FIRST DRAFT of Meeting Minutes (Subject to Approval at next Full Panel Meeting)
Nuclear Decommissioning Citizens Advisory Panel (NDCAP)
Thursday, December 5, 2019
Brattleboro Area Middle School Multi-Purpose Room
109 Sunny Acres Road, Brattleboro, VT
Meeting Minutes

VT NDCAP Members Present:
• Josh Unruh, Citizen Appointee of Governor Phil Scott, Panel Chair
• June Tierney, Commissioner of Public Service, ex officio
• VT State Representative Laura Sibilia, Member of the House Committee on Energy & Technology
• Bob Leach (Brattleboro), Citizen Appointee of Governor Phil Scott
• Derrik Jordan (Putney), Citizen Appointee of Speaker of the House Mitzi Johnson
• VT State Representative Sara Coffey (Guilford), Citizen Appointee of Speaker of the House Mitzi Johnson
• Emily Davis, Citizen Appointee of Senate President Pro Tempore Tim Ashe (newly appointed to Panel)
• Corey Daniels, Senior ISFSI Manager, NorthStar Vermont Yankee
• David Pearson, Vice-President and Regional Manager, NorthStar Group Services
• Chris Campany, Executive Director of the Windham Regional Commission (WRC) – arrived ~6:25 PM

The following NDCAP members were connected to the meeting via teleconference:
• Lissa Weinmann (Brattleboro), Citizen Appointee of Senate President Pro Tempore Tim Ashe, Panel Vice-Chair
• 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

The following NDCAP members were absent from the meeting:
• Emily Boedecker, Commissioner of Environmental Conservation, designee for the Secretary of Natural Resources
• VT State Senator Mark MacDonald, Member of the Senate Committee on Natural Resources & Energy
• Dr. William (Bill) Irwin, Designee for the Secretary of Human Services
• Michael Root, Representing the Town of Vernon, VT
• **MA State Representative Paul W. Mark** *(Peru, MA), representing the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, appointee of (former) MA Governor Deval Patrick*

Two positions on the Panel are currently vacant.

With 9 Panelists initially present at the meeting and 2 Panelists connected via teleconference, a quorum was present (10 Panelists required; 11 were initially present; 12 were present after one late arrival). Approximately 12 members of the public were present.

The meeting was called to order at 6:05 PM; a video recording of the meeting is available online at [http://publicservice.vermont.gov/electric/ndcap](http://publicservice.vermont.gov/electric/ndcap) and at [https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-12519-mtg](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-12519-mtg).

**Welcome, Opening Remarks & Overview of Meeting Agenda:**
The Chair, Josh Unruh, welcomed everyone for the meeting and noted that several representatives from the Town of Buchanan, New York were present this evening to observe the Panel’s proceedings. (A panel similar to VT NDCAP is currently being created in Buchanan for the Indian Point Power Station’s upcoming decommissioning.)

**Amendments to the Meeting Agenda:** No additions to the meeting agenda were discussed or made.

**Introduction of Panelists:** Panel members briefly introduced themselves.

**Approval of Meeting Minutes:** Draft meeting minutes for the Panel’s October 16, 2019 meeting were reviewed and approved by roll call vote as noted below:

- Chris Campany, Not Present for this Vote
- Sara Coffey, Abstain
- Corey Daniels, Yes
- Emily Davis, Yes
- Bob Gustafson, Yes
- Derrik Jordan, Yes
- Bob Leach, Yes
- David Pearson, Yes
- Laura Sibilia, Abstain
- June Tierney, Yes
- Josh Unruh, Yes
- Lissa Weinmann, Yes
NorthStar Update on Recent VY Site Decommissioning Activities

Panel Member Corey Daniels, NorthStar Senior ISFSI (spent fuel storage) Manager at Vermont Yankee, presented a summary of recent site decommissioning activities. This summary discussed recently completed reactor vessel segmentation project tasks, the progress in dismantling the site’s former steam turbine, progress in onsite asbestos abatement, the current status and future plans for onsite groundwater intrusion management and results from several recently completed radiological and hazmat surveys.

