

1                   **NUCLEAR DECOMMISSIONING CITIZENS ADVISORY PANEL (“NDCAP”)**  
2                                   **Monday, January 31, 2022**  
3                                   **Virtual Meeting**  
4                                   **Meeting Minutes**  
5

6 The meeting was called to order at about 6:30 pm by NDCAP Chair John Mahoney.  
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8 **NDCAP MEMBERS PRESENT**  
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- 10       • John T. Mahoney, Representative of the Town of Plymouth (Chair) (virtual)
- 11       • Pine duBois, Speaker of the House Appointee (Vice Chair) (virtual)
- 12       • Pat O’Brien, Representative of Pilgrim Nuclear Power Station (virtual)
- 13       • John Moylan, Pilgrim Nuclear Power Station Site Vice President (virtual)
- 14       • David C. Nichols, Governor Baker Appointee (virtual)
- 15       • Mary Lampert, Senate President Appointee (virtual)
- 16       • Seth Pickering<sup>1</sup>, Department of Environmental Protection (virtual)
- 17       • John Viveiros,<sup>2</sup> Massachusetts Emergency Management Agency (virtual)
- 18       • Susan Whitaker, Executive Office of Housing and Economic Development (virtual)
- 19       • Jack Priest, Department of Public Health, Radiation Control Program (virtual)
- 20       • Robert Jones<sup>3</sup>, Executive Office of Health and Human Services (virtual)
- 21       • Robert Hayden<sup>4</sup>, Department of Public Utilities (virtual)
- 22       • Henrietta Cosentino, Plymouth Select Board Appointee (virtual)
- 23       • Mary Waldron, Old Colony Planning Council (virtual)

24  
25 **NDCAP MEMBERS NOT PRESENT**

- 26       • John G. Flores, Governor Baker Appointee, (Resigned 10/1/21)
- 27       • Amy Naples, Senate President Appointee
- 28       • Kevin O’Reilly, Speaker of the House Appointee, (Resigned 09/20/21)
- 29       • Rich Grassie, Minority Leader of the House, (Resigned 12/31.21)
- 30       • Richard Quintal, Representative of the Town of Plymouth
- 31       • Paul D. Smith<sup>5</sup>, Representative of UWUA Local 369
- 32       • (Vacant), Minority Leader of the Senate Appointee

33  
34 **GUESTS IN ATTENDANCE**

- 35       • Ben Thomas, Regional Director for 9<sup>th</sup> Congressional District for U.S. Senator Ed Markey
- 36       • Mike Jackman, U.S. Representative Ed Keating’s Office
- 37       • State Senator Su Moran
- 38       • State Representative Matt Muratore (1<sup>st</sup> Plymouth district)
- 39       • State Representative Kathy LaNatra (12<sup>th</sup> Plymouth district)
- 40       • Richard Rothstein, former NDCAP member
- 41       • Gerard Martin, DEP

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<sup>1</sup> Designee of Secretary Theoharides (EEA)

<sup>2</sup> Designee of Dawn Brantley (MEMA)

<sup>3</sup> Designee of Secretary Sudders (Executive Office of Health and Human Services)

<sup>4</sup> Designee of Matthew Nelson (DPU)

<sup>5</sup> Designee of Richard Sherman (Representative of UWUA Local 369)

- 1 • Neil Sheehan, NRC
- 2 • Harold Anagnostopoulos, NRC
- 3 • John Drobinski, ERM
- 4 • Matt Daly, ERM
- 5 • Sean Mullin, previous Chair NDCAP
- 6 • 109 public attendees

7

8 **REVIEW OF MINUTES**

9

10 The draft minutes from the November 22, 2021 meeting were reviewed.

11

12 The following corrections were made:

- 13
- 14 • Ms. Cosentino asked to confirm that tritium and radionuclides are regulated by the NRC and
- 15 EPA. Previously, Mr. Priest mentioned that radionuclides are regulated by the NRC and EPA.
- 16 • Ms. Cosentino requested that a reference to “a member of the public named Diane” be replaced
- 17 by Diane Turco, with regards to a question that was raised in the prior meeting about fraud
- 18 charges.
- 19 • The attendees from the prior meeting included John Drobinski from ERM; Mike Jackman from
- 20 Congressman Keating’s Office; Dave Noyes from Holtec; Ben Thomas from Senator Markey’s
- 21 Office; Richard Rothstein, former NDCAP member; and 17 members of the public and press who
- 22 attended virtually.
- 23 • Mr. Nichols stated that he was not present during the last meeting despite being list as such.

