NUCLEAR DECOMMISSIONING CITIZENS ADVISORY PANEL (“NDCAP”)  
Monday, September 21, 2020  
Virtual Meeting Due to Covid-19  
Meeting Minutes

Meeting called to order at 6:30 pm by NDCAP Chair John Mahoney.

NDCAP MEMBERS PRESENT
- John T. Mahoney, Representative of the Town of Plymouth (Chair)
- Pine duBois, Speaker of the House Appointee (Vice Chair)
- Senator Dan Wolf, President of the Senate Appointee
- Sean Mullin, Minority Leader of the Senate Appointee
- Kevin O’Reilly, Speaker of the House Appointee
- Richard Grassie, Minority Leader of the House Appointee
- David C. Nichols, Governor Baker Appointee
- John G. Flores, Appointee of Governor Baker
- David Johnston1, Department of Environmental Protection
- Robert Jones2, Executive Office of Health and Human Services
- Samantha Phillips, Massachusetts Emergency Management Agency
- Jack Priest, Department of Public Health, Radiation Control Program
- Susan Whitaker, Executive Office of Housing and Economic Development
- Pat O’Brien, Representative of Pilgrim Nuclear Power Station
- John Moylan, Pilgrim Nuclear Power Station Site Vice President
- Richard Rothstein, Representative of the Town of Plymouth
- Paul D. Smith3, Representative of UWUA Local 369

NDCAP MEMBERS NOT PRESENT
- Amy Naples, President of the Senate Appointee
- Robert Hayden4, Department of Public Utilities
- Mary Waldron, Old Colony Planning Council

REVIEW OF MINUTES
The draft minutes from the July 20, 2020 NDCAP meeting were approved unanimously with a few changes, namely: a correction to the name of the Radiation Control Program of the Department of Public Health, a correction on line 40 (to “9 of 11”), and the addition of a comma on line 23. A few additional technical edits were made.

REPLY FROM EEA SECRETARY THEOHARIDES
Ms. duBois read from a letter from Secretary Kathleen Theoharides responding to requests made by the NDCAP Chair and Vice Chair. The letter states that the Executive Office of Energy and Environmental Affairs (EEA) will continue to support the NDCAP website and take minutes for NDCAP meetings. The

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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)
letter states that there is no funding available, but that the interagency working group (IWG) will continue to work with NDCAP and respond to requests for information as appropriate.

Mr. Mullin commented that the NDCAP legislation is clear that, if the panel determines it needs expertise and training, then it should receive it.

Mr. Johnston stated that IWG will continue to provide support and that Four Points was available during the negotiation of the settlement agreement with Holtec. If there are particular questions from the panel, the IWG will do its best to answer them.

PROJECT UPDATE FROM HOLTEC

Mr. O’Brien provided a 20-minute overview of project activities at the Pilgrim. A power point presentation was shown.

Mr. O’Brien stated that he had provided a tour for the NDCAP Chair and Vice Chair, and offered to arrange tours for other members of NDCAP.

Mr. O’Brien indicated that Holtec/CDI is working through site characterization and has finished the fuel campaign. All 11 casks have been loaded, with 28 total in the lower pad. The next fuel campaign will begin in spring 2021, when fuel will be moved from the current pad to the upper pad.

Mr. Priest asked for more details about work to insert tools into the reactor vessel cavity to prepare Class C waste for eventual disposition. Mr. O’Brien indicated that this work would start in the next couple of weeks, and that GE will be conducting the work. Mr. Priest commented that this is the most radioactive waste short of the spent fuel.

Mr. O’Brien indicated that the K-1 and S-1 buildings have been removed safely and on time. The purpose was to make space available for storage of Class B and C waste. Upcoming demolition projects will include removal of a 160-foot meteorological tower.

Mr. Priest asked for more detail about the main stack demolition and radiation contamination monitoring. Mr. O’Brien stated that this Met Tower demolition project was put out to bid. Holtec is conducting proactive meetings with the state to ensure compliance.

Other members asked about whether monitoring data will be made available. Mr. O’Brien commented that the settlement agreement allows for demolition of towers while decommissioning is ongoing. He agreed it would be appropriate to characterize the waste and appropriately dispose of it.

Mr. Johnston indicated that DEP/DPH have been meeting with CDI to share ideas about the pre-characterization process and monitoring. Demo of the monitoring tower is one of the first substantial demolition projects that will happen, so the state intends to work with Holtec to determine how the tower will come down and how waste will be characterized and monitored once it comes down.

