

NUCLEAR DECOMMISSIONING CITIZENS ADVISORY PANEL (“NDCAP”)

Wednesday, July 17, 2019

**Plymouth Community Intermediate School (“PCIS”), Little Theatre, 117 Long Pond Road,
Plymouth, MA
Meeting Minutes**

Meeting called to order at 6:30 p.m. by NDCAP Chair Sean Mullin.

NDCAP MEMBERS PRESENT:

- Pat Ciaramella, Representative of Old Colony Planning Council
- H. Joseph Coughlin, Member from Plymouth Nuclear Matters Committee
- Pine duBois, Speaker of the House Appointee
- John Giarusso, Massachusetts Emergency Management Agency
- David Johnston¹, Department of Environmental Protection
- Robert Jones², Executive Office of Health and Human Services
- Joseph Lynch, Representative of Pilgrim Nuclear Power Station
- John T. Mahoney, Representative of the Town of Plymouth
- Sean Mullin, Minority Leader of the Senate Appointee (Chair)
- Amy Naples, President of the Senate Appointee
- Kevin O’Reilly, Speaker of the House Appointee (Vice-Chair)
- Jack Priest, Department of Public Health, Radiological Control Program
- Richard Rothstein, Representative of the Town of Plymouth
- Paul D. Smith³, Representative of UWUA Local 369
- Brian Sullivan, Representative of Pilgrim Nuclear Power Station
- Senator Dan Wolf, President of the Senate Appointee

NDCAP MEMBERS NOT PRESENT:

- John Chapman, Executive Office of Housing and Economic Development
- John G. Flores, Appointee of Governor Baker
- Richard Grassie, Minority Leader of the House Appointee
- Robert Hayden⁴, Department of Public Utilities
- David C. Nichols, Governor Baker Appointee

REVIEW OF JUNE MEETING MINUTES AND INTRODUCTORY REMARKS:

Chair Mullin asked whether any Panel members had any proposed revisions to the June 19 meeting minutes. Mr. Rothstein and Mr. Coughlin suggested edits with which the Panel agreed. Chair Mullin called for a motion to accept the June 19 meeting minutes with those corrections, which passed by unanimous vote of the members present.

Chair Mullin noted that Holtec has stated that it is hoping that the NRC will approve the license transfer in August. He explained that he followed up with the NRC asking it to confirm or deny that the transfer would be complete in August. He explained that the NRC could not confirm or deny this.

¹ Designee of Secretary Theoharides (EEA)

² Designee of Secretary Sudders (Executive Office of Health and Human Services)

³ Designee of Richard Sherman (Representative of UWUA Local 369)

⁴ Designee of Matthew Nelson (DPU)

1 **UPDATE ON INTERAGENCY WORKING GROUP (“IWG”) AND ATTORNEY GENERAL (“AG”) MOU:**

2 Mr. Johnston stated that the IWG and the AG are awaiting the NRC’s decision on MA’s petition to
3 intervene in the license transfer proceeding. He also explained that Pilgrim Watch has filed a motion to
4 add a new contention asking the NRC to determine if Holtec, SNC Lavalin, HDI, and CDI are trustworthy
5 and possess the character for participating in or controlling decommissioning at Pilgrim. He stated that
6 he asked the AG and EEA whether the NDCAP could receive a confidential briefing on the litigation
7 materials, but was told by both agencies that the NDCAP is not a quasi-governmental agency eligible to
8 receive such protected litigation information.

9
10 With regard to the question of whether the IWG could or would comment on pending legislation, Mr.
11 Johnston noted that the IWG does not intend to do so because EEA does not see that as the IWG’s role.
12 With regard to an inquiry into dry cask storage concerns, Mr. Johnston noted that the IWG conducted an
13 evaluation and that he has a written overview that Chair Mullin may make available.

14
15 Chair Mullin noted that he spoke to the AG and EEA. When he asked them what they are working on,
16 they responded that they are focused on the NRC proceedings. When he asked if there had been recent
17 meetings with Holtec to discuss the MOU, they responded there had been no recent meetings. When
18 he asked about the status of the draft MOU, they responded that they could not comment on its status.
19 When he asked if there had been recent conversations with Holtec, they responded there had not been
20 recent conversations. Chair Mullin stated that he suggested to EEA that that it provide funding to the
21 NDCAP to retain counsel to provide a written opinion on its status as a state agency eligible to receive
22 confidential litigation information.

