

NUCLEAR DECOMMISSIONING CITIZENS ADVISORY PANEL (“NDCAP”)

Wednesday, June 20, 2018

**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 Co-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 G. Flores, Appointee of Governor Baker
- Richard Grassie, Minority Leader of the House Appointee (Acting Co-Chair)
- Robert Hayden¹, Department of Public Utilities
- Jacqueline Horigan, Executive Office of Housing and Economic Development
- Robert Jones², Executive Office of Health and Human Services
- Heather Lightner, Representative of the Town of Plymouth
- Joseph Lynch, Representative of Pilgrim Nuclear Power Station
- John T. Mahoney, Representative of the Town of Plymouth
- Gerard Martin³, Department of Environmental Protection
- Sean Mullin, Minority Leader of the Senate Appointee (Co-Chair)
- David C. Nichols, Governor Baker Appointee
- John Ohrenberger, Representative of Pilgrim Nuclear Power Station
- Kevin O’Reilly, Speaker of the House Appointee (Acting Co-Chair)
- Jack Priest, Department of Public Health, Radiological Control Program
- Kurt Schwartz, Massachusetts Emergency Management Agency (Co-Chair)
- Paul D. Smith⁴, Representative of UWUA Local 369
- Senator Dan Wolf, President of the Senate Appointee

NDCAP MEMBERS NOT PRESENT:

- Jessica Casey, President of the Senate Appointee
- John Chapman, Executive Office of Housing and Economic Development

INTRODUCTION AND REVIEW OF MAY 17 AND JUNE 7 MEETING MINUTES:

Co-Chair Mullin thanked Mr. O’Reilly and Mr. Grassie for serving as co-chairs in his and Co-Chair Schwartz’s absences at the June 7 meeting. Co-Chair Mullin proposed that the Panel review the May 17, June 7, and the instant meeting’s minutes at the next Panel meeting. Co-Chair Mullin called for a motion to adopt this proposal for reviewing meeting minutes, which passed by a unanimous vote of the members present.

¹ Designee of Angela O’Connor (DPU)

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

³ Designee of Secretary Beaton (EEA)

⁴ Designee of Richard Sherman (Representative of UWUA Local 369)

1 **REVIEW AND DISCUSSION OF DRAFT NDCAP ANNUAL REPORT:**

2 Co-Chair Mullin suggested that the Panel continue discussing the working group findings and
3 recommendations, and noted that two working groups had submitted new findings and
4 recommendations since the previous Panel meeting. He stated that his goal for this meeting is to get
5 through a discussion of the two new groups' findings and recommendations, and to have an updated
6 draft report prepared by next Monday.

7
8 Mr. Smith introduced a motion that the Panel begin by reviewing the Site Cleanup and Restoration
9 Working Group's recommendations. After a discussion of what the annual report would include, Co-
10 Chair Mullin clarified that the full panel would discuss each working group's findings and
11 recommendations, and these would be included in the report if agreed upon by the full panel. Next, the
12 Panel discussed the possibility that different working groups might develop similar working groups, but
13 which may also have subtle differences. Mr. Priest explained that he developed a matrix to group
14 similar subjects together. Co-Chair Mullin asked Mr. Priest to distribute the matrix to the Panel for its
15 consideration.

16
17 Co-Chair Schwartz stated that he has concerns with the report's format and contents, and that his
18 impression had been that the Panel would consider each recommendation. He stated that the report
19 should not include any recommendations that were not adopted by the entire Panel. Co-Chair Mullin
20 responded that his understanding is that no recommendations would be included in the report without
21 being approved by the full Panel. He stated that there are examples of topics in working group
22 recommendations that need to be discussed by the Panel, but that some less subtle recommendations
23 do not require the Panel's attention at this point in time. Mr. O'Reilly suggested continuing with
24 discussions of working group recommendations to determine which recommendations should rise to
25 the top. Mr. Coughlin noted that the process should be that the full Panel reviews all the working group
26 recommendations, selects the most important of those to be Panel recommendations, and includes the
27 Panel recommendations in the report.

