

Meeting Minutes
Yankee Rowe Spent Fuel Storage & Removal Community Advisory Board
October 26, 2022

The Yankee Rowe Spent Fuel Storage & Removal Community Advisory Board held their Annual meeting at the Golden Eagle Restaurant in Clarksburg, MA on Wednesday evening October 26, 2022.

CAB Attendees: John Macdonald (Yankee Atomic Electric Company), Lenny Laffond (Town of Rowe), Art Schwenger (Franklin County Chamber of Commerce), Dawn Peters (Town of Heath), Jackie Cashin (Town of Charlemont), Carla Davis (Town of Monroe), A. Twitchell (Town of Whitingham), Bill Lequier, (Town of Readsboro)

Citizens Awareness Network attendees: Deb Katz, Schuyler Gould and Ann Darling were in attendance.

YAEC Representatives: Shae Hemingway, Robert Capstick, Frank Clifford, Kevin Shea, Scott Sherman and Karen Sucharzewski.

The meeting was called to order at 6:00 p.m. by Lenny Laffond.

Minutes of the November 2019 meeting were approved as written.

ISFSI Status Report was presented by John Macdonald, ISFSI Manager.

John Macdonald's presentation is attached.

John then summarized the handout presentation developed by 3 Yankee's Aging Canister Program Manager Neil Fales about the 2022 Yankee Rowe Aging Management Program Baseline Inspection and its successful results.

Aging Management Program handout is attached.

Regional and Federal Nuclear Waste Issue Update Report was presented by Robert Capstick (Public/Government Affairs Manager).

Robert Capstick's presentation is attached.

CAB New Business: Additional discussion was held regarding the deteriorating condition of the Rowe site entry road that is owned and maintained by the Town of Rowe and the need for State funding to help the Town pay for the necessary repairs.

The date for the next CAB meeting will be announced in the 6 month Update Announcement scheduled around May 2023.

The Meeting was adjourned @ 7:15 p.m.

For more information, contact John Macdonald at 413-424-5261 X-303 or via email at jmacdonald@3yankees.com.

ISFSI Manager
Presentation

John Macdonald

Staffing/Organizational updates

In May of 2021, John Macdonald was appointed as the ISFSI Manager at Yankee Atomic.

In June of 2021, Frank Clifford was appointed as an ISFSI Technical Specialist at Yankee Atomic.

Also, Allied Universal Security Services (AUS) acquired G4S, the security services contractor. There was no impact to the Yankee Atomic security staff and the transition was seamless with respect to ISFSI Operations.

Industrial Safety

No first aid cases, OSHA Recordable injuries or Lost Time Accidents have occurred since 2019, when there was a first aide and an injury. The last Lost Time Accident at Yankee Atomic (YA) was in August 2012.

ISFSI Security

Security performance at YA continues a consistent, improving trend. The Allied onsite leadership team is developing well and appears to have very good team chemistry. The four shift security teams continue to benefit from consistent and stable supervisory leadership. The ISFSI Shift Supervisor (ISS) Upgrade performance remains a strength.

Security staffing remains at compliment. Four ISFSI Security Officer (ISO) candidates are currently in the academic (classroom) portion of the qualification training. The class is on-schedule for full qualification by Thanksgiving.

The security force is on a 12-hour, 4-shift rotation. It is the intention to remain on this schedule for the foreseeable future. The schedule has resulted in significantly less overtime and objective surveys continue to indicate a high level of security force satisfaction.

ISFSI Operations

In the fall of 2021, a significant upgrade to the security computer system was completed. The upgrade also included a 100% fidelity simulator. The simulator allows for verification and validation testing of proposed upgrades and patches prior to installation on the actual system. Additionally, the simulator is an excellent training platform and allows for greater realism during Emergency Planning drills and exercises while eliminating distraction to the actual alarm station.

The site transition to Amendment 8 of the NAC-MPC CoC (Technical Specifications) was completed error-free on April 18, 2022, as scheduled.

The YA Vertical Concrete Cask (VCC) and Transportable Storage Container (TSC) aging management inspections were completed on August 22, 2022, and demobilization was completed on August 29, 2022. All welds and surfaces inspected were free of defects.

Finally, the site is nearing completion of a multi-phased update/modernization of the gatehouse and security alarm station.

Throughout 2022 there has been a concerted effort to remove legacy equipment, unclutter shops and improve the overall visual presentation of support facilities.

Quality Assurance Audit/NRC Inspections

The NRC conducted a safety inspection on September 28-29, 2021 (Inspection Nos. 07200031/2021001 and 05000029/2021001). This inspection was delayed due to the impacts of COVID. There were no findings and the inspection determined that YA radiation protection and emergency preparedness programs were being properly implemented and that daily technical specification surveillances were being properly completed. Inspector walkdowns confirmed the ISFSI pad was free of combustibles, that and that no combustibles were being stored in the vicinity, and procedures were in place to control entry onto the ISFSI pad. The inspector determined the required training program elements were in place and proper refresher training and qualifications were tracked and maintained. The inspector also determined that issues were being entered into the corrective action program and were being evaluated and corrected commensurate with their safety significance. Finally, the inspector verified that the QA program properly evaluated changes to ISFSI programs to ensure that changes did not result in a reduction of overall program effectiveness.

