

Meeting Minutes

Yankee Rowe Fuel Storage and Removal Community Advisory Board April 9, 2009

The Yankee Rowe Fuel Storage and Removal Community Advisory Board held their Spring 2009 meeting at the Mohawk Park Restaurant in Charlemont, Massachusetts, on April 9, 2009.

Attendees: John Giarrusso, Allan Twitchell , Bill LeQuier , Marcella Stafford-Gore, David Nash, Jana Hunkler-Brule, Art Schwenger , Dawn Peters, Anne Skinner, Thomas Wilson, Charles Bellows, Ellen Babcock.

The meeting was called to order at 7:00 by Bill LeQuier, Acting Chair. John Giarrusso was introduced as the new representative of Massachusetts Emergency Management Association (MEMA). The minutes of the October 23, 2008 were accepted as written.

An update of the Project Status was presented by Robert Mitchell. His presentation is attached.

Robert Capstick presented an update on the Federal Nuclear Waste Management Program and Congressional Appropriations and Legislation update. His presentation is attached.

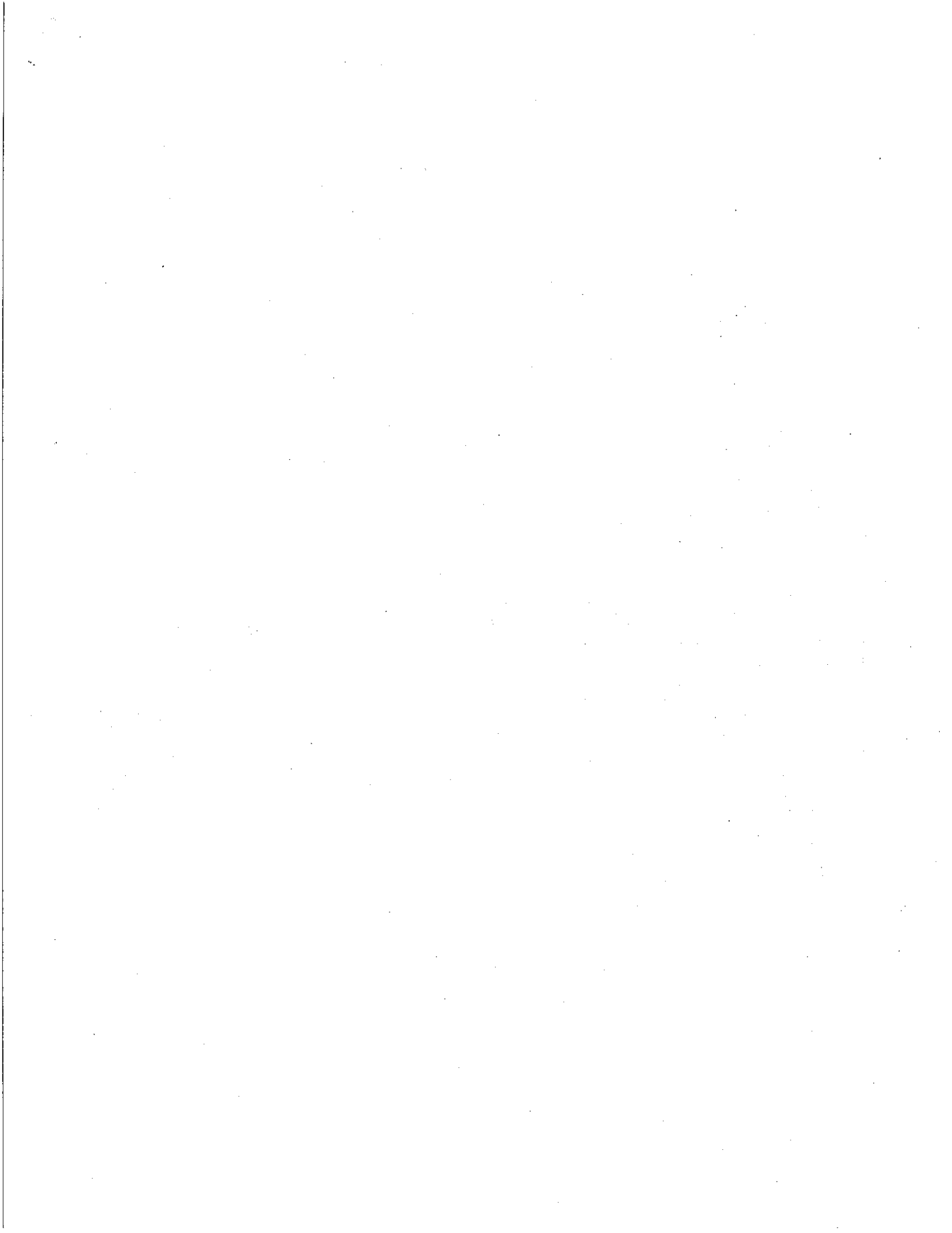
A presentation was conducted by Elaine Richardson of Vita Nuova regarding YAEC Property Dispositioning. Her presentation is attached.

