

1 **DRAFT Subject to Approval – 9.24.2015**

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

3 **Thursday, September 24, 2015**

4 **Brattleboro Union Middle School, Multipurpose Room, Brattleboro VT**

5 **Meeting Minutes**

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 • Dr. William Irwin, Agency of Human Services- Department of Health
- 10 • Trey Martin, Deputy Secretary Agency of Natural Resources
- 11 • Pat Moulton, Secretary of Agency Commerce and Community Development
- 12 • Stephen Skibniowsky, representing the Town of Vernon
- 13 • Kate O’Connor (Brattleboro), Chair, citizen appointee of Governor Shumlin
- 14 • Martin Langeveld (Vernon), Vice-Chair, citizen appointee of Governor Shumlin
- 15 • Derrik Jordan (Putney), citizen appointee of Speaker of the House Shap Smith
- 16 • Christopher J. Wamser, Site Vice-President, Entergy Nuclear Vermont Yankee (VY)
- 17 • David Andrews, International Brotherhood of Electric Workers (IBEW); representing
- 18 present & former employees of Vermont Yankee
- 19 • James Tonkovich (of Wilder), citizen appointee of Senate President Pro Tempore John
- 20 Campbell
- 21 • Paul W. Mark, MA State Representative, (Peru, MA), representing the Towns of
- 22 Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts
- 23 • Paul Paradis, Decommissioning Director, Entergy Nuclear Vermont Yankee (VY)
- 24 • VT State Senator Mark MacDonald, member of the Senate Committee on Natural
- 25 Resources and Energy

26  
27 The following NDCAP members were connected to the meeting via teleconference

- 28 • David Deen, (Westminster),VT State Representative, citizen appointee of Speaker of the
- 29 House Shap Smith
- 30 • Diane Becker, Chief of Technological Hazards, New Hampshire Emergency Management
- 31 and Homeland Security
- 32 • Jim Matteau (Westminster), citizen appointee of Senate President Pro Tempore John
- 33 Campbell

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35 The following NDCAP members were absent from the meeting:

- 36 • Michael Hebert (Vernon),VT State Representative, member of the House Committee on
- 37 Natural Resources and Energy

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39 **MEETING CALLED TO ORDER AT 6:10PM**

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41

1 **INTRODUCTIONS**

2 Two new Panel members were introduced. Trey Martin, Deputy Secretary of the Agency of  
3 Natural Resources, replacing David Mears. Paul Paradis, Decommissioning Director at Entergy  
4 Nuclear Vermont Yankee, replacing Mike Twomey. George Desch, Deputy Commissioner,  
5 Department of Environmental Conservation was introduced. He will represent the Agency of  
6 Natural Resources in Trey Martin's absence.

7  
8 **APPROVE MINUTES FROM June 25, 2015 MEETING**

9 **Pat Moulton made a motion to approve the minutes of the June 25, 2015 as drafted. The**  
10 **motion was seconded by Paul Paradis. The motion carried 16-0 (Chris Campany, Bill Irwin,**  
11 **Trey Martin, Pat Moulton, Steve Skibniowsky, Kate O'Connor, Martin Langeveld, Derrik**  
12 **Jordan, Chris Wamser, David Andrews, Jim Tonkovich, Paul Paradis, David Deen, Diane**  
13 **Becker, Jim Matteau, Paul Mark)**

14

15 **PRESENTATION - MODEL OF HI-STORM DRY CASKS** – *Kenneth Swanger, Dry Fuel Storage Senior*  
16 *Project Manager at Vermont Yankee explained the components of a cask.*

