

**NUCLEAR DECOMMISSIONING CITIZENS ADVISORY PANEL (“NDCAP”)  
Monday, July 24, 2023  
Hybrid Meeting (in-person and virtual)  
Meeting Minutes**

The meeting was called to order at about 6:30 pm by Mr. John Mahoney.

**NDCAP MEMBERS PRESENT**

- John Mahoney, Plymouth Select Board Designee (in person)
- Pine duBois, Speaker of the House Appointee (Vice Chair) (in person)
- Mary Lampert, Senate President Appointee (in person)
- James Lampert, Speaker of the House Appointee (in person)
- Mary Jo Gatslick, Minority Leader of the Senate Appointee (in person)
- Michael Fortini, Minority Leader of the Senate Appointee (in person)
- Henrietta Cosentino, Plymouth Select Board Appointee (in person)
- Andrew Gottlieb, Governor Baker Appointee (virtual)
- Seth Pickering,<sup>1</sup> Department of Environmental Protection (in person)
- Jack Priest, Department of Public Health, Radiation Control Program (virtual)
- Jennifer Barrelle,<sup>2</sup> Department of Public Health (virtual)
- Jonathan Goldberg, Massachusetts Department of Public Utilities (in person)
- David Bryant, Massachusetts Emergency Management Agency (in person)
- David Noyes,<sup>3</sup> Holtec Decommissioning International (in person)
- John Moylan, Holtec Site Vice President (in person)
- Kelly O’Brien, UWA Representative (in person)
- Mary Waldron, Old Colony Planning Council (virtual)

**NDCAP MEMBERS NOT PRESENT**

- David C. Nichols, Governor Baker Appointee

**GUESTS IN ATTENDANCE**

- Jim Cantwell, representing U.S. Senator Edward Markey’s office
- Caleb White, representing U.S. Senator Elizabeth Warren’s office
- Michael Jackman, representing U.S. Representative Bill Keating’s office
- State Senator Susan L. Moran
- State Representative Mathew J. Muratore
- Gerard Martin, Department of Environmental Protection
- John Drobinski, ERM
- Neil Sheehan, NRC
- Bruce Watson, NRC
- Christopher Jean, MA Rep. Kathleen LaNatra’s office
- At least 36 members of the public on-line, with additional people in the room

**PREVIOUS MINUTES REVIEW & APPROVAL**

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<sup>1</sup> Designee of Secretary of the Executive Office of Energy and Environmental Affairs

<sup>2</sup> Designee of Secretary of Health and Human Services

<sup>3</sup> Replacing Jennifer Robertson

Ms. duBois indicated that additional individuals were present at the last meeting, including Neil Sheehan from NRC, John Drobinski from ERM, and Representative LaNatra.

Mr. Noyes clarified that, p. 4 of minutes, the lower core plate was in the process of being removed during the last meeting. Also, that the shroud ring and jet pumps were scheduled to be removed in July and August.

Mr. Lampert expressed his concerns regarding the footnotes referencing past recordings of the panel's meetings on YouTube. In his opinion, the videos should be part of the administrative record and archived.

Ms. duBois explained that the resources and funding to create an archive do not exist. Further, she acknowledged that she was not sure whether the videos on YouTube would stay on that platform forever.

A motion to approve the meeting minutes with the appropriate changes was made by Ms. Waldron and seconded by Ms. Cosentino. The motion passed unanimously with 1 abstention.

Ms. Lampert made a motion to change the formatting of the NDCAP website. Ms. Lampert listed several changes to the website, the types of contents that should be included on the resource page, and the reasons for the changes.<sup>4</sup>

Mr. Mahoney proposed that the motion and discussion for formatting of the website be part of the next meeting's agenda. Ms. Lampert agreed to defer the motion to September 2023.

### **LEGISLATIVE DELEGATION**

State Senator Susan L. Moran indicated that MassDEP has tentatively determined to deny Holtec's request for permit modification.

This denial prevents Holtec from discharging water from the site into Cape Cod Bay. She indicated that the fight continues until the decision by MassDEP is finalized.

Senator Moran then read a comment on behalf of State Representative Muratore.

The statement indicated that although MassDEP has determined that Holtec cannot discharge water into Cape Cod Bay, MassDPH oversees radiation. Mr. Priest clarified that the agencies that oversee radioactive material discharge are the EPA and NRC.

Mr. Cantwell read a statement from U.S. Senator Ed Markey's Office. The statement was about MassDEP's decision to tentatively deny Holtec's request for permit modification. The statement concluded by thanking individuals involved in protecting Cape Cod Bay from the discharge.

Mr. White read a brief statement from U.S. Senator Elizabeth Warren's Office which thanked the Healey Administration for its efforts in preventing discharge into Cape Cod Bay.

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<sup>4</sup> Minute markers 7:40-12:30 of video. See: [NDCAP Meeting: 7/24/23: Nuclear Decommissioning Citizens Advisory Panel #Plymouth - YouTube](#)

Mr. Jackman indicated that Congressman Keating was pleased with MassDEP's decision.

Mr. Mahoney asked Mr. Cantwell and Mr. White to send the statements to the panel.