CAB New Business: There was no new business discussed.

The next CAB meeting is scheduled for Thursday October 22, 2009.

The Meeting was adjourned @ 8:00 p.m.

For more information, contact Bob Mitchell at 413-424-5261 X-303 or via email at rmitchell@3yankees.com.



Yankee Rowe Spent Fuel Storage & Removal Community Advisory Board Meeting

Thursday, April 9, 2009

Project Status

Overall

ISFSI operations are normal with an emphasis on continued site security and the safe storage of the used fuel, site closure activities, including the implementation of the post closure ground and surface water sampling program and property disposition.

Industrial Safety

The project has worked more than 3.45 years since the last lost time accident as of April 9, 2009

There were no OSHA recordable injuries or first aid cases, since the last meeting.

Physical Work

- Site work since the last meeting consisted of normal equipment and facility maintenance and snow removal operations.
- YAEC tentatively plans on implementing a "forest management" program later this year that will continue for the foreseeable future.

Site Closure

MA DEP

Yankee has received the "Phase II-Comprehensive Site Assessment Report – Final Report" from the MADEP date April 8, 2009. Yankee will be implementing its post closure monitoring program of the site as set forth in this report. The Post Closure Monitoring will continue at the site for up to 30 Years. .

The groundwater sampling completed in 2008 indicated that the decreasing trend with the tritium concentrations is continuing as predicted. The 2009 post closure ground water and surface water samples were collected in March 2009 and analysis of samples will not be completed until late April and will be reported to the MADEP.

The Southeast Construction Fill Area (SCFA) Closure Certification was issued in October 2008.

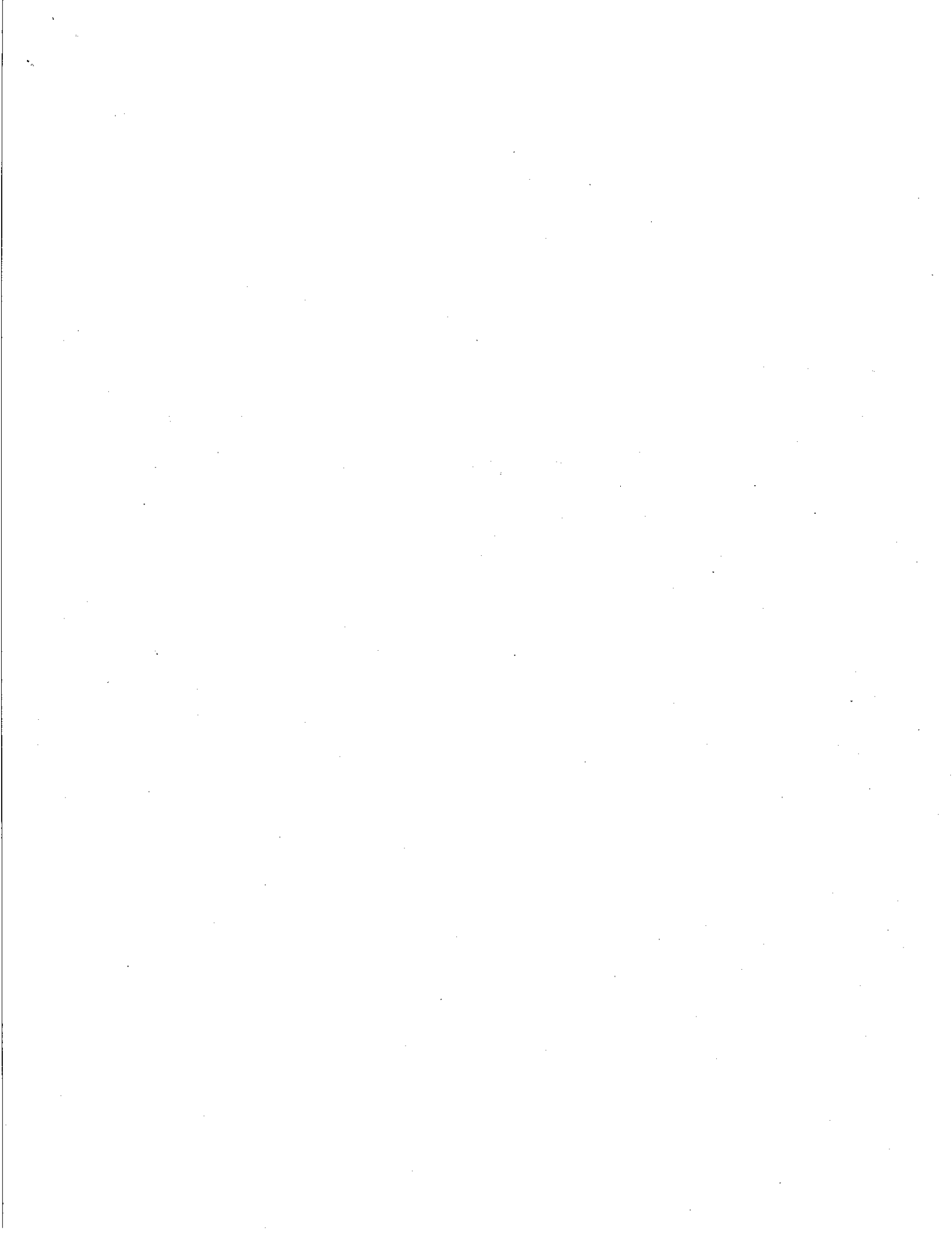
Yankee is required to continue with the Post Closure Monitoring including final closeout of a portion of the old industrial area just down gradient from the spent fuel pool location. Completion can not occur until the tritium concentration drops below the EPA drinking water MCL in one well and the Arsenic concentration decreases below the MCL in one other well. The Arsenic concentration is currently at the MCL and tritium remains slightly above the MCL, but is continuing to trend downward based on the 2008 sample results (the limit is 20,000 pCi/L and the well is 25,700).

