

DRAFT of Meeting Minutes (Subject to Approval at next regular Full Panel Meeting)

Vermont Nuclear Decommissioning Citizens Advisory Panel (VT NDCAP)

Monday, May 8, 2023

Zoom Webcast

Meeting Minutes

VT NDCAP Members Present (via webcast):

- **Steve Skibniowsky**, *Citizen Appointee of Governor Phil Scott, Panel Chair*
- **Lissa Weinmann** (*Brattleboro*), *Citizen Appointee of former Senate President Pro Tempore Becca Balint, Panel Vice-Chair and VT NDCAP Federal Nuclear Waste Policy Committee Chair*
- **June Tierney**, *Public Service Commissioner, ex officio*
- **Madeline Arms**, *First Representative for the Town of Vernon*
- **Chris Company**, *Executive Director of the Windham Regional Commission (WRC)*
- **Corey Daniels**, *Senior ISFSI Manager, NorthStar Vermont Yankee*
- **Emily Davis**, *Citizen Appointee of former Senate President Pro Tempore Tim Ashe*
- **David Eastman (Ph.D.)**, *Citizen Appointee of Vermont House Speaker Jill Krowinski (newest appointee to the Panel)*
- **Bill Irwin (Ph.D.)**, *Radiological & Toxicological Sciences Program Chief, Designee for the Secretary of Human Services*
- **Bob Leach**, *Citizen Appointee of Governor Phil Scott*
- **David Pearson**, *Vice-President and Regional Manager, NorthStar Group Services*

The following NDCAP members were absent from the meeting:

- **Todd Amato**, *Second Representative for the Town of Vernon*
- **Trish Coppolino**, *Department of Environmental Conservation (DEC) Waste Management and Prevention Division Environmental Program Manager, Designee for the Secretary of Natural Resources*
- **Brett Long**, *Deputy Commissioner of Economic Development, Designee for the Secretary of Commerce and Community Development*
- **VT State Senator Mark MacDonald**, *Member of the Senate Committee on Natural Resources and Energy*
- **Marvin Resnikoff (Ph.D.)**, *Citizen Appointee of former Speaker of the House Mitzi Johnson*
- **VT State Representative Laura Sibilia**, *Member of the House Committee on Energy & Technology*

There are currently two vacancies on the Panel (the two optional representatives from Massachusetts and New Hampshire, respectively).

The meeting was called to order at 6:00 PM; a recording of the meeting webcast is available online at

1 <http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap>
2 and at
3 [https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-5823-](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-5823-mtg)
4 [mtg.](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-5823-mtg)
5

6 (Due to a recent Public Service Department website migration, all NDCAP meeting materials and video
7 recordings that were previously available online at <http://publicservice.vermont.gov/electric/ndcap> are
8 now available online at:
9 <http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap>.)
10

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

12 Panel Chair Steve Skibniowsky briefly welcomed everyone to the meeting and outlined the planned
13 agenda (mostly status reports on Vermont Yankee's decommissioning activities). A Panel Roll call was
14 conducted to confirm a quorum. The Panelists present briefly introduced themselves during the roll call.
15 David Eastman, the newest appointee to the Panel, introduced himself and briefly outlined his
16 experience in assessing hazardous materials clean-up at sites undergoing remediation. With 11
17 Panelists initially connected to the Zoom webcast, a quorum was present (9 Panelists required).
18

19 Approximately 15 members of the public (not including 3 Panel Staff members) connected to the
20 webcast.
21

22 **Amendments to the Meeting Agenda:** A copy of the meeting agenda is available at
23 <https://publicservice.vermont.gov/document/meeting-agenda-05-08-2023>. Panel Chair Steve
24 Skibniowsky outlined the agenda before proceeding to the first item of business. No changes to the
25 meeting agenda were offered or made at the beginning of the meeting. Later discussion during the
26 meeting questioned when it would be appropriate to discuss potentially new business for the Panel.
27 Consensus was later reached that such new business could be brought up as amendments to the agenda
28 at the start of the meeting.
29

30 **Review and Approval of Meeting Minutes:** *This segment begins at 0:09:50 on the meeting video.*
31 The December 12, 2022 draft meeting minutes were reviewed. Several corrections to the minutes were
32 requested by Panel Chair Steve Skibniowsky and State Nuclear Engineer Tony Leshinskie; these requests
33 resulted in the following changes being made:
34

