

1 **Nuclear Decommissioning Citizen’s Advisory Panel (NDCAP)**

2 **Thursday, February 26, 2015**

3 **Marlboro College Graduate Center, Brattleboro VT**

4 **Meeting Minutes – Final**

5
6 NDCAP Members Present:

- 7 • Christopher Recchia, Commissioner of Public Service, ex officio
- 8 • Chris Campany, Executive Director of the Windham Regional Commission (WRC)
- 9 • David Mears, Commissioner of Environmental Conservation, designee for the Secretary
- 10 of Natural Resources
- 11 • Dr. William Irwin, designee for the Secretary of Human Services
- 12 • Pat Moulton, Secretary of Commerce and Community Development, ex officio
- 13 • Stephen Skibniowsky, representing the Town of Vernon
- 14 • Kate O’Connor (Brattleboro), citizen appointee of Governor Shumlin
- 15 • Martin Langeveld (Vernon), citizen appointee of Governor Shumlin
- 16 • James Matteau (Westminster), citizen appointee of Senate President Pro Tempore John
- 17 Campbell
- 18 • Derrick Jordan (Putney), citizen appointee of Speaker of the House Shap Smith
- 19 • Christopher J. Wamser, Site Vice-President, Entergy Nuclear Vermont Yankee (VY)
- 20 • David Andrews, International Brotherhood of Electric Workers (IBEW); representing
- 21 present & former employees of Vermont Yankee
- 22 • NH State Senator Molly Kelly (Keene, NH), representing the Towns of Chesterfield,
- 23 Hinsdale, Richmond, Swanzey, and Winchester, New Hampshire.
- 24 • MA State Representative Paul W. Mark (Peru, MA), representing the Towns of
- 25 Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts
- 26 (arrived late).

27
28 The following NDCAP member was connected to the meeting via teleconference
29 (GoToWebinar.com)

- 30 • VT State Representative David Deen (Westminster), citizen appointee of Speaker of the
- 31 House Shap Smith

32
33 The following NDCAP members were absent from the meeting:

- 34 • VT State Senator Mark MacDonald, member of the Senate Committee on Natural
- 35 Resources and Energy
- 36 • VT State Representative Michael Hebert, member of the House Committee on Natural
- 37 Resources and Energy
- 38 • T. Michael Twomey, Vice-President External Affairs, Entergy Nuclear Vermont Yankee
- 39 • James Tonkovich (of Wilder), citizen appointee of Senate President Pro Tempore John
- 40 Campbell

41 **Meeting called to order at 6:03 pm**

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APPROVE MINUTES FROM JANUARY 28, 2015 MEETING

There was discussion regarding off-site monitoring language on page 4, second bullet. Language was changed to read: "It was also asked what were the off-site monitoring and response funding plans subsequent to 2015. In response *discussion followed.*"

Motion by Pat Moulton to approve the minutes from January 28, 2015 with changes. Second by: Jim Matteau. Motion carried 13-0-1. (Aye: Derrick Jordan, Chris Wamser, Chris Company, Chris Recchia, Martin Langeveld, Pat Moulton, David Mears, Bill Irwin, Jim Matteau, Steve Skibniowsky, David Andrews, Kate O'Connor, Paul Mark. Abstaining: David Deen. Absent: Molly Kelly)

ROLE OF NDCAP AND PRIORITIES FOR 2015

Chair proposes three priorities for 2015: 1. Communication 2. Issues 3. Resources

Discussion on each topic by the panel:

Communication (1) Panel members to Panel members communication between meetings to include weekly emails with news clips, state and Entergy filings and other decommissioning information. (2) Panel to public communication to include a website or webpage dedicated to and maintained by the Panel that could include weekly updates, expert testimony, a timeline of decommissioning milestones, and other decommissioning information. Public to panel communication – an email address will be created to allow the public to share their comments with the Panel.

Issues The Panel needs to determine what issues to discuss, when to discuss them and how to discuss them. Creating a timeline will help. Entergy and the state will each put together a timeline of decommissioning milestones.

