

1 **FIRST DRAFT of Meeting Minutes (Subject to Approval at next Full Panel Meeting)**
2 **Nuclear Decommissioning Citizens Advisory Panel (NDCAP)**
3 **Monday, September 21, 2020**
4 **Microsoft Teams Webcast**
5 **Meeting Minutes**
6

7 VT NDCAP Members Present (via webcast):

- 8 • **Josh Unruh**, *Citizen Appointee of Governor Phil Scott, Panel Chair*
- 9 • **Lissa Weinmann** (*Brattleboro*), *Citizen Appointee of Senate President Pro Tempore Tim Ashe, Panel Vice-Chair*
- 10 • **June Tierney**, *Commissioner of Public Service, ex officio*
- 11 • **Madeline Arms**, *Representative for the Town of Vernon*
- 12 • **Chris Campany**, *Executive Director of the Windham Regional Commission (WRC)*
- 13 • **VT State Representative Sara Coffey** (*Guilford*), *Citizen Appointee of Speaker of the House Mitzi Johnson*
- 14 • **Corey Daniels**, *Senior ISFSI Manager, NorthStar Vermont Yankee*
- 15 • **Emily Davis**, *Citizen Appointee of Senate President Pro Tempore Tim Ashe*
- 16 • **Dr. Bill Irwin**, *Radiological & Toxicological Sciences Program Chief, Designee for the Secretary of Human Services*
- 17 • **Bob Leach** (*Brattleboro*), *Citizen Appointee of Governor Phil Scott*
- 18 • **David Pearson**, *Vice-President and Regional Manager, NorthStar Group Services*
- 19 • **Chuck Schwer**, *Department of Environmental Conservation Waste Management Division Director, Designee for the Secretary of Natural Resources*
- 20 • **VT State Representative Laura Sibilia**, *Member of the House Committee on Energy & Technology (briefly attended between 6:17 and 7:05 PM)*

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27 The following NDCAP member had limited connectivity for the meeting (was able to see and
28 hear presentations, but could only speak through meeting chat function):

- 29 • **MA State Representative Paul Mark** (*Peru, MA*), *representing the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, appointee of (former) MA Governor Deval Patrick*

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33 The following NDCAP members were absent from the meeting:

- 34 • **Brett Long**, *Deputy Commissioner of Economic Development, Designee for the Secretary of Commerce and Community Development*
- 35 • **VT State Senator Mark MacDonald**, *Member of the Senate Committee on Natural Resources & Energy*

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39 Three positions on the Panel are currently vacant.
40

1 With 13 Panelists connected at the start of the Teams webcast (and one Panelist joining late), a quorum
2 was present (10 Panelists required). Approximately 48 members of the public were connected to the
3 webcast.

4
5 The meeting was called to order at 6:03 PM; a recording of the meeting webcast is available online at
6 <http://publicservice.vermont.gov/electric/ndcap> and at
7 <https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/ndcap-mtg-92120>
8

9 **General Instructions for Webcast Participation:**

10 State Nuclear Engineer Tony Leshinski briefly outlined communications during the webcast. Panelists
11 connections to the meeting are unmuted to permit a free-flowing discussion. Members of the public are
12 initially in a “listen only” mode (muted). For those joining by phone, use “*6” to mute and unmute
13 yourself before speaking. Microsoft Teams’ Chat and “Raise Hand” features can be used to ask
14 questions or to ask to speak. Questions to the Panel or requests to speak may also be sent to the
15 Panel’s email address at PSD.NDCAP@vermont.gov. To minimize background noise, self-muting during
16 the meeting is encouraged. Meeting presentation material is available at the Panel website at
17 <http://publicservice.vermont.gov/electric/ndcap> in the “Meeting of September 21, 2020” section.
18 Comments made during the meeting via the Microsoft Team Chat feature are also available in this
19 section.
20

21 **Welcome, Opening Remarks & Overview of Meeting Agenda:**

22 The Chair, Josh Unruh, welcomed everyone for the meeting and briefly outlined tonight’s agenda
23 (available at <https://publicservice.vermont.gov/content/final-agenda-9-21-2020>). The Chair noted that
24 the Agenda was rather full and that 20 members of the public had preregistered for an opportunity to
25 speak during the meeting. The Chair requested that individual public comments be limited to 2 minutes
26 each.
27

28 **Amendments to the Meeting Agenda:** No additions to the meeting agenda were made.
29

30 **Introduction of Panelists:** To save time the Panel Chair dispensed with introductions. (A roll call of
31 Panelists present was done during the vote to approve the May 4, 2020 meeting minutes.)
32