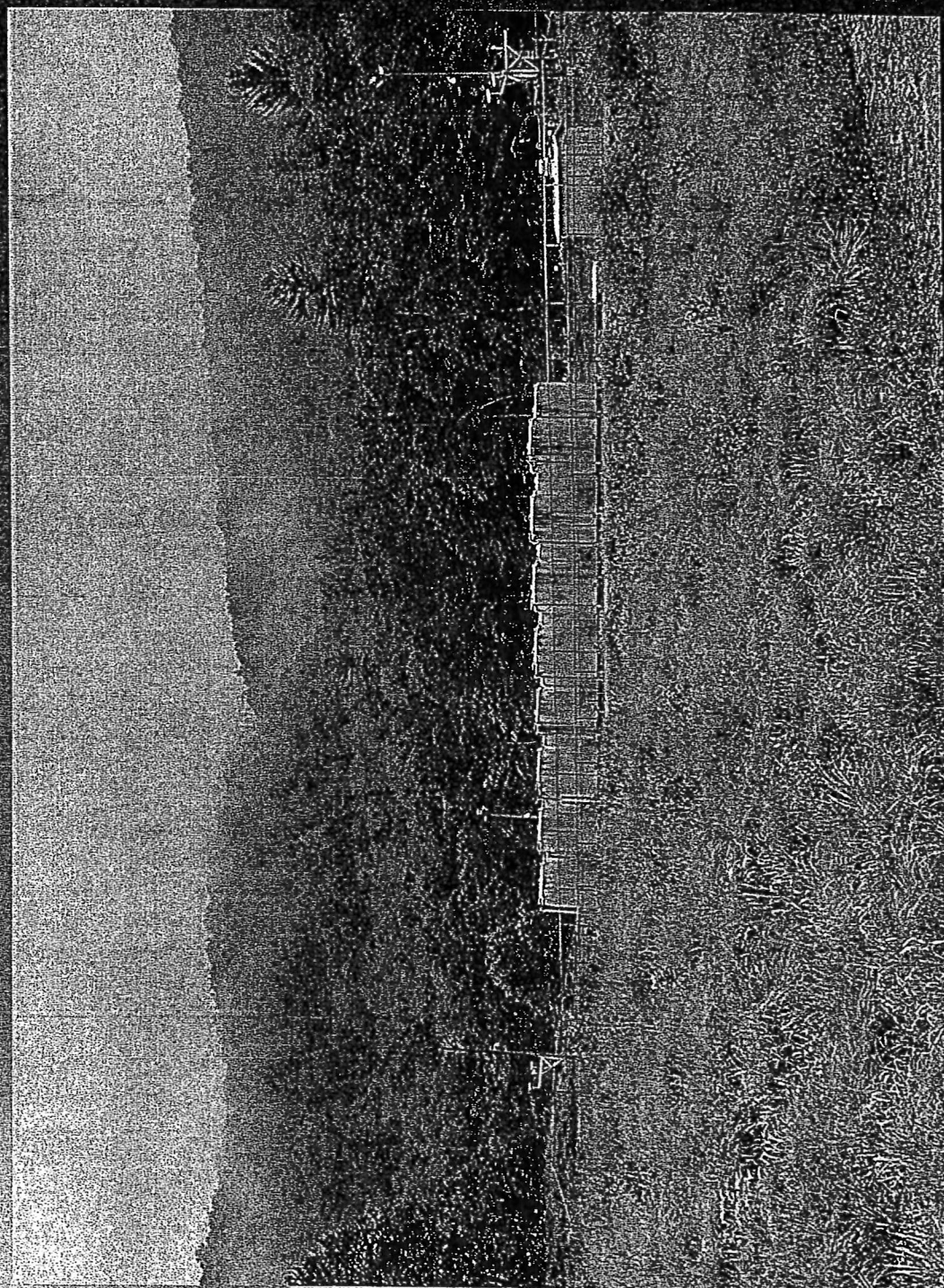
The biennial QA Yankee Atomic ISFSI Operations Audit was conducted from September 26-October 18, 2022. The final report is pending. The formal exit meeting reported that site performance is on a positive trajectory and all twelve areas audited were considered effective. The next NRC inspection is scheduled for September 2023.

2022 Emergency Planning

On October 19, 2022, a planned fire and medical emergency drill met all objectives and served as an excellent training evolution. Offsite local law enforcement, fire and rescue and medical services participated in the drill. Lessons-learned and opportunities for improvement were captured in the corrective action process. A radiological monitoring drill will be conducted on December 7, 2022.