The slides for this presentation are available at:
https://publicservice.vermont.gov/electric/ndcap

The slide presentation included a short video, which is available from the Panel’s website (https://publicservice.vermont.gov/electric/ndcap) and at:
https://www.youtube.com/watch?v=-HSeTZDPYF8

The lower portion of the reactor vessel along with the adjacent Steam Dryer / Separator Pit and the Spent Fuel Pool have been flooded with water for the next phase of Reactor Vessel (RV) segmentation activities, segmentation and removal of the Steam Separator, which will be conducted underwater to limit radiation exposures. It was also noted that the Nuclear Regulatory Commission (NRC) has been on site to observe these activities several times this year, including this week. No NRC violations or concerns have been identified. Overall, while the RV segmentation project is slightly behind schedule, good progress continues to be made.

Dismantling of VY’s steam turbine is largely complete. Asbestos abatement within the Turbine Building is progressing on-schedule. Groundwater intrusion into the Turbine Building continues at a rate of roughly 300 gallons per day (well below the 6000 gallons per day rates initially observed shortly after VY’s final shutdown). This water intrusion rate currently requires one tanker railcar shipment roughly every two months to address. NorthStar is working with VT Agency of Natural Resources (ANR) to allow diverting of groundwater to the Connecticut River, before it can enter the Turbine Building and become contaminated.

The methods being used for an extensive (in excess of 1.3 million measurements in total) onsite radiological survey were described. Non-radiological surveys have identified 17 “Areas of Concern” onsite which may require hazmat remediation. There are 3 onsite locations where fuel oil spill remediation is necessary. Additional surveys to identify any per- and polyfluorakyl substances (PFAS) contaminations onsite have also been conducted. All detected PFAS contaminations are below State of Vermont limits for soils and groundwater.

The NorthStar presentation also discussed several “stakeholder engagement” activities that recently occurred. These included a confidential survey of a number of selected stakeholders and a proposal for Antioch University of New England (AUNE) to perform a VY site study / land use inventory for potential redevelopment options.

Individual Panelists asked questions throughout the NorthStar presentation, including:
• Derrik Jordan: Where would water from diversion wells (a water intrusion mitigation method) go? Per Corey Daniels reply, the diverted water would go to the Connecticut River. It would be surveyed for radiological contamination before release. Test samples from a diversion well already in place have not found radiological contamination.

• Emily Davis: How deep does the All-Terrain Vehicle’s radiological instrumentation measure radiation? Per Corey Daniels reply, at least several feet. Corey committed to providing a better answer at the next Panel meeting.

• Rep. Laura Sibilia: What percentage of the VY has been sampled for PFASs? While no percentage was reported, Corey Daniels noted that sampling was performed where PFASs were expected, e.g., where fire fighting equipment had been used and downstream of these locations.

• Public Service Commissioner June Tierney: Requested that a public report that from the stakeholder engagement survey noted in NorthStar’s presentation be made available. Corey Daniels noted that the stakeholder engagement survey results are largely confidential; however, he agreed to work with the Public Service Department to make a public report available. In follow-up discussion, June indicated that such a report should include:
  o How many people were contacted?
  o When was the survey done?
  o What survey questions were asked?
  o Report the top (10) findings

The resulting report should be posted online to demonstrate that “the T’s are being crossed and the I’s are being dotted” as Vermont Yankee’s decommissioning moves forward.

• Lissa Weinmann requested several details on the AUNE site study proposal, to which Corey Daniels noted that 1) the scope of the report would cover an onsite soils inventory and is intended to identify the best opportunities for site reuse. 2) the decision to use AUNE was made by the Town of Vernon. 3) NorthStar is engaged with AUNE’s Provost Office and Dr. Christa Daniels (Affiliate Professor at AUNE) in developing the proposal. 4) A budget for the proposal work is under development and will be funded by NorthStar.