28
29 Mr. Lynch noted that the Panel is not in a position to vote on all recommendations because the findings
30 do not always support the recommendations, and that including all recommendations would be
31 improper. Senator Wolf recommended that the report go to the interagency working group, which
32 could then engage experts and provide feedback. He stated that there is a credibility issue with the
33 Panel because of a lack of subject matter expertise. Ms. Lightner suggested that the Panel could vote on
34 radiation limits and pad location. Mr. Smith stated that state authorities were involved in
35 decommissioning Yankee Rowe, and that it was not necessary to use outside experts. He also withdrew
36 his motion.

37
38 *Finance and Economic Working Group recommendations* – Mr. O'Reilly stated that the
39 recommendations were developed from two sources: first, a UMASS Donahue Institute Study from
40 2015; and, second, a draft RKG Report.

41
42 The first recommendation was that MA should work with DOE to determine adequate compensation in
43 the form of a host community agreement. Co-Chair Schwartz commented that he disagreed with certain
44 wording in the recommendation pertaining to the danger associated with spent nuclear fuel. He noted
45 that the term "findings" requires careful consideration of terminology. Co-Chair Schwartz also
46 recommended removing language such as "the Commonwealth should," because the Commonwealth
47 may not have jurisdiction, and that this type of recommendation may go beyond the Panel's
48 decommissioning purpose. Co-Chair Mullin disagreed, stating that as a citizens' advisory panel, making

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1 these types of recommendations is the Panel’s mission. Mr. Mahoney noted that Plymouth is a de facto
2 nuclear waste site that is uncompensated for its waste storage, and that it would be effective to
3 communicate to state entities that they need to, in turn, communicate this need for compensation to
4 federal regulators. Mr. Priest suggested considering each recommendation and deciding whether it is
5 worthy of further discussion, and only then begin wordsmithing the recommendations.

6
7 Mr. Priest introduced a motion that the Panel go through all the recommendations, take up votes or
8 down votes for moving it forward, and wordsmith later. Co-Chair Schwartz seconded the motion. It was
9 determined that the Panel would take a voice vote person-by-person.

10
11 Pat Ciaramella: Y
12 Joseph Coughlin: Y
13 Pine duBois: Y
14 John Flores: Y
15 Richard Grassie: Y
16 Robert Hayden: abstain
17 Jackie Horigan: abstain
18 Robert Jones: Y
19 Heather Lightner: Y
20 Joseph Lynch: abstain
21 John Mahoney: N
22 Gerard Martin: abstain
23 Sean Mullin: Y
24 David Nichols: Y
25 John Ohrenberger: N
26 Kevin O’Reilly: Y
27 Jack Priest: Y
28 Kurt Schwartz: Y
29 Paul D. Smith: N
30 Senator Dan Wolf: Y

31
32 Next, Co-Chair Mullin requested a motion to take an up and down vote on recommendation 1. Mr.
33 O’Reilly requested that the Panel vote on the revised language for the recommendation, which Mr.
34 Priest read as follows: “As determined by the Site Cleanup and Restoration Working Group, spent
35 nuclear fuel requires careful storage management. To date, the DOE has not determined interim on
36 long-term storage options available for the waste at Pilgrim. In addition, the finance and economic
37 working group also finds that little information exists of the economic impacts of indefinitely storage
38 fuel in a community. The Panel recommends a method to determine adequate compensation in the
39 form of a host community agreement for the long-term storage of the spent nuclear fuel.”

40
41 Co-Chair Mullin called for a motion to move this finding and concept forward, which was made and
42 seconded. It passed by unanimous vote.

43
44 Workforce training – Mr. O’Reilly explained that this recommendation describes the needs of Pilgrim
45 employees and secondary businesses that might be affected after the plant shuts down. He stated that
46 the concept is to ask the state to look at workforce training programs and to work with local chambers
47 of commerce. Mr. Lynch noted that Entergy has already begun this process and will continue through
48 shutdown. Mr. Mahoney noted that experts have evaluated economic development in Plymouth. Mr.

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1 Nichols noted that this also provides an opportunity to address future workforce needs. Mr. Priest
2 suggested wording changes.