Wetland Closure related to the Water Quality Certification was completed with the issuance of the annual report to the DEP in December 2008.

With no additional physical work performed at the site, the Certificate of Compliance can be obtained for the completion of the site activities under the Order of Conditions this year. This will allow closeout of the Order of Conditions in the summer of 2009. All required monitoring will be completed early this summer. The Rowe Conservation Commission has been notified of this plan.

Yankee Property Disposition

- Vita Nuova, LLC with offices in Sandy Hook, CT have been retained to assist YAEC with disposition of its property in the Towns of Rowe and Monroe.
- The "Expression of Interest" (EOI) process is underway and a representative from Vita Nuova is here to review the process with the Board.



YAEC SPENT FUEL STORAGE ADVISORY COMMITTEE
MEETING – April 9, 2009
NUCLEAR WASTE ISSUE UPDATE

Federal Nuclear Waste Management Program Update

- **DOE Program:** The Obama administration has stated that it does not support the Yucca Mountain repository program and is starting the process of finding alternative solutions for the management of nuclear waste and closing the back end of the fuel cycle. Secretary Chu testified recently before the U.S. Senate Budget Committee saying he was convening a "blue-ribbon panel" of experts to "develop a long-term strategy that must include the waste disposal plan." He also said that dry cask storage at individual nuclear plants, "which can be safe for decades," was sufficient for now while the panel of experts investigates the long-term options.

- **Yucca Mountain License Application:** The DOE submitted the Yucca Mountain license application last year and that the NRC docketed the application initiating the licensing review process. The process has been moving forward with DOE responding to NRC's Requests for Information (RAI's). The question is whether the government will continue to fund it.