### **HOLTEC – HDI PILGRIM DECOMMISSIONING UPDATE**

Mr. Noyes began the update with a PowerPoint presentation. In summary:

- Sampling of radiological and non-radiological characterization continues on site.
- Submission of a license termination plan is scheduled for October 2024.
- Holtec continues to be custodians of the dry fuel storage until a federal repository is established.
- Security and station blackout diesel generators have been demolished since the prior meeting.
- Three above ground storage tanks are scheduled for demolition by the end of September 2023.
- Cutting and segmentation of the shroud ring continues as well as removal of jet pumps.
- B & C waste packaging/staging are to be completed by October 2023. 16 of 25 containers are filled and staged in an onsite shielded storage area. In total (2019-2023), 218,510 cubic feet of waste have been removed from the site.

Mr. Lampert asked whether any other generators remain on the site. Mr. Noyes stated that two generators are electrically isolated but remain on site. Mr. Lampert then asked if electricity to the site was lost, whether any other sources exist. Mr. Noyes indicated that two off-site independent sources of power are available. They include a startup and shutdown transformer.

Mr. Lampert asked if Mr. Noyes knew the total weight of waste removed from the site (referring to the 218,510 cubic feet of waste). Mr. Noyes said he did not know.

### **ERM PRESENTATION: MASSACHUSETTS CONTINGENCY PLAN (MCP) ACTIVITIES**

Mr. Drobinski presented on activities under the Massachusetts Contingency Plan (MCP).

In accordance with the MCP, the Phase 1 report was submitted in 2022 and Phase 2 is due in 2025. The Phase 2 report will determine the nature and extent of the contamination, sources of contamination, conduct a risk assessment; the goal is to reach compliance under the MCP.

The site currently has 40 wells which monitor groundwater flow and groundwater chemistry. PFAS has been detected in four of the wells on site. Benzo pyrene, arsenic, and vanadium were also identified in other wells. The concentration levels of each chemical listed above were very low. In Mr. Drobinski's opinion, the site is generally clean compared to other sites in the Commonwealth. MassDEP's next steps in this process is to conduct a risk assessment to determine mitigation.

A discussion ensued between Ms. duBois and Mr. Drobinski about the sources of contamination and groundwater flow.<sup>5</sup>

A discussion occurred between Mr. Priest and Mr. Drobinski about monitoring tritium in groundwater.<sup>6</sup>

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<sup>5</sup> Minute Markers 48:26-50:57 of video. See: *Id.*

<sup>6</sup> Minute markers 50:57- 51:52 of video. See: *Id.*

Gail Melix asked who has oversight in monitoring topics and data mentioned in Mr. Drobinski's presentation. Mr. Drobinski indicated that a licensed site professional (LSP), an independent contractor, oversees the data and monitoring.

Amy Truman asked questions about the components listed in the presentation and their levels. Mr. Drobinski clarified that not all groundwater is classified as drinking water in Massachusetts.

Rosemary Shields asked what reportable concentrations means. Mr. Drobinski explained what it meant (concentrations that require reporting to the Commonwealth) and the procedure that occurs whenever the reportable concentration is exceeded.

Ms. Lampert asked whether there was a standard for groundwater and a standard for drinking water. Mr. Drobinski stated that three standards exist in the Commonwealth: drinking water, indoor air, and discharge to surface water.

Doctor Potvin advised the panel that the EPA is reducing the standard for PFAS in drinking water to 4 parts per trillion.

Ms. Gatslick asked Doctor Potvin what the current PFAS limit for the Town of Plymouth is. Doctor Potvin said he did not see the limit in the "confidence report" but knew that it was 6 parts per trillion in the Pine Hills system.

A discussion ensued between Mr. Gottlieb and Mr. Drobinski about the MCP and exposure limits.

#### **INTERAGENCY WORK GROUP (IWG) UPDATE**

Mr. Pickering provided the panel with an update of Interagency Work Group (IWG) activities.

MassDEP issued a tentative determination to deny Holtec's request for permit modification to discharge decommissioning wastewater into Cape Cod Bay.

Under the Ocean Sanctuaries Act, discharge of industrial waste is prohibited into Cape Cod Bay. Mr. Pickering indicated that the water from the site is considered industrial waste. The final determination will be made after the public comment period concludes on August 28.

Response actions under the MCP are ongoing with respect to prior notifications and detections at the site. The Phase 2 comprehensive site assessment is due to be submitted to MassDEP by April 21, 2024. The results from groundwater sampling conducted by Holtec will be included in the status report.

MassDEP's asbestos section continues to be actively engaged in overseeing demolition activities and meets regularly with the company tasked to manage asbestos discovery identification and other processes.

MassDEP continues to evaluate Holtec's request to change the wastewater disposal system to Title 5.

MEMA continues to work with local partners on public safety.