Yankee Road remains passable via the inbound lane only. The road continues to degrade, and the rate of change seems to be quickening. Should the road become unpassable, Great River Hydro will allow access to their private road over the dam for emergency response by Local Law Enforcement, Fire and Medical responders. This would not be a desirable alternative due to the inherently longer response times as well as the increased coordination with Great River Hydro that would be required to ensure timely vehicle gate control.

2022 YANKEE ROWE AGING MANAGEMENT BASELINE INSPECTION



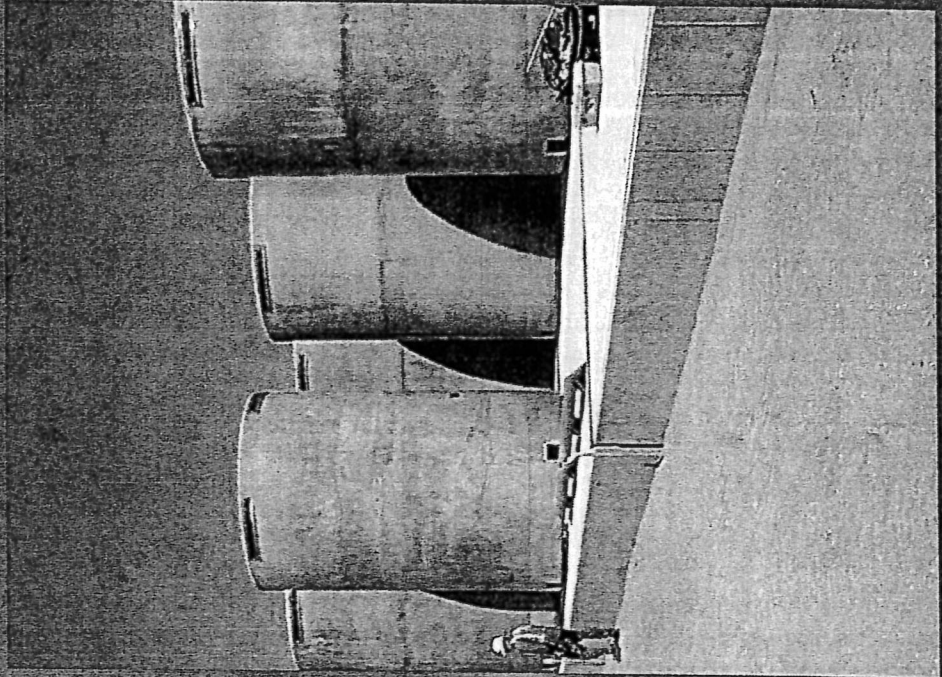
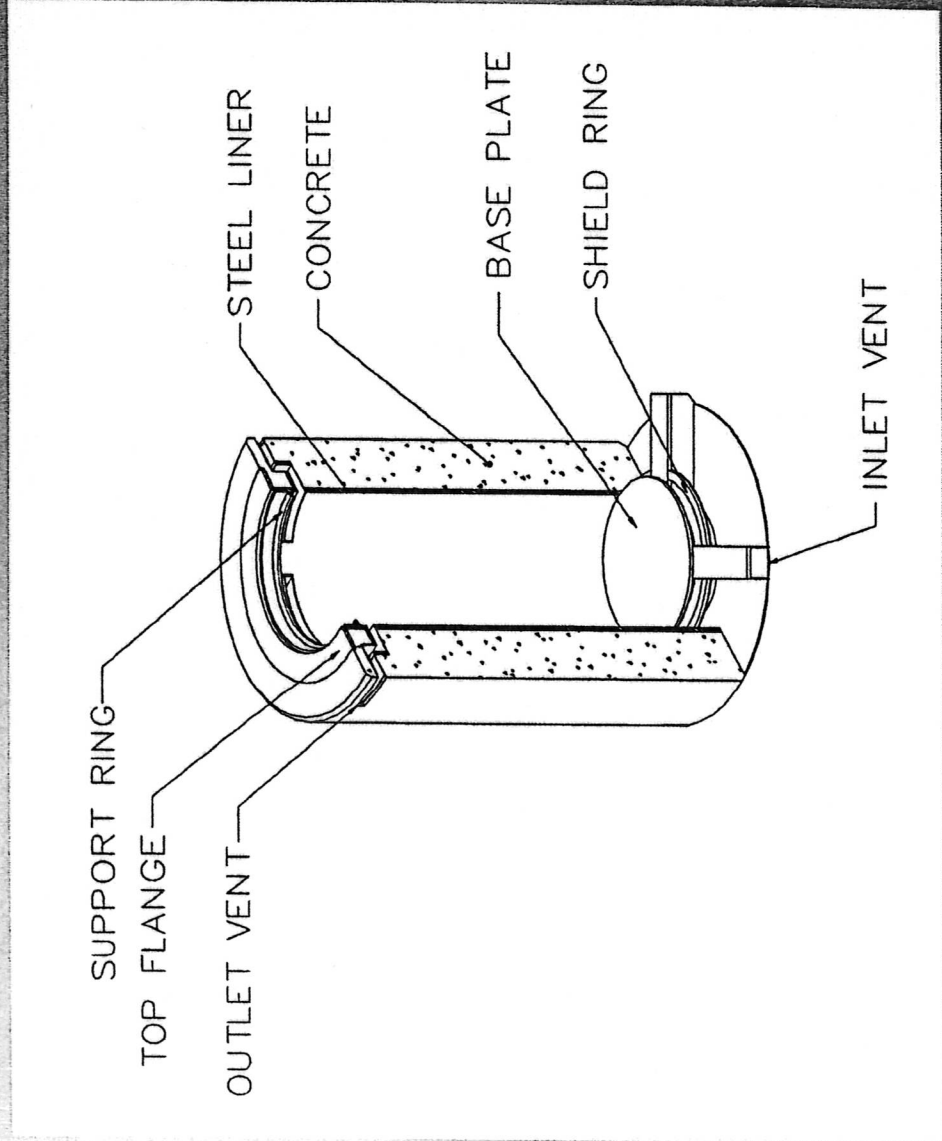
Aging Management Program

