1	DRAFT of Meeting Minutes (Subject to Approval at next regular Full Panel Meeting)
2	Vermont Nuclear Decommissioning Citizens Advisory Panel (VT NDCAP)
3	Monday, September 18, 2023
4	Zoom Webcast
5	Meeting Minutes
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7	VT NDCAP Members Present (via webcast):
8	Lissa Weinmann (Brattleboro), Citizen Appointee of former Senate President Pro
9	Tempore Becca Balint, Panel Vice-Chair and VT NDCAP Federal Nuclear Waste Policy
10	Committee Chair, Acting Panel Chair for the September 18 meeting.
11	June Tierney, Public Service Commissioner, ex officio
12	Madeline Arms, First Representative for the Town of Vernon
13	Trish Coppolino, Department of Environmental Conservation (DEC) Waste Management
14 15	and Prevention Division Environmental Program Manager, Designee for the Secretary of Natural Resources
16	Corey Daniels, Senior ISFSI Manager, NorthStar Vermont Yankee
17	Emily Davis, Citizen Appointee of former Senate President Pro Tempore Tim Ashe
18	David Eastman (Ph.D.), Citizen Appointee of Vermont House Speaker Jill Krowinski (newest)
19	appointee to the Panel)
20	Bill Irwin (Ph.D.), Radiological & Toxicological Sciences Program Chief, Designee for the
21	Secretary of Human Services (left meeting at ~7:00 PM)
22	Brett Long, Deputy Commissioner of Economic Development, Designee for the Secretary
23	of Commerce and Community Development
24	David Pearson, Vice-President and Regional Manager, NorthStar Group Services
25	VT State Representative Laura Sibilia, Member of the House Committee on Energy &
26	Technology (left meeting at ~6:40 PM)
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28	The following NDCAP members were absent from the meeting:
29	Steve Skibniowsky, Citizen Appointee of Governor Phil Scott, Panel Chair
30	<ul> <li>Todd Amato, Second Representative for the Town of Vernon</li> </ul>
31	Chris Campany, Executive Director of the Windham Regional Commission (WRC)
32	Bob Leach, Citizen Appointee of Governor Phil Scott
33	VT State Senator Mark MacDonald, Member of the Senate Committee on Natural
34	Resources and Energy
35	• Marvin Resnikoff (Ph.D.), Citizen Appointee of former Speaker of the House Mitzi
36	Johnson
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38	There are currently two vacancies on the Panel (the two optional representatives from Massachusetts
39	and New Hampshire, respectively).
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41	The meeting was called to order at 6:01 PM; a recording of the meeting webcast is available online at

- http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap
   and at
- 3 <a href="https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-91823-4">https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-91823-4</a> mtg.

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

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# Welcome, Opening Remarks & Overview of Meeting Agenda:

Panel Vice-Chair Lissa Weinmann briefly welcomed everyone to the meeting and noted that she would be chairing tonight's meeting due to Panel Chair Steve Skibniowsky's absence. A Panel Roll call was conducted to confirm a quorum. The Panelists present briefly introduced themselves during the roll call. With 11 Panelists initially connected to the Zoom webcast, a quorum was present (9 Panelists required).

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Approximately 14 members of the public (not including 3 Panel Staff members) connected to the webcast.

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<u>Ann Darling</u> (Citizens Awareness Network, Easthampton, MA) requested that members of the public attending the meeting webcast identify themselves. Lissa Weinmann asked that this request be tabled until the start of the public comment periods.

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Amendments to the Meeting Agenda: A copy of the meeting agenda is available at <a href="https://publicservice.vermont.gov/document/meeting-agenda-09-18-2023">https://publicservice.vermont.gov/document/meeting-agenda-09-18-2023</a>. Panel Chair Panel Vice-Chair Lissa Weinmann outlined the agenda before proceeding to the first item of business. No changes to the meeting agenda were offered or made.