33 **Approval of Meeting Minutes:** The May 4, 2020 meeting minutes were briefly reviewed. No changes
34 to the draft minutes were requested. The minutes were approved by the following roll call vote (votes
35 shown in alphabetical order):
36

37 Madeline Arms, Yes
38 Chris Campany, Yes
39 Sara Coffey, Yes
40 Corey Daniels, Yes
41 Emily Davis, Yes
42 Bill Irwin, Yes
43 Bob Leach, Yes
44 Paul Mark, Abstain (indicated via Chat message)
45 David Pearson, Yes

1 Laura Sibia, not present for this vote
2 Chuck Schwer, Yes
3 June Tierney, Yes
4 Josh Unruh, Yes
5 Lissa Weinmann, Yes
6

7 **NorthStar Update on VY Site Decommissioning Activities**

8 Panel Member Corey Daniels, NorthStar Senior ISFSI (spent fuel storage) Manager at Vermont Yankee,
9 presented a summary of recent site decommissioning activities. The slides for this presentation are
10 available at: <https://publicservice.vermont.gov/electric/ndcap> in the “Meeting of September 21, 2020”
11 section. *The presentation begins at 0:08:26 in the meeting video.*
12

13 Recently completed and current Reactor Vessel (RV) segmentation activities were briefly described.
14 Current efforts are focused on removing Control Rod Guide Tubes and the Core Plate near the bottom of
15 the Reactor Vessel. completion of RV Steam Separator segmentation and the ongoing packaging of
16 segments for shipment offsite. Steam piping and valve cutting within the Turbine Building were
17 described. Demolition of the remaining onsite warehouse has completed. Demolition is the Advanced
18 Off-Gas Building is nearing completion.
19

20 Through the end of August, 113 radwaste shipments have been sent to WCS facilities this year. The
21 total shipped volume of waste is 350,000 cubic feet, with a total activity of 400 curies.
22

23 In non-radiological clean-up, the site’s 75,000 gallon Fuel Oil Storage Tank was removed. Required
24 quarterly groundwater samplings continue; no new anomalies or contamination sources have been
25 identified. Security fencing and vehicle barricades that are no longer required for protecting power
26 block buildings are being removed / demolished. The drinking water system has been modified such
27 that the entire site is now using the Plant Support Building Well. The VT Yankee Driveway and Governor
28 Hunt Road have been repaved to support the heavy vehicle traffic travelling these roadways.
29

30 **Questions on NorthStar Presentation**

31 *Several questions on NorthStar’s presentation begin at 0:31:30 in the meeting video.*
32

33 Chris Williams (Brattleboro, VT; Citizens Awareness Network): Can you (NorthStar) tell us more about
34 the June 19 accident involving an empty cannister coming to VT Yankee?

35 Corey Daniels briefly described the accident: an empty cannister transported by heavy haul, multi-axle
36 truck to the site encountered a road construction zone along its route. In avoiding the road
37 construction, the trailer tires hit soft ground, which prompted a rollover. The cannister sustained some
38 cosmetic damage; no injuries occurred. The cannister was recovered and brought to the VT Yankee site
39 within 24 hours of the accident. Although not required, the NRC was notified of the incident. Since that
40 time, the cannister has been inspected, integrity tested and validated that it can be safely used. The
41 cannister had never been used previously.
42

43 Follow-up questions: Since the cannister had a police escort, how did it wind up on a road undergoing
44 construction? Also, why wasn’t the cannister shipped by rail to the site? Corey Daniels indicated that he
45 didn’t have complete answers to these questions. Route selection is handled through state agencies.
46 Using heavy haul truck was likely a decision by the cannister shipper.

1
2 Is the State still investigating this incident? Corey Daniels could not answer this question.

3
4 Anne Darling (Easthampton, MA): Asked for a description of the term “curies” used on Slide #25 of
5 NorthStar’s presentation. Corey Daniels described Curies as a standard unit of measured radioactivity.
6 NorthStar uses it as a running total of the radioactive materials shipped offsite.

7
8 Josh Unruh asked that further questions on NorthStar’s presentation be deferred until after the State
9 Agencies’ presentations (in accordance with the meeting agenda).

