

Sean Mullin's

DRAFT NDCAP Proposed Findings and Recommendations

For Discussion Purposes

Finding 1

Effective coordination and oversight of the pre and post shutdown decommissioning process of the Plymouth Nuclear Power Station (PNPS) requires multi-discipline experience, expertise and knowledge from personnel in numerous Executive branch organizations to properly protect the interests of the Commonwealth's citizens and communities. The Commonwealth's Executive branch currently lacks a central, coordinated organization to effectively manage and oversee the safe pre and post shutdown decommissioning process of the PNPS.

Recommendation 1

The NDCAP recommends the Governor issue an executive order creating an interagency work group to manage and monitor the pre and post shutdown decommissioning process at PNPS. As part of the executive order, the NDCAP recommends the Governor designate one (1) executive agency or department and one (1) position/individual with the authority and responsibility for directing and coordinating the interagency working group.

Finding 2

In order to effectively protect the interests of the Commonwealth's citizens and communities, the Executive branch should negotiate and execute a detailed Memorandum of Understanding (MOU) with Entergy regarding the pre and post shutdown decommissioning of PNPS. The terms and conditions of the MOU should also apply to any successor should Entergy decide to transfer ownership and/or responsibility of the post shutdown decommissioning process at the Plymouth Nuclear Power Station (PNPS).

Recommendation 2

The NDCAP recommends the Governor designate and direct Executive branch personnel, in conjunction and coordination with five (5) members of the NDCAP

selected by a vote of the NDCAP panel, to immediately to begin negotiating a Memorandum of Understanding with Entergy to protect the interests of the Commonwealth's citizens and communities during the entire post shutdown decommissioning process at PNPS.

Finding 3

Adequate funding and resources are required in order for the Executive branch and the NDCAP to effectively protect the interests of the Commonwealth's citizens, the Town of Plymouth and surrounding communities during the pre and post shutdown decommissioning process at PNPS. To date, funding to properly support the efforts required of the Executive and NDCAP has not been appropriated and authorized by the Legislature.

Recommendation 3

The NDCAP recommends the General Court appropriate five-hundred thousand dollars (\$500,000), as soon as possible, to be expended by the Executive branch during FY 2019 to manage and oversee the decommissioning process at PNPS and provide administrative and technical support, including hiring legal and technical consulting experts as needed, to the NDCAP during FY 2019. The NDCAP also recommends the General Court continue to appropriate sufficient funds in subsequent fiscal years to ensure effective on-going oversight of the decommissioning process at PNPS.

Finding 4

In order effectively protect the interests of the Commonwealth's citizens, the Town of Plymouth and surrounding communities during the pre and post shutdown decommissioning process at PNPS, the Commonwealth's role and authority in the decommissioning process needs to be strengthened, expanded and further defined to include specific areas not in conflict with federal law or regulations. These areas include, but are not limited to, establishing decommissioning oversight authority, funding, radiological standards, environmental standards including, amongst others, sea level rise and the protection of Cape Cod Bay, emergency zone definition, preparedness requirements, site restoration and on-going monitoring standards and reporting, and comprehensive financial standards and requirements.

Recommendation 4

The NDCAP recommends the Governor and General Court develop, propose and approve specific legislation to expand and specify the Commonwealth's role and authority in the decommissioning process including, but not limited to, establishing decommissioning oversight authority, funding, radiological standards, environmental standards including, amongst others, sea level rise and the protection of Cape Cod Bay, emergency zone definition, preparedness requirements and funding, site restoration and on-going monitoring standards and reporting, environmental protection requirements and comprehensive financial standards and requirements.

Finding 5

To effectively protect the interests of the Commonwealth's citizens, the Town of Plymouth and surrounding communities during the pre and post shutdown decommissioning process at PNPS, the Commonwealth needs, in conjunction and coordination with the NDCAP, to monitor and work closely with the Nuclear Regulatory Commission (NRC) and other federal agencies.

Recommendation 5

The NDCAP recommends the Governor designate and assign a member of the interagency work group to act as the Commonwealth's, the Town of Plymouth's and the NDCAP's authorized liaison and representative to the Nuclear Regulatory Commission (NRC) and other federal agencies during the pre and post shutdown decommissioning process at PNPS.

Finding 6

There are immediate and on-going costs and expenses the Commonwealth, the Town of Plymouth and surrounding communities will need to pay associated with overseeing and monitoring pre and post-shutdown, closure and decommissioning activities. These expenditures are required to effectively protect the interests of the Commonwealth's citizens and communities during the decommissioning process at PNPS.

Recommendation 6

The NDCAP recommends the Governor and General Court develop, propose and approve specific legislation to establish bill-back payments from Entergy, and its

successors, to reimburse the Commonwealth and the Town of Plymouth for expenses required to oversee and monitor post-shutdown, closure, site cleanup and decommissioning activities.