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**Review and Approval of Meeting Minutes:** This segment begins at 0:06:50 on the meeting video. The May 8, 2023 draft meeting minutes were reviewed. One correction to the minutes was requested by David Eastman:

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- On Page 2, Line 16, delete "clean-up at sites undergoing remediation."

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David Eastman moved to approve the May 8 meeting minutes as corrected. Commissioner June Tierney seconded the motion. The motion was approved by yeas and nays. No nays were heard, with Laura Sibilia abstaining (10-0 vote to approved with 1 abstention).

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- **Panel Chair Status Discussion:** This discussion begins at 0:10:05 in the meeting video.
- 40 State Nuclear Engineer Tony Leshinskie reported that Panel Chair Steve Skibniowsky was recently
- diagnosed with a cancerous tumor and is currently undergoing chemotherapy and radiation treatment.
- 42 Steve has indicated that while he hopes to continue serve on the Panel, he needs to step down as Panel
- 43 Chair. (Tony also noted that he received permission from Steve to publicly discuss his health status.)
- Tony noted that under the legislation establishing the Panel and the Panel's Charter, Lissa Weinmann
- 45 could serve as Acting Panel Chair for the remainder of the current Chair's term, which ends in

- 1 December. Alternatively, the Panel could opt to hold an election for a new Chair this evening. Lissa
- 2 Weinmann indicated that she was willing to continue as Acting Panel Chair for the remainder of the year
- 3 but was also willing to have Steve Skibniowsky chair the Panel's December meeting if he was feeling up
- 4 to it at the time. Panelist Emily Davis asked whether the Panel needed to elect a Vice-Chair this evening
- 5 since Lissa was assuming the Chair's duties. In response, Tony Leshinskie reminded the Panel that the
- 6 legislation establishing the Panel allows for the Public Service Commissioner, June Tierney, to act as
- 7 Chair in the absence of an elected Panel Chair or Vice-Chair. After additional discussion, the Panel
- 8 agreed to have Lissa Weinmann continue as Acting Chair with the hope that Steve Skibniowsky could
- 9 resume the Chair for the December meeting. Several Panelists expressed get well wishes for Steve and
- 10 thanked Lissa stepping in as Acting Chair.

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- NorthStar Update on VY Site Decommissioning Activities: NorthStar's presentation begins at 0:19:20 in the meeting video.
- 14 Panel Member Corey Daniels, NorthStar Senior ISFSI (spent fuel storage) Manager at Vermont Yankee,
- 15 presented a summary of recent site decommissioning activities. The slides for this presentation are
- 16 available at: http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-
- 17 panel-vt-ndcap in the "Meeting of September 23, 2023" section.

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- NorthStar has worked well over 1.6 million hours without an OSHA Recordable Lost Time Accident since starting VT Yankee's active decommissioning in January 2019. The Nuclear Regulatory Commission
- 21 (NRC) has issued no cited violations during this time. Additionally, the NRC completed a site security
- 22 inspection during the week of September 11.

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- The project remains ahead of schedule. Progress on dismantling Reactor Building (RB) components and
- 25 the active demolition of the Turbine Building (TB) was described. Components clearing in the RB to TB 26 Steam Tunnel is underway; components clearing at the River Discharge Structure has completed. The
- 27 downsizing and removal of the RB Torus structure has completed, as has removal of the Condensate
- 28 Storage Tank and the site Spare Transformer concrete pads. Clearing of below-grade piping between 29
- the Advanced Off-Gas Building Courtyard and the former Effluent Stack, as well as backfilling of the 30
  - former Cooling Tower Basin were also described.

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NorthStar is currently averaging 4 to 5 radioactive waste shipments per week. As of August 31, 148 radioactive waste shipments have occurred this year; 685 shipments have occurred since the start of decommissioning. NorthStar continues to meet with State Agencies on a biweekly basis to discuss project status.