- As each of the dry storage systems at the three Yankee sites reaches 20 years of storage time, it completes the original licensing period of 20 years and enters a period of extended operation for the next 40 years, which is also the time span of the renewed Certificate of Compliance (C of C) for the casks at each site.
- Requirements for the 40-year period of extended operation include specific aging management inspections which are contained in the renewed C of C. These are the basis for the site Aging Management Program.
- These inspections were completed during the baseline aging management inspection of the transportable storage canister (TSC) and vertical concrete cask (VCC) at Rowe this year.

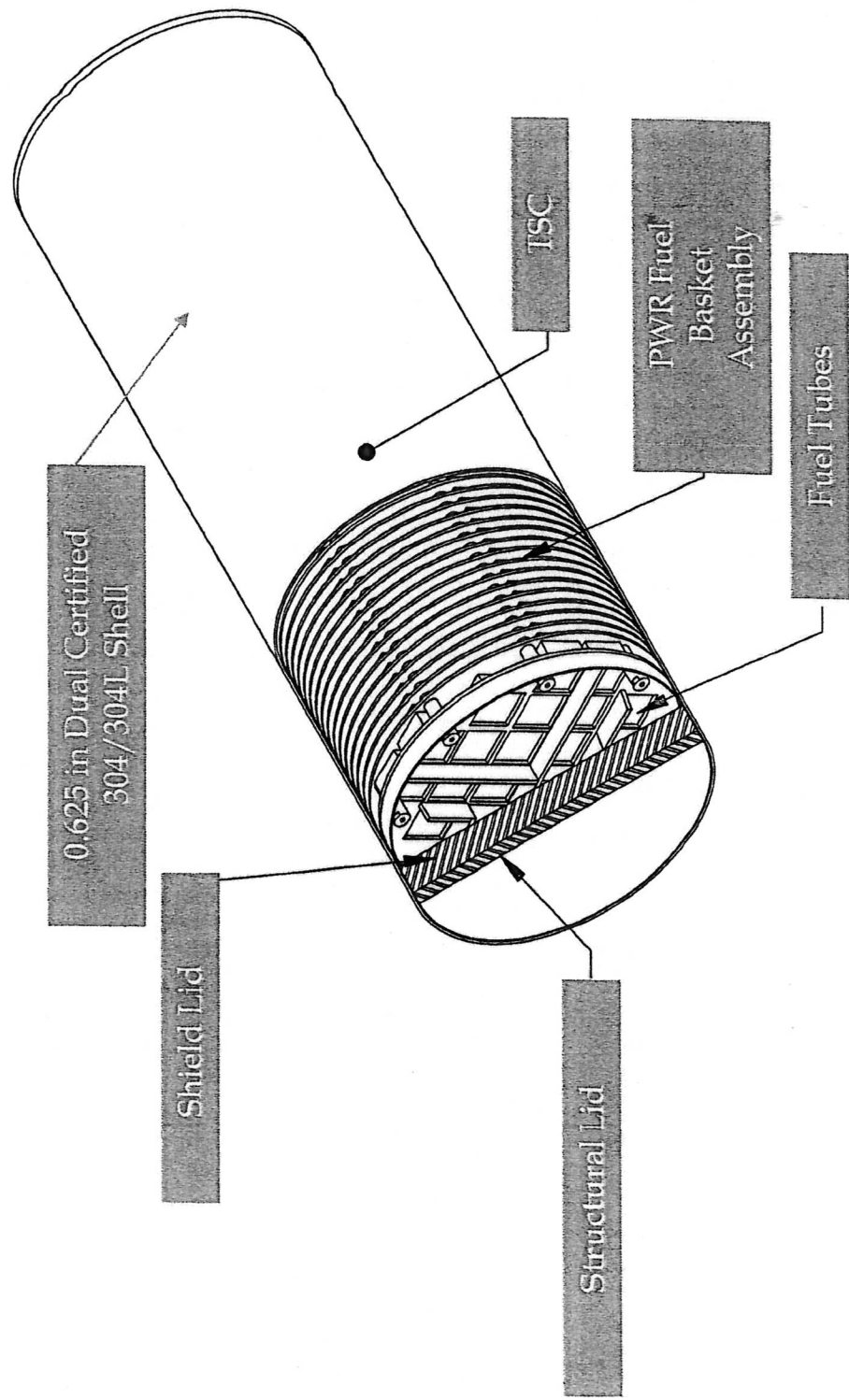
Inspection Scope

- VCC 14/TSC 14 was selected for the inspection based on low decay heat load and length of time in storage. These are factors in determining the most susceptible canister to chloride induced stress corrosion cracking (CISCC) at a given site.
