

1 **DRAFT Subject to Approval (prepared for approval at June 28, 2018 meeting)**

2 **Nuclear Decommissioning Citizens Advisory Panel (NDCAP)**

3 **Thursday, March 22, 2018**

4 **Brattleboro Union High School – Multipurpose Room- 131 Fairground Road, Brattleboro, VT**
5 **Meeting Minutes**

6
7 NDCAP Members Present:

- 8 • David Andrews, International Brotherhood of Electric Workers (IBEW Local 300);
9 representing present & former employees of Vermont Yankee
- 10 • Katie Buckley, Commissioner, Department of Housing and Community Affairs (designee
11 for the Agency of Commerce and Community Development)
- 12 • Chris Campany, Executive Director of the Windham Regional Commission (WRC)
- 13 • Dr. William Irwin, designee for the Secretary of the Agency of Human Services (Vermont
14 Department of Health)
- 15 • Derrik Jordan (Putney), citizen appointee of VT Speaker of the House Mitzi Johnson
- 16 • Martin Langeveld, Vice Chair (Vernon), citizen appointee of Governor Phil Scott
- 17 • Peter Walke, Deputy Secretary, Agency of Natural Resources
- 18 • June Tierney, Commissioner of Public Service Department
- 19 • Kate O'Connor (Brattleboro), Chair, citizen appointee of (former) Governor Peter
20 Shumlin
- 21 • Jim Matteau (Westminster), citizen appointee of (former) Senate President Pro Tempore
22 John Campbell
- 23 • Lissa Weinmann (Brattleboro), Citizen appointee of VT State President Pro Tempore Tim
24 Ashe
- 25 • Corey Daniels, Decommissioning Director of Vermont Yankee (replacing Jack Boyle on
26 the Panel)
- 27 • Mike McKenney, Technical Coordinator, Entergy Nuclear Vermont Yankee (VY)

28
29 The following NDCAP members were connected to the meeting via teleconference:

- 30
31 • Robert Gustafson, Assistant Planning Chief, Radiological Emergency Preparedness, New
32 Hampshire Emergency Management and Homeland Security (NH HSEM), representing
33 the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, NH, interim
34 appointee of the NH Governor's Office

35
36 The following NDCAP members were absent from the meeting:

- 37 • David Deen, (Westminster), VT State Representative, citizen appointee of (former)
38 Speaker of the House Shap Smith
- 39 • VT State Senator Mark MacDonald, member of the Senate Committee on Natural
40 Resources and Energy
- 41 • VT Representative Laura Sibilio, member of the House Committee on Energy and
42 Technology

- 1 • Massachusetts State Representative Paul W. Mark (Peru, MA), representing the Towns
2 of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick,
3 Massachusetts, appointee of (former) MA Governor Deval Patrick

4 The following Entergy and NorthStar executives also attended the meeting, as presenters:

- 5 • T. Michael (Mike) Twomey, Vice President of External Affairs, Entergy Wholesale
6 Commodities
7 • Scott State, Chief Executive Officer (CEO) NorthStar Group Services and Waste Control
8 Specialists (via remote access)
9

10 Meeting called to order at 6:05 pm; A video recording of the meeting is available online at
11 <http://publicservice.vermont.gov/electric/ndcap> and at
12 [https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-32218-mtg)
13 [32218-mtg](https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-32218-mtg).

14
15 **INTRODUCTION OF THE PANELISTS AND OVERVIEW OF THE AGENDA:**

16 The Panel introduced themselves and the Chair gave an overview of the agenda.

17 *The Chair's introduction begins at 00 hours, 00 minutes & 12 seconds, 00:00:12, into the*
18 *meeting recording. Individual Panelist introductions begin at 00:00:44 into the meeting*
19 *recording.*