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- State Agencies' Updates on VY Decommissioning:
- These presentations begin at 0:36:15 in the meeting video.

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- Agency of Natural Resources (ANR) / Department of Environmental Conservation (DEC):
- 41 Graham Bradley from ANR / DEC Waste Management Division provided this update. The slides for this
- 42 presentation are available at: http://publicservice.vermont.gov/vermont-nuclear-decommissioning-
- 43 <u>citizens-advisory-panel-vt-ndcap</u> in the "Meeting of September 18, 2023" section.

DEC's ongoing interactions with VT Yankee were outlined (bi-weekly status calls, permit reviews, and corrective action plan reviews). Sampling programs for non-radiological contaminants continue to show no significant contamination issues at the VY site. No unexpected site contaminations have been identified thus far. ANR/DEC continues to work closely with NorthStar's remediation contractor, Haley & Aldrich, and DEC's consultant, Atlas, on plans for addressing potential contaminant issues in VT Yankee site's previously identified Areas of Concern (AOCs). DEC's groundwater monitoring program remains suspended to avoid inadvertently destroying sampling wells during ongoing structure demolitions onsite. Groundwater monitoring will resume once onsite demolitions are complete. DEC continues to monitor onsite PFAS contaminations. PFAS levels of up to 57 parts per trillion have been observed onsite, which exceeds DEC's 20 parts per trillion limit. The observed PFAS level is similar to

Additionally, DEC recently completed reviews of VY's stormwater discharge program and VY plans for River Discharge Structure demolition.

# **Public Service Department (PSD):**

those seen at other industrial sites within Vermont.

This presentation begins at 0:46:10 in the meeting video. Eric Guzman, PSD Special Counsel made this presentation. Nick Capik of Four Points Group (FPG), PSD's consultant for overseeing the financial and technical details of VT Yankee's Decommissioning, was also present to provide additional details as needed. The slides for this presentation are available at: <a href="http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap">http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap</a> in the "Meeting of Meeting of September 18, 2023" section.

PSD's financial and technical oversight role was outlined, which includes receiving updates on work completed versus work remaining and project expenditures versus funds remaining. PSD coordinates with other State Agencies and FPG to assess project status and whether decommissioning trust fund reimbursement requests are consistent with the work completed. PSD also meets with NorthStar regularly to conduct any follow-up necessary on NorthStar's self-reporting. Regular site visits by FPG are conducted to observe completed work. The most recent visit was on June 26. Like previous site visits, the observed project progress was consistent with that described in NorthStar's status reports. An additional FPG site visit will occur in the upcoming weeks.

Updates on the Decommissioning and Site Restoration Trust Funds were provided. As of August 31, the projected cost to complete Decommissioning and License Termination is \$138.4 million, but the current value of the Nuclear Decommissioning Trust (NDT) is \$132.8 Million. The NDT is invested in US Treasury Bonds. The NDT value reflects the current worth of these bonds. If the bonds are held to maturity, as expected, their value will be sufficient to cover the current cost of decommissioning. PSD continues to monitor the fund values. Based on NorthStar's most recent monthly reports, NorthStar continues to remain on track to complete the project on schedule and within available funding.

**Additional Agency Reports:** This discussion begins at <a href="0:56:10">0:56:10</a> in the meeting video.

At the request of the Panel Vice-Chair, Panelist Dr. Bill Irwin, Vermont Radiological and Toxicology Sciences Chief, provided a verbal summary of current Department of Health oversite at Vermont Yankee.

VT Health continues to meet NorthStar and other State Agencies on a bi-weekly basis to review progress on VT Yankee's decommissioning. Additionally, VT Health reviews all radioactive waste shipment notifications and the NRC's monitoring of onsite radiological conditions. VT Health continues to be pleased with the decommissioning work completed to date at VT Yankee.

# Panelist Questions on NorthStar and State Agencies' Reports:

Panelist questions on these presentations begin at 0:58:15 on the meeting video.

