panel members present. Discussion for several of the items was concurrent since they were related.

Discussion of Panel Advisory Opinion Process, a potential Advisory Opinion on a National Reactor Decommissioning or Spent Fuel Issue and a Presentation by the Spent Nuclear Fuel Collaborative

Much of this discussion centered on an issue raised by the Panel Vice-Chair, Lissa Weinmann, regarding whether a letter signed by the 2015 Panel Chair placed VT NDCAP on the record as supporting Consolidated Interim Storage facilities that have been proposed in New Mexico and Texas. Lissa expressed concern that the Panel did not vote to approve or reject the letter prior to its publication.

Panel Chair Josh Unruh noted that he had requested that the State Nuclear Engineer investigate the history of this letter further and whether the Panel had taken any action regarding the letter. This investigation determined that the letter was included as part of the Panel’s 2015 Annual Report. The 2015 Annual Report was unanimously approved by the Panel at its February 2016 meeting. (The 2015 Annual Report is available in the Panel’s 2015 meetings archive: https://publicservice.vermont.gov/content/ndcap-meeting-archives-2015. The letter in question is included as Appendix E of the 2015 Annual Report.)
Discussion continued, with it being noted that only two of the Panel members from 2015 remained on the Panel today. Perhaps a majority of current Panel members no longer supported the 2015 letter?

Josh Unruh indicated that the Panel may not be able to formally take a could a position on regarding a proposed Interim Storage Facility. In discussing the Advisory Opinion process with State Nuclear Engineer Tony Leshinskie and Vermont Public Service Department Special Attorney Eric Guzman, a review of the Panel’s duties in the Legislation establishing VT NDCAP (18 VSA §§1700-1702) indicates that the Panel is likely unable to take a position on a national decommissioning issue. All Panel duties described in 18 VSA §§1700-1702 specifically focus on the Vermont Yankee Nuclear Power Station. Eric Guzman added that the Public Service Department could investigate further on whether the Panel can comment on topics not directly related to the Vermont Yankee Nuclear Power Station.

Discussion continued on whether an interim storage facility was a topic directly related to Vermont Yankee’s decommissioning. Josh Unruh reminded the committed that the Panel had voted down a proposal to draft an Advisory Opinion on interim spent fuel storage. After considerable additional discussion on this topic, the Committee agreed that an Advisory Opinion should not be pursued at this time. However, the Panel needed more information on the current state of US spent nuclear fuel policy. Accordingly, the Committee recommended that the September Panel meeting include a presentation on this subject. The Committee agreed to contact Jim Hamilton from the Spent Nuclear Fuel Collaborative to speak on this subject. Congressional Delegation or US Department of Energy representatives could also be contacted if Jim Hamilton is unavailable.

Status Report on VT NDCAP Legislation
The Committee agreed that the Panel’s Legislative members (Laura Sibilia and/or Sara Coffey) should provide a brief summary at the September Panel meeting regarding the bill before the Legislature that would reorganize the Panel and its administration based on recommendations approved at the Panel’s January and February meetings.

Federal Legislation Status Report from Congressional Delegation Staff and Discussion(s) on specific Congressional Decommissioning / Spent Fuel Proposals
The Committee agreed that representatives from Vermont’s Congressional Delegation should discuss the several spent nuclear fuel-related bills currently before Congress at the September Panel meeting.
Report from Texas-Vermont Low Level Radioactive Waste Compact Commission

At the request of several Committee members, Tony Leshinskie briefly outlined this potential agenda item. The Compact Commission oversees the operation of the Andrews County, TX low level radioactive waste facility (operated by Waste Control Specialists) where essentially all radioactive waste generated in Vermont is shipped. The item is a carry-over from prior Issues Committee meetings, where several Committee members have expressed interest in learning more about the facility. The Compact Commission last made a presentation to the Panel in June 2018.

After a short discussion, the Committee agreed to defer a Compact Commission presentation to a subsequent Panel Meeting.

2020 Panel Annual Report

Tony Leshinskie noted that to what extent the Panel’s Annual Report needs to be discussed at the September Panel meeting will depend on when the Panel intends to meet next following the September meeting. If no additional meetings are expected in 2020, a first draft of the Annual Report is likely needed. If the Panel plans on meeting at least once more in 2020, an outline for the Report should be discussed.

Josh Unruh recommended that the Panel should plan on meeting once more in 2020. The Committee agreed. Accordingly, an outline for the 2020 Annual Report will be discussed at the September 2020 Panel meeting.

Panel Chair / Vice-Chair Election for 2021

It was agreed that the Panel could hold elections at its last 2020 meeting, once that date is set, rather than at the September 2020 meeting.

Summary of September 21, 2020 Panel Agenda Items

Based on the Committee’s discussions, the following items will be included in the September 21, 2020 meeting agenda:

1. Welcome, Opening Remarks & Overview of Meeting Agenda; Amendments to Agenda (5 minutes)
2. Introduction of Panelists
3. Review & Approval of May 4, 2020 Meeting Minutes
4. NorthStar update on VT Yankee activities
5. State Agencies’ Updates
6. Panel Questions & Answers on NorthStar & State Agencies Reports
7. Public Questions & Answers on NorthStar & State Agencies Reports
8. Early Public Comments Period
9. Spent Nuclear Fuel Collaborative Presentation
10. Congressional Delegation Update of Spent Fuel Bills Before Congress
11. 2020 Panel Annual Report Outline
12. Scheduling Remaining 2020 and Early 2021 Panel Meetings
13. General Public Comments Period

Public Comments
Comments from several members of the public were received throughout the meeting. These comments are summarized below.

Sister Joan Brown (Carlsbad, NM) urged VT NDCAP to oppose Holtec’s proposed Consolidated Spent Nuclear Fuel Nuclear storage facility (which would be constructed near Carlsbad, NM). She noted that the State of New Mexico opposes the facility and that the state does not benefit from nuclear power because there are no nuclear power plants in-state. She believes that nuclear waste should be kept at or near the power plants that generated them.

Karen Bonime (Albuquerque, NM) also asked the Issues Committee to oppose Holtec’s proposed Consolidated Spent Nuclear Fuel Nuclear storage facility. She added that a public comment period was currently open for the NRC’s Environmental Impact Statement for the facility, which provides opportunity to voice opposition to the facility.

Anne Darling (East Hampton, MA) indicated that she had attempted to ask a question earlier in the meeting, but her line remained muted. She had difficulty getting Tony Leshinskie’s attention to ask her question. She requested that the technology used to conduct these meetings be improved to allow easier public participation.

Diane Dorego (no location provided) notified the Issues Committee that the NRC currently has a proposal out that would allow disposal of radioactive waste in “regular” waste dumps (e.g. municipal waste facilities). VT NDCAP should oppose this proposal.

Other Business
In response to Karen Bonime’s comments, Panel Member Bob Leach indicated that he was willing to submit comments to the NRC opposing Holtec’s proposed Consolidated Spent Nuclear Fuel Nuclear storage facility. Bob authorized Tony Leshinskie to forward his (i.e. Bob’s) contact information to Ms. Bonime to discuss this matter further.

Adjournment
The meeting adjourned at 7:20 PM.