- 35 - On Page 4, Line 19, change "wase" to "was"
- 36 - On Page 5, Line 22, add "are" before "comparable"
- 37 - On Page 5, Line 38, change "'running out' dose sources decommissioning" to "'running out' of
38 dose sources as decommissioning"
- 39 - On Page 7, Line 27, change "was directed publish" to "was directed to publish"
40

41 Chris Campany moved to approve the December 12 meeting minutes as corrected. Commissioner June
42 Tierney seconded the motion. The motion was approved by yeas and nays. No nays were heard, but
43 David Eastman abstained (10-0 vote to approved with 1 abstention).
44

NorthStar Update on VY Site Decommissioning Activities: *NorthStar's presentation begins at 0:17:20 in the meeting video.*

Panel Member Corey Daniels, NorthStar Senior ISFSI (spent fuel storage) Manager at Vermont Yankee, presented a summary of recent site decommissioning activities. The slides for this presentation are available at: <http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap> in the "Meeting of May 8, 2023" section.

NorthStar has worked well over 1.4 million hours without an OSHA Recordable Lost Time Accident since starting VT Yankee's active decommissioning in January 2019. The Nuclear Regulatory Commission (NRC) has issued no cited violations during this time. The project remains ahead of schedule. Progress on dismantling the Reactor Building (RB) components and preparations for Turbine Building (TB) demolition was described. Downsizing and removal of the RB Torus structure continues. The site's former Emergency Diesel Generators have been segmented and shipped for offsite disposal. The last piece of the Turbine, the Turbine Stator, has been segmented to allow lifting with the TB Crane. The Stator will be moved outside for further downsizing. The Start-Up Transformers have been dismantled and removed. Clearing of below-grade piping in the Advanced Off-Gas Building Courtyard was also discussed.

NorthStar continues to average 3 to 4 radioactive waste shipments per week. As of April 20, 65 radioactive waste shipments have occurred this year; 602 shipments have occurred since the start of decommissioning. NorthStar continues to meet with State Agencies on a biweekly basis to discuss project status.

Panelist Questions on NorthStar Report: *NorthStar's presentation begins at 0:28:30 in the meeting video.*

Panel Vice-Chair Lissa Weinmann had several questions on the NorthStar report. All questions were answered by Corey Daniels.

Q: How many people are currently working at the VT Yankee site?

A: The number varies daily, depending on what tasks are being performed on a given day. However, the number of workers is usually around 100.

Q: Is the (contaminated) water monitoring performed at Vermont Yankee "above and beyond" monitoring requirements at other sites; is the monitoring unique to VT Yankee?

A: Not really. Every decommissioning site has some degree of required offsite disposal and post demolition monitoring.

Q: Has the VT Yankee piping that contained Tritium been removed from site yet?

A: The Tritium leaks were in the vicinity of the Advanced Off-Gas (AOG) Building Courtyard. Work to remove the AOG Courtyard piping is ongoing.

1 **State Agencies' Updates on VY Decommissioning:**

2 *These presentations begin at 0:34:35 in the meeting video.*

3
4 **Agency of Natural Resources (ANR) / Department of Environmental Conservation (DEC):**

5 Graham Bradley from ANR / DEC Waste Management Division provided this update. The slides for this
6 presentation are available at: [http://publicservice.vermont.gov/vermont-nuclear-decommissioning-](http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap)
7 [citizens-advisory-panel-vt-ndcap](http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap) in the "Meeting of May 8, 2023" section.

8
9 DEC's ongoing interactions with VT Yankee were outlined (bi-weekly status calls, permit reviews, and
10 corrective action plan reviews). Sampling programs for non-radiological contaminants continue to show
11 no significant contamination issues at the VY site. No unexpected site contaminations have been
12 identified thus far. ANR/DEC continues to work closely with NorthStar's remediation contractor, Haley
13 & Aldrich, and DEC's consultant, Atlas, on plans for addressing potential contaminant issues in VT
14 Yankee site's previously identified Areas of Concern (AOCs). Due to ongoing structure demolitions
15 onsite, DEC's groundwater monitoring program has suspended to avoid inadvertently destroying
16 sampling wells. The monitoring program has collected over three years of data without identifying new
17 causes for concern. DEC continues to work with NorthStar on developing a post-demolition
18 groundwater monitoring plan.