24

25 Motion was made to approve the minutes as amended which was seconded.

26

27 The November 22, 2021 minutes were approved by unanimous vote.

28

29 **STATE DELEGATION**

30

31 John Mahoney introduced the state delegation representing Plymouth:

32

33 Senator Su Moran

34 Representative Matt Muratore (1<sup>st</sup> Plymouth district)

35 Representative Kathy LaNatra (12<sup>th</sup> Plymouth district)

36

37 Senator Moran indicated that Holtec agreed to not dump 1 million gallons of radioactive waste into

38 Cape Cod Bay for the year 2022. She stated that the delegation will never allow this to occur.

39

40 Representative Muratore gave an update of a meeting that took place between the delegation and DEP,

41 DPH, and the Attorney General’s Office (AGO). The purpose of the meeting was to determine the role of

42 each agency in this matter. The delegation would like to understand how the proposed discharge falls

43 under the settlement agreement reached with Holtec by the AGO. Representative Muratore echoed the

44 sentiment of Senator Moran that a safe amount of discharge is transported rather than discharged into

45 Cape Cod Bay, even though a certain amount of risk exists with radiation regardless of transport

46 method. The greatest concern includes the marine fisheries, particularly the oyster bays along Plymouth

47 and Duxbury.

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A statement was read by Ben Thomas of U.S. Senator Markey’s Office:

“Since the last Pilgrim nuclear decommissioning citizens advisory panel NDCAP meeting there have been more questions than answers about Holtec’s proposal to discharge approximately 1 million gallons of radioactive water into Cape Cod Bay. However, this evening I will want to make one thing clear, Holtec must cooperate and communicate with local stakeholders and businesses who have justifiable concerns about what this kind of discharge could mean for their businesses and livelihoods. Hundreds of Cape Cod businesses and Plymouth region businesses and organizations rely on Cape Cod Bay’s reputation for clean and safe water. It is after all Massachusetts rate payers who paid in the original funding for Pilgrim’s decommissioning process and they deserve to have their voices heard...the public must have a say in how Holtec’s water is disposed.”

Mr. Mahoney asked Mr. Thomas to email the statement to the panel.

Mr. Jackman from Congressman Keating’s office also expressed thanks for the opportunity provided by the panel for members of the public to provide input.

**DISCUSSION OF MEETING SCHEDULE**

Ms. Lampert proposed the following three motions regarding monthly meetings, length of meetings, and to include more extensive comments from the public.

The first motion is to make these meetings once a month rather than every other month. Ms. Lampert mentioned that the rationale is due to the importance of the decommissioning of the power plant and how things are moving at a quicker pace. There are many topics that need to be discussed such as water disposal, corrosion concerns, etc.

There was no second on the motion, so no action was taken.

The second motion is to extend the length of the meetings from two hours to three hours. Ms. Lampert explained that it would permit both the panel and public to provide substantive input.

There was no second on the motion, so no action was taken.

The third motion is to include more extensive public comments. Ms. Lampert explained that the purpose of the panel is to include members of the public and their feedback.

Mr. Mahoney proposed revisiting the motion in the future due to technical difficulties. It was noted that Ms. Cosentino could have indicated a possible second to the motions above. Ms. Lampert agreed to move on with the agenda.

**HOLTEC UPDATE**

Mr. Mahoney introduced Mr. O’Brien to provide an update. The update was given in conjunction with a PowerPoint presentation.

The fuel loading campaign of 45 casks was completed; to date, there are 62 casks stored.

1  
2 Regarding the demolition, there was an inspection for asbestos completed by DEP. Demolition began on  
3 January 24 and is projected to end in mid-March. The fitness for duty access authorization building was  
4 demolished in two days. The administrative executive and two-story butler building are set for  
5 demolition in March.

6  
7 There was mention of the November electric vault discharge in violation of permits. 7,500 gallons of  
8 water was discharged into sewer connected to a station outfall. The analysis of the water sample was  
9 sent to DEP and EPA. Results were favorable to drinking water samples and protection of aquatic life  
10 standards.