23
24 Mr. Rothstein asked whether certain NDCAP members with potential conflicts of interest could recuse
25 themselves from a potential confidential briefing. Chair Mullin responded that both parties would like
26 to find a resolution to this issue, but that a resolution is not likely to occur until after the September
27 Panel meeting, after which the license transfer may be complete. Ms. duBois suggested that convening
28 a separate working group without state agency or Entergy representatives to pursue this matter may be
29 appropriate.

30
31 Senator Wolf noted that, if the NDCAP is not a government agency, then it may not be bound by the
32 same ethical concerns a government agency would be bound by, and suggested looking into the matter
33 further. Chair Mullin stated that he asked whether the AG could provide a written opinion on the
34 NDCAP’s status, and noted that he could make an inquiry with regard to the applicability of ethics laws
35 to the NDCAP.

36
37 **PLYMOUTH BOARD OF SELECTMEN – TOWN OF PLYMOUTH PRIORITIES:**

38 Chair Mullin introduced the following Board of Selectmen: Chairman Kenneth Tavares, Shelagh Joyce,
39 Betty Cavacco, Patrick Flaherty, and NDCAP member John Mahoney, along with Plymouth town
40 manager Melissa Arighi. Mr. Tavares read a prepared statement stating Plymouth’s priorities with
41 regard to the decommissioning. He stated that while corporate decisions are driven by financial
42 concerns, the Board’s decisions are driven by the best interests of Plymouth residents. He noted that all
43 decision makers, including the Board, should be involved in decisions regarding Pilgrim, and that the
44 Board should not be consulted only after decisions have already been made. The Board is anxious to
45 partner with state and federal officials.

46
47 He explained that, in 2018, the Board unanimously approved a set of priorities that were presented to
48 Holtec. Next he read the Board’s list of 16 priorities from July 17, 2019:

- 1 1. That Holtec will commit to installing visual screening at the ISFSI pad location on Rocky Hill
2 Road;
- 3
- 4 2. A written agreement with Holtec to commit to a 10 millirem standard;
- 5
- 6 3. Transfer of title and ownership of the Chiltonville training facility and 1,600 acres to the town
7 within 30 days of NRC's approval of the license transfer at no cost to the town; immediately
8 transfer the 1,600 acres that the town needs for water purposes; gift the town a permanent
9 easement for boat ramp access at the site;
- 10
- 11 4. Annual payments by Holtec to Plymouth until 180 days after the last assembly is moved and
12 secured in dry cask; thereafter ongoing payments will be made by Holtec to Plymouth in lieu of
13 taxes at a mutually agreed upon reduced rate until all containers are moved to a remote
14 repository;
- 15
- 16 5. Annual payments of \$2.6 million by Holtec to support and maintain current levels of emergency
17 planning until 180 days after the last assembly is moved and secured; thereafter ongoing
18 payments will be made by Holtec at a mutually agreed upon reduced rate until all containers are
19 moved to a remote repository;
- 20
- 21 6. Annual payments of \$300,000 by Holtec to support and maintain current levels of community
22 and charitable donations until 180 days after the last assembly is moved and secured; thereafter
23 ongoing payments will be made by Holtec at a mutually agreed upon reduced rate until all
24 containers are moved to a remote repository;
- 25
- 26 7. Written assurance and financial guarantees from the new Holtec LLC that the parent
27 corporation and its successors will assume all responsibility and liability for Pilgrim's
28 decommissioning costs if there are insufficient funds in the decommissioning trust fund to
29 successfully complete the decommissioning;
- 30
- 31 8. Written assurance and financial guarantees from the new Holtec LLC that it will address,
32 remove, and remediate previously unknown radiological, non-radiological, and environmental
33 conditions that are discovered during decommissioning;
- 34
- 35 9. Written assurance and financial guarantees from the new Holtec LLC to provide sufficient annual
36 funding to the MA Department of Public Health to pay for offsite radiological monitoring and
37 testing until all spent fuel is removed from the site;
- 38
- 39 10. Written assurance and financial guarantees from the new Holtec LLC to provide sufficient
40 security to protect spent fuel stored in dry cask storage at a level mutually agreed upon by all
41 appropriate agencies until all spent fuel is removed from the site;
- 42
- 43 11. Written assurance from the new Holtec LLC that it will provide detailed financial reports to
44 appropriate state agencies and NDCAP on an annual basis starting six months after approval of
45 the transfer by the NRC, which will provide a comprehensive and accurate status of the
46 decommissioning process;
- 47