17

18 **ENTERGY UPDATE ON DECOMMISSIONING ACTIVITIES**

19 *Joe Lynch, Government Affairs Manager, Entergy Vermont Yankee, gave an update on recent*  
20 *activities. (Complete presentation is available at [www.vydecommissioning.com](http://www.vydecommissioning.com) and*  
21 *[www.publicservice.vermont.gov](http://www.publicservice.vermont.gov).) Decommissioning preparation activities continue: System*  
22 *draining and layup (approximately 50). Sixty completely drained and ready for layup, 5 in*  
23 *progress. Security plan changes/modifications in place. Next Emergency Plan drill is scheduled*  
24 *for October 21, 2015. NRC no longer has a full-time resident on site, but still conducting*  
25 *inspection programs. On-site inspection - ground water, radiation controls, system*  
26 *abandonment work and design work - completed the week of 9/14-9/17. No issues identified.*  
27 *Lynch provided an update on NRC licensing action/exemption status including: Post-shutdown*  
28 *EPlan license amendment request (LAR); EP Exemption Requests; and Permanently Defueled*  
29 *EPlan and Emergency Action Levels LAR. Lynch explained the Emergency Plan Funding changes*  
30 *that will take place in April, 2016: Funding commensurate with reduced risk and events limited*  
31 *to Spent Fuel Storage; Consistent with the Permanently Defueled EPlan and new Emergency*  
32 *Action Levels; Focused on local support and declining funding scale.*

33

34 VY was granted first change to EPlan License Amendment Request and was implemented  
35 February 5, 2015-April 2016 (SAFSTOR period 1). State filed an appeal to NRC to keep ERDS in  
36 service. Decision by NRC expected in late 2015 or early 2016. NRC staff is in process of  
37 reviewing approvals for April 2016 EPlan reduction requests and approval anticipated by year  
38 end 2015. State has intervened and was denied by ASLB, State has appealed and awaiting NRC  
39 decision.

40

41 Funding for EP will be decreasing. Continued funding agreement has been signed with the  
42 State of New Hampshire. Entergy has contacted the State of Massachusetts to discuss long-  
43 term EP funding

1 Entergy has withdrawn its License Amendment Request to opt out of the current requirement  
2 that Entergy provide 30-day notice prior to making withdrawals from the Nuclear  
3 Decommissioning Trust Fund. Co-mingled fund exemption (allowing spent fuel management  
4 costs to be paid out of NDT) approved by NRC in June 2015. State of Vermont, Green Mountain  
5 Power and Vermont Yankee Nuclear Power Corp (former owner) filed a petition for review of  
6 the exemption with NRC. Entergy has filed motion to party to intervene. The CPG process on  
7 the second ISFSI is continuing.

8  
9 Entergy provided a response to the Vermont Department of Health's April 2, 2015 request for  
10 information regarding questions on lead and asbestos programs.

11  
12 A site visit/inspection by the Vermont Agency of Natural Resources Waste Management and  
13 Prevention division on May 18, 2015 noted issues/observations with labeling, waste  
14 characterization and inventory records. Entergy received a letter on July 31, 2015 seeking  
15 assurance that ENVY will comply with the Vermont Hazardous Waste Management Regulations.  
16 ENVY has and will continue to be in compliance with all State of Vermont regulations.

17  
18 Agency of Natural Resources has consulted with ENVY about the applicability of the River  
19 Corridor and Floodplain Protection Program (effective March 2015) as it pertains to the second  
20 ISFIS pad. VY is working with ANR to determine the need for a permit.

21  
22 **STATE OF VERMONT UPDATE ON DECOMMISSIONING ACTIVITIES**

23 *Anthony Leshinskie, Vermont State Nuclear Engineer gave an update on recent activities.*

24 *(Complete presentation is available at [www.publicservice.vermont.gov](http://www.publicservice.vermont.gov) or*

25 *[www.vydecommissioning.com](http://www.vydecommissioning.com).) State has filed a number of contentions, including the  
26 discontinuation of ERDS and the reduction to the EPZ - awaiting a ruling from the NRC. The  
27 State filed a petition to intervene in the 30-day notice of withdrawal from the NDT LAR on July  
28 7, 2015. ASLB granted hearing on two contentions. Entergy has filed to withdraw the 30-day  
29 notification request - waiting on ASLB ruling.*

30  
31 [PSD.ndcap@vermont.gov](mailto:PSD.ndcap@vermont.gov) – new email address for public comments to Advisory Panel. Links will  
32 be set up on web page. Emails to this address become public record.

33  
34 The State has received inquiries from U.S. Dept of Energy and the NRC regarding eventual  
35 removal of spent fuel from the VY site. State provided information for oversize truck  
36 requirements. A report will be issued in May/June 2016.