10 **State Agencies’ Updates on VY Decommissioning**

11 **Public Service (PSD) Project Assessment and Update**

12
13 Eric Guzman, PSD Special Counsel (staff attorney) made this presentation. Nick Capik and Mark Gmyr of
14 Four Points Group (FPG), PSD’s consultants for overseeing the financial and technical details of VT
15 Yankee’s Decommissioning, were also present to provide additional details as needed. The slides for
16 this presentation are available at: <https://publicservice.vermont.gov/electric/ndcap> in the “Meeting of
17 September 21, 2020” section. *The PSD presentation begins at 0:38:18 in the meeting video.*

18
19 Eric outlined PSD’s financial oversight role, which includes updates on work complete versus work
20 remaining and project expenditures versus funds remaining. PSD coordinates with other State Agencies
21 and FPG to assess project status and whether the trust fund reimbursement requests are consistent
22 with the work completed. Site visits to observe completed work have been limited by the COVID-19
23 pandemic. However, FPG did complete a site visit in late July. Observations made during this visit
24 indicate that the project progress is consistent with NorthStar’s state progress in its April, May, June,
25 and July 2020 status reports. NorthStar remains on course to complete the project with available
26 funding.

27
28
29 As of August 31, 2020, the balance of the Nuclear Decommissioning Trust (NDT) is roughly \$389.5
30 million; the balance of the Site Restoration Trust (SRT) is roughly \$64 million.

31 **Agency of Natural Resources (ANR) / Department of Environmental Conservation (DEC) 32 Project Update**

33 Gerold Noyes from ANR / DEC Waste Management Division provided this update. The slides for this
34 presentation are available at: <https://publicservice.vermont.gov/electric/ndcap> in the “Meeting of
35 September 21, 2020” section. *DEC’s presentation begins at 0:44:26 in the meeting video.*

36
37 DEC’s ongoing interactions with VT Yankee were outlined (regular status calls, draft permit and
38 corrective action plan reviews and 2 onsite inspections). Information from these communications are
39 available from both the NorthStar and ANR websites. The Supplemental Site Investigation (SSI) received
40 in January, along with revisions received in May, was approved in August. (NorthStar contractor Haley
41 and Aldrich authored the SSI.) Results of the SSI are being used to develop Corrective Action Plans for
42 individual Areas of Concern (AOCs) onsite. The SSI did not find significant new sources of (non-
43 radiological) contamination from those previously identified.

1 Non-Radiological groundwater sampling continues on a quarterly basis. The (2019) Annual groundwater
2 sampling report was approved by ANR in July. The sampling results show groundwater exceedances
3 near a few AOCs, but no area wide contaminations. Permitting for modifying the onsite drinking water
4 supply source has completed. The permit process for discharging groundwater from newly installed
5 intercept wells to the Connecticut River continues.

6
7 DEC oversight of onsite demolition and asbestos abatement activities were described.

8 9 **Department of Health Project Update**

10 Panel Member Dr. Bill Irwin, Vermont Radiological and Toxicology Sciences Chief, provided a verbal
11 summary of current Department of Health oversight at the Vermont Yankee site. *This summary begins at*
12 *1:00:21 in the meeting video.*

13
14 Much of Health's focus since the start of the COVID-19 pandemic has been on addressing the pandemic.
15 Nonetheless, Health (namely Bill himself) has had several opportunities to observe ongoing VY activities,
16 particularly in partnership with DEC. Health participates in biweekly phone calls between NorthStar and
17 other State Agencies to discuss project progress. Two onsite inspections have occurred since the start of
18 the pandemic. Activities shown in the NorthStar presentation have been observed first-hand. Health is
19 supporting DEC in the permitting process to allow groundwater discharges to the Connecticut River.
20 This support has included discussion of monitoring options to assure that the discharges are
21 radiologically clean.

22
23 Two COVID-19 cases were identified in the VT Yankee workforce. NorthStar's contact tracing efforts in
24 response to these cases were commended.

25
26 The Health Department continues to track and receive information on all radiological waste shipments
27 leaving the site. Health is notified of the departure date, time and activity contained in each shipment.
28 This information is shared with Vermont law enforcement agencies and first responders in case an
29 incident response become necessary.

30 31 **Panelist Questions on NorthStar and State Agencies' Reports**

32 *Panelist questions on these presentations begin at 1:04:24 in the meeting video.*

33 Chris Company noted that there will be a groundwater discharge permit hearing tomorrow (9/22/2020)
34 evening. What's the status of the stormwater discharge permit with the State? Corey Daniels indicated
35 that NorthStar is still working on this permit with the State, but its need is not critical. Significant water
36 storage capacity is available onsite.

37
38 Follow-up question to Bill Irwin: Does Department of Health support this stormwater permit
39 application? Health has worked closely with DEC on this application and has provided radiological limits
40 for the collected water prior to its discharge to the Connecticut River.