1 12. Written assurance and financial guarantees from the new Holtec LLC that it will retain
2 responsibility and liability to repair or replace any dry casks that crack or leak the future,
3 including, but not limited to, any costs associated with any damages resulting from a failure or
4 defect with the casks;

5
6 13. Written assurance and financial guarantees from the new Holtec LLC that it has based its
7 decommissioning plans and cost estimates on the assumption that spent fuel will be stored on
8 site indefinitely;

9
10 14. Written assurance and financial guarantees from the new Holtec LLC that it agrees to remediate
11 and remove any structural materials or soils containing detectable tritium regardless of whether
12 the levels detected are below NRC requirements for license termination;

13
14 15. Written assurance from the new Holtec LLC that upon completion of decommissioning, the
15 existing Pilgrim site will be restored, released, and transferred to the Town of Plymouth for
16 unrestricted use; and

17
18 16. Written assurance from the new Holtec LLC that if Holtec is unable to provide employment to
19 displaced Entergy employees that Holtec commits to provide immediate workplace job training,
20 outplacement services, and educational opportunities at no cost to the affected employee.

21
22 Mr. Tavares stated that the Board is looking to negotiate now and is available to do so. He stated that
23 the Board would like to meet with decision makers to present these priorities and have dialogue on how
24 to accomplish these goals. He noted that much is at risk and needs to be addressed immediately.

25
26 Mr. Smith noted that the NDCAP has discussed variations of these priorities, and suggested that the
27 town meet with the owner to reach consensus. Mr. Tavares responded that the Board is reaching out to
28 all agencies that can be of assistance. He stated that, at this meeting, the Board is taking the
29 opportunity to make its list of priorities officially known.

30
31 Mr. Rothstein noted that there are liability risks associated with priority #3 because of the possibility of
32 future discoveries of legacy radiological waste on the 1,600 acres.

33
34 Mr. Coughlin noted that this updated list of priorities should be included in the NDCAP annual report
35 rather than the older version currently in the draft. He also suggested that the Board include additional
36 language emphasizing the importance of these priorities to the town.

37
38 Chair Mullin asked Mr. Tavares when the Board is prepared to speak with Holtec and asked Holtec when
39 it will be prepared to speak with the town. Mr. Tavares responded that the town would be prepared as
40 soon as the next day. Joe Delmar, Senior Director for Government Affairs and Communications at
41 Holtec responded that Holtec would speak to Mr. Tavares separately.

42
43 Senator Wolf asked what leverage the town has in negotiations with Holtec. Mr. Tavares responded
44 that the town has worked with Boston Edison and Entergy and it needs to maintain that open dialogue
45 with Holtec. Because decommissioning represents the final stage and its outcome will be lasting for
46 generations, it is especially critical that the town be involved in the process.

1 Mr. Coughlin noted that Holtec is seeking to acquire other decommissioning nuclear plants and that
2 Pilgrim is its first. Therefore, he explained that Holtec’s ongoing reputation will be affected by its
3 willingness and its cooperativeness in its negotiations with Plymouth and Massachusetts. Mr. Tavares
4 agreed with this assessment.

5
6 Mr. Rothstein noted that it may be appropriate for the three town-appointed members of the Panel to
7 participate in the Board’s meetings with Holtec.

8
9 Ms. duBois suggested that the Board’s negotiations with Holtec will also impact the communities
10 neighboring Plymouth, with which Mr. Tavares concurred.

11
12 Chair Mullin asked whether the list of priorities has been formally sent to Holtec, to which Mr. Tavares
13 responded that the Board is formally presenting the list to Holtec this evening.

14
15 **MEMBERS OF STATE DELEGATION – LEGISLATIVE ACTIVITY:**

16 Chair Mullin introduced Senator Vinny deMacedo and Representative Matt Muratore.

17
18 Senator deMacedo noted that this is a new issue because Pilgrim is the first merchant nuclear site to
19 decommission in Massachusetts, as opposed to Yankee Rowe, which decommissioned under different
20 circumstances. He noted that his use of the term “decommissioning” refers to the removal of all spent
21 fuel rods from the pool into dry cask storage and the removal off structures other than the dry cask
22 storage pad. He noted that performing this decommissioning without exceeding the decommissioning
23 trust fund (“DTF”) is a challenge, and that legislation has been introduced to address this.

