

NOTES ON ANNUAL REPORT/QUESTIONS:

Mission: To serve as a conduit for public information and education on and to encourage community involvement in matters related to the decommissioning

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• Overview of Texas Compact Commission Contingency Planning Report: 146 State Nuclear Engineer Tony Leshinski reported that the Texas Compact Commission is 147 required to publish a Contingency Planning Report to comply with Federal and State of 148 Texas law. The report recommends that low-level radioactive waste producers maintain a 149 contingency plan for alternate waste disposal in case the Compact Facility becomes 150 unavailable for whatever reason. Of particular concern is Class B and Class C low level 151 waste because there are no other licensed facilities in the US that can accept these waste 152 classes. While active and decommissioning nuclear power plants have the ability to store 153 Class B and C wastes for some period of time, other waste producers may not. Tony 154 indicated that he will work with NorthStar and the Department of Health in coordinating a 155 contingency plan for all Vermont radioactive waste producers. The Compact Facility does 156 not currently foresee any reason why it would become unavailable; however, planning for 157 this potential contingency needs to be done. **(WHAT IS THAT PLAN? WAS THAT FOLLOWED UP ON IN 2021?)**

P. 11, DISAGREE:

In short, the Panel's purpose is public outreach. (LINE 424, P11) – the panel convenes state agencies, plant owners, public for sharing info across subject areas, especially oversight on the financials and overall progress.

ALSO - didn't we talk about visiting other decom communities to see how they are spending their \$? Part of NDCAP work is facilitating info sharing and dialogue with these other communities to share best practices for benefit of all.

(Review of Panel Charge and Purpose / Panel Draft Budget: 418 The latest version of the Panel FY 2022 budget is included in the Panel Duties and Budget 419 Notes available at: <https://publicservice.vermont.gov/content/ndcap-duties-and420 budget-notes-dec-6-discussions>. 421 422 The Panel's duties center on disseminating information on Vermont Yankee 423 decommissioning activities and assuring that public can ask questions or voice concerns 424 about these activities. In short, the Panel's purpose is public outreach. Emily Davis 425 noted that the proposed budget allocations reflect the Panelists' desires to enhance its 426 public outreach and allow Panel members to be better informed on decommissioning427 related topics. The proposed budget allocates funds for improving the Panel's website, 428 potentially expanding meeting publicity, improving electronic access to meetings and Page 12 of 23 429 assuring that high-quality meeting recordings remain available. The budget also 430 allocates honoraria for experts speaking to the Panel. This last item would be in lieu of 431 allocations for Panel members to attend decommissioning conferences. Some discussion 432 on Panelists potentially attending decommissioning conferences and how or whether 433 expenses for such conferences could be covered by the Panel's \$35,000 annual budget 434 ensued. However, with no specific conferences in mind, no consensus was reached. 435 General agreement was reached that the current budget draft has sufficient detail for the 436 Panel to use its current budget. Additional details for specific expenses can be addressed 437 during the Public Service Department's approval process for individual expenses.)

DOE COMMENTS

• Discussion of Federal Nuclear Waste Policy Committee Activities: 474 Lissa Weinmann, Chair of the Panel's Federal Nuclear Waste Policy Committee, discussed 475 recent Committee activities. The Committee continues to meet monthly, with the last 476 meeting of the year scheduled for December 20. The Committee's meetings are drawing 477 attention. Several members of the public from across the United States have attended 478 Committee's webcasts. One official from the US Department of Energy joins meetings on a 479 regular basis. **The Committee is currently working on a draft Advisory Opinion regarding 480 the US Department of Energy's development of a Consent-Based Siting process.*** Recently 481 (last week) the **Department of Energy issued a Request for Information (public comments) 482 on its Consent-Based Siting process***; **the Committee will examine whether anything in this 483 request should be addressed by the Advisory Opinion***. The Committee plans to continue 484 meeting in 2022 to discuss Federal Nuclear Waste Policy topics. However, it may opt to 485 meet less frequently (probably quarterly, rather than monthly)*.