20
21 Kate O'Connor announced that Stephen (Steve) Skibniowsky, the Panel's representative for the Town of
22 Vernon, VT, has resigned. Steve was thanked for all of his insight and participation since the
23 beginning of the Panel. The Town of Vernon will appoint a new Panel representative shortly.
24 (Note: while Steve was briefly onsite to say goodbyes to individuals on the Panel, he did not
25 seat himself with the Panel, nor did he stay for the entire meeting.) *Overview of the meeting*
26 *agenda begins at 00:03:35 on the meeting recording.*

27
28 **Approval of Meeting Minutes:** Approval of October 26, 2017 minutes. *Approval of the October*
29 *26 meeting minutes begins at 00:04:46 on the meeting recording.*

30
31 No corrections for the draft meeting minutes were identified. A motion to approve the minutes
32 was made by Bill Irwin and seconded by Chris Company. The minutes were approved
33 unanimously without abstentions *(at 00:05:28 on the meeting recording).*

34
35 **Election of 2018 Panel Chair and Vice Chair.** Kate O'Connor noted that both she and Martin
36 Langeveld were willing to step aside if anyone else wanted to be Chair or Vice Chair of the
37 Panel. Chris Company nominated Kate O'Connor and Martin Langeveld to be the 2018 Chair
38 and Vice Chair, respectively (David Andrews seconded). By unanimous voice vote, with no
39 abstentions, Kate O'Connor was re-elected as Chair and Martin Langeveld was re-elected as
40 Vice Chair. *The Chair and Vice Chair election begins at 00:05:45 on the meeting recording.*

41
42 **Entergy Update on Decommissioning Activities at VY:** Joe Lynch, Government Affairs Manager,
43 Entergy Vermont Yankee, gave an update on recent activities. Everything is on track to meet

1 predicted deadlines. The Dry Fuel Transfer to ISFSI Pad campaign was recently placed on hold
2 due to an issue with a similar dry cask design at another decommissioning reactor site. As a
3 precaution, the dry casks being used at VY are being inspected. Entergy does not know when
4 the campaign will pick up again, but addressing the potential cask issue is very important.
5 Entergy is confident there is plenty of time in its schedule to meet the original deadline (all fuel
6 in dry casks by the third quarter of 2018) . The presentation slides for this update are available
7 online at <http://publicservice.vermont.gov/electric/ndcap> and
8 <http://vydecommissioning.com/ndcap/>. *This update begins at 00:07:46 into the meeting*
9 *recording.*

10
11 **Overview of the Settlement Agreement and Memorandum of Understanding for Approval of**
12 **Proposed Sale of Entergy Nuclear Vermont Yankee to NorthStar Group Services (VT Public**
13 **Utility Commission Docket 8880):** Scott State, Chief Executive Officer (CEO) of NorthStar Group
14 Services, Inc.; Mike Twomey, Vice President of External Affairs, Entergy Wholesale
15 Commodities; and Josh Unruh, Selectboard Chair, Town of Vernon, VT, provided a summary of
16 the proposed Settlement Agreement and Memorandum of Understanding (MOU).

17
18 Some parties (in the Docket 8880 case) signed on for the full Agreement and others signed on
19 for segments of the Agreement. Both the Attorney General’s Office and the New England
20 Coalition (NEC) have filed Notices of Anticipated Withdrawal of Hearing Request before the US
21 Nuclear Regulatory Commission (NRC), since this is a requirement in the Settlement
22 Agreement. The MOU and Settlement Agreement still require final approval by the Vermont
23 Public Utilities Commission (PUC). There is no indication on when the NRC will complete its
24 review of (and then approve or reject) the proposed Vermont Yankee sale. The presentation
25 slides for this overview are available online at <http://publicservice.vermont.gov/electric/ndcap>
26 and <http://vydecommissioning.com/ndcap/>. The MOU is available to the public through the
27 Vermont ePUC website: epuc.vermont.gov (search on Docket 8880 and scroll to “All Other
28 Documents Filed by Parties; the MOU was published on March 2, 2018). *The overview of the*
29 *Settlement Agreement and MOU for Approval of Proposed Sale of Entergy Nuclear Vermont*
30 *Yankee to NorthStar Group Services begins 00:15:19 into the meeting recording.*