11  
12 The waste management plan has been submitted to the Commonwealth. No comments have yet been  
13 received regarding the plan. With regards to the barge study, the assessment is that use of low-level  
14 waste shipment via barge is not feasible due to time frame.

15  
16 Comments were received for the ESA workplan. Comments indicated that the plan failed to comply with  
17 the AGO settlement agreement. The hope is to close the gaps in the workplan within 30 days of the  
18 agreement.

19  
20 Mr. Noyes gave a brief history on how and where the cooling water was stored when the plant was  
21 operating. The water was used to flood up the reactor cavities. Afterwards, the water would be treated  
22 and purified for two years and returned to condensation tanks. The NRC regulates the process of  
23 discharging the water. The process is transparent, and reports are released annually as mandated by  
24 federal law.

25  
26 Mr. Noyes presented three options for disposal: (i) evaporation of the water; (ii) treatment and  
27 discharge under NRC regulations; and (iii) transporting the water.

28  
29 No decision has been made. Holtec intends on reviewing and studying all three options. Further, Holtec  
30 will be transparent with the public regarding the three options. Mr. Noyes emphasized that the decision  
31 will be based on science.

32  
33 A question was raised regarding evaporation and whether it would take about three years to evaporate  
34 the 1 million gallons of water. Mr. Noyes responded that the heat energy at this point is insufficient to  
35 evaporate at previous rates. The previous rate was about 340,000 gallons a year.

36  
37 Mr. Priest commented that it would be useful to the panel if Holtec provided a chart of the limits and  
38 strategies on how to manage the water. Lastly, a concern was raised that it appeared that Holtec was  
39 discarding the trucking option.

40  
41 In response, Mr. Noyes mentioned that trucking was still an option.

42  
43 **IWG UPDATE**

44  
45 The IWG update was given by Mr. Pickering of DEP.

46  
47 DEP, DPH, and AGO provided a response to Holtec on January 26, in regards to the environmental site  
48 assessment work plan.

1  
2 AGO received a response to its November 22 letter, which informed Holtec of its noncompliance with  
3 paragraph 24 of the Commonwealth’s settlement agreement requiring Holtec to undertake  
4 commercially reasonable efforts to evaluate barge shipment of solid hazardous waste and low-level  
5 radioactive material. A waste management plan was submitted in response according to Mr. Noyes.  
6 That response will be reviewed by MEMA, DPH, and DEP.

7  
8 U.S EPA, DPH, and DEP were notified by Holtec of its intent to de-water the reactor. If agencies receive  
9 formal requests from Holtec to discharge into Cape Cod Bay, agencies will review the request in light of  
10 permit requirements.

11  
12 On December 6, 2021, Holtec released a statement that no water will be released in 2022. No agencies  
13 in the IWG have received notice that Holtec intends to do anything differently.

14  
15 DEP is conducting response actions under the Massachusetts Contingency Plan (“MCP”) to address the  
16 release of some metals and PFAS at the site. If response actions cannot address the issues by April 21,  
17 2022, comprehensive action under the MCP will be initiated until a permanent solution is achieved.

18  
19 DEP is continuing to review and assess demolition at the site, including asbestos discovery in the area.

20  
21 Lastly, Holtec will be applying for modification of the wastewater treatment plant that will allow the  
22 removal of the 12 of the existing 36 leaching pits at the facility. This will facilitate the installation of a  
23 visual barrier that is required by the AGO settlement agreement.

24  
25 Ms. Lampert noted an inconsistency between concerns raised by the Holtec regarding truck  
26 transportation of cooling water and the fact that Holtec is seeking to establish an interim storage site for  
27 other waste. Further, Ms. Lampert wants to confirm the date of any scientific data relied on by Holtec,  
28 and which metrics are being used with regards to radiation. Ms. Lampert noted that Holtec, alone,  
29 should not be doing the water sampling and that the state should be taking split samples.

30  
31 Mr. Nichols asked what the impacts to aquatic life (for zinc and copper) during the accidental spill were.  
32 The accidental spill was mentioned during the Holtec update. In response, Holtec responded that there  
33 was no major effect to aquatic life. The impact was compared to dumping tap water into Cape Cod Bay.

34  
35 Follow up question by Mr. Nichols was whether there would be an impact if these 1 million gallons of  
36 cooling water were dumped into the bay. In response, Holtec indicated that there has not been an  
37 analysis on the effect yet.