37  
38 Representative from the State of Vermont will attend upcoming meetings with U.S. Department  
39 of Energy and NRC regarding high level radiological waste. NRC public meetings and webinars  
40 scheduled in the near future. On October 21, the Institute of Nuclear Host Communities, one  
41 day conference in Amherst, MA.

1 **QUESTIONS AND COMMENTS FROM THE PANEL**

2 Panel asked that State share information about NRC conference calls/webinars, so Panel can  
3 take part. Chris Recchia noted that although Entergy has withdrawn its LAR in regards to 30-day  
4 notification, the State is still going before the ASLB asking that Entergy be required to provide  
5 information on how the funds will be used. Chris Company asked if input would be solicited  
6 from towns regarding the DOE truck requirements. Leshinskie answered that there is no  
7 opportunity at this time, as the process is in the preliminary stages. A rail task force has been  
8 initiated.

9  
10 **OVERVIEW OF JUNE 26, 2015 PANEL TRIP TO CONNECTICUT YANKEE**

11 *Steve Skibniowsky provided a brief overview of the Panel trip to Connecticut Yankee. (Written*  
12 *report is available at [www.publicservice.vermont.gov](http://www.publicservice.vermont.gov).) Steve, Chris Company, Bill Irwin, David*  
13 *Andrews, Jim Matteau, Kate O'Connor and Tony Leshinskie visited the site and fuel storage*  
14 *facility. Met with CY staff and received a briefing on decommissioning and transfer to fuel to*  
15 *casks and ISFSI. A more in depth overview will be given to the Panel at the November meeting.*

16  
17 **PRESENTATIONS - EMERGENCY RESPONSE DURING DECOMMISSIONING**

18 *Erica Bornemann Chief of Staff, Vermont Division of Emergency Management and Homeland*  
19 *Security (DEMHS) provided a presentation on emergency response during the decommissioning -*  
20 *Radiological Emergency Response Program - (RERP). (Complete presentation is available at*  
21 *[www.publicservice.vermont.gov](http://www.publicservice.vermont.gov) or [www.vydecommissioning.com](http://www.vydecommissioning.com).)*

22 The Division of Emergency Management and Homeland Security (DEMHS) is responsible for  
23 local and State plan development, revision, equipment maintenance, training and exercise.  
24 Bornemann explained the Vermont Exposure Pathway Zone: Plume exposure pathway  
25 approximately a 10 mile radius from nuclear reactor includes Brattleboro, Dummerston,  
26 Guilford, Halifax, Marlboro, and Vernon. Ingestion pathway zone is a 50 mile radius. An  
27 operating reactor requires plan evaluation every two years (Major elements of radiological  
28 plans are tested through FEMA evaluated exercises) based on an eight year cycle (all elements  
29 of plans are tested - reception centers, decontamination, post-plume sampling, ingestion  
30 pathway, Hostile-Actions and out of sequence evaluations check plans for all schools, child care  
31 centers, health care facilities, etc.) Independent Spent Fuel Storage Installation (ISFSI) requires  
32 plan evaluation every two years (Onsite exercise and Offsite Response Organizations (OROs)  
33 invited but not required. Response structure includes various State and local agencies.  
34 Town requirements and resources include personnel, training and exercises, town plans and  
35 equipment. The Radiological Emergency Response Plan (RERP) personnel and funding for fiscal  
36 year 2016 is \$1,639,143, paid for by Vermont Yankee. Towns receive \$32,000 annually from the  
37 RERP fund. WTSA radio in Brattleboro also receives an annual grant. The State of Vermont  
38 believes there should be some level of emergency planning while fuel remains in the spent fuel  
39 pool.

40 10CFR72.32 EP requirements for stand-alone ISFSI. Formal offsite emergency plans are not  
41 required and would be handled by local agencies. Licensee participation is no longer required.  
42 The State is looking for a "step-down" approach to emergency preparedness until 2020 when  
43 the fuel is removed from the pool.