31
32 Steph Hoffman, Vermont Public Service Department Special Counsel, discussed the State’s roll
33 by providing “broad stroke” examples of how received public comments are reflected in the
34 MOU. Kyle Landis-Marinello, VT Assistant Attorney General in the Environmental Protection
35 Division, remarked on the NRC proceedings. The Department of Public Service, Agency of
36 Natural Resources (ANR) and Department of Health have all worked with the Vermont Attorney
37 General’s Office regarding the NRC proceeding. As previously noted, a notice of anticipated
38 withdrawal has been filed notifying the NRC that a Settlement was reached. Vermont will
39 withdraw from the NRC proceedings if the terms of the Settlement Agreement remain in place.
40 Presentation Slides for this discussion may be found online at
41 <http://publicservice.vermont.gov/electric/ndcap>.

42 The Vermont Department of Public Service MOU Announcement can be found at
43 [http://publicservice.vermont.gov/announcements/department-files-mou-enterygnorthstar-](http://publicservice.vermont.gov/announcements/department-files-mou-enterygnorthstar-case)
44 [case](#) (which includes links to the MOU and Settlement Agreement). ANR’s VY Decommissioning

1 Website is available at: <http://anr.vermont.gov/Vermont%20Yankee%20Decommissioning>. All
2 filings related to this PUC case are available online at <https://epuc.vermont.gov> (Case #8880).
3 This website can also be used for filing public comments on the MOU, the Settlement
4 Agreement or other aspects of the case. *Examples of public comments being integrated into*
5 *the MOU begins 00:35:41 into the meeting recording.*
6

7 Josh Unruh, Chair of the Vernon Selectboard, provided a verbal overview of the agreement that
8 the Town of Vernon reached with NorthStar on March 6th. This Agreement provides the Town
9 with assistance for the professional service costs the Town incurred throughout the sale
10 process. This includes covering the costs for hiring an expert to ensure the clean-up standards
11 are in the Town's best interest. The Agreement also discusses the remaining onsite
12 infrastructure (e.g., an onsite office building) that the Town believes is vital to redeveloping the
13 site. NorthStar and the Town are currently collaborating to create a Tax Stabilization
14 Agreement and hope to have something ready to sign once the VY sale is approved. *This*
15 *overview begins at 00:48:49 on the meeting recording.*
16

17 Rich Holschuh of the Elnu Abenaki Tribe spoke to the importance of our responsibilities to the
18 land and people of all entities in regards to the history, present and future. NorthStar
19 responded positively when these concerns were raised for the PUC Docket 8880 proceeding.
20 *This update from the Elnu Abenaki Tribe begins at 00:51:13 on the meeting recording.*
21

22 Clay Turnbull, New England Coalition (NEC), clarified that the MOU is not perfect but is
23 intended to facilitate issuance of the Certificate of Public Good by the PUC. Issues will still need
24 to be addressed as decommissioning progresses, hopefully through a public, civil discourse.
25 NEC is the only intervener to focus on issues of nuclear pollution. Four of NEC's principal
26 concerns are at least partially addressed in the MOU. First, the site residual radiation standards
27 have been lowered to be the equivalent of low residual radiation levels achieved at other New
28 England sites. Second, the use of demolition debris as onsite fill has been limited to that of
29 clean structures containing no reactor-derived radionuclides. Third, inspired by Maine Yankee's
30 decommissioning, NorthStar agrees in the MOU to form a stakeholder group to advise
31 decommissioning. NorthStar proposes to form this group as a subcommittee of NDCAP. The
32 NEC appreciates the direction of this proposal but doubts its success as NDCAP's charter forbids
33 it from giving advice to the company. Last, the MOU stipulates that NorthStar will radiologically
34 clear big bore, buried piping and substructure voids for filling and conduct near off site
35 radiological surveys of sensitive areas is in-line with NEC's goals for the site. NEC's proposal to
36 restore the site to its original natural condition and setting it aside as a nature preserve gained
37 little traction in the PUC process and is not mentioned in the MOU. NEC will continue to pursue
38 its goal of creating a nature preserve on the site. *This update from the NEC begins at 00:55:44*
39 *on the meeting recording*
40

41 **QUESTIONS AND COMMENTS FROM THE PANEL: On Memorandum of Understanding**

42

43 Martin Langeveld asked a clarifying question: Joe Lynch (Entergy) said there had been
44 \$2.5million in funding expenses and the handout (presentation material) says \$4.2million.