Chair's list of issues suggested by Panel members and the public:

- Emergency Planning Zone
- Decommissioning Trust Fund
- Future use of the site
- Economic impacts
- Dry Cask Storage; 2nd Independent Spent Fuel Storage Installation (ISFSI) Pad
- How the State of Vermont is coordinating its response
- Environmental issues; non-radiological contamination
- Health impacts
- Utility v. merchant plant
- Other communities experiences with decommissioning

Panel discussed adding the following issues/topics for discussion:

- Group visit to Wiscasset, Maine
- Mass DEP's involvement in Rowe Decommissioning, state's role in regards to NRC
- Assistance from VT Department of Public Service decommissioning expert
- What broader universe of issues can we expect as the decommissioning progresses

- 1 • Possible to release funds so clean up of known contaminants at the site can be done and
2 controlled early?
- 3 • What will it take to get to the future use of the site
- 4 • Opportunities to influence NRC & Entergy on site standards
- 5 • How can the panel makes recommendations to decision makers
- 6 • NRC process discussion
- 7 • Desire to learn from experts from both sides of the issues - from trusted and credible
8 sources.
- 9 • Panel is seeking structure & organization. Each meeting include an education discussion
10 and an information session on the pertinent topics.

11

12 A recommended list of issues and timeline for discussion will be created for next meeting. An
13 Issues Committee was created. The committee will present a list of topics and timing for
14 discussion at the March 26th meeting. Chair: Dave Andrews, members Chris Campany, Martin
15 Langeveld, Jim Matteau, Kate O'Connor.

16

17 Sen. Molly Kelly has arranged for Jay Tarzia of Radiation Safety and Control Services in
18 Stratham, NH, to give a presentation on dry cask storage at the March 26th meeting. Bill Irwin
19 questioned Tarzia's relationship to Entergy. Sen. Kelly said she knew of no association and
20 Tarzia gave an informative presentation at a meeting in New Hampshire.

21 **Resources and Annual Report**

22 The Panel reviewed the draft Annual Report to the Legislature created by Catherine Morris with
23 Consensus Building Institute (CBI). *The following changes were approved:*

24 Page 4 under *Site Assessment Study*, remove language in lines 4 – 7 that read: "Entergy
25 emphasized that the SAS is a draft document that will continue to be revised throughout the
26 decommissioning process as more information becomes available on the condition of the site."

27 Page 6, line 21 change to read, "PSDAR was submitted to the NRC in December."

28 Page 9 change lines 2 and 3 to read "Entergy provided second overview of anticipated
29 emergency plan changes and the State provided its reactions to that."

30 Jim Matteau recommended noting that Strontium-90 (Sr-90) was detected in a monitoring well
31 at VY as a notation under Status of Major Decommissioning Activities (Page 5, Section IV). Chris
32 Wamser pointed out that while serious the detection of Strontium-90 is technically not
33 something that anyone would call a major decommissioning activity in NRC parlance. NRC
34 would require a revision to VY's decommissioning activity report if VY had a major change to a
35 decommissioning activity. Chris Recchia suggested changing the section heading to "Major
36 Milestones and Activities at the Vermont Yankee Site" since this section is meant to be a flow
37 chart of activities at the plant. The question is what date to use in regard to the detection of Sr-
38 90? Sampling of water in August, 2014 turned up Sr-90; lab reported findings to State on
39 November 25, 2014; federal lab confirmed findings on January 29, 2015. Section IV, Page 5, Line

1 35 changed to read, "Major Milestones and Activities at the Vermont Yankee Site." A bullet on
2 the detection of Sr-90 will be added.

3 Jim Matteau suggested adding whether and when Entergy provided answers to the State's
4 comments on the draft PSDAR. Chris Wamser noted that Entergy would be providing answers
5 on Friday (Feb. 27).