41
42 Sara Coffey asked a question regarding PSD's presentation: how are the finances lining up with the work
43 completed thus far and the work that remains to be done? Will the trust funds be sufficient? What
44 tools are being used to assess that? Eric Guzman indicated that the PSD and its consultant (FPG) are
45 monitoring the finances versus work complete. Nick Capik added that FPG monitors monthly

1 expenditures versus the long-term schedule for the project. NorthStar has indicated that they believe
2 they are ahead of schedule. FPG has yet to find anything that would dispute that.

4 **Public Questions on NorthStar and State Agencies' Reports**

5 *Public questions on these presentations resumed at 1:10:00 in the meeting video.*

7 Deb Katz (Rowe, MA; Citizens Awareness Network): Yankee Rowe sent about 147,000 Curies of low-
8 level waste to the Barnwell, SC disposal facility. Yankee Rowe still has 42 million Curies of waste sitting
9 on its (spent fuel storage) pad. How much low level radwaste is expected to be shipped to Texas from
10 VT Yankee and how much high-level waste is still sitting at the Vermont Yankee storage pad?

11 Additionally, how many Curies of Greater-than-Class C low level waste will be stored at Vermont
12 Yankee? Corey Daniels indicated that he did not have those estimates readily available, but would with
13 State Nuclear Engineer Tony Leshinskie to have those numbers made available publicly. All low-level
14 radioactive waste will be shipped offsite.

16 Follow-up: Where will the Greater-than-Class C go, other than sitting on the pad in Vernon (at the
17 Vermont Yankee site)? Corey Daniels indicated he could not answer this question until the Federal
18 Government and US Department of Energy make some decisions on how it will address its radioactive
19 waste disposal obligations.

21 Diane D'Arrigo (Takoma Park, MD; Nuclear Information & Resource Service): Is any of the
22 decommissioning waste going to local landfills? Some of the debris from onsite building demolition is
23 going to "fairly local" landfills, mostly in Massachusetts. None of the debris sent to these landfills is
24 radioactive.

26 Anne Darling (Easthampton, MA): Who coordinates with all the public safety personnel on the entire
27 route to Texas? Do they know what is going through their towns? Corey Daniels replied that there are
28 multiple co-ordinations done through Department of Transportation and follow 10 CFR Part 39
29 requirements. The requirements are partly dependent upon what is being shipped. Individual states
30 have their own tracking requirements. Audits by Department of Transportation of VT Yankee's
31 notification practices have been satisfactory to date.

33 Mary Jane Williams (no town information provided): Has NorthStar successfully or unsuccessfully
34 decommissioned a plant before? Corey Daniels replied that NorthStar has decommissioned several
35 institutional reactors (e.g. reactors at higher learning facilities). Vermont Yankee is the first power
36 reactor decommissioning that NorthStar has undertaken.

38 Follow-up (1): Does NorthStar have other power reactor decommissioning projects? Corey Daniels
39 replied that NorthStar will be decommissioning the Crystal River Unit 3 nuclear power station in Florida.

41 Follow-up (2): What is NorthStar's connection to Holtec? Corey Daniels replied that NorthStar has no
42 direct (corporate) connection to Holtec. However, the VT Yankee spent nuclear fuel is stored in Holtec
43 Dry Cask systems.

45 Follow-up (3): How many dry casks are there (at VT Yankee)? Ms. Williams express surprise that Corey
46 Daniels did not know the Curie count for the dry casks onsite. Corey replied that there are 57 dry casks

1 in use which each contain 68 fuel assemblies. Corey indicated that he will locate and the Curie count
2 values and apologized for not having them available this evening.

3
4 Paul Blanch (West Hartford, CT): 10 CFR 72.236(l) requires that a spent fuel storage cask and its systems
5 important to safety must be evaluated, by appropriate tests or by other means acceptable to the NRC,
6 to demonstrate that they will reasonably maintain confinement of radioactive material under normal,
7 off-normal, and credible accident conditions. A recent Freedom of Information Act (FOIA 2020-000309)
8 response from the NRC has confirmed this has not been verified and that there is no analysis supporting
9 this very clear regulation. Without any analysis, Holtec states in its FSAR that loss of confinement is “not
10 credible.” The NRC-required testing has not been done. We don’t know what will happen when these
11 canisters begin to corrode. The group (NDCAP), the State and licensee has a responsibility to assure
12 that this testing is done and that cask integrity is maintained.

13
14 Lissa Weinmann subsequently asked whether Corey Daniels had a response to Paul Blanch’s question.
15 Corey indicated that he would need to review the referenced FOIA response before providing a reply.
16 NorthStar does monitor VT Yankee’s dry casks in accordance with industry best practices to assure that
17 there is no degradation of dry cask system components.

18
19 Lissa Weinmann stated that she would pursue this matter further with the Panel’s Issues Committee.