1 Which is correct? Joe Lynch replied that the handout is correct.

2

3 Derrick Jordan asked Joe Lynch to clarify details about the construction going on around the ISFSI
4 site. Joe Lynch stated that right now the VY Protected Area surrounds the industrial footprint
5 of the site. Essentially a new Protected Area is being created that will only surround the two
6 ISFSI Pads and its (new) Central Alarm Station Building. Changing the Protected Area in this
7 manner allows for easier access to the rest of the site and still prevent unmonitored vehicles
8 and personnel from approaching the spent fuel stored at the ISFSI. The casks on the ISFSI pads
9 are about 18 feet tall. A series of 4-foot concrete barricades (monoliths) will prevent vehicles
10 trespassing (into the new Protected Area). Multiple fence systems and the Central Alarm
11 System will prevent individuals from trespassing.

12

13 Lissa Weinmann stated that the Conservation Law Foundation (CLF) was the one Intervener
14 that did not sign the MOU wondered whether anyone here tonight could discuss why this was
15 the case. Steph Hoffman responded that CLF has yet to make a formal statement about the
16 MOU. CLF participated in the MOU development process, but chose not to sign. There was a
17 Discovery phase (for the MOU) where CLF requested the presentation of some documents and
18 have elected not to notice any further depositions. CLF will soon produce testimony clarifying
19 their issues with the MOU. They can also present their concerns during the docket hearings
20 scheduled to start on May 10.

21

22 Lissa Weinmann asked Mike Twomey if Entergy has ever advocated creating a standardized
23 cask within the United States and wonders why Europe use cast iron casks as opposed the
24 Holtec variety of stainless steel and concrete. Mike Twomey and Joe Lynch replied that the
25 casks used at VY are licensed by the Nuclear Regulatory Commission and must meet the federal
26 regulations for storing (spent nuclear) fuel. Each manufacturer must renew their NRC license
27 on a regular basis. In a sense, the casks used in the United States are fairly standard in that
28 they all meet the same federal regulations.

29

30 Lissa Weinmann asked Scott State to clarify the role of the cultural expert hired to oversee the
31 decommissioning process on behalf of the Elnu Abenaki. She also asked Rich Holschuh to
32 describe any concessions the companies have made that make him more comfortable with the
33 decommissioning. Scott State responded that the requirements include a person with Ph.D.
34 working for a firm that specifically does this type of cultural resource evaluation and analysis.
35 Until the project is set to happen, NorthStar is not in a position to finalize a contract, but the
36 process will be open and engaged, with Rich Holschuh and others from the Tribe, and in a way
37 that recognizes the history of the site. Rich Holschuh added that Tribal participation in such
38 projects has not happened before, at least in New England, and that the Tribe has no resources
39 for this. Everything for Tribal participation (so far) has been done voluntarily. Because of this,
40 the Tribe concluded that the best way to start participation was with Cultural Resources
41 through Intervener status. NorthStar has responded positively. Though details have yet to be
42 worked out, the Tribe is asking to be deeply involved in the structuring and monitoring of the
43 agreement.

44

1 Lissa Weinmann asked Scott State about NorthStar’s acquisition by J.F. Lehman & Company last
2 year. Lehman is a private equity firm with assets of about \$3.1 billion that acquired NorthStar
3 last June and recently acquired Waste Control Specialists (WCS). What is the relationship of
4 NorthStar to your owner its assets? Could those come into play if the cost (of
5 decommissioning) is twice that estimated by Entergy? Scott State confirmed that J.F. Lehman &
6 Company is a private equity firm that acquired NorthStar last year and it is the same firm that
7 acquired WCS in January. NorthStar and WCS are maintained as separate investments of
8 J.F. Lehman Company, but from a management perspective, Scott State is the Chief Executive
9 Officer of both firms. There will be a presentation later in this meeting clarifying the
10 anticipated future of WCS. J.F. Lehman was once the Secretary of the Navy and has familiarity
11 with the US nuclear industry, which has proven useful in NorthStar’s interactions with
12 J.F. Lehman & Company so far.