Panelist David Eastman noted that he recently toured the VT Yankee site and thanked Panelist Corey Daniels for his assistance during this visit.

Panel Vice-Chair Lissa Weinmann had several follow-up questions on Bill Irwin's report VT Department of Health activities, including whether there was more onsite scrutiny in areas where tritium had been detected in 2010. She also asked about the status of Health's online VT Yankee surveillance reports, which do not appear to have been updated since 2019. No answers were provided to these questions since Bill Irwin had to drop off the webcast to attend a different meeting. Lissa said she would discuss these questions with Bill Irwin after the meeting.

# **Public Questions on NorthStar and State Agencies' Reports:**

Public guestions and comments begin at 1:02:20 on the meeting video.

With prior consent of the Acting Chair (Lissa Weinmann), <u>Paul Blanch</u>, a nuclear energy consultant from West Hartford, CT, made a brief presentation to the Panel. The slides for this presentation are available at: <a href="http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap">http://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap</a> in the "Meeting of September 18, 2023" section. The presentation provided details on several questions that Mr. Blanch has asked at meetings of the San Onofre Decommissioning Citizens Engagement Panel regarding long-term onsite spent nuclear fuel storage. Mr. Blanch's comments regarding VT NDCAP's functioning were complimentary ("running a good show"). His primary concerns from San Onofre observations include whether the spent fuel is being maintained in a retrievable condition and whether monitoring of the fuel is adequate. He also noted that some of these concerns are exacerbated by local conditions at San Onofre that are of much less concern at VT Yankee (e.g., the risk for flooding or chloride-induced corrosion and the lack of monitoring instrumentation on some of the cannisters).

A discussion of spent fuel storage requirements ensued between Mr. Blanch and Panelist Corey Daniels. Corey Daniels noted several points where he disagreed with Mr. Blanch's interpretations of spent fuel storage regulations.

Additional discussion on the spent fuel monitoring capabilities at VT Yankee ensued, which resulted in Vice-Chair <u>Lissa Weinmann</u> asking what measures were in place at VT Yankee to detect spent fuel cask leakage. Corey Daniels noted that the spent fuel monitoring partly relies on leak checks that were conducted when the spent fuel cannisters were loaded. The cannisters are double sealed via welding. A breach in a double sealed cannister is regarded as a non-credible accident; to date, there is no known breach of any such sealed spent fuel cannister. Nonetheless, VT Yankee's spent fuel cannisters include temperature monitoring systems that are checked daily and are subjected to routine radiological

monitoring. In response to an additional question from <u>Paul Blanch</u>, Corey Daniels indicated that this radiological monitoring includes occasional surveys of the dry cask vents.

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- <u>Ann Darling</u> (Citizens Awareness Network, Easthampton, MA) had several questions on the NorthStar report, to which Panelist Corey Daniels provided answers:
- 6 Q: What happens to VT Yankee's demolished concrete? Where does it go?
- 7 <u>A</u>: The concrete is sent to Waste Control Specialists (WCS) facilities in Andrews, TX since it has minor radiological contamination.

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- 10 Q: Will any VT Yankee's demolition concrete be used as onsite fill?
- 11 <u>A</u>: Under agreement with the State of Vermont, only concrete from demolition of the Cooling Towers 12 and the River Discharge Structure will be used as fill onsite.

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- Q: The National Academy of Science issued probable maximum precipitation guidance after the
- Fukushima accident intended for updating flooding estimates at nuclear power plants. Has this been implemented at VT Yankee?
- 17 A: VT Yankee had shut down before the NRC regulations based on this guidance came out. VT Yankee
- does work with Great River Hydro (owner of the several hydroelectric dams along the Connecticut River)
- 19 to track expected river levels from flooding events. Historically, the worst observed flooding at VT
- 20 Yankee during its operation was from Hurricane Irene (August 2011). There was still about a 30-foot
- 21 margin to onsite flooding at that time. It should be noted that access to the Vermont Yankee site could
- be impacted by area flooding (if travel conditions near the site are impacted).

