

Meeting Minutes

Yankee Rowe Community Advisory Board October 3, 2007 (Revised)

The Yankee Rowe Fuel Storage and Removal Community Advisory Board held their fall 2007 meeting at the Mohawk Park Restaurant in Charlemont, Massachusetts, on October 3, 2007.

Attendees: David Nash, Marcella Stafford-Gore, Jana Hunkler-Brule, Susan Wood, Art Schwenger, Anita Barker, Dawn Peters, Myra Carlow, Bill LeQuier, Gail Cariddi, Tom Wilson.

Chairman Lenny Laffond called the meeting to order at 7:05 p.m. The April 11, 2007 meeting minutes were modified to include Gail Ann Cariddi as in attendance of April meeting and then the corrected meeting minutes were approved.

Site Closure Update (Bob Mitchell – ISFSI Manager)

The following overall activities for the Project were discussed:

Emphasis continues on site closure documentation and Project closeout.

Site work, including grading, seeding and demobilization is complete, although the dam extension tie-in still needs to be completed.

License reduction to the ISFSI was approved this summer, which basically includes the area that the 16 acres are on.

The Administration Building project is complete and is being occupied by site personnel.

The property re-use study is being conducted by Vita Nuova, LLC for presentation to the YAEC Board of Directors. A question was raised regarding whether or not there would be a rollout of the study regarding what decision was made for the use of the land.

Industrial Safety (Bob Mitchell – ISFSI Manager)

As of September 30th, the site has been more than 2 years since the last lost time accident.

One (1) OSHA Recordable on 10/2/07.

Site Activities (Bob Mitchell – ISFSI Manager)

The majority of the site has been graded, seeded and restored.

Demobilizing of trailer is complete with the exception of 1 trailer which will leave the site shortly. The Sea land containers will be being removed over the next few months.

The final tie-in of Sherman Dam extension will be continued until the spring of 2008.

Site Closure Activities (Joe Bourassa – Site Closure Manager)

All activities to support site closure under NRC regulations have been completed. Yankee continues to work with the DEP on closure activities under Mass DEP regulations.

A Post Closure Groundwater Monitoring Program has been agreed to with the DEP. Monitoring will continue for up to 30 years.

Finalized the DEP required Risk Assessment for the site under the Massachusetts Contingency Plan and working with DEP to finalize.

Final site storm water improvements were implemented over the last 6 months and have been effective.

Continue to finalize and obtain agreement on many of the remaining site closure documents.

Regulatory Relations (Bob Capstick – Government Affairs Manager)

The attached presentation on the Nuclear Waste Issue was presented by Bob Capstick.

NUCLEAR WASTE ISSUE UPDATE

DOE Program Update

- The DOE Yucca Mountain license application filing is expected to be submitted to the NRC before June 2008. If the application is accepted and docketed by the NRC, it will initiate a multi-year review process. The DOE estimate for repository operation is in the 2017 timeframe.
- In June, the Department of Energy's Office of Civilian Radioactive Waste Management released the final performance requirements for its Transportation, Aging and Disposal (TAD) canister for disposal of spent nuclear fuel at Yucca Mountain. The specification makes it clear that dual-purpose canisters used by

Yankee and others will not be deemed TADs. The Yankee companies provided comments urging that DOE's plans for a wet handling facility at Yucca Mountain be developed so as to avoid any delay in the removal of already canistered SNF/GTCC (i.e. that it be operational at the outset of repository operations).

Congressional Appropriations and Legislation Update

- House Appropriations Committee passed the Energy & Water Development Appropriations bill approving full funding in FY 08 for the DOE's nuclear waste program at the Administration's budget request of \$494.5.
- As a result of the efforts of the Decommissioning Plant Coalition, the accompanying House Report (110-185) included the following statement, "The Committee directs the DOE to develop a plan to take custody of spent fuel currently stored at decommissioned reactor sites to both reduce costs that are ultimately borne by the taxpayer and demonstrate that DOE can move forward in the near-term with at least some element of nuclear waste policy. The Department should consider consolidation of the spent fuel from decommissioned reactors either at an existing DOE site, at one or more existing operating reactor sites, or at a competitively-selected interim storage site. The Department should engage the 11 sites that volunteered to host GNEP facilities as part of this competitive process."
- During debate of the appropriations bill in late June, there was a House floor amendment offered by the Nevada Congressional delegation to reduce the Yucca program funding by \$200 million. The amendment failed by a vote of 80 to 351. Note: 14 of the 20 New England delegation members voted in opposition to the amendment (Allen and Michaud from Maine; 4 from CT – Courtney, Murphy, Shayes, Larson; 6 from MA – Olver, Frank, Delahunt, Neal, Capuano, Lynch; Hodes of NH; and Welch of VT).
- The Senate Appropriations Committee passed the Senate Energy & Water Development Appropriations Subcommittee bill in late June approving \$446.1 million for the nuclear waste disposal program, \$48.4 million less than the Administration's request of \$494.5 million (much less of a cut than was anticipated). The bill has not yet gone to the floor but may in the next few weeks or next month. There is a growing belief that the Congress is heading towards an extension of the FY 07 Continuing Resolution (which would fund the OCRWM program going forward at its current funding level of \$494.5 million).
- There are several nuclear waste related bills filed in both House and Senate - its unlikely that any of the bills filed this year will move this session – largely because of the new Senate leadership, but also because Congress is focused on other energy issues such as climate change and alternate energy legislation this session.

- Also note the several 2007 reports emphasizing shutdown plant spent fuel storage issues (handout)

DOE Lawsuit Status

- The Yankee DOE damages cases are still in the appellate briefing stage. The most recent government filing was in September, the companies will reply in early October. It's possible the appellate panel will schedule a hearing date before the end of the year.
- In a related development, Judge Merow issued his decision in Southern Nuclear Operating Co., et al. v. United States in July. As in the Yankee cases, he found for the utilities. In late July, the government filed a motion with Judge Merow asking him to reconsider his decision in the Southern case based upon a number of arguments. Judge Merow has not ruled on the motion as of this time.

New Plants Being Planned by Utilities

- Expected Applications (2007-2009) by NRC = 21 applications for 32 Units (handout)
- Most are in the South and Southeastern US – most are also where existing plants are located.
- Several different design types = advanced BWRs and PWRs

CAB New Business –

Discussion was held and decision made to change the CAB Meetings from Wednesday to Thursday to better accommodate the schedule of CAB Members.

Robert Capstick volunteered to assist CAB Members, Jana Brule, Gailanne Cariddi and Lenny Laffond in composing a letter to the Secretary of Energy regarding expediting removal of the Spent Fuel and GTCC at decommissioned reactor sites.

The next meeting was scheduled for April 24, 2008.

The meeting was adjourned at 8:10 p.m.

For more information, contact Bob Mitchell at 413-424-5261 x-303r via email at bmitchell@3yankees.com