13 *Questions and comments from the Panel begin at 01:00:22 on the meeting recording*

14

15 **QUESTIONS AND COMMENTS FROM THE PUBLIC: On Memorandum of Understanding**

16

17 Guy Page, Vermont Energy Partnership from Berlin, VT: what cultural discoveries might be
18 expected on the site? Rich Holschuh explained that no complete survey was made of the site
19 before the plant was built. There are indications of burials all around the site, which strongly
20 implies there may be something to find on the site. We (Elnu Abenaki) request a baseline
21 survey and that proper protocols be followed for anything found untouched.

22

23 Chris Williams from Hancock, VT: please clarify what the issue is with the bolts within the Spent
24 Fuel Canisters. Corey Daniels of Entergy responded saying that the component of the dry casks
25 described as bolts (in recent local news reports) are not actually bolts but are “threaded
26 components” meant to provide a small space between a spent fuel assembly and the bottom of
27 a multipurpose cannister. In response to finding a broken component in a similar design Holtec
28 canister at another decommissioning power plant site, VT Yankee stopped loading dry casks to
29 inspect all of its canisters for indications of a similar problem. So far, none of the VT Yankee
30 cannisters have been found to have the component issue. Even if a VT Yankee cannister does
31 have the problems seen at the other site, the components in question do not affect the
32 pressure boundary of the cannisters and would not impact the ability of the canisters to safely
33 store spent fuel.

34

35 Anne Darling from Easthampton, MA, formerly from Brattleboro: Would like to discuss Clause
36 #8 in the MOU. It needs to be more specific. There are varying levels of understanding and
37 trust in corporations and regulatory bodies like the NRC. She requests some form of education
38 on the technical aspects and components of the MOU. Public education should not include
39 marketing presentations from corporations that stand to benefit from the decommissioning
40 process. True public engagement means that corporations can’t hide behind just meeting the
41 regulations and standards and expect the public to feel reassured. Many people feel as though
42 the NRC does not have public safety as its number one priority. There is a stigma that the
43 public should not be included much because of lack of expertise, but the public is made of

1 experts on our lives. A truly participatory public engagement process will respect that, as we
2 are the ones who live here and the ones who will benefit or suffer.

3
4 Nancy Braus from Putney, VT has questions about the oversight of the specific aspects of clean
5 up of the site and who's watching that the casks maintain their integrity over the years. Even
6 with federal government oversight, there is a long way to go before the dry casks can safely be
7 moved. Rumors indicate that railroads will be used. However there have been frequent rail
8 accidents recently. What can reassure us that what the NRC is doing is enough? Is there other
9 oversight that does not stand to make money by doing a quicker job? Wants reassurance that
10 oversight is transparent.

11
12 Tina Olsen from Brattleboro, VT, made clear her discomfort with rubblization and would like
13 clarification about the decision of whether or not it is an option. She also expressed concerns
14 about the difficulties of surveying radiation and would like to know who, from an outside
15 source, would be put in charge of this. Scott State addressed Clay Turnbull's remarks on the
16 standards being used related to recycle and reuse of materials and explains that the materials
17 used for rubblization would be those that have been determined to be clean. The purpose
18 would be to reuse materials on site rather than shipping it off and importing foreign materials,
19 thus saving time, energy, waste and pollution. An agreement was signed to do rubblization
20 with materials deemed clean of radioactivity.

21
22 Panelist Bill Irwin noted that the State will continue to have opportunities to review the
23 ongoing work at the VY Site. Panelist Peter Walke also noted that the Agency of Natural
24 Resources will oversee the determination of whether materials left on site are clean of non-
25 radioactive contaminants.