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<u>Paul Blanch</u> (West Hartford, CT) added that from his research on nuclear power plant sites, flooding at VT Yankee is unlikely. San Onofre, Duane Arnold, and Oconee are the US nuclear power plant sites are most likely to be impacted by flooding.

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- **Early General Comments:** Comments begin at 1:21:10 on the meeting video.
- 29 Rebecca Ellis from US Senator Peter Welch's (D-VT) Office introduced herself to the Panel and
- 30 noted that she would be following nuclear decommissioning-related issues for the Senator. She
- 31 briefly described her previous experience, noting that she had once served as a Deputy
- 32 Commissioner for the VT Department of Environmental Conservation. She invited Panelists and
- 33 members of the public to reach out to her if they have questions concerning Vermont Yankee's
- 34 decommissioning.

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- Vice-Chair Lissa Weinmann asked whether Senator Welch intended to reintroduce any of the several decommissioning policy-related bills that had been proposed in recent Congresses. Ms.
- 38 Ellis indicated that she would check and get back to the Panel.

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Vice-Chair Weinmann also reported that Congresswoman Becca Balint (D, VT-AT) has joined the US Congressional Spent Nuclear Fuel Solutions Caucus.

- **Update on Federal Nuclear Waste Policy (FNWP) Committee Activities:**
- 44 This discussion begins at 1:31:05 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 two meetings in June that discussed potential spent nuclear fuel reprocessing policies. Dr. Sven Baden of Orano spoke at a June 12 meeting outlining potential reprocessing technologies. Dr. Edwin Lyman from the Union of Concerned Scientists spoke at a June 19 meeting outlining policy issues that reprocessing potentially raises. Recordings of these meetings are available on the FNWP Committee webpage at:

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

The Committee will hold its next meeting (webcast) on September 25 at which several US Department of Energy officials will discuss the status of spent fuel transportation planning. State Nuclear Engineer Tony Leshinskie added that the connectivity information for the September 25 Committee meeting was completely new. This new info has been posted to the Committee webpage. In response to a request from Panelist David Eastman, Tony agreed to email the connectivity information to all Panelists.

# **Potential Panel Budget Expenditures:**

This discussion begins at 1:41:45 in the meeting video.

State Nuclear Engineer Tony Leshinskie briefly outlined a preliminary budget he compiled for Panel expenditures, up to a \$35,000 cap, in the current fiscal year. This preliminary budget is available at:

avallable at.

https://publicservice.vermont.gov/document/potential-vt-ndcap-budget-allocations-fy2024

The preliminary budget includes estimates for meeting logistics items such as BCTV recording and webcast hosting expenses, per diems for eligible panelists, and potential physical meeting space rentals. Line items for several previously proposed Panel expenses such as a dedicated Panel staff member (a contractor) and a potential website refresh by an outside consultant are also included. Several allocations for potential "Panel Education" expenses are also included.

After a brief discussion, the Panel agreed to eliminate budget items for meeting space rentals and meeting space infrastructure since Panel meetings through June 2024 will likely remain virtual. The "Panel Education" line items generated significant discussion.

Commissioner June Tierney and Lissa Weinmann related a budgetary decision from early June. Lissa requested Panel funding to register for and attend the National Radioactive Waste Summit in Nevada later that month. The decision on this request was hampered by the fact that the Panel does not have an established procedure for approving such expenses. Ultimately, the request was approved (since sufficient budget remained available) under the condition that Lissa would report back to the Panel on what she had learned at the Summit. It was also noted that due to a last-minute conflict, Lissa was unable to attend the Summit. Her paid registration fee has been applied to registering for the 2024 Summit.

Commissioner Tierney urged the Panel to develop a policy for approving Panel expenditure requests.