19
20 Corrective Action Plans for addressing contaminations in onsite AOC #5 and AOC #7 have been
21 approved. Post demolition surveys for AOC #6 (Chemistry Lab Drains) and AOC #8 (Transformer Pads)
22 were also discussed. Changes in several non-radiological waste monitoring programs were described.
23 These changes were made due to work completed to date at the VT Yankee site. A stream alteration
24 permit in preparation for removal of the River Intake and River Discharge structures was issued on
25 May 2. Graham Bradley also noted that he had recently visited the VT Yankee site to observe onsite
26 work first-hand.

27
28 **Public Service Department (PSD):**

29 *This presentation begins at 0:51:20 in the meeting video.* Eric Guzman, PSD Special Counsel made this
30 presentation. Nick Capik of Four Points Group (FPG), PSD's consultants for overseeing the financial and
31 technical details of VT Yankee's Decommissioning, was also present to provide additional details as
32 needed. The slides for this presentation are available at: [http://publicservice.vermont.gov/vermont-](http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap)
33 [nuclear-decommissioning-citizens-advisory-panel-vt-ndcap](http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap) in the "Meeting of Meeting of May 8, 2023"
34 section.

35
36 PSD's financial and technical oversight role was outlined, which includes receiving updates on work
37 completed versus work remaining and project expenditures versus funds remaining. PSD coordinates
38 with other State Agencies and FPG to assess project status and whether decommissioning trust fund
39 reimbursement requests are consistent with the work completed. PSD also meets with NorthStar
40 regularly to conduct any follow-up necessary on NorthStar's self-reporting. Regular site visits by FPG are
41 conducted to observe completed work. The most recent visit was in February. Like previous site visits,
42 the observed project progress was consistent with that described in NorthStar's status reports. An
43 additional FPG site visit occurred in late April. PSD has yet to receive a full report for this visit.

1 Updates on the Decommissioning and Site Restoration Trust Funds were provided. As of March 31, the
2 projected cost to complete Decommissioning and License Termination is \$168 million, but the current
3 value of the Nuclear Decommissioning Trust (NDT) is \$162.5 Million. The NDT is invested in US Treasury
4 Bonds. The NDT value reflects the current worth of these bonds. If the bonds are held to maturity, as
5 expected, their value will be sufficient to cover the current cost of decommissioning. PSD continues to
6 monitor the fund values. Based on NorthStar's monthly reports and the required annual reporting
7 received on March 31, NorthStar continues to remain on track to complete the project on schedule and
8 within available funding. The required annual reporting remains under review, but does appear to
9 support this conclusion.

10
11 **Additional Agency Reports:** None

12
13 **Panelist Questions on NorthStar and State Agencies' Reports:**

14 *Panelist questions on these presentations begin at 1:05:30 on the meeting video.*

15
16 The Panel's newest member, David Eastman, had several questions on the ANR / DEC report:

17 Q: Are DEC's reports on VT Yankee available to Panel members?

18 A: Graham Bradley indicated that they likely are. He will look into what previous DEC reports have been
19 made available to the Panel and will provide reports in a manner consistent with previous practices. He
20 may need to follow-up with David Eastman to confirm specific items he is seeking.

21
22 Q: How do Vermont hazmat standards compare to Federal [EPA] standards?

23 A: In general, the Vermont standards are lower. Vermont typically uses standards (concentration limits)
24 determined for drinking water.

25
26 Q: What is Vermont's PFAS standard?

27 A: Vermont's current standard is 20 parts per trillion, which is below the current EPA standard of
28 70 parts per trillion. The EPA is working to reduce its standard. DEC would work through its
29 groundwater monitoring / protection program to revise its standards if realignment with a new EPA
30 standard were to become necessary.

31
32 Q: How much non-radioactive waste is shipped from VT Yankee?

33 A: Graham Bradley did not have specifics on this. Corey Daniels committed to include details on non-
34 radiological waste disposal in future NorthStar updates to the Panel. Currently most waste from VT
35 Yankee is shipped as either radiological waste or as mixed waste (which must be sent to Nuclear
36 Regulatory Commission-approved facility).