- Yankee Rowe is categorized as a low susceptible site due to low chloride sources (distance to ocean/salted road/cooling tower...) and based on low chloride sampling results of atmospheric monitoring performed at the site.
- The scope of the baseline inspection consisted of accessible:
 - TSC welds, heat affected zones and base metal
 - C1 - Bottom Closure Weld and HAZ
 - V1 - Vertical Weld and HAZ
 - T1 - TSC Shield Lid and Structural Lid HAZs
- VCC internal coated carbon steel surfaces including:
 - Inlet/Outlet Vents
 - VCC Liner
 - Base Weldment and Pedestal
- VCC external coated carbon steel surfaces
- VCC external concrete surfaces

Vertical Concrete Cask (VCC)



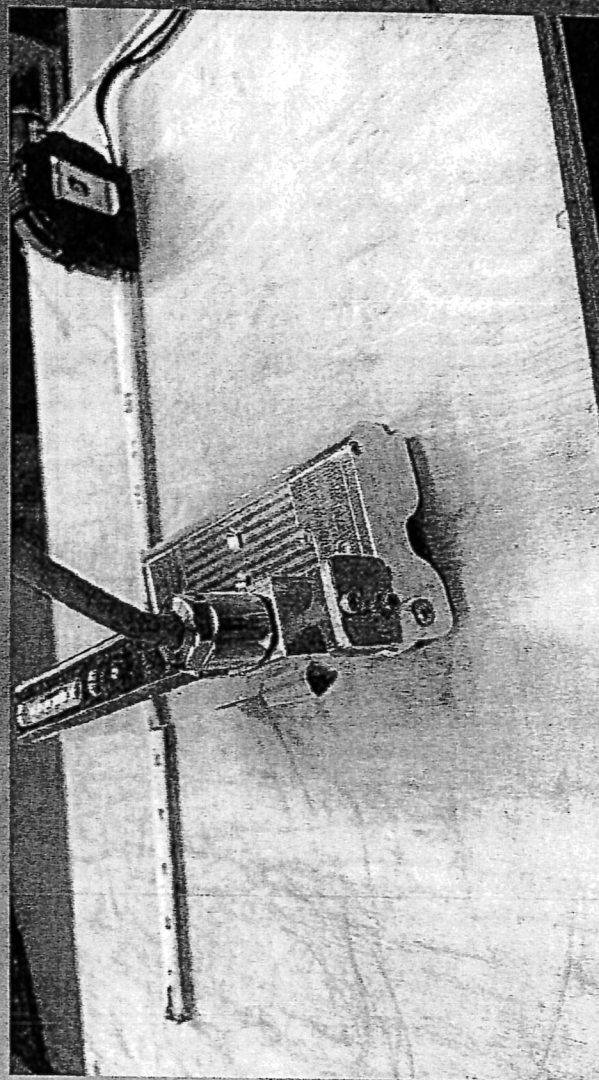
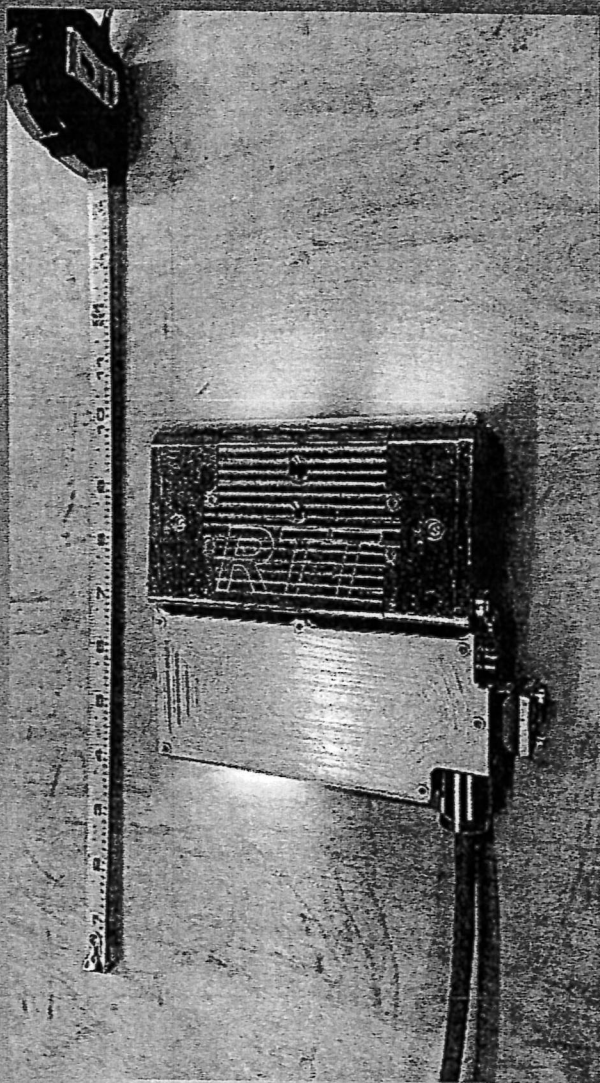
Transportable Storage Canister (TSC)