Congressional Appropriations and Legislation Update

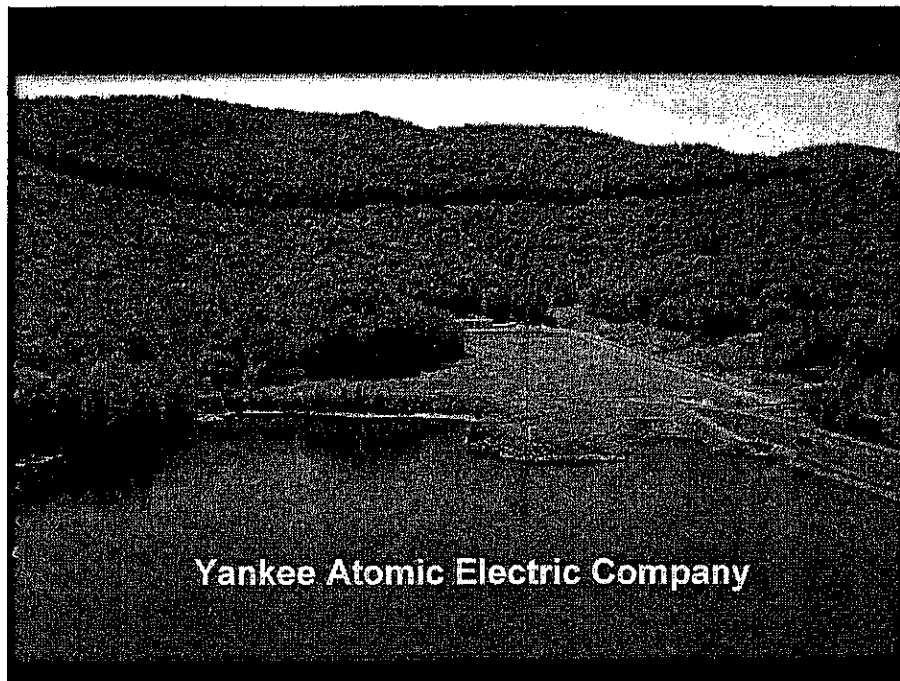
- **Appropriations:** The FY 2009 omnibus bill that recently passed cut the DOE's federal waste management program funding level an additional \$100 million (to \$288.4 million). The consequences of this funding level for the remainder of this fiscal year will be significant contractor layoffs and further DOE program delays. The NRC funding level numbers are believed to be supportive of the Commission continuing with the Yucca license application review.

- **FY 2010 Budget:** The real indication of where the administration intends to go with the nuclear waste program is expected to be in the FY 2010 budget request. The Obama administration's budget proposal for fiscal 2010 is expected to propose a funding level for the Yucca repository project that will provide only funds sufficient for DOE to respond to NRC questions during the licensing review. OCRWM requested \$245 Million for the Yucca Mountain license review effort and the OMB request is expected to be \$188 -198 Million (a level that would allow some licensing work to continue, but little if anything else and would force additional layoffs). The administration is expected to issue a detailed spending blueprint in April that will address the future of the program and recommend some form of a waste management program review commission.

- **Nuclear Waste Legislation:** A bill was introduced last month in the U.S. Senate by Nevada Senators Harry Reid and John Ensign that would create a nine-member expert panel to recommend a new nuclear waste strategy for the nation. The proposed blue ribbon commission would be given two years to set a new path for how the nuclear waste should be managed (Note: Senator Reid is up for re-election in 2010). The group would be instructed to disregard any role for Yucca Mountain in whatever they recommend.
- **Decommissioned Plant Efforts:** The Decommissioning Plant Coalition developed a letter in January to President-elect Obama highlighting the shutdown reactor spent fuel storage issues that was signed by five U.S. Senators. The DPC also drafted a similar letter last month to the administration that was signed by the House members that have decommissioned plants in their districts requesting priority attention to the needs of the shutdown reactor sites as the administration examines the next steps in the nation's spent fuel management program. It also requested that shutdown sites like Yankee Atomic be provided with a seat at the table in that review. (copy provided). Congressman Olver was very supportive and signed on the top line. Would also note that the Maine Yankee Community Advisory Panel wrote to U.S. Senator Collins asking help to ensure that the voice of communities with single-unit shutdown plant sites be represented on the proposed Blue Ribbon Program Review Panel (copy provided). Yankee will continue its efforts to expedite the remove of the fuel from the site with the Nuclear Waste Strategy Coalition; the Decommissioning Plant Coalition; the Nuclear Energy Institute; the National Association of Regulatory and Utility Commissioners; the New England Council; and other organizations as well.

DOE Lawsuit Status

- Following last summer's US Federal Circuit Court of Appeals panel decision in the Yankee cases that vacated the U.S. Court of Federal Claims decision and remanded the cases back to the lower court, a status conference was held in January. At that time, the U.S. Federal Claims Court Judge issued a Scheduling Order that established July 24, 2009 as the date for close of discovery and reserved the weeks of August 10th and August 17th, 2009 for a pretrial conference, trial and any other proceedings required to complete the record necessary for final resolution of the issues involved.
- There is currently a stay in effect in the Yankees' second round of DOE damage claims cases.