Currently she has no guidance on what constitutes reasonable Panel expenses, particularly for potential

3 Panel travel. She suggested that such guidance encourage online attendance for conferences whenever

possible. Budget funds can be exhausted quickly by travel. She also suggested that the Panel guidance /

policy require that the attending Panelist provide a report to the Panel on what was learned.

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<u>Panelist Emily Davis</u> provided insights on the several previously proposed expenditures since she developed earlier Panel budget drafts. Determining what constituted appropriate Panel Education expenses generated significant discussion previously, but no decisions were made at

the time. An approval process for such Panel expenses is needed. Perhaps this could simply be

several bullet points to outline a policy?

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Commissioner Tierney suggested that the Panel think about policy bullets for self-governance — what is the Panel comfortable with for policies? Should Panel Education and similar expenses require approval from a committee or the whole Panel?

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After additional discussion, Lissa Weinmann stated that she would make the email thread between Commissioner Tierney and her for the Radwaste Summit approval available to Panelists as an example of a potential expense approval process. A consensus was reached that the draft budget should be reexamined to eliminate items that are no longer a priority and flesh out expenditure categories for the current budget. Panelists Emily Davis and David Eastman volunteered to help reexamine the budget and to make a first attempt at several expense approval policy points.

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Ann Darling (Citizens Awareness Network, Easthampton, MA) commented that she was disappointed that the Panel's budget discussion did not include funding for enhancing the Panel's public outreach. Several Panel members asked for clarification on what enhanced outreach meant. While no direct answer was provided, Ms. Darling noted that if the Panel website is going to be the Panel's primary outreach tool, more needs to be done to promote public awareness of the website. She also suggested that Panel should consider holding public forums.

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Lissa Weinmann indicated that as Acting Chair, she would participate in the policy drafting and budget examination process. She will follow up Emily, David, and Tony Leshinskie to work on these items, with the intent of having a revised budget draft and policy guidance items available for Panel approval at the December 11 meeting.

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#### **Potential Future Panel Meeting Topics:**

This discussion begins at 2:29:20 in the meeting video.

38 State Nuclear Engineer Tony Leshinskie explained that this item was added to the meeting agenda at the

39 request of Panel Chair Steve Skibniowsky. Panel Member Bob Leach had recently asked Steve whether

40 the Panel could discuss Small Modular Reactors as a potential repurposing of the VT Yankee site. Steve

41 had indicated to Tony that he was open to having such a discussion provided some other Panel

42 members were also interested. Tony's suggestion to Steve was to ask the Panel whether there were

43 specific topics that they wanted discussed at future meetings, either as part of a regular meeting agenda

44 or a meeting dedicated to a specific topic.

Several suggestions were made including a discussion outlining do's and don'ts in webcasts under
Vermont Open Meeting Law. A similar topic on handling offline communications with respect to Open
Meeting Law was also suggested. Commissioner Tierney suggested a meeting exploring what improved
public outreach meant. Lissa Weinmann requested that additional meeting topics could be emailed to
her. Suggestions from the public could be sent to the Panel's email address

7 (PSD.NDCAP@vermont.gov).

 General Public Comments to the Panel: These comments begin at 2:36:10 in the meeting video.

Ann Darling (Citizens Awareness Network, Easthampton, MA) requested a presentation discussing what happens to VT Yankee radwaste after it is shipped to Waste Control Specialists (WCS) facilities would be a good future meeting topic.

Meeting Wrap-Up:

Lissa Weinmann reminded everyone that the next Full Panel meeting is scheduled for December 11. The Panel can expect further discussion on the budget and budget approval process items brought up this evening. Tony Leshinskie reminded Panelists that information on upcoming meetings and all previous presentations are available from the Panel website (<a href="https://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap">https://publicservice.vermont.gov/vermont-nuclear-decommissioning-citizens-advisory-panel-vt-ndcap</a>).

**MEETING ADJOURNED AT 8:41 PM.**