24
25 He stated that he would speak about two specific pieces of legislation. First, he explained that Senator
26 Julian Cyr filed an Amendment 1070 in the budget that requires operators of nuclear plants storing
27 spent fuel not yet in dry cask storage to continue to fund the DPH and MEMA regulatory programs for
28 radiation monitoring and response readiness. Without this legislation, Senator deMacedo explained
29 that the Commonwealth would have to fund these expenses. The budget remains under negotiation at
30 this time.

31
32 Secondly, Senator deMacedo explained that he and Rep. Muratore filed Senate Bill 1949 – An Act to
33 Protect the Taxpayers of the Commonwealth. The purpose of this bill is to ensure that any transfer of
34 the ownership of Pilgrim during decommissioning does not relieve the owner of responsibilities or
35 liabilities to the Commonwealth or to host communities. He stated that this bill is currently in the Joint
36 Committee on Telecommunications, Utilities, and Energy (“TUE”) and the hearing has not yet been
37 scheduled. He explained that they filed the legislation in the event that the DTF is insufficient to
38 complete decommissioning. This bill provides assurances that the liability for decommissioning will
39 follow the licensee, not the taxpayers.

40
41 Rep. Muratore stated that he is optimistic that Holtec will work cooperatively with Plymouth and with
42 the state. He stated that he and Senator deMacedo represent a bipartisan delegation of legislators from
43 southeastern Massachusetts, and that they are united on all ten of the pieces of currently pending
44 nuclear legislation. With regard to these ten pieces of legislation, Rep. Muratore stated that they are
45 either in TUE or the Joint Committee on Public Health. He stated that the Southeastern MA delegation
46 has requested to these committees that hearings on these bills begin shortly.

1 Mr. Smith noted that Yankee Rowe was successfully decommissioned without this legislation. Senator
2 deMacedo reiterated that the goal of the litigation is to ensure that Massachusetts will not be
3 responsible for paying any excess decommissioning costs if the cost of decommissioning exceeds what is
4 available in the DTF, and ensuring that the licensee would be responsible. Rep. Muratore agreed, and
5 noted that the state doing due diligence is important.

6
7 Mr. Coughlin asked whether the legislators, in their meetings with Holtec and Entergy, have found that
8 the companies share the concerns of the Commonwealth, NDCAP, the Southeast Mass delegation, and
9 Plymouth regarding decommissioning. Senator deMacedo responded that the Commonwealth is
10 negotiating with Holtec and that he would like to see the companies put in writing that the liability for
11 decommissioning costs is with the companies. Rep. Muratore noted that there have been established
12 procedures for interactions with Entergy, but that Holtec is new and, therefore, relatively unknown.

13
14 Vice-Chair O'Reilly requested that, with regard to the pending legislation, the legislators could inform
15 the Panel of any hearing dates when they are determined.

16
17 Senator Wolf noted that the NRC process provides less oversight of a decommissioning plant after it has
18 ceased operations, as Pilgrim has, and suggested that the Commonwealth should take over that
19 oversight role. Therefore, he suggested legislation that could provide the Commonwealth with a
20 watchdog role in decommissioning. Senator deMacedo noted that his legislation is not a result of a lack
21 of trust, but rather because it is in his constituents' best interests.

22
23 Mr. Rothstein noted that one of the proposed bills includes a \$25 million fund from a licensee going to
24 an escrow account to be used if the Pilgrim licensee runs out of funds before completing
25 decommissioning. He explained that the bill defines decommissioning as including removal of spent
26 nuclear fuel, and stated that the removal of spent fuel from a site is outside a licensee's control.
27 Senator deMacedo noted that any potential problems with wording can be addressed in the committee
28 process, but explained that removal of spent fuel is a priority for members of the legislature.