1 *Dr. Bill Irwin, Vermont Department of Health, made a presentation on the Emergency Response*  
2 *During SAFSTOR and Decon. (Full presentation is available at [www.publicservice.vermont.gov](http://www.publicservice.vermont.gov) or*  
3 *[www.vydecommissioning.com](http://www.vydecommissioning.com).) Through April 2016 the only incidents that would require*  
4 *offsite response capabilities are those that result in overheating of the spent fuel within the*  
5 *spent fuel pool. Other incidents don't require offsite response because the dose from those*  
6 *accidents will be less than EPA and EPA Protective Action Guidelines (PAG). Resources*  
7 *supported by Entergy through April 2016 would be those needed by the six EPZ towns'*  
8 *Emergency Operation Centers (EOC), the State EOC and several state agencies for full scale*  
9 *implementation of the current RERP. Those capabilities include: Notifications and continuous*  
10 *communications; evacuation, shelter and reunification; radiological accident assessment;*  
11 *radiological environmental assessment; incident management; law enforcement, fire safety,*  
12 *emergency medical services; food and water protection, restrictions and replacement; and*  
13 *recovery. Only the following areas would be funded after June 30, 2016: Law enforcement, fire*  
14 *safety, emergency medical services; Incident management; notifications and continuous*  
15 *communications. The other functions would not be funded next fiscal year. The NRC and*  
16 *Entergy contend that the needs and capabilities change in April 2016 because no accidents will*  
17 *result in doses in excess of the EPA Protective Action Guides (PAGs)\*. As such, no offsite*  
18 *capabilities beyond what local fire, law enforcement and emergency medical services can*  
19 *provide require Entergy support.*

20 *\*The EPA PAGs are found at [http://www.epa.gov/radiation/docs/er/pag-manual-interim-](http://www.epa.gov/radiation/docs/er/pag-manual-interim-public-comment-4-2-2013.pdf)*  
21 *[public-comment-4-2-2013.pdf](http://www.epa.gov/radiation/docs/er/pag-manual-interim-public-comment-4-2-2013.pdf)*

22 State of Vermont disagrees with the use of the EPA Protective Action Guides by Entergy and the  
23 NRC. The purpose of the EPA Protective Action Guides (PAG) is to help public officials decide  
24 whether to evacuate, shelter-in-place, administer potassium iodide, provide alternate sources  
25 of water, interdict food or milk, and other actions. These actions are designed to avoid public  
26 doses over specific thresholds. The EPA PAGs were not intended to determine whether facilities  
27 support offsite emergency response capabilities. Entergy and NRC use the PAGs for this  
28 purpose. Vermont Department of Health believes that the needs of EP is not based solely on  
29 dose. Doses below the EPA PAGs are unacceptable for incidents occurring at a shutdown  
30 nuclear power station awaiting cleanup. Offsite radioactive contamination of the environment  
31 has human impacts. This contamination has to be measured. Samples and measurements are  
32 obtained; calculated; interpreted by; and acted upon by people with skills other than those  
33 possessed by firefighters, law enforcement officers and emergency medical service providers -  
34 the only offsite responders funded after June 30, 2016. State concedes that most nuclear  
35 emergencies for which we have been prepared for decades during reactor operations are not  
36 going to occur, and the resources needed for response and recovery may be scaled back.

37 State maintains that zero resources is not the appropriate amount to which the State and locals  
38 should scale back. State should continue to independently monitor environmental media  
39 around the station. The Department of Health can develop a scaled-back budget for what is  
40 appropriate during SAFSTOR and DECON

1 **QUESTIONS AND COMMENTS FROM THE PANEL**

2 *Chris Wamser:* Thanked Bornemann and DEMHS for the good work over the years. EP will  
3 continue after 2016. Changes that were mentioned appear to be a want vs. a need based on  
4 what has been done at other decommissioned plants. NRC and FEMA agree with proposed  
5 changes. VY is currently working with NH and MA regarding funding and willing to meet to work  
6 with VT. How do you square with the State the desire to fund EP when it is not what it has  
7 typically been at other sites? *Bornemann:* Conditions that exist at VY are different than other  
8 Yankee plants because the fuel will remain in the pool until 2020. Different level of  
9 preparedness is needed because of these circumstances. Without evaluation requirements all  
10 responders and participants will be unable to remain prepared in the future then potential  
11 event. There are other funding opportunities from other hazardous materials. Community  
12 Right to Know Act, businesses storing hazardous materials must pay into the fund maintained  
13 by the State. This fund pays for most equipment and materials for the State hazardous  
14 materials team.