20
21 Diane D’Arrigo (Takoma Park, MD; Nuclear Information & Resource Service): Mr. Daniels stated earlier
22 that waste going to local landfills is cleared. What clearance level is used? Corey Daniels replied that
23 the standard used is non-detectable from background radiation.

24 25 **Early General Public Comments**

26 *This public comment period begins at 1:31:10 in the meeting video.*

27
28 Schuyler Gould (Brattleboro, VT; New England Coalition): The Panel is currently considering a proposal
29 to weigh in on national issues such as spent nuclear fuel disposal, but is also questioning whether it can
30 do so. Mr. Gould requests that the Panel does move forward with commenting on national issues, since
31 Vermont was considered at one point to be a potential location for a national spent fuel repository.
32 Until such time as a national repository is opened, Vermont is still potentially a repository site. The
33 Panel should prepare itself to comment on these national issues.

34
35 Mr. Gould provided written comments which have been posted to the Panel website
36 (<https://publicservice.vermont.gov/electric/ndcap>) in the “Meeting of September 21, 2020” section.

37
38 Kevin Kamps (Takoma Park, MD; Beyond Nuclear): Several years ago the Panel signed a letter proposed
39 by Yankee Atomic supporting Consolidated Interim Storage. There also appears to be a movement on
40 the Panel to express support for the Yucca Mountain facility. Mr. Kamps urges the Panel to rescind its
41 support of Consolidated Interim Storage and not support Yucca Mountain. Both proposals are blatant
42 violations of Environmental Justice. Yucca Mountain would have adverse impact to neighboring
43 Shoshone Indian communities; the Consolidated Interim Storage facilities would adversely impact
44 neighboring Hispanic communities.

1 Harvey Schaktman (Citizens Awareness Network) strongly opposes dumping radioactive waste at any
2 interim storage facility. Each time radwaste is moved increase the likelihood of an accident. Move it
3 once and never move it again. People in West Texas already suffer from the impact of abandoned
4 Uranium mines in the area and the fallout from above ground atomic weapons testing. (Several book
5 quotes on the impact on the Navaho nation were provided in these comments.)
6

7 Debra Stoleroff (Plainfield, VT): There's never been an answer on what to do with Vermont Yankee's
8 high-level radioactive waste. This is part of a growing problem as more nuclear power plants shut down.
9 Ms. Stoleroff expressed concern about the waste storage, its transportation and the Environmental
10 Justice issue it represents for the communities that could receive the waste. Any potential for an
11 accident involving nuclear waste is too much risk. The people living in areas surrounding the proposed
12 waste facilities have little political power to oppose NRC decisions. Vermont needs to keep the waste
13 generated by Vermont Yankee within its borders until such time as a scientifically safe repository can be
14 developed.
15

16 Leona Morgan (New Mexico; Citizens Awareness Network): The local communities in the New Mexico
17 and West Texas are not happy with the waste disposal proposals. What is the alternative if the NRC
18 rejects these applications for interim storage facilities? What is Vermont Yankee's Plan B? There is
19 some misinformation from the companies that want these facilities. We (the local communities) don't
20 want them.
21

22 Audrey Famette (Montpelier, VT): Expressed concern that the proposed interim waste facilities would
23 adversely impact communities of color who did not benefit from the power produced by the spent
24 nuclear fuel. The waste must remain in hardened storage at Vermont Yankee until a permanent storage
25 site is established for this waste.
26

27 Deb Katz (Rowe, MA; Citizens Awareness Network): Urges the Panel to have meetings on high level
28 radioactive waste and the different alternatives for dealing with it.
29

30 Diane D'Arrigo (Takoma Park, MD; Nuclear Information & Resource Service): Yucca Mountain is situated
31 on Western Shoshone Indian land. NRC analysis of the facility indicates that it will not meet the
32 groundwater requirements set forth for a high-level radioactive waste storage facility. Using the facility
33 would violate 19th Century treaties with the Western Shoshone nation. Pursuing interim storage sites is
34 currently illegal unless there is an operating permanent disposal site. The Panel needs to rescind its
35 previous support of Consolidated Interim Storage and examine the spent fuel disposal issue more
36 closely.
37

38 Rep. Sara Coffey added that the Panel is interested in learning more about spent fuel issues. She
39 appreciates tonight's comments.
40

41 **Current Status of US Nuclear Spent Fuel Policy**

42 Jim Hamilton, Executive Director of The Nuclear Decommissioning Collaborative provided a brief
43 summary of the current options for spent nuclear fuel storage and disposal allowed under current US
44 spent nuclear fuel policy (aka the Nuclear Waste Policy Act of 1982, with Amendments).