26
27 Peter Van der Does from Brattleboro, VT noted with regards to Rich Holschuh's comments
28 earlier in the meeting: There is an underwater rock wall site with paleographic indigenous
29 markings in the center of Brattleboro. In the 1970s, the State Archeologist identified bones and
30 artifacts of indigenous people in Vernon. Hence, there is good reason to have cultural
31 oversight.

32
33 Leo Schiff from Brattleboro, VT member of the Safe and Green campaign expressed distrust for
34 Entergy or the NRC. He is trying to trust NorthStar but knows they have something to gain from
35 nuclear waste. Leo hopes that the State uses all of it's leverage and that NorthStar can be
36 trustworthy in trying to keep this and future generations safe.

37
38 Lesley Sullivan-Sachs from Brattleboro, VT member of the Safe and Green campaign had a piece
39 published in the Vermont Digger and in the Commons on March 21, 2018 and will leave them
40 on the side table as comments. Lesley reminded us that on March 22, 2012 there was a march
41 protesting VY operating without a permit. Lesley asked for clarification on the difference
42 between the Settlement Agreement and the MOU. Steph Hoffman replied that there is one
43 paragraph difference between the Settlement Agreement and the MOU. This is paragraph 9 in
44 the Settlement Agreement. In the MOU there is a demarcation stating that it is intentionally

1 left blank. This paragraph is the Notice of Anticipated Withdrawal of Leave to Intervene
2 (Hearing Request) in the NRC's VY license transfer action if the Settlement Agreement is
3 approved by the PUC.

4
5 Dan Jeffries from Brattleboro, VT and former VY employee: spoke in favor of using rubbleization
6 for numerous reasons, including reduction of traffic around the site. Dan agrees with the 4-foot
7 depth for the restoration point and a 15mrem background radiation level are good choices for
8 the project. He feels confident in the way this process is going and recommends the
9 acceptance of the Entergy-NorthStar proposal. He would like to see a solar installation on the
10 site. This would be compatible with the plans already set in motion as well as providing some
11 compensation for the former power production at VY. Dan expressed frustration toward those
12 articulating mistrust of the NRC. The People ultimately pay the NRC, so we ultimately have the
13 power over them.

14 *Questions and Comments from the public begin at 01:17:25 on the meeting recording.*

15
16 **PRESENTATION BY WCS: NorthStar Decommissioning Partner Waste Management, Packaging,**
17 **Transportation and Disposal:** Scott State, Chief Executive Officer (CEO) NorthStar Group
18 Services (and WCS), provided an overview. He noted that NorthStar is owned by the J.F.
19 Lehman & Company, who also recently acquired WCS (Waste Control Specialists). This
20 acquisition makes Scott the CEO of WCS as well. Being involved in nuclear decommissioning
21 around the country, it felt important to be full circle stewards of the waste coming from these
22 projects. Being in part of the country that has more clay than concrete, it is an ideal place to
23 put low-level radioactive waste. For the most part, this type of material can only go to one of
24 two facilities, located in Texas and Utah. The Texas site is a resource for both commercial and
25 federal (radioactive) waste. Scott State identified all of the parties involved in deciding where
26 and how to dispose of the waste, as well as the types of waste expected to be present. WCS is
27 licensed until September 2024 with the provision for ten-year renewals thereafter. The plan is
28 to collect waste leaving the facility in Texas or Utah and hold it there until permanent disposal
29 becomes available. We will be moving most, if not all of the radioactive waste generated
30 during the project to the WCS sites, so it is important to monitor all of the steps for the proper
31 disposal of the materials. This was a driving force behind the acquisition of WCS by J.F. Lehman
32 & Company. The presentation slides for this update are available online at
33 <http://publicservice.vermont.gov/electric/ndcap>. *This overview begins at 01:49:32 on the*
34 *meeting recording.*