• Rep. Laura Sibilia express concern that hard copies of NorthStar’s presentation were not available, nor was it electronically available prior to the meeting. It was noted that the reason for this was that the presentation was rather large (38 slides). Due to its large digital size, it could not be readily emailed to Panelists. Corey Daniels agreed to work with State Nuclear Engineer Tony Leshinskie to assure that future presentations are at least available electronically during Panel meetings.

Vermont State Agencies’ Update on VY Decommissioning
VT Public Service Department (PSD) Special Counsel Allison Bates-Wannop provided a brief presentation on PSD’s continuing financial and technical reviews of Vermont Yankee’s decommissioning. PSD’s primary responsibility is to confirm that the work completed to date is reasonable after considering the NorthStar’s reimbursement requests from the Nuclear
Decommissioning Trust (NDT) to date. Overall, the VY’s decommissioning continues to progress smoothly. It was noted that PSD’s hired expert to assist in this oversight and assessment process performed similar work during Yankee Rowe’s active decommissioning.

The slides for this presentation are available at:
https://publicservice.vermont.gov/electric/ndcap

The PSD presentation also discussed the Department’s expanded “Vermont Yankee Decommissioning” website that recently went live. This new website is available at:
https://publicservice.vermont.gov/content/vermont-yankee-decommissioning. The new website reports monthly balances for Vermont Yankee’s Nuclear Decommissioning Trust (NDT) and Site Restoration (SRT) funds. It also includes the summary of decommissioning expenditures that PSD receives monthly. The website includes links to other State Agency websites and webpages related to Vermont Yankee’s decommissioning, the Panel’s website and Vermont Yankee-related sections of the NRC’s website.

In response to questions received at the October 16 Panel meeting, the PSD presentation differentiated between NDT and SRT fund expenditures. Expenses paid from the NDT address radiological clean-up expenses and include items such decontamination of onsite equipment and structures. Costs for shipping radiological waste offsite are included. Expenses paid from the SRT address clean-up of non-radiological hazardous materials onsite. These expenses currently include items such as the non-radiological sampling / surveys discussed at this and other recent Panel meetings.

Panel Questions and Answers on NorthStar & State Agencies Reports
Panel Questions on NorthStar’s report are included with the summary of NorthStar’s report. Rep. Laura Sibilia had several questions on PSD’s report. She noted that these questions were previously sent by letter to PSD:

- What happens if there are surplus or a deficit in funds in the NDT and SRT after the decommissioning project is complete? In response, PSD Commissioner June Tierney noted that PSD is finalizing a written response to Rep. Sibilia’s several questions. The answer to this question is rather complicated when the funds have deficits. The Commissioner apologized for the delay in the response and indicated that it would be made available to all Panel members once it was finalized and approved. The Commissioner committed to having PSD’s response available “no later than the end of next week” (i.e. by December 13, 2019).

- Is the cost to complete (the decommissioning project) updated on a regular basis? In response, Allison Bates-Wannop noted that, in compliance with Federal regulations and the (PUC Docket 8880) MOU, this is updated on an annual basis.

- What is the cost to complete Vermont Yankee’s decommissioning? Allison Bates-Wannop indicated the PSD’s consultants have estimated the cost to complete as roughly $700 million. Commission Tierney noted that are more accurate answer would likely be
available in the Vermont PUC’s Order on VY’s decommissioning. This answer will be provided to the Panel.

- Is there a “fudge factor” (i.e. an uncertainty) built into the cost to complete? Allison Bates-Wannop indicated that there is a 10% contingency factor built-in to the individual line items on the Vermont Yankee decommissioning schedule. Cost overruns are to be borne by NorthStar.

- What is the estimate percentage of the work completed? Commissioner Tierney and Ms. Wannop indicated that NorthStar reports percentages complete on decommissioning tasks, which are available from PSD’s Vermont Yankee Decommissioning website. PSD monitors these numbers and assesses their accuracy. Commissioner Tierney committed that PSD will report an overall percentage complete if it is possible to do so.