1 The presentation slides for this summary are available at:
2 <https://publicservice.vermont.gov/electric/ndcap> in the “Meeting of September 21, 2020” section. *The*
3 *Collaborative’s presentation begins at 1:59:47 in the meeting video.*

4
5 Inaction to date on spent nuclear fuel storage and disposal issues are due to “inaction costs” currently
6 being much less economically and politically expensive than those associated with setting a policy
7 direction. The impact of inaction costs is currently borne by several isolated communities surrounding
8 former nuclear power stations (e.g. VT Yankee, Yankee Rowe, etc.), which have been easy to ignore. As
9 higher profile power plants shutdown (e.g. Indian Point near New York City, San Onofre between Los
10 Angeles and San Diego, and Diablo Canyon north of Los Angeles), the change in inaction costs could
11 bring a shift in Federal Policy.

12
13 Current options for storage and disposal of Vermont Yankee’s spent nuclear fuel include:

- 14 A. Send VT Yankee Spent Fuel to Yucca Mountain
- 15 B. Send VT Yankee Spent Fuel to an Interim Storage Facility and then subsequently to Yucca
16 Mountain or Another (currently unidentified) Repository
- 17 C. Send VT Yankee Spent Fuel Directly to Another (currently unidentified) Repository
- 18 D. Use On-Site Deep Geologic Disposal (as proposed by deepisolation.com)
- 19 E. No Change (use current dry cask storage indefinitely)

20
21 It was noted that the last option incurs taxpayer costs because spent fuel facility owners such as
22 Vermont Yankee regularly sue the Department of Energy for damages for its failure provide a national
23 spent nuclear fuel repository. Damages in such lawsuits are taxpayer dollars (from the Federal
24 government’s “Judgement Fund”).

25 26 **Congressional Delegation Update on Spent Fuel Bills Before Congress**

27 Haley Pero from US Senator Bernie Sanders’ Office provided a verbal summary of nuclear waste storage
28 bills currently before Congress. Tom Berry from US Senator Patrick Leahy’s Office and Thea Wurzburg
29 from US Congressman Peter Welch’s Office were available for additional comments and questions. *This*
30 *summary begins at 2:10:09 in the meeting video.*

31
32 Senator Sanders and Congressman Welch recently introduced the Nuclear Plan Decommissioning Act
33 (co-sponsored by Senator Leahy) provides a meaningful role for states in the development and approval
34 of nuclear power plant shutdown plans and post-shutdown license transfers. The act has been
35 proposed in prior Congresses, but the current version incorporates feedback received in last year’s
36 nuclear decommissioning panel “best practices” meetings. The current version of the bill includes
37 funding provisions for panels such as VT-NDCAP. The bill also provides regional economic development
38 grants. The bill also includes compensation to communities such as Vernon, VT for storing spent nuclear
39 fuel.

40 Bills not approved during the current Congress (i.e. by the end of this year) would need to be
41 reintroduced next year (in the new Congressional session). The following additional bills co-sponsored
42 by Senator Sanders were briefly described:

- 43 • Informed Consent Act – requires the Department of Energy to receive local and tribal government
44 consent before opening a nuclear fuel repository within their jurisdictions.
- 45 • STRANDED Act – would compensate local communities for storing spent nuclear fuel.

- 1 • Dry Cask Storage Act – would require nuclear power plants to move all spent fuel to dry cask storage
2 within seven years. Noncompliant facilities would have their emergency planning zones expanded
3 to 50 miles.
4

5 Additional bills not co-sponsored by Senator Sanders include:

- 6 • Nuclear Waste Administration Act – would create a new national agency solely for managing spent
7 nuclear fuel. This bill includes provisions for creating a national spent fuel repository and would
8 allow for consolidated interim storage provided that work on a permanent repository continues.
9 The date for opening a permanent repository would be set as 2052.
10 • Nuclear Waste Policy Amendments Act – would allow private entity interim waste storage facilities
11 provided that local government consent was obtained.
12 • Jobs not Waste Act – prohibits Department of Energy from taking action on Yucca Mountain until a
13 report on job-creating alternative uses for the Yucca Mountain site is produced. Congressional
14 hearings on alternate uses of the site would also be required.
15

16 Trump Administration budget requests for spent fuel storage were briefly highlighted. Early
17 Administration budget proposals included requests for Yucca Mountain funding. More recent proposals
18 have included requests for consolidated interim storage funding, but nothing for Yucca Mountain. The
19 budget compromises with Congress have not included funding for either option.
20

21 **Panel Questions and Answers on the Spent Fuel Policy Presentations**

22 *Questions on the Spent Fuel Policy presentations begin at 2:18:00 in the meeting video.*
23