37
38
39 **Public Questions on NorthStar and State Agencies' Reports:**

40 No public questions were received.

41
42 **Early General Comments:** *Comments begin at 1:15:20 on the meeting video.*

43 No public comments were made during this period.

Update on Federal Nuclear Waste Policy (FNWP) Committee Activities:

This discussion begins at 1:16:00 on the meeting video.

FNWP Committee Chair (and Panel Vice-Chair) Lissa Weinmann provided a verbal summary of recent Committee activities. The Committee continues to examine aspects of current and potential Federal nuclear wastes policies. To that end, the Committee hosted a meeting on March 6 in which two recognized subject experts, Jay Silberg and Diane Curran, provided perspectives on the 1982 Nuclear Waste Policy Act and the 1986 Amendments to this Act. The two experts discussed potential paths forward; how the current Acts could be changed to move forward with nuclear waste policies. A recording of this meeting is available on the FNWP Committee website at:

<https://publicservice.vermont.gov/public-advocacy/vermont-yankee-decommissioning/vt-ndcap-federal-nuclear-waste-policy>.

The Committee will hold meetings on June 12 and June 19 to discuss spent nuclear fuel reprocessing / recycling options. Dr. Sven Baden of Orano will be the featured speaker at the June 12 meeting. Dr. Edwin Lyman of the Union of Concerned Scientists will be the featured speaker on June 19.

State Nuclear Engineer Tony Leshinskie added that, in response to Committee member discussion at the March 6 meeting, he compiled a list of spent nuclear, nuclear decommissioning and nuclear power-related bills that have been introduced in recent Congressional sessions. This compilation is available at:

<https://publicservice.vermont.gov/document/status-decommissioning-spent-fuel-policy-bills-congress>

He noted that several bills introduced in previous Congresses that the Committee had previously discussed at length have yet to be reintroduced into the current (118th) Congress, even though they had been introduced in the past several (e.g., the 116th and 117th) Congresses. Nuclear power industry-related bills introduced thus far in the 118th Congress are mostly focused on prohibiting the use of Russian Uranium as part of the US domestic nuclear fuel supply and limiting Russian access to US nuclear industry technology. However, the Nuclear Waste Informed Consent Act has been introduced to both the US House and Senate. This bill would require the Department of Energy to obtain consent from host local and state governments before Nuclear Waste Fund expenditures for constructing a nuclear waste repository could begin. Additional details on this bill (and links to its full text) are included in the bill compilation noted above.

In additional discussion on FNWP Committee activities, Lissa Weinmann noted that Vermont Congresswoman Becca Balint will be joining the US House's Spent Nuclear Fuels Solutions Caucus.

David Eastman expressed interest in joining the FNWP Committee.

Additional FNWP Committee Discussion:

This discussion begins at 1:35:15 on the meeting video.

Near the end of her report on FNWP Committee activities, Lissa Weinmann asked whether the Committee could offer an honorarium (nominal payment) to speakers invited to present at its meetings,

1 and whether a vote could be taken on this subject this evening. She also asked whether the Per Diem
2 for eligible Panel members could be increased to \$100.

3
4 Panel Chair Steve Skibniowsky indicated that while he was open to discussing honorariums and Panel
5 expenses, he regarded this as new business. This may not be the appropriate time in the meeting
6 agenda to discuss or vote on this topic. After additional discussion, it was realized that these topics
7 should have been brought up when the Agenda was reviewed shortly after the meeting's start. As such,
8 he suggested that a vote on honorariums be a topic for the Panel's September meeting.

9
10 Public Service Commissioner June Tierney noted that honorarium and Per Diem questions were really a
11 budget allocation issue. She suggested that the Panel create a budget for discussion at the September
12 meeting. Panelists deserve a say in how Panel funds are to be used. She also suggested that the
13 legislation that created the Panel (which includes discussion on Per Diems and the Panel's funding
14 sources) be circulated to Panelists for review. (This Legislation is available from the Panel website at:
15 [https://publicservice.vermont.gov/document/2021-vt-legislation-revising-ndcap-composition-duties-](https://publicservice.vermont.gov/document/2021-vt-legislation-revising-ndcap-composition-duties-and-funding)
16 [and-funding.](https://publicservice.vermont.gov/document/2021-vt-legislation-revising-ndcap-composition-duties-and-funding))

17
18 The Panel agreed to discuss its budget at the September meeting. Steve Skibniowsky added that since
19 he's received several requests to improve the Panel's outreach, he'd like to discuss this at the
20 September meeting as well. He also asked that "New Panelist Orientation" materials be discussed too.