Mr. Priest commented that, from a radiological perspective, he is confident that the plan for removal and control of materials is not a high-risk activity. It is more of a good opportunity to find out how Holtec will communicate and share plans with the state before it gets into more significant work.
Further discussion followed regarding the storage and handling of waste. Mr. O’Brien stated that there are approved containers to be used. There are movable blocks that have caps on the top to shield the containers from radiation.

Mr. Mullin asked how slabs would factor into pre-characterization. If the slabs are in place, he asked how Holtec intends to conduct soil sampling.

Mr. Johnston indicated that pre-characterization concerns structures and foundations. Characterization will be ongoing as structures come out. The current phase is to get out in front of the demolition activity so that the state can use this relatively low-risk demolition activity to “test drive” the pre-characterization of demolition activities, including monitoring and screening for waste deposition.

Further discussion followed regarding the haul road and other structures. Mr. O’Brien stated that the new pad site is done and that the security building is in process, as well as the ground around the security building. Mr. O’Brien committed to completion of a visual wall. Holtec stopped work upon receiving comments from the Town. Holtec is also considering options to remove portions of the wastewater treatment facility (leaching pits) to provide more room to allow planting further away from the wall.

Mr. Johnston added that he went to observe the vehicle barrier wall relative to wastewater piping and infiltration galleys. The system is significantly overdesigned for the current flow, so there is much more infiltration capacity than they will need for what they have in foreseeable future.

Mr. O’Reilly requested a visual tour of this site, and Mr. O’Brien agreed to schedule it.

Ms. duBois and Mr. Mahoney suggested that a tour of the new pads would be helpful for other NDCAP members.

**INTERAGENCY WORKING GROUP (“IWG”) UPDATE**

The demolition update and vehicle barrier issues are covered above.

Mr. Johnston indicated that the state met with CDI in August under the settlement agreement. Subsequent to the meeting, Mr. Priest and Mr. Johnston have continued to coordinate including meeting on site and going over plans and additional site visit to discuss the vehicle barrier.

The next deliverable is the site assessment plan due on Oct 14.

MEMA will reconvene the Pilgrim working groups on public safety, meeting quarterly beginning on October 21. This will revolve around emergency management planning.

Mr. Johnston indicated that there was a question that came up at the last meeting involving DPU. DPU was able to confirm that there were no conditions on the sale of the Pilgrim plant to Holtec from its predecessor, Entergy, which would outlast the transaction. There is currently no regulatory authority at DPU because Holtec is not an energy generating company.
Mr. Smith said he had asked these questions of the DPU Commissioner. Mr. Smith reviewed the legal analysis provided by DPU and agreed that the DPU order does not appear to place any stipulations on Holtec at this time.

Mr. Rothstein asked whether the Four Points contract had terminated. If the panel had technical questions but could not hire an expert, he asked what kind of resources are available.

Mr. Johnston said that the state does not have consultants on contract right now. However, Four Points has been willing to answer questions by phone, so if the IWG cannot answer the question, then Four Points would be the first place to look. The IWG will do its best to support this effort.

Ms. duBois asked about the switch yard on the site, which was transferred or sold to Eversource. She asked how this structure fits into the state’s oversight since it will not be taken down.

Mr. Johnston indicated that the switch yard still plays a role for the electric grid. The parties acknowledged in the settlement agreement that Holtec CDI had leased equipment out to a third party. However, this does not suggest that assessment and cleanup will not occur; it just means that a different timeline to complete remediation may be needed. Holtec CDI by virtue of being current owner maintains responsibility of doing the work.

Mr. Mullin asked if it is possible to invite Eversource colleagues into a meeting to explain how the switch yard still plays a role for the electric grid. Mr. O’Brien said he would ask Eversource.

Mr. Mahoney stated that a NE-ISO presentation would be planned for October.

Mr. Smith asked about removal of stack piping from the roof, and whether, with the piping gone, there will be a standby gas treatment system and potential access issues because of the size of piping that is open but was not previously. Mr. O’Brien said he would get an answer.

**NDCAP LEGISLATIVE MANDATE REVIEW**

Mr. Mahoney stated that statutory language was provided to NDCAP members.