15  
16 *Chris Recchia:* The NRC deems the spent fuel in the pool as safe as the spent fuel in the dry  
17 casks. Is that correct? *Bornemann:* Yes. *Recchia:* They have determined that based on  
18 seismic impact – non-hostile events? *Bornemann:* In May the State of Vermont and Yankee  
19 took part in an ERDS evaluated Hostile Action Based exercise. The scenario was based on a  
20 terrorist attack at VY. *Recchia:* NRC is inconsistent in requirements; NRC measures based on  
21 non-hostile actions, but NRC made us do a hostile exercise. The State feels that as long as fuel is  
22 in the pool, emergency management needs to be maintained in some fashion, not at the same  
23 level it was before, but certainly at some level.

24 *Chris Wamser:* Exercises are just drills, not necessarily what would or could or is possible to  
25 happen. These drills are used to exercise the members of the team. It's incorrect to conclude  
26 that just because there's a drill that that particular scenario is likely.

27  
28 *Derrick Jordan:* Is the State's concern that the level of State monitoring will be phased out and  
29 people won't be trained properly for the future? *Bill Irwin:* Yes, without funding there won't  
30 be training available for State personnel after June 30, 2016. *Jordan:* Is there State monitoring  
31 at other Yankee or decommissioned sites? *Irwin:* Plants that were funded by utilities – Maine  
32 Yankee, Yankee Rowe, Millstone, etc. - were able to maintain emergency planning, health  
33 department, etc. until license termination. They were able to do that because they were  
34 utility-owned (rate payer funded) not merchant plants.

35  
36 *Chris Campany:* Non-EPZ towns met with EPZ towns to go over how they exist. We need to be  
37 reasonably prepared for what may happen.

38 *Martin Langeveld:* Interesting dialogue relative to EP funding going forward. NH has made an  
39 agreement with VY and MA will begin discussions. Why hasn't Vermont and Entergy sat down  
40 and figured this out? *Chris Recchia:* Vermont and Entergy have sat down, but have gotten  
41 nowhere and every time the NRC has ruled in Entergy favor, deal got worse. Entergy paid \$4.5

1 million the past couple of year while operating. Vermont is looking for less than \$1 million until  
2 fuel moved from pool.

3  
4 **PUBLIC COMMENTS AND QUESTIONS**

5 *Chris Williams, Hancock NH:* In regards to Department of Health monitoring what does the  
6 ballpark estimate for the scaled back version look like? *Bill Irwin:* Estimated \$200k annually  
7 needed to maintain teams and training, local and food surveillance (should issues arise with a  
8 release) and equipment for calibration purposes. Scaled down contract to maintain the Sr90  
9 monitoring.

10  
11 *Leo Schiff, Brattleboro, VT:* Will the State of Vermont fund adequate emergency planning in the  
12 absence of funding from Entergy? *Chris Recchia:* State believes Entergy is responsible for  
13 funding adequate emergency planning because VY still has fuel on site. However, the State will  
14 continue to pursue NRC and Entergy for funding and expects legislative action if that does not  
15 occur.

16  
17 *Deb Katz, Rowe, MA:* Suggests panel should review the National Academy of Sciences report on  
18 vulnerabilities of fuel pool with regard to terrorism and loss of water in fuel pools for BWR's.  
19 Investigate through NRC problems with fuel pool vulnerabilities. Decommissioning at Rowe  
20 \$265m increased to over \$700m due to contamination on site – tritium over 300' below  
21 ground. Rate payers covered cost of cleanup for that site.

22  
23 *Leslie Sullivan Sachs, Brattleboro, VT:* EPA adjusting dose estimates and NRC reviewing as well.  
24 State needs to stay on top of this information. Concerned that panel is meeting only three  
25 hours every sixty days on such an important topic.

26  
27 *Howard Schaffer, Northfield, NH:* Radiation standards are being updated to incorporate the  
28 science of radiation as well as the medical science – many of these standards are over 50 years  
29 old and require changes. No FEMA, no plant, no EPlan required. EPlans were not required until  
30 1979. What EPlans would the area have now if the plant had never been built to deal with  
31 natural and other disasters and notifications to the public? Before the panel concludes that the  
32 HAB exercise in May is really likely, they should have a full understanding of what went into the  
33 drill, a timeline and expectations of the outcome of the drill.