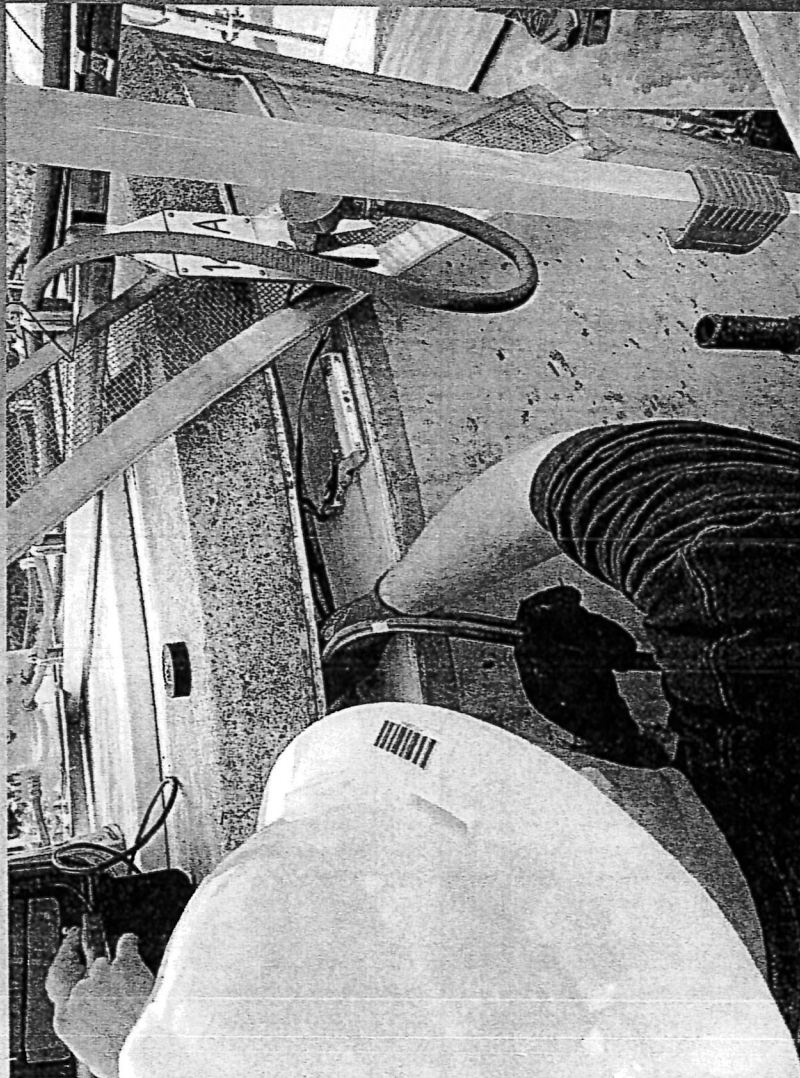
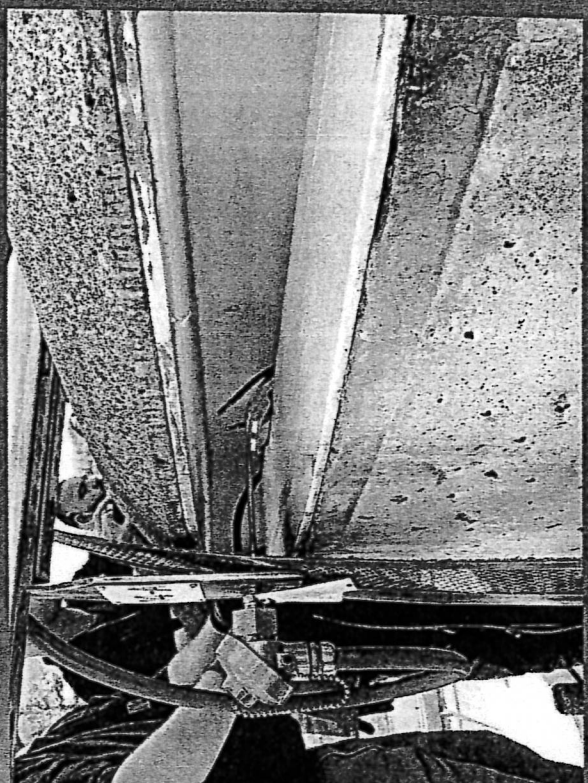
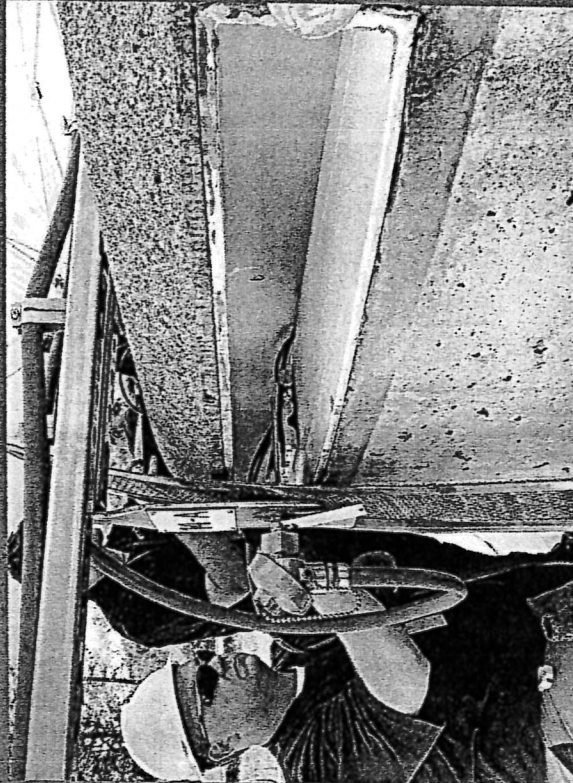
Inspection Team and Roles