Yankee Rowe Atomic Power Plant

- Decommissioning is essentially complete
 - NRC license is now limited to the ISFSI
- Yankee's ongoing responsibilities are:
 - To secure and maintain the ISFSI until the Department of Energy removes the fuel
 - To continue monitoring groundwater as required by MassDEP
 - To maintain deed restrictions
- Upon removal of the fuel, Yankee Atomic will likely go out of business
 - At which time the property would have to be dispositioned

Yankee Rowe

Vita Nuova, LLC

Vita Nuova

- Who We Are
 - National leader in the disposition of complex properties
 - Substantial experience on large sites
- Our role is to help Yankee Atomic determine the most appropriate disposition of the land
 - Prepare Reuse Assessment
 - Manage Expression of Interest Process

What is a Reuse Analysis

Vita Nuova

- A reuse assessment is a comprehensive evaluation of a property, including:
 - Characteristics and assets
 - Location
 - Real estate market
 - Constraints on use
 - Stakeholder input



What is a Reuse Analysis

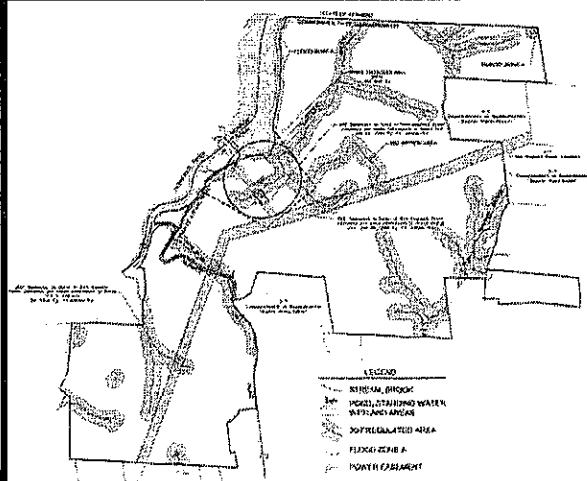
The purpose of a reuse assessment is to identify potential future uses of a property based upon its characteristics and location with a region.



Reuse Assessment Findings

Rowe 1,735 acres

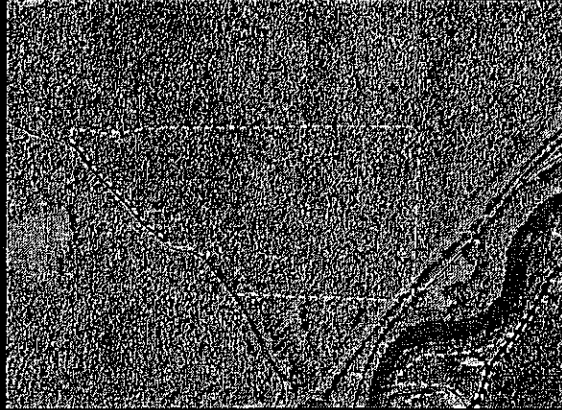
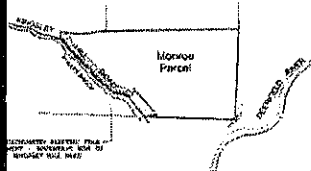
- 1,079 acres steep
- 656 remain - of which 259 are highly-regulated
- Deed restrictions
- Easements
- Areas of high conservation value
- Archaeologically sensitive locations



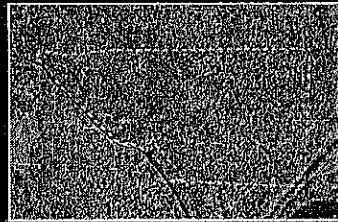
Reuse Assessment Findings

Monroe 93 acres

- 68 acres are steep grade
- 24.5 acres remain - of which 3 are highly-regulated

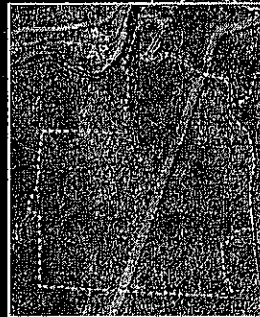


Reuse Assessment Findings



The size and characteristics suggest the property can accommodate one or multiple uses

Expression of Interest process recommended



Expression of Interest Process

Yankee Yankee

- What is an Expression of Interest?
 - It is a formal and confidential process of determining interest in future ownership of a property
- An Expression of Interest is *not*:
 - A bid process or offer for sale
- Who can submit an EOI?
 - A municipality or public agency
 - A non-profit organization
 - A private organization

Expression of Interest Process

Yankee Yankee

- An Expression of Interest seeks:
 - Preliminary statements of interest
 - Qualified organizations capable of acquiring and maintaining the property
- What are Yankee's priorities?
 - First and foremost, safety and security of the ISFSI – incompatible uses are not acceptable
 - Long-term stewardship of the land
 - To meet its obligations to its shareholders and ratepayers

Expression of Interest Process

- Decision making process
 - This is a non-binding process
 - Designed to identify the level of interest
 - Yankee Atomic has not determined its next steps

View From