29
30 Mr. Lynch explained that the NRC adjusts oversight to a level commensurate with risk, and noted that
31 the NRC requires less oversight for a non-operational plant like Pilgrim than for an operational plant, but
32 that NRC oversight remains appropriate and stated that the state also provides oversight. With regard
33 to a licensee's ability to pay for decommissioning, he explained that financial assurance is a requirement
34 in the NRC's license transfer review process. Senator deMacedo noted that he has requested a cite to a
35 statutory provision ensuring that a licensee must pay for all decommissioning costs, but that the NRC
36 has not provided one yet, and that this lack of a statutory provision is a concern that should be
37 addressed.

38
39 Chair Mullin noted that the sponsors of the pending legislation represent all regions of the
40 Commonwealth and noted that this represents leverage against the licensees. Rep. Muratore agreed,
41 stating that these legislators share two primary concerns: (1) public safety; and (2) that the
42 Commonwealth will not be responsible for paying for decommissioning.

43
44 **MEMBERS OF FEDERAL DELEGATION – FEDERAL ACTIVITY:**

45 Chair Mullin introduced Jim Cantwell from Senator Markey's office, Jessica Wong from Senator Warren's
46 office, and Mike Jackman from Congressman Keating's office. Mr. Cantwell began by expressing his
47 concerns that he would like to see addressed in a MOU between the state and Holtec. The first concern
48 is whether Holtec has enough funds to complete decommissioning without using any funds from

1 taxpayers. He stated that the licensee should support radiological monitoring and testing and that the
2 legal responsibility for decommissioning costs should come from Holtec. In addition, he stated that it is
3 unclear whether Holtec has the expertise to successfully decommission a plant and to safely store spent
4 fuel until it is moved offsite.

5
6 Next, Mr. Cantwell stated that there are three pieces of legislation he would discuss, beginning with the
7 Stranded Act. This would create a stranded nuclear waste taskforce that would across all federal
8 agencies to identify existing public and private resources and funding that could benefit affected
9 communities. In addition, the taskforce would work with communities like Plymouth to help with
10 economic adjustments long-term to make sure the community is well-prepared to address the social
11 and economic challenges ahead. The Act includes economic impact grants, and he estimates that as
12 much as \$9 million could come to Plymouth alone under the legislation. He noted that Chair Mullin's
13 advice helped to inform this legislation. He stated that the economic income grants would equal \$15 for
14 each kilogram of spent fuel stored in the affected community.

15
16 The Dry Cask Storage Act ensures that every nuclear operator complies with an NRC approved plan for
17 the safe removal of spent fuel from pools and into dry cask storage within seven years.

18
19 The Safe and Secure Decommissioning Act would prevent the NRC from issuing waivers or granting
20 exceptions from complying with the safety and emergency preparedness regulations of the Atomic
21 Energy Act of 1954.

22
23 Ms. Wong read a prepared statement on behalf of Senator Warren. Senator Warren remains concerned
24 about Pilgrim during decommissioning. She noted that Pilgrim carried the NRC's worst safety rating. As
25 decommissioning progresses, Senator Warren will fight for safety, transparency, and accountability on
26 behalf of her constituents.

27
28 Mr. Jackman explained that the Nuclear Energy Modernization and Innovation Act, signed into law in
29 January 2019, requires the NRC to report to Congress about the role of community advisory boards like
30 the NDCAP in nuclear decommissioning. The legislation called for a minimum of 10 meetings around the
31 nation, and one will be held in Plymouth, although it has not yet been scheduled. Chair Mullin noted
32 that it may be on September 10. In addition, Mr. Jackman mentioned the Nuclear Waste Policy
33 Amendments Act of 2019, which seeks to resolve the Yucca Mountain issue by including the state of
34 Nevada and stakeholders in that decision and to reform the financing mechanism to protect ratepayers
35 and ensure the Department of Energy has adequate funding to construct a multigenerational
36 infrastructure project.

37
38 Mr. Ciaramella noted that, in 2015, the Old Colony Planning Council and UMass did a study on the
39 economic impacts on Pilgrim's closure that determined the impacts to equal roughly \$500 million, and
40 that the legislation therefore seems appropriate.

41
42 Mr. Mahoney asked for clarification on funding for communities within the emergency planning zone.
43 Mr. Cantwell responded that the Stranded Act includes economic impact grants that provide funding to
44 every community that hosts nuclear waste. He estimates that Plymouth would receive \$9 million in
45 grants every year.

46
47 Mr. Smith noted that Yucca Mountain is located next to a testing ground for nuclear weapons and is
48 therefore suitable for nuclear waste storage.