***ADD: The Committee voted to support the concept, as adopted by the town of Vernon Selectboard earlier in the year, supporting government agencies securing 'informed consent' from communities being targeted as potential sites for any nuclear waste facility. The committee agreed to hear from experts to discuss in future meetings details of how such consent could be justly secured. The Committee heard from public participants about pending federal law suits challenging the legality of DOE pursuing such 'interim' facilities before a permanent repository is licensed, as required under (the 1982 and amended 1987 Nuclear Waste Policy Act.**

***ADD: due by March 4, 2022.**

***ADD: The Committee plans to reorient its draft advisory opinion toward serving as NDCAP's response to the DOE request and deliver it to panel members by February 15 to allow ample time for the required two-week review before an full panel vote might be taken to approve language and submit the advisory to DOE by the March 4 deadline, recognizing that a special meeting may be necessary on February 28 to accomplish this goal.**

***ADD: probably quarterly and for a longer period of time, rather than for a strict one hour monthly**

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A GTCC waste container will be 671 loaded and moved to the VY ISFSI at a future date. Since no US low level radioactive waste 672 disposal facilities are currently licensed to accept GTCC waste, all VY GTCC waste must be stored 673 onsite. **As a result of Reactor Vessel segmentation conducted at VY during 2021, VY's GTCC 674 waste currently resides in the Spent Fuel Pool.*** Transfer of VY's GTCC to the ISFSI is expected to 675 occur in mid-2022.

***I think Marvin Resnikoff's repeatedly voices concerns about why the GTCC is still in the pool, thereby increasing safety risks associated with spent fuel pools – the reason removal of rods was expedited in the first place – should be included here.**

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Diverted, uncontaminated 731 water is discharged to the Connecticut River roughly 2 to 3 times per week. Each discharge 732 is ~15,000 gallons per day.*

***Can we include who is monitoring the 'uncontaminated' and at what frequency? I do not see this discussed in any other section on report and don't know the answer myself.**

Line 760:

data provided*

ADD: date provided by NorthStar

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ADD: The US Department of Energy has been directed, **under existing authority***, to 815 pursue one or more locations for an interim spent fuel storage facility. (Note that these are not 816 the storage facility efforts currently being pursued by Waste Control Specialists and Holtec 817 International at locations in Texas and New Mexico, respectively.) It was noted though that 818 additional Biden Administration policies in these areas are currently unknown.

STRIKE: under existing authority

ADD: under an FY 2021 Congressional budget appropriation that allocated \$27,500,000 for Nuclear Waste Disposal, of which \$20,000,000 is for interim storage and \$7,500,000 is for Nuclear Waste Fund oversight activities. According to Senator Leahy's staff, when asked by the Federal Nuclear Waste Committee to investigate how such funds would be used by the incoming Biden administration's DOE "the \$20M was appropriated to establish a new program for interim storage capability. It will be used to establish a plan addressing temporary storage in the near term, followed by permanent disposal later. It will also be used to identify technology gaps and further evaluate technical and economic factors associated with interim storage concepts. Additionally, DOE will initiate the process of identifying potential sites for permanent disposal (that aren't Yucca Mountain). Nuclear Waste Policy Committee Chair Weinmann asked Congressional aides to examine whether any CRS or CBO economic evaluations had been or were planned to be performed to assess the economic and legal implications of creating 'interim' facilities in the absence of the permanent geologic repository required to be licensed before such facilities are approved under existing law, the 1982 and amended 1987 Nuclear Waste Policy Act.

Weinmann reported that Thea Wurzburg in Rep. Welch's office said "the annual appropriations bill is adopted as law. If it was found to be conflict with other laws, then that would need to be sorted out by the Administrations, or perhaps the courts." Several groups participating in Federal Nuclear Waste Policy Committee meetings are challenging this appropriation as illegal in federal courts. She said, based on DOE's RFI on consent based storage (which NDCAP may contribute an advisory opinion on by the March 4, 2022 deadline), she does not believe DOE will be moving forward with any new CIS sites until they have more such information from stakeholders like NDCAP.

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The Committee has begun assessing the US Department of Energy's recently published Request 880 for Information (RFI) regarding **the restart for developing a Consent-Based Siting process for 881 identifying potential locations for a national spent nuclear fuel repositior.***. The Department of 882 Energy's RFI is available at: 883

<https://www.federalregister.gov/documents/2021/12/01/2021-25724/notice-of-request-for884-information-rfi-on-using-a-consent-based-siting-process-to-identify-federal>

*** STRIKE: the restart for developing a Consent-Based Siting process for 881 identifying potential locations for a national spent nuclear fuel repositior.***

ADD: ...regarding the temporary, consolidated storage of spent nuclear fuel using a consent-based approach. *(that is the DOE's own language from top of site and RFI)*