6 The section regarding the resource needs of the Panel was noted. Page 8, lines 18-23 read:

7 "The Department of Public Service will continue to provide administrative and financial support
8 to the Panel. Entergy will continue to provide in-kind administrative support and in-kind
9 meeting resources (i.e. audio-visual equipment for presentations (laptop and projector),
10 microphones, copies of meeting materials, etc.). The Panel is not requesting funds from the
11 State of Vermont at this time, but reserves the right to do so if additional resources are deemed
12 necessary for the Panel to carry out its mission."
13

14 Changes to report will be sent to panel for review.
15

16 **PUBLIC COMMENTS**

17 *Peter Tusinski*, Leyden (MA) Planning Board: Expressed concern with the elimination of EPZ
18 zone and change in warning alert system.

19 *Leslie Sullivan Sachs*, Brattleboro, Safe and Green: The NDCAP process should be open and
20 transparent; website good idea; Panel should look at the issue of decommissioning a merchant
21 plant; and the State should elaborate on its offer of support to Panel.

22 *Isaac Mass*, Greenfield (MA) Town Council: Concerned with elimination of EPZ zone and
23 change in warning alert system; asked Panel to reach out to other communities; invited Panel
24 to meet at Greenfield Community College.

25 *Lissa Weinmann*, Brattleboro: Expressed concern with Entergy taking meeting minutes; urged
26 the Panel to hear from experts.
27

28 **FUTURE MEETINGS AND WORK PLAN**

29 Next meeting March 26, 2015, no meeting planned for April, will plan a date for the May
30 meeting at that time.

31 **GOVERNANCE COMMITTEE'S PROPOSED REVISED CHARTER OVERVIEW, DISCUSSION AND** 32 **DECISION ON ADOPTION**

33 Martin Langeveld on gave an overview of the charter changes. Added statutory language and
34 clarified that only emails pertaining to NDCAP substantive issues become public records, p. 4
35 item D virtual meetings must meet open meeting law requirements.

36 **Motion by Martin Langeveld to adopt the Charter. Second by: Chris Company**

37 **Motion Carried 15-0** (Aye: Derrek Jordan, Chris Wamser, Chris Company, Chris Recchia, Martin
38 Langeveld, Pat Moulton, David Mears, Bill Irwin, Jim Matteau, Steve Skibniowsky, David
39 Andrews, Molly Kelly, Kate O'Connor, Paul Mark & David Deen via telecom)

40 **ENTERGY UPDATE ON DECOMMISSIONING ACTIVITIES**

1 *Joe Lynch, Government Affairs Manager, Entergy Vermont Yankee, gave an update on recent*
2 *activities.* Entergy is focusing on safety. VY is now under the decommissioning inspection
3 program. Public comment period on the PSDAR continues until March 23rd. Entergy supports
4 the local economy and uses local contractors. Entergy continues to comply with the settlement
5 agreement/MOU. Currently support buildings are being removed, systems are being drained for
6 long term storage, security modified and the site is planning for a second ISFSI Pad to transfer
7 fuel to dry storage. Vermont Yankee site leadership is offering to meet in person with towns,
8 citizen groups and give tours to key stakeholders. Regularly updating information on
9 vydecommissioning.com

10

11 Questions and comments: Is the timeline on the current website? A timeline is in the works.
12 Rep. Mark encourages panelists to take a site tour. Is VY reporting plans for removal of support
13 buildings and excavation of low level waste storage area to the State? Entergy response: Yes.
14 Will Entergy continue environmental monitoring and groundwater sampling? Entergy
15 response: Yes. Does Entergy intend to continue to share spit samples with the State? Entergy
16 response: Yes. Do the smaller buildings being removed come off the decommissioning cost
17 estimate? Entergy response: Yes.

18

19 **STATE OF VERMONT UPDATE ON DECOMMISSIONING ACTIVITIES**

20 *David Mears, Commissioner of the VT Department of Environmental Conservation, gave the*
21 *State's update on recent activities.* The State is looking for answers from Entergy to the
22 comments submitted on the draft PSDAR. Requesting full National Environmental Policy Act
23 assessment. Full site characterization with regard to non-radiological contamination of the site.
24 Surprised to hear of building removal at VY site. The State is looking forward to negotiating site
25 restoration standards with a full open and public process.

26

27 Questions and Comments: What kind of monitoring and oversight does the state feel is
28 necessary and how is it going to get paid for?