- A “high-level” overview of PSD’s financial review process was requested. Commissioner Tierney committed that PSD will provide this overview at a future Panel meeting.

Panelist Chris Company added that the PUC Order (in Docket 8880) requires NorthStar to notify the State within 7 days of identifying a projected cost overrun or significant decommissioning schedule delay. Allison Bates-Wannop indicated that there were several such provisions in the PUC Order.

Panel Chair Josh Unruh thanked PSD for this update and noted that the further replies will be presented to the public at the next NDCAP meeting. PSD’s written reply to Rep. Sibilia’s questions will be made available to the Panelists by the end of next week (i.e. by December 13, 2019). Commissioner Tierney indicated that the letter reply will be posted on the Panel website and that an additional PSD presentation on these answers will be provided at the next Panel meeting.

Panelist Rep. Sara Coffey expressed surprise that Agency of Natural Resources had not provided its perspective on recent onsite decommissioning activities at Vermont Yankee. She requested that an ANR update be provided on a regular basis. As the only State Agency Panelist present at this meeting, Public Service Commissioner June Tierney indicated that she would pass this request on to ANR.

Panel Vice-Chair Lissa Weinmann asked whether any of the delays in responding to questions previously sent to PSD resulted from a lack of budget? Commissioner Tierney indicated that the delay was not caused by a budgetary issue. PSD will work to improve the timeliness of its replies.

Public Questions and Answers on NorthStar & State Agencies Reports

John Tuthill (Acworth, NH) asked whether the State is tracking the volumes of materials, including that from asbestos abatement, that is leaving the Vermont Yankee. Commissioner June Tierney replied that asbestos abatement is not PSD’s responsibility. She agreed to forward this question to Agency of Natural Resources to have a reply available at the next Panel meeting.
Schuyler Gould (Brattleboro, VT) asked whether the radiological instrumentation on the All-Terrain Vehicle (described in NorthStar’s presentation) provides constant monitoring of the Vermont Yankee site. In response, Corey Daniels noted that the ATV performed radiation readings on “non-structure” areas of the site. Additional radiological surveys of the site will be done as decommissioning progresses. In a follow-up question, Mr. Gould asked whether the results of these radiological readings would be made public. Corey Daniels replied that while it was unlikely that the results of all 1.3 million plus readings would be made public, he would report back to the Panel on what can be made available.

Early General Public Comment Period
No public comments were received at this time. Because Panel discussions on NorthStar and PSD’s reports took longer than planned, the Panel agreed to dispense with the 5-minute break included on the meeting agenda at 7:15 PM.

Updating Statute Defining Panel Duties, Composition and Funding
Since several items regarding Panel duties, composition and funding were discussed at the November 21, 2019 meeting of the Issues Committee, the Panelists took several minutes to review the November 21 meeting notes. These meeting notes are available from the Panel website via the following link: https://publicservice.vermont.gov/content/committee-meeting-notes-11-21-2019. Since this Issues Committee meeting considered several potential Panel changes that were identified at the July 24, 2019 Issues Committee meeting, Panel discussion included ideas from this earlier meeting. A list of the July 24 ideas is available from the Panel website via the following link: https://publicservice.vermont.gov/content/summary-potential-panel-changes.

The Panel began discussion by considering whether a second Town of Vernon representative should be added to the Panel. Based on a November 21 Issues Committee recommendation, the International Brotherhood of Electrical Workers (IBEW) representative could be eliminated. This would allow additional Town of Vernon representation without increasing the current size of the Panel. The rationale for these changes was noted as 1) additional Town of Vernon representation is reasonable since the Town has so much at stake with the Vermont Yankee site; 2) there are no longer any IBEW members working at the Vermont Yankee site. Corey Daniels noted that the IBEW is OK with its representation on the Panel being eliminated. It was noted that IBEW representation was included on the Panel to address potential site workers concerns regarding Vermont Yankee’s decommissioning. Other options remain available for site workers to raise safety or work-environment concerns. Several Panelists noted that while they would prefer a worker representative to remain on the Panel, an IBEW appointee is no longer appropriate. However, there does not appear to an alternate organization that could provide onsite workers’ representation (other than NorthStar itself).