38  
39 Ms. Cosentino asked whether it was true that Holtec transported low level radiation to Texas. Further,  
40 why was that acceptable but water is not. No response was provided.

41  
42 Ms. duBois asked a question regarding evaporation. Is evaporation safer than a release into the bay. In  
43 response, Holtec responded that evaporation would create a cloud with precipitation over Plymouth or  
44 over the bay and release would just go into the bay.

45  
46 The MEMA update was provided by Mr. Vivieros. Currently, MEMA is scheduling along with the plant,  
47 quarterly meetings with the community and other local agencies. No date is set yet.

48

1 **PUBLIC COMMENTS**

2  
3 A question from a member of the public, Patricia Skibbee, asked what is in the water aside from tritium.

4  
5 A comment from a member of the public, Paul Blanche, noted that evaporation concentrates certain  
6 elements.

7  
8 Jim Lampert reminded the panel about a letter that was sent the prior day. According to Mr. Lampert,  
9 the analysis is not factually correct. Also, Mr. Lampert focused on the dumping aspect of the water and  
10 the consequences. Mr. Lampert proposed that members of the public should be permitted to have a  
11 meeting with Holtec, CDI, and Pilgrim to ask questions. The purpose of such is to get answers. Mr.  
12 mentioned that Duxbury has 5 million oysters growing in that location.

13  
14 Mr. Lampert mentioned a report to DPH on an incident regarding a person who ate mussels from the  
15 bay and got thyroid cancer. There was a request (from DPH Panel member, Mr. Priest) for a copy of that  
16 report.

17  
18 Mr. Lampert proposed a question about the requirements of the AGO settlement, specifically paragraph  
19 11. In response, Mr. Pickering explained the procedure in the settlement agreement states that Holtec  
20 has 30 days to provide a response or explanation to any questions or concerns.

21  
22 A comment from Diane agreed with Mr. Priest about determining what is in the cable vault water  
23 discharged in November. A response was given by a panel member restating the fact that no one knows  
24 what is in the water because there is no test (yet). Diane requested that Holtec answer the question. In  
25 response, Holtec assured that the water was not radioactive.

26  
27 Another question raised by Diane asked which panelist agreed that the water should be dumped into  
28 the bay. A statement was read by Diane objecting to the discharge. Ms. duBois reminded Diane that it is  
29 already known that members in the area do not want this water in the bay.

30  
31 Peter DeCola commented on the panel's concern over the impacts to marine life in the bay.

32  
33 A comment from member of the public, Mary Waygan. Mary reminded the panel that dilution is not the  
34 solution to pollution. Ms. Waygan reminded the panel that there are ethics in place to prevent and  
35 avoid widespread disbursement of contaminants. It was advised to avoid dumping it into the bay or  
36 evaporation.

37  
38 Another comment from Ms. Waygan regarded a January 24, 2022 vote by the Town of Mashpee to  
39 oppose Holtec's plan to dump the million gallons of water. A letter is being prepared which will be given  
40 to all towns on Cape Cod. Ms. Waygan concluded by mentioning that the panel will receive the letter.

41  
42 The last comment came from Betsy Smith. Ms. Smith raised concerns for the oysters and shellfish in the  
43 bay. The second concern raised was having longer meetings to allowed members of the public to  
44 comment and voice their opinions. The third concern raised were the three proposals for dumping.

45  
46 **ADJOURNMENT**

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48 The motions presented by Ms. Lampert will be reconsidered in the following meeting.

1  
2 Ms. duBois raised concerns about aquatic life in the bay. Ms. duBois emphasized how the public should  
3 know whether there is contamination in the oysters. Ms. duBois questioned the panel on how to  
4 structure the next meeting and which members should be invited to join (EPA and/or NRC). In response,  
5 Mr. Nichols suggested that the Department of Marine Fisheries could be invited, and possibly Woods  
6 Hole Institute. Ms. Lampert suggested inviting Seth Schofield from the AGO.  
7  
8 Mr. Mahony suggested that the panel email him or Ms. duBois if any other suggestions arise between  
9 now and the following meeting.  
10  
11 Prior to concluding the meeting, Ms. Lampert confirmed that the next meeting will focus on water  
12 disposal issues and her motions.  
13  
14 A motion to adjourn was made and seconded. The motion passed unanimously.  
15  
16 The meeting was adjourned at about 8:30 pm.