3
4 Co-Chair Mullin called for a motion to move this forward for further consideration. It was moved and
5 seconded and passed unanimously.

6
7 Economic impacts – Mr. O’Reilly stated that the concept for the next recommendation is that direct and
8 indirect economic impacts to the region should be studied, and guidance should be provided to help
9 mitigate the anticipated financial losses, including the impact to property values in Plymouth and the
10 region, as a consequence of the closure of the plant and the continued on-site storage of spent fuel.

11
12 Co-Chair Mullin called for a motion to move this forward for further consideration. It was moved and
13 seconded and passed unanimously.

14
15 Economic development challenges – Mr. O’Reilly stated that the recommendation is to begin planning
16 now to assist the region in creating new economic development opportunities. Mr. Lynch noted that
17 Entergy and Vermont entered a settlement agreement that included payments mentioned in the
18 finding, which is an inapplicable comparison. It was agreed to defer discussion on this finding and
19 recommendation.

20
21 Co-Chair Mullin called for a motion to table discussion on this recommendation. It was moved and
22 seconded and passed unanimously.

23
24 Land use – Mr. O’Reilly noted that the gist of the recommendation is that Plymouth as landowner at
25 Pilgrim needs to find consensus regarding any future development activities and get assistance in
26 securing developable acreage to ensure future development. He stated that Plymouth needs to plan for
27 the possibility that the land at Pilgrim could become available. After brief discussion, minor rewording
28 edits were suggested.

29
30 Co-Chair Mullin called for a motion to move this forward for further consideration. It was moved and
31 seconded and passed with Mr. Lynch and Mr. Ohrenberger abstaining.

32
33 This completed the review of the Finance and Economic Working Group’s finding and recommendations.

34
35 Co-Chair Mullin next directed the Panel to the PSDAR and Decommissioning Working Group’s
36 recommendations in the draft report.

37
38 *PSDAR and Decommissioning Working Group recommendations* – Mr. Coughlin introduced a discussion
39 of the different proposals for millirem limits at Pilgrim. The working group’s recommendation is that the
40 Commonwealth should adopt a limit of less than 10 millirem. After brief discussion, it was determined
41 that this recommendation more appropriately belonged in the Site Cleanup and Restoration working
42 group’s section of the report.

43
44 A motion was taken remove the language from the PSDAR and Decommissioning Working Group and to
45 address residual radioactivity in the Site Cleanup and Restoration Working Group’s section. The motion
46 was seconded and passed unanimously.

47

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1 Co-Chair Schwartz noted that the next recommendation, having to do with the emergency
2 preparedness zone (“EPZ”), could belong in the Safety and Security section. Ms. duBois noted that the
3 PSDAR group included it so that it would be included by Entergy in the PSDAR itself. A motion was made
4 to withdraw the EPZ from the PSDAR section and address it under Safety and Security. It was seconded
5 and passed unanimously.

6
7 Decommissioning Option – of the three options, SAFSTOR, DECON, and ENTOMB, Mr. Coughlin noted
8 that the group was recommending a rapid decommissioning through DECON rather than SAFSTOR. Mr.
9 Lynch noted that Entergy has not publicly stated which approach it will take. He stated that the decision
10 is largely driven by availability of funds. Mr. Smith suggested addressing this topic in the Site Cleanup
11 Section, but Mr. Priest disagreed, stating it is appropriate in the PSDAR section.

12
13 Co-Chair Mullin called for a motion to move this forward for further consideration. It was moved and
14 seconded and passed with Mr. Lynch abstaining.

15
16 Decommissioning oversight – Co-Chair Schwartz suggested that this recommendation is duplicative of
17 one of the four recommendations previously approved by the Panel. It was moved to strike this, which
18 was seconded and passed unanimously.

19
20 Pad location - Mr. Coughlin noted that the concept here is that the most current data for sea level rise
21 be used to determine the location of the second pad. Mr. Nichols suggested adding language that the
22 pad should be located as far away from the coast as possible, which Mr. Priest noted might be too
23 technical for the Panel. It was moved to move this topic to Safety and Security. It was seconded and
24 passed unanimously.