Ms. duBois commented that this was spurred by discussion of whether work groups should continue. Paragraphs (h) and (i) provide as follows:

(h) The chair shall: (1) manage the provision of administrative support to the panel, including scheduling meetings and securing meeting locations, providing public notice of meetings, producing minutes of meetings, and assisting in the compilation and production of the panel's annual report; (2) keep the panel informed of the status of matters within the jurisdiction of the panel; (3) notify members of the panel in a timely manner upon receipt of information relating to matters within the jurisdiction of the panel; (4) upon request, provide to all members of the panel all relevant information within the control of the department of public utilities relating to subjects within the scope of the duties of the panel; (5) provide workshops or training for panel members as may be appropriate; and (6) hire experts, contract for services, and provide for materials and other reasonable and necessary expenses of the panel as the commissioner may consider appropriate on request of the panel from time to time.
(i) The Panel shall serve in an advisory capacity only and shall not have authority to direct decomposition of the PNPS. The duties of the panel shall be: (1) to commence public meetings beginning on or about June 1, 2017, at a frequency of quarterly until the shutdown of the Pilgrim Nuclear Power Station (PNPS) for the purpose of discussing issues related to decommissioning planning activities; (2) to hold a minimum of four public meetings each year for the purpose of discussing issues relating to the progress of decommissioning of the PNPS beginning on or about June 1, 2019, or when the PNPS permanently ceases power operations; provided that the panel may hold additional meetings; (3) to advise the governor, the general court, the agencies of the commonwealth, and the public on issues related to the decommissioning of the PNPS, with a written report being provided annually to the governor and to the energy committees of the General Court; (4) to serve as a conduit for public information and education on and to encourage community involvement in matters related to the decommissioning of the PNPS and to receive written reports and presentations on the decommissioning of the Station at its regular meetings; (5) to periodically receive reports on the Decommissioning Trust Fund and other funds associated with decommissioning of the PNPS, including fund balances, expenditures made, and reimbursements received; (6) to receive reports regarding the decommissioning plans for the PNPS, including any site assessments and post-shutdown decommissioning assessment reports; provide a forum for receiving public comment on these plans and reports; and to provide comment on these plans and reports as the panel may consider appropriate to state agencies and the owner of the PNPS and in the annual report described in clause (3).

Mr. Wolf commented that, if the IWG had existed at the time the legislation was drafted, the language would have looked different. It is important that there is synergy between the panel and IWG but not duplicative work. The panel should ensure that questions are answered in an objective way to benefit the citizens of the Commonwealth. Too many questions are being answered now by the entity that has financial interest in decommissioning. Mr. Wolf expressed hope that more presentations of technical aspects would be provided, but he is not convinced that working groups are the best mechanism.

Mr. Wolf continued that it is difficult to take votes because certain members have to recuse themselves or have interests that are not aligned with those of citizens. The panel could try to amend the legislation. However, it was a huge success for the panel to have IWG to be involved.

Mr. Rothstein commented that the advantage of zoom meetings is that the panel can have slightly longer meetings, though there may be more people if meetings are in person. He suggested that public comment could be taken after each presentation.

Mr. Priest suggested that it may be helpful to reach out to Vermont and ask how they integrated their public comment into committees. Those meetings did stop for public comment after each presentation, but later changed to keep questions to the end because the format became distracting.

Mr. Mahoney said he would like to open town hall to public meetings. He said he would reach out to the chair of the Vermont NDCAP.

Mr. O’Reilly commented that he has had conversations with Vermont over the years, and that he agrees with Mr. Priest about process.

Mr. Mullin commented that one frustration has been that the media does not regard this as a story.
Mr. Nichols commented that the priority should be to get information out to the public. One idea would be to improve the mechanism to receive input, such as by creating a repository for comments and letters. Social media is another way to get information out to the public. The panel should find other opportunities to push information out in a way that is broader than the people who are attending or watch PACTV.

Ms. duBois stated that it is difficult to squeeze in everything the panel wants to discuss into each meeting. She is not averse to having a public forum that allows public to provide input. However, she feels that work groups were more relaxed and informal.

Ms. duBois commented that the key issue is that the panel is not digesting what the public needs to know to determine whether there are issues that needs to be addressed. There needs to be a repository so the panel can pull it in and keep it organized.

ANNUAL REPORT

Mr. Mahoney indicated that he would work with Ms. duBois, and sought assistance from NDCAP members.

Ms. duBois asked whether the IWG could provide a summary of the settlement agreement so the panel does not have to put the entire agreement into the annual report.

Mr. Johnston stated that he could speak with the Attorney General’s Office. However, there is nothing in the settlement that is not public. He would be concerned that the IWG members would mischaracterize or misstate an aspect of the settlement.

Mr. Priest commented that the panel should not spend time “parroting” provisions that are already out in the public. The key question is whether the settlement addressed all issues, and where there are issues to be addressed in the future.

Mr. Mullin stated that Mr. Priest has played an instrumental role in the past in providing draft language. The creation of the IWG and the involvement of the IWG and AGO are the biggest development last year, and the execution of the settlement is the next biggest. He suggested that the report be streamlined to focus on what was accomplished, and where the panel is going in the future.