1
2 Vice-Chair O'Reilly asked the guests to provide the text of the legislation to the Panel. Mr. Cantwell
3 responded that he would do so and nine points of concern that the legislators would like to share with
4 Holtec.

5
6 Chair Mullin noted that there is a \$35 million trust fund at DOE because Yucca has not been completed.
7 He also noted that there are roughly 60 sites nationally hosting nuclear waste, and it is a neutral funding
8 issue for the federal government. He explained that there is a broad base of support for resolving the
9 waste disposal issue

10
11 **UPDATE FROM ENTERGY:**

12 Mr. Lynch reported that June 20 was employee separation day at Pilgrim, and that 262 employees were
13 separated from Pilgrim. 60 did accept new positions at Entergy. The MA Department of Labor and US
14 Department of Labor have provided opportunities for training and compensation, and 220 employees
15 have taken advantage of those programs.

16
17 On June 21, Entergy received an NRC decision allowing Pilgrim to back away from certain Fukushima
18 orders that are no longer applicable because Pilgrim is shut down and decommissioning. Also, now that
19 Pilgrim is shut down, licensed operator statuses have changed and they are now licensed as certified
20 fuel handlers. The NRC provided approval of that change on June 26.

21
22 Mr. Lynch stated that construction has begun on the second ISFSI pad and he will provide updates on
23 the progress with photos. The decommissioning trust fund status has not changed since the last NDCAP
24 meeting.

25
26 **DISCUSS ANNUAL REPORT:**

27 Chair Mullin asked whether any Panel member would make a motion to accept the report. Senator
28 Wolf made the motion to accept the report and it was seconded. Chair Mullin asked whether any Panel
29 members would like to discuss the motion. Mr. Smith noted that the Board of Selectmen's list of
30 requests has changed from the version in the draft. Chair Mullin responded that it was current as of the
31 end of June, and that it might be sensible to leave it as is. Mr. Smith agreed.

32
33 Mr. Rothstein asked whether any editorial comments would be accepted prior to voting on the draft.
34 Chair Mullin responded that he was anticipating a vote on the document as it currently stands. If there
35 are not enough votes to pass, volunteers may be needed to make edits for the September meeting.

36
37 Mr. Coughlin stated that there is not enough in the draft adequately representing public input and that
38 the report should reference materials that have been received from members of the public. He
39 suggested an amendment that the report be changed to include: (1) submittals from members of the
40 public either as an appendix to the report or via a link; and (2) a reference that comments from
41 members of the public at Panel meetings are available in the meeting minutes. Vice-Chair O'Reilly also
42 suggested adding the updated list of requests from the Board of Selectmen.

43
44 Mr. Lynch had two suggestions. First, he noted that recommendation #3 on page 16 is entitled "Enact
45 State Legislation," but explained that he did not believe that to be a position endorsed by the entire
46 Panel. Second, he noted that page 18 includes a discussion of Workforce Training Needs that makes
47 recommendations that the IWG work with certain entities to provide training, but explained that the
48 work Entergy has done for its employees has surpassed this, and that it is therefore unnecessary to

1 include. Lastly, he pointed out that the report mischaracterized the Attorney General as having “serious
2 concerns” about the health and safety of Pilgrim. He stated that the Attorney General’s filing does not
3 indicate that it has “serious concerns” about Pilgrim’s health and safety and that this therefore should
4 be changed. He stated that he could not support the draft without these changes. Vice-Chair O’Reilly
5 stated that he would not object to removing the workforce training discussion. Chair Mullin asked
6 whether any Panel members objected to Mr. Lynch’s edits, to which no Panel members responded.
7

8 Chair Mullin called for a motion to vote to approve the report including the discussed amendments. It
9 was made and seconded. The voting proceeded as follows:

- 10
- 11 • John Giarusso: abstain
 - 12 • Amy Naples: yes
 - 13 • Pat Ciaramella: yes
 - 14 • Joseph Coughlin: yes
 - 15 • Robert Jones: abstain
 - 16 • Pine duBois: yes
 - 17 • David Johnston: abstain
 - 18 • Vice-Chair Kevin O’Reilly: yes
 - 19 • Chair Sean Mullin: yes
 - 20 • Joseph Lynch: yes
 - 21 • John Mahoney: yes
 - 22 • Brian Sullivan: yes
 - 23 • Jack Priest: abstain
 - 24 • Richard Rothstein: yes
 - 25 • Paul Smith: yes
 - 26 • Senator Dan Wolf: yes
- 27

28 With 12 yes votes, Chair Mullin stated that the motion passed. He explained that he would provide a
29 revised draft for discussion at the September Panel meeting, but noted that with today’s vote the report
30 has been approved.