Panelist Laura Sibilia expressed concern that a “Vernon Block” on the Panel may result. There are other concerns that potentially impact the rest of the state. Panelist Chris Company
restated his concern that State Agencies having votes on the Panel was a potential conflict of interest since the Agencies are potentially subject to Panel recommendations.

The Panel also briefly discussed whether the number of Vermont Yankee representatives on the Panel should be reduced from two to one. Consensus was reached that Vermont Yankee representation should be kept as-is.

Following these discussions, the Panel voted to increase the Town of Vernon’s representation on the Panel to two (instead of the current one representative) as follows:

- Chris Campany, Yes
- Sara Coffey, Yes
- Corey Daniels, Abstain
- Emily Davis, Yes
- Bob Gustafson, Yes
- Derrik Jordan, Yes
- Bob Leach, Yes
- David Pearson, Yes
- Laura Sibilia, Yes
- June Tierney, Yes
- Josh Unruh, Yes
- Lissa Weinmann, Yes

The Panel then voted to eliminate IBEW representation as follows:

- Chris Campany, Yes
- Sara Coffey, Yes
- Corey Daniels, Yes
- Emily Davis, Yes
- Bob Gustafson, Yes
- Derrik Jordan, Yes
- Bob Leach, Yes
- David Pearson, Yes
- Laura Sibilia, Yes
- June Tierney, Yes
- Josh Unruh, Yes
- Lissa Weinmann, Yes

Additional Panel composition changes were then briefly discussed:
- June Tierney noted that, to the best of her knowledge, making the Panel’s New Hampshire and Massachusetts representation optional has not been discuss with either state’s Governors. Accordingly, this potential change was tabled.
- Eliminating the Agency of Commerce and Community Development (ACCD) representation from the Panel was tabled. The Panelists agreed that this should be discussed at a future Panel meeting with an ACCD representative present.
- Realigning the Panel’s State Agency representation and making all Agency representation Ex Officio were tabled with the intent to discuss this at a future meeting with higher Panel attendance.

Discussion then turned to potential Panel Duty changes. Panelists Chris Company and Lissa Weinmann both asked whether State Agencies could be required to summarize their findings on NorthStar’s March 31 annual reporting. June Tierney questioned the need for this codification. The Panel agreed to discuss this at a future meeting with higher Panel attendance. The Panel also agreed to table the remaining potential Duties changes included on the June 24 Issues Committee summary list.

The Panel Administration and Assistance items included on the June 24 Issues Committee summary list were also tabled to be discuss this at a future meeting with higher Panel attendance.

The Panel then discussed rewording the current legislation to replace references to “Vermont Yankee Nuclear Power Station” or “VYNPS” to NorthStar or NorthStar Vermont Yankee. After further consideration, the Panel decided to modify this proposed change to simply “Vermont Yankee.” The Panel then voted to incorporate this “Vermont Yankee” nomenclature into Panel legislation as follows:

- Chris Campany, Yes
- Sara Coffey, Yes
- Corey Daniels, Yes
- Emily Davis, Yes
- Bob Gustafson, Yes
- Derrik Jordan, Yes
- Bob Leach, Yes
- David Pearson, Yes
- Laura Sibia, Yes
- June Tierney, Yes
- Josh Unruh, Yes
- Lissa Weinmann, Yes

Panelist Bob Leach proposed reducing the required number of Panel meetings per year from four to one. This proposal was tabled without being seconded. The Panel agreed to discuss this potential change at a future meeting with higher Panel attendance.