35
36 **QUESTIONS AND COMMENTS FROM THE PANEL: On Presentation by WCS**

37
38 Martin Langeveld requested clarification of the CIS proposal, is this being done in two stages?
39 The first stage being to acquire a license for this facility and the second being to start shipping
40 radioactive material to these locations or is this all one process happening simultaneously?
41 Scott State responded that it is indeed a consecutive, two-part process. The development of
42 the site and permitting work is all being done with NorthStar funds and at NorthStar's risk. If a
43 permitted (permanent disposal) site were available, there would be an opportunity to discuss
44 with DOE options to make the (WCS) site viable for their use. Next, with NorthStar funding and

1 a certain level of commitment from the DOE, construction of the facility would take place and
2 finally, materials would be transferred there. As Martin Langeveld pointed out, it is unlikely to
3 achieve something like this though a contract of payment from the federal government.
4 NorthStar believes this is the best site in the country available for the job. It's logistically well
5 placed in relation to Yucca Mountain in the case that Yucca Mountain became the permanent
6 disposal site, and having all of the radioactive waste in one location would save money.

7
8 Lissa Weinmann stated that it is not currently legal to store nuclear waste in this proposed
9 fashion due to the 1982 Nuclear Waste Policy Act. Currently there are petitions in Congress to
10 change this in order to allow interim consolidation (of waste). Scott State says that his
11 understanding was that their original contract was one that would require a change in the law
12 but that has been altered in order to avoid this. Lissa indicated she understands there must be
13 one permanent geological facility. This was supposed to be Yucca Mountain. Because the
14 government does not own the mountain, it does not seem like a feasible facility in the near
15 future. To achieve this would require a change in the law and there are several bills to that
16 effect currently in Congress.

17
18 Lissa Weinmann asks Scott State if they (WCS) have looked at any economic impact studies
19 done which might give an indication of what to expect when moving waste to a holding site
20 before relocating it to its permanent geological site at an undetermined future time. Lissa has
21 seen studies indicating it will cost up to twice as much if done this way, as opposed to holding
22 off until the permanent site is prepared. Scott State says that NorthStar has its own internal
23 studies as it relates to fuel within the US, though there are independent studies that may have
24 been conducted by the government. Scott State noted that the proprietary nature of the
25 business being developed prevents discussion of the details at this point in time. NorthStar will
26 spend its own money on the proposal and the DOE will decide from there. Part of the proposal
27 will be to show the economic benefits. Ultimately, if this is illegal or too costly, it will be
28 stopped by DOE. Scott State confirmed that J.F. Lehman & Company, NorthStar, Entergy and
29 the Nuclear Energy Institute remain uninvolved in trying to pass bills that allow for consolidated
30 interim storage.

31
32 Chris Campany stated that it would be helpful to have the two Vermont commissioners on the
33 (Texas Low Level Waste) Compact make a presentation to NDCAP and give us their perspective
34 and what they're recommending.

35 *Questions and comments from the panel begin at 02:04:00 on the meeting recording.*

36
37 **QUESTIONS AND COMMENTS FROM THE PUBLIC: On Presentation by WCS**

38
39 Nancy Braus from Putney, VT expressed concern about exposing the casks to the extreme
40 temperature changes of desert conditions. Scott State assured that all of the casks are
41 developed considering the various environments that they might be in. All of that is taken into
42 account. There is oversight, maintenance and inspection services set in place to ensure cask
43 integrity is maintained.

1 Chris Williams from Hancock, VT attended a grassroots summit on high-level nuclear waste. He
2 spoke with many people who do not like NorthStar’s proposal. They discussed this proposal
3 and a similar (Interim Storage) facility that Holtec has proposed across the border (i.e., in New
4 Mexico). Chris Williams believes that the NorthStar proposal would require a change to the
5 Nuclear Waste Policy Act of 1982. Currently there is an amendment proposed with a bill in the
6 US House of HR3053 sponsored by Representative Shimkus from Illinois. If that bill does not
7 pass, NorthStar will be unable to legally ship high-level nuclear waste. If so, Chris warns of
8 strong resistance.