24 Maddy Arms (Town of Vernon Representative on the Panel): The Panel’s mission is to provide
25 information to the public on VT Yankee’s decommissioning. This includes providing a forum for and
26 answers to public-generated questions. The Town supports this mission, however it would not support
27 including VT Yankee site redevelopment in the Panel’s mission. Site redevelopment is the purview of
28 the Town of Vernon, the State of Vermont, and the current site owner, NorthStar. The Town is not
29 uninformed, cavalier or naïve about the responsibilities that come with storing spent nuclear fuel at the
30 VT Yankee site. Other Panel members are asked to recognize the Town’s primary stakeholder status in
31 this matter. The Town has applied for a Federal grant to assist in creating a VT Yankee site
32 redevelopment plan.
33

34 Lissa Weinmann: Expressed concern that the Panel unwittingly took a position on supporting
35 consolidated interim storage. If the Panel wants to retain this position, it should be discussed so people
36 are clear as to what consolidated interim storage means.
37

38 Lissa asked Jim Hamilton to discuss the Federal Economic Development funding that the Nuclear
39 Decommissioning Collaborative recently received. Some of this funding appears to support coordinating
40 efforts among nuclear host communities. Jim Hamilton replied that the most recent Federal budget
41 included \$15 million for nuclear host community programs. Getting this funding was the work of
42 Federal representatives; the Collaborative did not receive any of this funding, but is helping to move
43 community programs along, particularly those for post plant closure economic recovery programs.
44

45 Lissa then asked Haley Pero to characterize the Trump Administration’s position on nuclear waste.
46 While not speaking for the Trump Administration, Haley noted that the Administration had requested

1 Yucca Mountain funding in prior budgets. However, for FY2021, the Administration requested no Yucca
2 Mountain funding, but did request \$27.5 million for interim storage planning. Senator Sanders
3 frequently makes the point that the US should not be producing more nuclear waste without having a
4 solution for it.

5
6 Josh Unruh asked Jim Hamilton what has been the result of the Nuclear Decommissioning Collaborative
7 reaching out to nuclear host communities? Jim Hamilton replied that the Collaborative has worked with
8 the Zion (IL), Palisades (MI) and Diablo Canyon (CA) communities. There has been some outreach to
9 Town of Vernon, communities around Pilgrim (MA) and elsewhere. The Collaborative is trying to raise
10 awareness that Federal funding is available to assist with economic recovery following nuclear power
11 plant closures.

12
13 Chris Company: Noted that Vernon was the only Vermont community to request nuclear community
14 recovery funds. Based on the strength of the submittal (including a Town funding match) he suspects
15 that Vernon will receive its funding request.

16 **Public Questions and Answers on Spent Fuel Policy Presentations**

17
18
19 Timothy Judson (Takoma Park, MD; Nuclear Information & Resource Service & Citizen Awareness
20 Network): Reiterated points that West Texas is unduly burdened with impacts from the nation's use of
21 nuclear power and other industries that generate hazardous materials. This is a case of Environmental
22 Injustice because more affluent communities will simply not accept the waste. Interim Storage without
23 a functioning permanent repository is effectively creating national nuclear waste dumps. A wholesale
24 reevaluation of nuclear waste storage policy is needed.

25
26 Alice Evans (Waitsfield, VT): The Panel needs to be fully transparent about the threats that Vermont
27 faces due to the nuclear waste left behind by Vermont Yankee. Ms. Evans expressed concern that
28 attendance at tonight's meeting is rather small. There would be more people attending if these threats
29 were better publicized. The Panel is not responsible for developing this solution but is responsible for
30 educating the public on the dangers.

31
32 Paul Gunter (Takoma Park, MD; Beyond Nuclear): His organization is working on a Congressional
33 briefing that will outline many of the spent nuclear fuel comments and concerns that have been brought
34 up in tonight's discussions. The briefing will be done as a webcast, the tentative date for which is
35 November 13. The NRC and US national laboratories have made several efforts to collect component
36 and material samples from decommissioning nuclear power plants for examination to support aging
37 management and operating license extension programs for nuclear power plants to operate up to 80
38 years. *(Portions of Mr. Gunter's audio feed became garbled; some of his comments could not be*
39 *understood. Josh requested that Mr. Gunter email his comments to the Panel.)*

40
41 Nancy Rice (Randolph, VT; Vermont Yankee Decommissioning Alliance): Requested that Panel continue
42 discussions on national issues such as spent fuel disposal and radioactive waste transportation.
43 Accidents are most certain to occur during transportation to the proposed interim storage sites. High
44 level radioactive waste stored in western Texas or New Mexico could conceivably be reprocessed into
45 nuclear weapons at Sandia or Los Alamos National Laboratories. VT Yankee's spent nuclear fuel needs

1 to be kept onsite in robust storage surrounded by earthen berms. Vernon needs compensation for
2 being placed in this situation.