The Panel agreed to move forward with the changes that had been approved thus far to accommodate Vermont’s Legislative schedule. Laura Sibia noted that the cleanest way to propose changes to the Panel creation legislation would be to have all proposed language
changes ready by January 3 for introduction to the Legislature by January 15. Additional change
requests, if approved at a future Panel meeting, could be introduced through legislative
committee. It was then proposed that the Panel “deputize” several Panel members to
complete updating the Panel’s legislative language and introduce the changes to the
Legislature. Panelists Laura Sibilia and Sara Coffey were suggested as potential deputies since
they are both currently Vermont legislators.

The Panel voted to authorize Laura Sibilia and Sara Coffey to incorporate the language changes
approved this evening for introduction to the Legislature:

Chris Campany, Yes
Sara Coffey, Yes
Corey Daniels, Yes
Emily Davis, Yes
Bob Gustafson, Yes
Derrik Jordan, Yes
Bob Leach, Yes
David Pearson, Yes
Laura Sibilia, Yes
June Tierney, Yes
Josh Unruh, Yes
Lissa Weinmann, Yes

Public Comments on Updating Statute Defining Panel Duties, Composition and Funding
No public comments were received at this time.

Draft Annual Report Status
State Nuclear Engineer Tony Leshinskie summarized the status of the Panel’s 2019 Annual
Report to the Legislature. In accordance with the Statute establishing the Panel, the 2019
Annual Report is to be filed with the State Legislature by January 15, 2020. While a draft
outline for the Annual Report was approved at the July 24 Issues Committee meeting, it
probably should have been discussed at the Panel’s October 16 meeting. Tony had intended to
have a working draft of a report using this outline ready for this evening’s meeting. In response
to questions from Commissioner Tierney and other Panel members, Tony indicated that he will
have a complete Annual Report draft ready, based on the existing outline, for review by the Full

The outline for the Panel’s 2019 Annual Report may be obtained from the Panel website via the
following link: https://publicservice.vermont.gov/content/draft-outline-2019-annual-report.

Panel Chair Josh Unruh noted that distributing the draft report available for review by Panel
members by January 6 should still allow sufficient time for Panelist comments to be
incorporated into the draft prior to the January 15 deadline. He suggested that the Panel could
meet in early January to finalize the report.
The Panel voted to approve creation of the 2019 Annual Report using the outline adopted at the July 24, 2019 Issues Committee as follows:

- Chris Campany, Yes
- Sara Coffey, Yes
- Corey Daniels, Yes
- Emily Davis, Abstain
- Bob Gustafson, Yes
- Derrik Jordan, Yes
- Bob Leach, Yes
- David Pearson, Yes
- Laura Sibilia, Yes
- June Tierney, Yes
- Josh Unruh, Yes
- Lissa Weinmann, Yes

Laura Sibilia noted that, depending upon the meeting date selected for the Panel’s January 2020 meeting to discuss / finalize the Annual Report, it may be prudent to notify the relevant Legislative Committees that the report may be delivered several days late.

Scheduling 2020 Meetings

Based on the Annual Report Status discussion, the Panelists agreed to meet on Monday, January 13, 2020 to finalize the 2019 Annual Report. Josh Unruh recommended that the Panel’s second meeting in 2020 be held subsequent to NorthStar’s March 31, 2020 status report deadline. After consulting with PSD Staff present (Allison Bates-Wannop) for a meeting date would allow State Agencies opportunity to assess NorthStar’s March 31 required reporting, the Panelists agreed to meet on Monday May 4, 2020.

Tony Leshinskie noted that with the agenda for the proposed January 13, 2020 focused on finalizing the 2019 Annual Report, there was no reason for the Issues Committee to meet prior to January 13. The Panelists present on the Issues Committee concurred.

General Public Comments to the Panel

No public comments were received at this time.

Meeting Wrap-Up and Adjourn

The Panelists concurred that after selecting meeting dates of January 13 and May 4, 2020, there was no need for additional meeting wrap-up.

MEETING ADJOURNED AT 8:38 PM.