9
10 John Tuthill from Acworth, NH asks about the aerial photo of the (WCS) Byproduct Facility. In it,
11 it looked as though there was a smoke stack. Please clarify what is going on. Also, are
12 contracts already in place with the DOE and DOD for materials moving to the Texas site and the
13 federal part of that facility? Scott State replied that the Byproduct Facility is largely unused
14 right now. It was designed for things like Uranium Mill Tailings and byproduct materials. When
15 in use, waste is regularly shipped there by various DOE or DOD customers such as the
16 decommissioning of various nuclear propulsion Navy vessels or several facilities that DOE has
17 around the US.

18
19 Tom Webler of Keene State College asked if there is a set price for class A, B and C waste and if
20 this price is the same for all decommissioning waste. Since NorthStar would be sending waste
21 to Waste Control Specialists and Scott State runs both companies, how would the price for the
22 low-level waste be calculated? Scott State replied that the pricing for the low-level waste in the
23 (Vermont-Texas Low Level Radioactive Waste) Compact is fixed. The published rate is managed
24 by the Compact Commission. There are fixed prices for all Compact waste-generators. It is a
25 requirement that any out of Compact generators pay a higher price than the highest price any
26 in-Compact generator pays.

27
28 Lissa Weinmann asked Scott State to commit to providing a detailed explanation of how the
29 proposal would work without an amendment to the law. Scott State says he would be happy
30 to do that at the appropriate time. At this point, the plan is to restart the licensing process with
31 the NRC for this facility. This process is tied with the facility itself and its usage for interim
32 storage. The transportation of the nuclear waste is not currently part of the licensing process
33 with the NRC and is better discussed at a later date.

34 *Questions and comments from the public begin at 02:12:37 on the meeting recording.*

35
36 **Discussion of NDCAP Annual Report to Vermont Legislature:** David Andrews, International
37 Brotherhood of Electric Workers (IBEW), provided an overview of the report, explaining that it
38 has been pared down significantly since last year for the convenience of those meant to read it
39 (i.e., members of the Legislature). In lieu of a longer written version, as was done last year, an
40 in-person meeting will happen again this year. This year’s report has been reduced from
41 twenty pages to four pages. The report will be made available at
42 <http://publicservice.vermont.gov/electric/ndcap>. *The discussion of the Annual Report begins at*
43 *02:24:13 on the meeting recording.*

44

1 **Public Comment:**

2 Kate O'Connor acknowledged that the congressional staff representatives from Senator Leahy,
3 Senator Sanders and Congressman Welch's offices were present and following the proceedings.
4

5 Haley Pero from Senator Sanders' office reported that Senator Sanders reintroduced the
6 Nuclear Plant Decommissioning Act in February and companion legislation was introduced in
7 the US House by Congressman Welch. The initial version of the bill (circa 2012 or 2013), called
8 for a meaningful role for states in (reactor) decommissioning. The revised bill would extend
9 that public input to (reactor) license transfers. Haley has "one-pagers" (info sheets) about the
10 bill with contact information available at the Sign-In Table. These can be found online at
11 <http://publicservice.vermont.gov/electric/ndcap>.
12

13 Lissa Weinmann asks Haley Pero to provide insight from the Senator's office on the legality of
14 moving (spent nuclear fuel) dry casks to another site. Haley Pero agreed to check in with her
15 policy colleagues and report back to the Panel Chair.

16 *Public comments begin at 02:27:25 on the meeting recording.*
17

18 **Updates/Wrap Up/Other Business:**

19 Kate O'Connor noted that the discussion of the NDCAP Annual Report will continue at the next
20 meeting so that people have a chance to read and review it.

21 The next meeting will likely take place on April 26th, however it is possible that the Panel will
22 wait until its May meeting date (May 24th). *Updates and wrap up begin at 2:29:27 on the*
23 *meeting recording.*
24

25 Next meeting: April 26, 2018 *(later postponed to May 24, 2018).*
26

27 **MEETING ADJOURNED AT 8:48 pm**