31

32 **OLD BUSINESS:**

33 Chair Mullin stated that Mr. Coughlin had one item for discussion. Mr. Coughlin noted that, at the May
34 Panel meeting, Senator Wolf requested from Holtec a flow chart showing Holtec’s corporate structure
35 vis-à-vis its various subsidiaries, and also an explanation of where profits end up. At the time, Holtec
36 requested that the Panel put its requests in writing. Mr. Coughlin noted that this has not yet happened
37 but that it is a worthwhile request. Mr. Coughlin also noted that, at the same meeting, Senator Wolf
38 suggested to Mr. Johnston that the IWG examine whether Holtec’s corporate structure serves the
39 people of the Commonwealth both financially and from a safety and expedience perspective. Mr.
40 Coughlin suggested revisiting this question. Chair Mullin asked Mr. Coughlin to draft the question and
41 stated that he could forward them to Holtec.

42

43 **NEW BUSINESS:**

44 Chair Mullin asked whether any Panel members had any new business items to discuss. None did.
45
46
47

1 **PUBLIC QUESTION AND ANSWER:**

2 Chair Mullin asked Pilgrim Watch representatives Jim and Mary Lampert to describe a new NRC filing
3 they had made on the Pilgrim license transfer proceeding. Ms. Lampert explained that they had filed a
4 new contention in the proceeding. The contention originated with activity at Oyster Creek, a
5 decommissioning nuclear plant in New Jersey whose license transfer to Holtec was recently approved by
6 the NRC. She explained that, at Oyster Creek, reports of malfeasance were brought forward with regard
7 to Holtec and SNC Lavalin, but that the NRC did not address a licensee's character issues and instead
8 focused on its financial and technical capabilities. She explained that the purpose of the contention is to
9 argue that the NRC should examine these character issues before approving the Pilgrim license transfer.
10 Mr. Lampert explained that the NRC has an obligation to look into the character and trustworthiness
11 when conducting a license transfer proceeding. He explained that there are numerous press reports
12 that describe serious issues with Holtec and SNC, and that the NRC should look into these reports.

13
14 Mr. Lampert asked Mr. Johnston about settlement discussions between the Commonwealth and Holtec,
15 and asked whether a written draft of that settlement has been provided to Holtec. Mr. Johnston
16 responded that the IWG is unable to confirm whether any written document has been provided. Mr.
17 Lampert asked who in the state government would ultimately decide to approve a settlement. Mr.
18 Johnston responded that it would have to be acceptable to the Attorney General, EEA, and the
19 Governor. With regard to the Board of Selectmen's list of requests, Mr. Lampert noted that Plymouth's
20 priorities are very similar to other surrounding towns, and noted that even if the Commonwealth settles
21 with Holtec, Pilgrim Watch may continue to litigate until its own list of priorities is satisfied.

22
23 Ms. Lampert noted that both legislators and Plymouth included as a priority payments until the spent
24 fuel pool is empty. She explained that this implies that risk ends when the pool is empty, but noted that
25 this is incorrect because risk remains until the fuel is offsite. Therefore, the payments should continue
26 at a level commensurate with risk until the fuel is offsite.

27
28 Diane Turco explained that Yucca Mountain may not be an ideal site for spent fuel storage because of
29 geological conditions. She also explained that Holtec's proposal to open a waste storage site in New
30 Mexico is unrealistic because of opposition to siting it there. She also explained that reducing the
31 cooling time for waste in the spent fuel pool before it is moved into dry cask storage may not be safe.
32 She also explained that she had been at Pilgrim with reporters viewing the dry casks and that no security
33 investigated, showing that Pilgrim's security is inadequate. Lastly, she noted that public safety has to
34 come ahead of corporations' fiduciary responsibility to their shareholders.

35
36 **WRAP UP AND ADJOURN**

37 Chair Mullin called for a motion to adjourn. It was so moved and seconded.

38
39 ***Meeting adjourned at approximately 8:40 p.m.***