34  
35 *Ned Childs, Dummerston, VT:* There is no safe threshold of radiation. Nothing "safe" about  
36 SAFSTOR. Opening of reactor there is a release and the pathway is through the stack as well as  
37 through the groundwater.

38  
39 *Peter Van der Does, Brattleboro, VT:* Cask drop incident - could have fallen into fuel pool and  
40 caused a LOCA. Crane was not tested and could have caused a major accident. Why isn't there  
41 going to be funding for EPlan next year when fuel will be moving?

1 *Joe Lynch, Entergy:* SAFSTOR is an NRC term and accepted in the industry. Regarding pathways,  
2 VY continues to test the site and groundwater tritium continues to decline. Sources of leaks at  
3 site are being eliminated daily and part of water management at the site. Crane incident has  
4 been well analyzed and documented and do not expect anything like that to happen again in  
5 the future.

6

#### 7 **PANEL DISCUSSION OF ADVISORY OPINION PROCESS**

8 Chair reported that at last meeting there was a discussion as to whether the panel should give  
9 advice. A committee was formed and met to develop a process to recommend to the full Panel.  
10 The process would be as follows: If a member of the Panel wants to introduce a topic, they will  
11 bring it up at an NDCAP meeting. A majority of the Panel must vote to move the topic forward.  
12 Votes will be yes, no or abstain. Abstentions will not be calculated in the vote. If a majority of  
13 the Panel moves to move a topic forward, a Panel member will write an opinion. Opinions need  
14 to be submitted to chair four weeks prior to next NDCAP meeting. Draft opinions will be posted  
15 on PSD website for panel and public review. Anyone can write an alternative opinion, which  
16 must be submitted to chair one week before the Panel meeting and will be circulated to the  
17 Panel and public. The public will be given time to comment at the NDCAP meeting. The goal is  
18 to introduce a topic at a Panel meeting and discuss and vote on the draft opinion(s) at the next  
19 scheduled meeting. Opinion would be voted on and if passes would become the opinion of the  
20 Panel. All votes will be recorded at the bottom of the opinion.

21 The Primary goal of the Advisory Opinion is to advise state agencies, governor, legislature and  
22 even the NRC.

23 *David Andrews* asked the circumstances under which a Panel member can abstain. *O'Connor:*  
24 Abstaining is completely voluntary and there are no criteria. *Chris Wamser:* If a Panel member  
25 is involved with the opinion would it be recommended that a member abstain? *Chris Recchia:*  
26 He would abstain from the vote, but not the discussion.

27 **Chris Recchia moved that the Panel approve the process recommended by the Advisory**  
28 **Opinion Committee with changes made as necessary in the future. The motion was seconded**  
29 **by Pat Moulton. The motion carried 16-0 (Yeas: Chris Recchia, Chris Company, Bill Irwin, Trey**  
30 **Martin, Pat Moulton, Steve Skibniowsky, Kate O'Connor, Martin Langeveld, Derrik Jordan,**  
31 **Chris Wamser, David Andrews, Jim Tonkovich, Paul Paradis, Mark McDonald, Diane Becker,**  
32 **Jim Matteau) (Advisory Opinion process is available at [www.publicservice.vermont.gov](http://www.publicservice.vermont.gov) or**  
33 **[www.vydecommissioning.com](http://www.vydecommissioning.com).)**

34 The Panel discussed potential topics: NRC closure rules, CPG process on second ISFSI, and  
35 Vermont Department of Health groundwater monitoring through license termination. Panel to  
36 comment on decommissioning rules before the NRC. The opinion paper does not have to be a  
37 long (one – two pages).

38 *Dave Andrews* inquired whether an opinion be withdrawn? Can an opinion be collaborative?  
39 Open meeting law violation concerns. *O'Connor:* Less than 10 panel members no issue with



1 open meeting law. No concerns with withdrawal of an opinion and should be allowed, but  
2 someone else could pick the topic up.