Further discussion ensued about potential logistics of compiling drafts and limited resources of NDCAP members. Mr. Priest recommended that each NDCAP member send his or her top 3 to 5 recommended issues for the Annual Report by the end of the week. Ms. duBois also requested that members provide their comments and thoughts regarding Annual Report preparation by the end of the week. Mr. Wolf recommended that the Annual Report serve as a “gap analysis” between the work being done by the IWG and what is left to be done, and should be based on an initial draft provided by the IWG that summarizes work for the previous year. Mr. Priest disagreed the IWG should provide an initial draft, believing the NDCAP, not the government agencies that comprise the IWG, should draft the report.

Mr. Mahoney indicated that he wrote down the points discussed and will take the topic under advisement to formulate a plan with Ms. duBois.
TOPICS FOR NEXT MEETING

Mr. Mahoney suggested a hybrid meeting, which would lead with the ISO-NE presentation. Mr. O’Brien can attend to provide continuing updates and any additional input from Eversource about the switch yard.

At this point, Mr. Wolf announced that he will be resigning from the NDCAP effective October 1.

PUBLIC COMMENT AND QUESTIONS

A question was asked whether the casks will be made weapon proof, and whether Holtec would be prohibited from transporting waste to the southwest because of the risks of travel.

Mr. O’Brien responded that casks are made of NRC approved designs. Testing involved shots fired at the casks. Holtec responded to a procurement (RFP) to do consolidated interim storage. A competitor is considering a site in Texas. Should one of these options come to fruition, Holtec would move the fuel.

Another commenter (Diane Turco) noted that the Governor of New Mexico has rejected the proposal for interim storage, and gathered over 30,000 signatures from citizens indicating that they do not want waste stored there. There is no consent to site waste in New Mexico, meaning that it will stay in MA for a long time.

The commenter asked how Holtec is monitoring for leaks. Mr. O’Brien commented that there are daily checks by operations of canister integrity. The settlement agreement with the state also requires monitoring to be in place.

Mr. Priest confirmed that there are daily temperature checks provided to MEMA, which would be indicative of problems with the casks. DPH has no concerns about how Holtec is performing monitoring for dry casks currently.

Mr. Mahoney stated that having an expert on casks would be a good topic for an upcoming meeting. Mr. O’Brien indicated that the relevant individual has been available to address this topic before.

A commenter (James Lampert) asked about the role of this panel. He noted that the panel already has a “repository” in the form of the NDCAP website. The commenter requested that the website contain significant materials that are provided by the public.

Another commenter (Mary Lampert) noted that the role of the panel is clear; it is to talk about the decommissioning process. The initial site assessment plan is due on October 14. After that, the state will make recommendations and then Holtec has 30 days to put the plan into place. This is the most important topic for the next meeting.

Mr. Lampert commented that the question is how this panel would get information that it needs to be able to inform the Governor and the public that there has been a full and complete site assessment and that what has been done by the licensee complies with the requirements of the June 16 agreement. The Lamperts sent a 11-page memorandum about what the settlement requires and what has to be done for site assessment. He believes the panel is unable to understand the settlement based on the short reports received at NDCAP meetings.
Ms. duBois commented that there is a site assessment under way with a report due in January. She understands that Holtec is working hard to release non-proprietary information to the panel.

Mr. Johnston commented that he agrees that NDCAP meetings should be used to discuss the site assessment process. October 14 is the deadline for the site assessment plan, and the state will provide comments on that plan. January is not a deadline established by settlement, but is an internal goal by CDI and Holtec to get most of the site assessment done. The goal is to do a thorough assessment; if the state finds issues, it will make sure they are addressed.

Mr. O’Brien stated that he will make the Holtec LSP available to discuss the site assessment plan. This can be scheduled at the appropriate time.

Mr. Lampert reiterated that the fundamental question is how this panel would get the information it needs at the level of detail that is essential for it to do its job. The meetings are short, and only 20-30 minutes are allocated to DPH/DEP. Written answers to questions may be a vehicle to convey more information. Mr. Lampert indicated that it would be helpful if questions that are raised could be posted with answers on the repository.

Ms. Lampert asked whether the initial site assessment plan and comments provided by DEP/DPH will be made publicly available. Mr. Johnston indicated that generally if information is submitted to state agencies, it is publicly available. He indicated that he understands the desire for written information, but if the process is successful, there is less need to write down responses. The goal is to be transparent. He will bring the question of public accessibility back to the IWG for discussion.

WRAP UP AND ADJOURN

The next NDCAP meeting is scheduled for October 19, 2020.

Chair Mahoney called for a motion to adjourn. It was so moved and seconded, and approved unanimously.

Meeting adjourned at approximately 8:48 pm.

MATERIALS PRESENTED AT MEETING

Power Point presentation by Holtec/CDI