3
4 May Hamlin (Island Pond, VT; Community Action Works): Requested that the Panel ensure that VT
5 Yankee’s nuclear waste is handled with safety, good science and environmental justice in mind.

6
7 Shaina Kasper (Montpelier, VT; Community Action Works): The best standards of interim storage must
8 be applied to the waste stored at VT Yankee.

9
10 **Status Report on VT NDCAP Legislation**

11 *The Status Report begin at 3:02:28 in the meeting video.*

12 With VT State Representative Laura Sibilia unavailable for this part of the meeting (she was reported as
13 juggling meetings this evening), Citizen Panelist and VT State Representative Sara Coffey provided a brief
14 report on the status of the proposed VT NDCAP legislation changes (to 18 VSA §§1700-1702) that the
15 Panel adopted at its February 3, 2020 meeting. It is looking as though these changes will not get
16 through the Legislature before the end of the year due to other higher legislative priorities (e.g. state
17 budget and COVID-19 response).

18
19 After receiving a text message from Rep. Sibilia, Rep. Coffey added that the intention of the Legislation is
20 to modify the composition of the Panel and provide funding for the Panel. Her understanding is that
21 NorthStar remains committed to providing financial support of the Panel of up to \$35,000 per year.
22 Rep. Coffee indicated that both she and Rep. Sibilia, if re-elected this fall, are committed to
23 reintroducing the Legislation in the 2021 Legislative Session.

24
25 Corey Daniels confirmed that NorthStar remains committed to financially supporting the Panel as
26 described by Sara Coffey.

27
28 **2020 Panel Annual Report Outline**

29 *This discussion begins at 3:04:02 in the meeting video.*

30 State Nuclear Engineer Tony Leshinskie briefly described the report outline he intends to use to draft the
31 Panel’s 2020 Annual Report. The base outline is very similar to that used for the 2019 Annual Report,
32 with some changes in content of its sections reflecting the topics that the Panel has discussed in 2020
33 (vs. those discussed in 2019); e.g. the section discussing recommended changes to Panel composition
34 and duties will be much more substantial this year.

35
36 The proposed report outline is available at: <https://publicservice.vermont.gov/electric/ndcap> in the
37 “Meeting of September 21, 2020” section.

38
39 No Panelists raised questions or objections to the proposed outline. (Several Panelists indicated that it
40 looked good.) Tony stated that he would have a first draft of the report available by mid-November,
41 depending upon when the next full Panel meeting is scheduled. Panelists will be given at least one week
42 to review the draft.

43
44 Chris Company encouraged Panel members to provide feedback on the draft to Tony in advanced of the
45 next Panel meeting to expedite the review process for the Annual Report. Comments should be emailed
46 to Tony individually (to avoid Open Meeting Law concerns).

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Scheduling Remaining 2020 and Early 2021 Panel Meetings

Josh Unruh recommended that since tonight’s meeting has been rather long, that the Panel should only schedule its next meeting. Scheduling early 2021 meetings could be discussed at this next meeting. After consulting with individual schedules, the Panel agreed that its next meeting will be held on Monday, December 7, 2020. Given the likely continuation of COVID-19 pandemic conditions, the meeting will be planned as a webcast. This meeting will need to include elections for Panel Chair and Vice-Chair (or Co-Chairs).

Through Teams Chat, Bill Irwin noted that due to a conflict, he will likely be unavailable for the December 7 meeting.

Chris Company requested that the December 7 meeting be held to an hour and a half in duration.

Lissa Weinmann requested that the Issues Committee meet in mid-November to consider a motion to withdraw support for Consolidated Interim Storage.

A meeting of the Issues Committee to help set the December 7 meeting agenda will be scheduled in November.

General Public Comments to the Panel

No additional public comments were received.

Meeting Wrap-Up

Tony Leshinskie publicly thanked Michelle LaPerle (Public Service Department) and Gerold Noyes (Department of Environmental Conservation) for their assistance in running tonight’s Microsoft Teams session. Tony also thanked Michelle for her continuing assistance in maintaining the Panel’s website. Tony added that a number of public comments were received via Teams’ chat feature. These will be saved and posted to the Panel website. He noted though that since he is still learning to use Teams, it was recommended that comments also be sent to the PSD.NDCAP@vermont.gov email address to assure that they are received.

MEETING ADJOURNED AT 9:25 PM.