3 **Martin Langeveld move that the following topics move forward for a discussion and vote at**  
4 **the next scheduled NDCAP meeting (November 12, 2015): (1) NRC Public Engagement on the**  
5 **Decommissioning Process; (2) CPG Process for the Second ISFSI Pad; (3) VT DOH Ground**  
6 **Water Monitoring and (4) Funding for continuation of the RERP. The motion was seconded**  
7 **by Chris Campany. The motion carried 16-0 (Yeas: Chris Recchia, Chris Campany, Bill Irwin,**  
8 **Trey Martin, Pat Moulton, Steve Skibniowsky, Kate O'Connor, Martin Langeveld, Derrik**  
9 **Jordan, Chris Wamser, David Andrews, Jim Tonkovich, Paul Paradis, Mark McDonald, Diane**  
10 **Becker, Jim Matteau)**

11 Chris Campany volunteered to write a draft opinion on NRC Public Engagement on the  
12 Decommissioning Process. Chris Wamser volunteered on behalf of Entergy to write a draft  
13 opinion on the VT Department of Health Ground Water Monitoring.

14 Topics and dates will be published on the Public Service Department website. One or more will  
15 be discussed at the next meeting.

#### 16 ***PUBLIC COMMENTS AND QUESTIONS***

17 *Guy Page, Montpelier, VT:* This is a Citizen Advisory Panel not a Citizen Advocacy Panel.  
18 Concerned rather than equals coming together, this will become an advocacy group.

19  
20 *Amy Shollenberger, Barre, VT:* Law states that advice can be given. Panel should go forward.

21  
22 *Ned Childs, Dummerston VT:* On the topic of the risks of groundwater contamination continue  
23 to decline – disagree. The risk does not decline, they just move somewhere else, into the river,  
24 etc. Expedited decommissioning should be the precedent.

#### 25 ***PANEL COMMENTS***

26 *Joe Lynch, Entergy:* EPlan scenarios are developed to be sure that the various agencies are  
27 tested. VY security force is part of a detailed security plan (force-on-force) with the NRC. NRC  
28 brings in trained adversaries and are taxed and tested. Successful completion of these events  
29 demonstrates that VY is second to none when it comes to nuclear safety. The first barrier when  
30 it comes to HAB event. As to the emergency funding agreement between Entergy and New  
31 Hampshire, New Hampshire approached Entergy on a long-term EPlan deal and worked with  
32 them in good faith to negotiate something that New Hampshire appreciates greatly.

33  
34 Chris Wamser and Chris Recchia engaged in a discussion about the amount of emergency  
35 planning funding Entergy should provide to the State until the spent fuel is removed from the  
36 pool in 2020. There have been talks between both parties, but no agreement.

37  
38 *Chris Campany, Windham Regional Commission:* Should Entergy be held accountable for DOE  
39 delays and the proximity of the pads to the decommissioning of the site in the future? Have

1 alternative locations on the VY site been appropriately evaluated for the location of the second  
2 ISFSI? Windham Regional Commission has not suggested that second ISFSI be located  
3 somewhere other than the VY site. Copies of pretrial testimony available and is also on the  
4 Windham Regional Commission’s website.

5 *Diane Becker:* Took exception to the argument that the agreement between Entergy and the  
6 State of New Hampshire regarding continued funding for emergency planning would cause any  
7 ill will towards the State of Vermont - loss of funding from Entergy is close to \$3m for exercises,  
8 etc. \$1.5m from Entergy and match from federal government go to assist the communities in  
9 the EPZ. Funds were not strictly dedicated to for RERP activities and Entergy funded “all  
10 hazards” approach to those communities. This funding will assist these communities with the  
11 transition from a RERP funded to another funded “all hazard” plan. New Hampshire thought it  
12 was appropriate to engage with Entergy in a discussion about transition to help those  
13 communities become more reliant on other sources. All of the states have their own  
14 approaches and their own concerns.

15

16 **WRAP UP AND ADJOURN**

17 Next meeting: Thursday, November 12, 2015 at Vernon Elementary School.

18 Panel will receive a synopsis of Advisory Opinion process and topics.

19 One year ago tomorrow was the first NDCAP meeting.

20

21 **MEETING ADJOURNED AT 9:10PM**

22

23 NOTE: Video of meeting will be available at [brattleborotv.org](http://brattleborotv.org). Slides of all presentations are  
24 available at [vydecommissioning.com](http://vydecommissioning.com) or [www.publicservice.vermont.gov](http://www.publicservice.vermont.gov).

25