21
22 A question was raised on whether the Panel's budgets would cover a given calendar year or a fiscal year.
23 Commissioner Tierney indicated she would pursue this. State Nuclear Engineer Tony Leshinskie noted
24 that the Legislation creating the Panel indicates that the Commissioner is to bill NorthStar for Panel
25 expenses on June 30, which suggests that the budget should cover a fiscal year. Commissioner Tierney
26 stated that questions about specific Panel expenses should be sent to her Office.

27 28 **Report on Spent Fuel Policies Principles Working Group:**

29 *This discussion begins at 1:49:30 on the meeting video.*

30
31 State Nuclear Engineer Tony Leshinskie reported on several meetings that he has attended this year
32 organized by several spent fuel policy stakeholders attempting to move Federal Spent Nuclear Fuel
33 Policies forward. The group is mostly led by the San Onofre Decommissioning Citizens Engagement
34 Panel, but it also includes several southern California local government officials, as well as several other
35 local government officials, tribal representatives, and advocacy groups such as the Nuclear Waste
36 Strategy Coalition from across the US. Panelists from several other Citizen Advisory Panels (e.g., Pilgrim,
37 Zion, Diablo Canyon) also attended the meetings. The initial meeting was a "one on one" with San
38 Onofre Panel representatives in which Steve Skibniowsky and Lissa Weinmann also attended.
39 Subsequent meetings were with the larger group. The formal name of the group is "Communities
40 Seeking Solutions to the Spent Fuel Crisis."

41
42 The San Onofre Panel has started this push because the decommissioning San Onofre plant is located on
43 land rented from the Camp Pendleton US Marine Corp Base. The Marines (and the Navy) have indicated
44 that San Onofre's spent fuel cannot remain at the base once the remainder of the plant is
45 decommissioned, meaning that the fuel will need to be moved somewhere. The San Onofre Panel

1 leadership believes that reaching out to similar decommissioning panels across the US and other
2 interested stakeholders is the best way to get movement on Federal spent fuel policies and siting a
3 centralized spent fuel repository. Having multiple stakeholders from around the country calling for
4 spent fuel policy actions will get more notice from Congress than one Panel from California will.

5
6 The Communities Group is developing a set of policy positions that it hopes that panels such as VT
7 NDCAP will consider endorsing and presenting to their respective Congressional Delegations for action.
8 While no policy positions have been publicly issued yet, the Group hopes to provide positions that call
9 for:

- 10
- 11 • An autonomous organization for national spent fuel management
- 12 • Reliable and adequate funding for interim spent nuclear fuel storage
- 13 • Pursuit of multiple permanent repository sites
- 14 • Active engagement with state, local, and tribal governments on spent fuel policy issues
- 15

16 Two potentially divergent issues that the Communities Group hopes to publish policy positions on
17 include:

- 18
- 19 • Including privately stored fuel in Federal ownership of spent nuclear fuel (i.e.,
20 Department of Energy takes title to fuel stored in private interim facilities and not just
21 federal interim facilities)
- 22 • Clarification or redefinition of the linkage between interim and permanent spent fuel
23 storage (i.e., can interim storage exist without a clear permanent disposal plan)
- 24

25 Mr. Leshinskie emphasized that the purpose of this summary was to give VT NDCAP a heads-up that
26 these policy positions will likely become available soon. The Panel, or more likely its FNWP Committee,
27 should review these positions, once available, for potential Panel endorsement.

28
29 In response to several questions from Public Service Commissioner June Tierney, Mr. Leshinskie
30 emphasized that his attendance at these meetings was to observe the Communities Group's activities.
31 He did not attempt to represent the Panel or the State of Vermont at these meetings. Mr. Leshinskie
32 agreed to discuss the Communities Group further with Commissioner Tierney at a future date.

33
34 **General Public Comments to the Panel:** None.

35 36 **Meeting Wrap-Up:**

37 *Wrap-up begins at 2:11:40 on the meeting video.*

38
39 Steve Skibniowsky reminded everyone that the next Full Panel meeting is in September. When asked,
40 Tony Leshinskie indicated that he could not remember the exact date, but that it is available on the
41 Panel website.

42
43 **MEETING ADJOURNED AT 8:13 PM.**