25
26 PSDAR submission and public meeting timing – Mr. Coughlin noted that these recommendations
27 originated with NRC documents on which the Panel may want to provide comment in the future. Mr.
28 Priest suggested that these recommendations may be more appropriate for the Panel to address during
29 the next year. Co-Chair Mullin clarified that the two topics to postpone to the next year are: (1) PSDAR
30 review and approval by the NRC; and (2) decommissioning financial protection plans and
31 decommissioning trust fund. There was a motion to defer these two topics until next year which was
32 seconded and passed unanimously. (PSDAR submission and public timing was initially included in this
33 motion, but it was decided to amend the motion to keep PSDAR submission and public timing in this
34 year’s report, as discussed below).

35
36 PSDAR submission and public timing- with regard to the timing of the submission of a PSDAR, Mr. Lynch
37 noted that licensees typically submit PSDARs at the time of shutdown, and not six months prior, because
38 the PSDAR includes historical information about the site up until license termination. Submission six
39 months prior would omit the final six months of the site’s history and would be incomplete. He noted
40 that a licensee could also file the PSDAR up to two years after shutdown. Mr. Coughlin noted that the
41 working group would like for the PSDAR to be submitted as close to plant shutdown as possible. There
42 was a motion to move this topic forward which was seconded and passed unanimously.

43
44 Co-Chair Mullin asked whether the Panel would object to his wordsmithing the working group
45 recommendations for version 3 of the report. There were no objections.

46
47 **PUBLIC QUESTION AND ANSWER:**

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1 Mary Lampert disagreed with Senator Wolf’s contention that the Panel lacks experts, pointing to Mr.
2 Priest’s Panel membership as an example of the Panel’s expertise. She also noted that the Panel’s guest
3 experts have been one sided, including Entergy’s and NRC’s representatives. She stated that there are
4 experts available who could speak to the Panel, including Gordon Thompson, an expert on the
5 vulnerability of spent fuel. She also suggested having a representative of Holtec speak.
6

7 Janet Azarovitz noted that NOAA recently published a report on rising water levels that are concerning
8 with regard to the dry cask storage facilities at Pilgrim. She noted that flooding and other environmental
9 concerns need to be taken more seriously with regard to Pilgrim’s spent fuel storage. She stated that
10 preparations need to be made to prevent storage facilities from flooding.
11

12 Jim Lampert stated that he has provided the Panel with expert information prepared by experts who
13 have not been invited to speak to the Panel. He noted that expertise is available with regard to climate
14 and sea rise, and that these subjects deserve the consideration of the Panel. Next, he noted that there
15 are recommendations that touch on similar subjects but which are not identical. He suggested using a
16 matrix to understand the relationship between the different working group’s recommendations.
17

18 **WRAP UP AND ADJOURN:**

19 Mr. Mahoney noted that the Plymouth Board of Selectmen previously heard from a representative from
20 ISO-NE, and suggested it might be useful for the Panel to hear.
21

22 Senator Wolf stated that if the Panel’s goal is to become experts in nuclear decommissioning, that
23 would be discouraging. He noted that his expertise is in process, and that he understood the Panel’s
24 purpose to be recommending process on behalf of Massachusetts citizens to provide useful oversight
25 over the NRC and Entergy. He stated that he wants to create a process that is credible and has adequate
26 resources to engage the NRC and Entergy. He stated that he expected the interagency working group to
27 fulfill this purpose. He noted that the Panel should seek procedural outcomes, and not substantive
28 outcomes. Mr. Coughlin responded that the Panel does not need to be a Panel of experts that takes on
29 the NRC and Entergy, but rather inform the public and to gather information and make
30 recommendations to the legislature and the executive branch. Co-Chair Mullin noted that the Panel has
31 made great progress, including the development of the interagency working group, but also noted that
32 the Panel has a statutorily mandated advisory role to fulfill.
33

34 Co-Chair Mullin called for a motion to adjourn. It was so moved and seconded.
35

36 ***Meeting adjourned at approximately 8:30 p.m.***