29

30 Chris Wamser clarified that building removal plans were mentioned at the previous NDCAP
31 meeting and that the State notifications followed the letter of the law.

32

33 **ENTERGY PRESENTATION ON EPZ AND EMERGENCY PREPAREDNESS**

34 *Mike McKenney, VY Emergency Planning Manager, presented an update on VY emergency*
35 *plans.* Joe Lynch introduced Mike McKenney and noted:

- 36 • The cost to continue current emergency planning for four years would be in excess of
37 \$100 M
- 38 • Because of an appeal filed by the State of Vermont to the Atomic Safety and Licensing
39 Board relative to emergency planning, Entergy, on the advice of counsel, would not be
40 answering questions about their emergency planning presentation.

41

1 Mike McKenney’s presentation included a review of the following: VY emergency plan timeline;
2 EPlan Decommissioning Status; post shutdown emergency plan; EPlan exemptions sought from
3 the NRC; implementation of permanently defueled emergency plan to take place in April 2016;
4 and ISFSI EPlan (Implement after all fuel is transferred to the ISFSI, currently planned for 2020.)
5 Full presentation can be found at www.decommissioning.com.
6

7 **DISCUSSION AND QUESTIONS ON IMPLICATIONS FOR EPZ AND EMERGENCY PREPAREDNESS**

8 Commissioner Recchia explained that the State is appealing a ruling by the Atomic Safety
9 Licensing Board because the State wants Entergy to keep the Emergency Response Data System
10 (ERDS) or a comparable system in place at VY until 2020 when the spent fuel is moved into dry
11 casks. The State is not asking Entergy to keep the same level of offsite emergency planning, but
12 they do not want an on/off switch to offsite emergency planning. If EPZ towns would like to
13 comment on issues the License Amendment Requests (LARS) are published in the Federal
14 Register which typically opens a public comment period.
15

16 Bill Irwin said that the State is concerned about there being a question about the safety of the
17 area or the products produced and the State objects to hostile actions not being including in
18 the analysis. The State wants to continue to have the capability to take samples and
19 independently verify site conditions. Catastrophic events even if they don’t result in release
20 based on EPA protective guidelines require greater expertise than basic emergency response.
21 The State feels that once the fuel is in dry storage the offsite emergency planning can change to
22 environmental surveillance.
23

24 Pat Moulton raised the issue of climate change, flood hazards and earthquakes.
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26 Questions asked, but not answered: How can we figure out a way to come back to this and
27 include Entergy? How does the citizenry engage in the NRC process? Can the Panel be notified
28 when Entergy or the State makes a filing with the NRC?
29

30 Chris Wamser stressed that the topic of emergency planning has been discussed publicly.
31 Entergy has been involved in many meetings, presentations and discussions on emergency
32 planning with first responders in the EPZ, FEMA, the NRC and state emergency personnel.
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34 **PUBLIC COMMENT AND QUESTIONS**

35 *Susan Latham*, Northampton MA: Problem of definition, site is not defueled

36 *Sandra Kosterman*, Greenfield MA: Opposed to reducing the EPZ and increasing notification
37 time

38 *Unidentified*: Thanks State of VT and the agencies for taking a stand. Is it possible to re-rack the
39 spent fuel to reduce fire risk?

40 *Frances Crowe*, Northampton MA: Asking to see the Board of Health cancer registry for
41 Windham County. (Bill Irwin explained that the state does have a registry)

42 *Leo Schiff*, Brattleboro VT: Supports keeping the 10 mile EPZ
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1 **WRAP UP AND ADJOURN**

2 Action Items:

3 Next Meeting March 26th

4 Issues Committee will meet and prepare an issues list for the next meeting.

5 Panel will get a website up and going.

6 Panel will send out email inquiry to find available dates in May.

7 Tony Leshinskie's email address <Anthony.Leshinskie@state.vt.us> for email comments

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9 **MEETING ADJOURNED AT 9:00pm**

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12 **NEXT MEETING:**

13 THURSDAY, MARCH 26, 2015

14 Brattleboro Union High School, 6-9PM.

15 NOTE: Video of meeting will be available at brattleborotv.org