Mr. Lampert asked Mr. Pickering a series of questions about procedures relating to the tentative decision to deny Holtec's request. Mr. Pickering said he did not have the answers to all his questions but explained that:

- a draft determination is issued by MassDEP
- a public comment period then commences prior to a final determination; the comments are made public and a response is provided by MassDEP.
- at the discretion of MassDEP, the comment period can be extended.
- the applicant or MassDEP can request a public hearing

Mr. Lampert asked whether an individual from the public can request a hearing. Mr. Pickering indicated that he could not answer that question at this time.

Mr. Lampert asked whether MassDEP could create a website where all the public comments and information can be posted and made available to the public. Mr. Pickering said he could ask MassDEP.

Mr. Lampert expressed his concerns about the state's review of the Holtec work plan submitted 18 months ago. Mr. Pickering said he would take this back, but that this review is not holding up any work at the site.

Ms. Gatslick asked Mr. Pickering what constitutes industrial water. Mr. Pickering said it was determined by individuals reviewing the application. At this time, he did not have a clear definition and indicated that he could get an answer for Ms. Gatslick on what is industrial water.

Richard Rothstein asked if tritiated wastewater was included in the permit when the plant was operating. Mr. Noyes stated that tritiated wastewater was included in the NPDES permit prior to 2020. Mr. Rothstein indicated that he was not clear on why discharge was permitted when the plant was operating but not under decommissioning.

Mr. Rothstein then discussed information regarding health risks of tritiated wastewater and asked whether the information was considered when making the draft determination to deny Holtec's permit. Mr. Pickering said he could not answer that question, but that Mr. Rothstein could submit a public comment.

Mr. Priest said that the determination is within MassDEP's purview. MassDEP is reviewing information submitted by Holtec and comparing it to what the regulations require.

Mr. Lampert emphasized the importance of reading the draft decision and the relevant regulations.

Mr. Gottlieb stated that there is a difference between a site that is generating power versus when it is being decommissioned. In his opinion, it no longer matters how much tritium is in the water, what is ongoing elsewhere, and who believes it is permissible.

Mr. Noyes reminded the panel that the MassDEP determination is tentative.

Ms. duBois asked whether MassDEP was treating the site as a 21E site. Mr. Pickering indicated that it is being treated as a 21E site in accordance with the MCP.

## **PUBLIC COMMENTS AND QUESTIONS**

Leo Buckloo commented on DPU's role in measuring emitters.

Diane Turco asked whether Holtec has accepted MassDEP's decision to tentatively deny their request for permit modification. Mr. Noyes said that Holtec has acknowledged the recent decision from MassDEP.

Brian Campbell expressed his support to discharge the water from Pilgrim into Cape Cod Bay.

Carolyn McCrary and Susan Tordella expressed their support of Holtec's decision to release water containing residual tritium. In their opinion, they believe Holtec can safely release the water into Cape Cod Bay.

Carolyn McCrary explained the effects of tritium to the panel.

Rosemary Shields asked Mr. Noyes to explain the meaning of license termination. Mr. Noyes explained that it is a submission to the NRC to request termination of the license of the plant. The NRC determines the standard by which Holtec can terminate the operating license, and the only area that will remain is the dry cask storage area. The submission will be made in October 2024, but the date of partial site release has been delayed by 4 years (until 2031).

Doctor Potvin expressed his concerns about genetic damage and mutations caused by radioactive isotopes such as Tritium. He is also concerned about defects and cancers among the population. He concluded by emphasizing the importance of concerns over profits.

Benjamin Cronin indicated agreement with MassDEP's tentative determination. He stated that a public hearing is required in accordance with 314 CMR 2.071. In his opinion, the location of the public hearing on August 28 should be Plymouth.

Leslie Danielson asked for a status update on the annual report and whether copies were available for the public. Ms. duBois indicated that the report was submitted to the Governor and available on the NDCAP website.

Margaret Raskin asked whether her presentation could be an agenda item for the following meeting. Mr. Mahoney stated that there needs to be a consensus among the panel prior to allowing the presentation to take place. A discussion among Ms. duBois, Mr. Mahoney, and Ms. Raskin took place regarding next steps.

Peter Dalton asked a series of questions about sampling of the water take place. A discussion took place among Mr. Dalton, Mr. Pickering, and Mr. Noyes about sampling locations, sampling depth, the casting, and joint structures.<sup>7</sup>

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<sup>7</sup> Minute Markers 02:01:00- 02:05:30 of video. See: *Id.*

### **DISCUSSION ON REORGANIZATION OF THE PANEL**

After public comments concluded, Mr. Mahoney discussed reorganization of the panel. He indicated that four other members of the Plymouth Select Board are interested in serving on the NDCAP, and that he may be replaced as the Chair. The decision will be made tomorrow. This should be an agenda item for the September 2023 NDCAP meeting.

Ms. Lampert said she appreciated that Mr. Mahoney had been very fair and polite to the panel and to the public and that he has run efficient meetings. 2:08:14

Mr. Lampert seconded what Ms. Lampert said. He also said that the characteristics of a good chair are the ability at a meeting to provide all sides of a question to be heard, that the chair has to be impartial in preparing the agenda and running a meeting; and that we have been very fortunate to have two good chairs. -2:08:35

### **ADJOURNMENT**

There was a motion to adjourn. The motion passed unanimously.