- Licensee Staff – Nuclear Safety Advocate, Weather Monitoring, Video Monitoring Setup, Protected Area Power Setup
- Security Staff – COVID screenings, Personnel/Equipment/Vehicle Searches, Personnel Escorts
- 3 Yankees Aging Management PM – Project Manager, Work Party Leader
- NAC – General Services Inspection Contractor
- Waygate Technologies – Level II Inspectors, Camera Operators
- Robotic Technologies of Tennessee (RTT) – Delivery System, Robot Operators
- Applied Technical Services (ATS) – Level III Inspector
- CIANBRO – Scaffolding Contractor
- RSCS – Radiation Protection Personnel

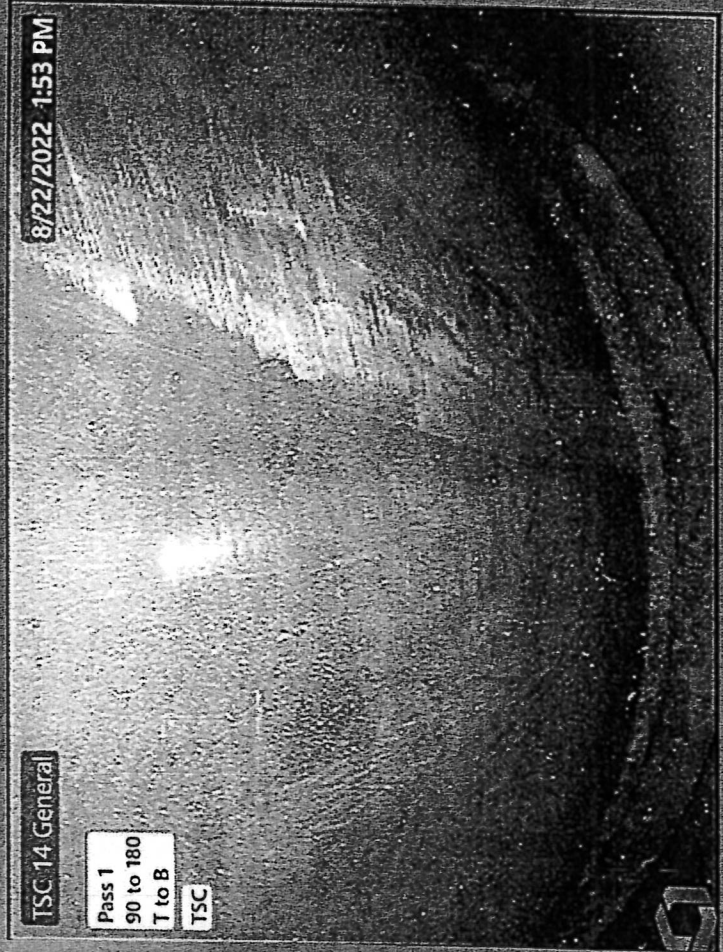
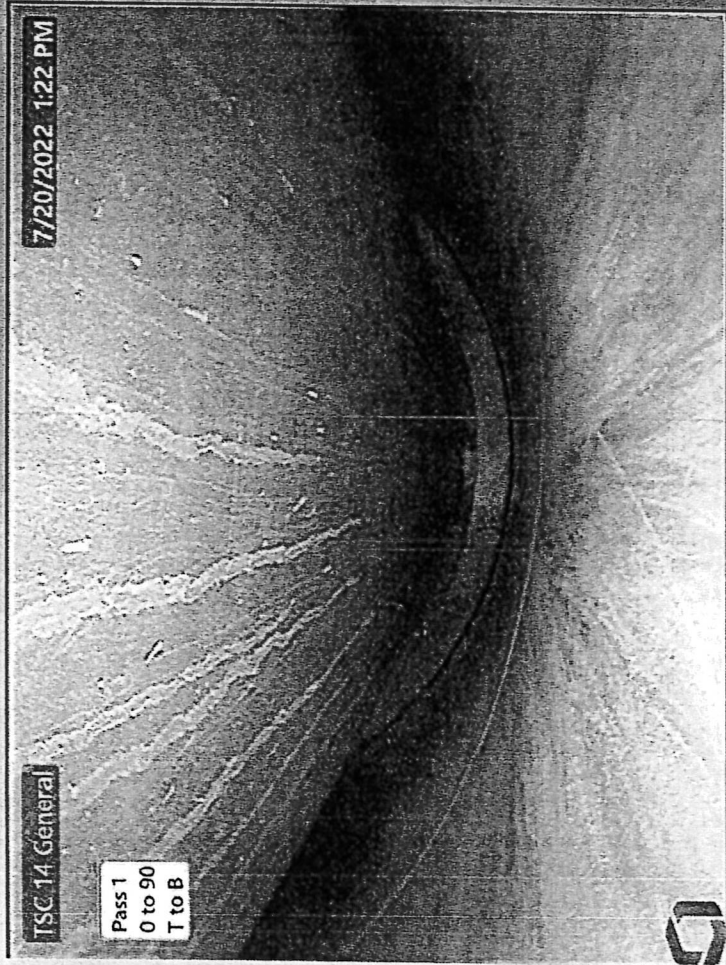
Robot Crawler



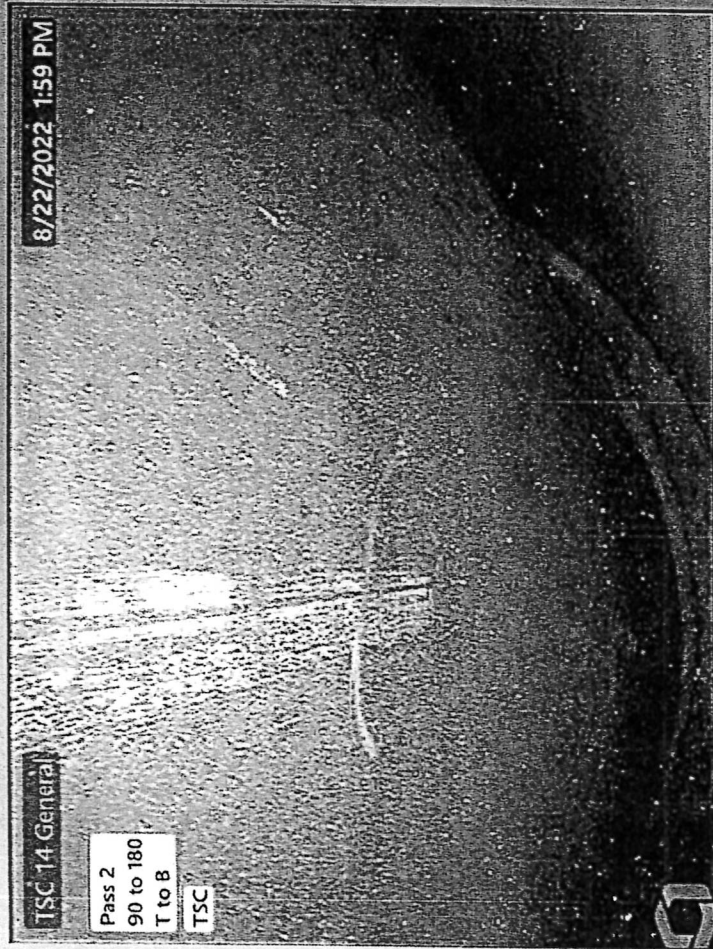
Crawler Entering Outlet Vent



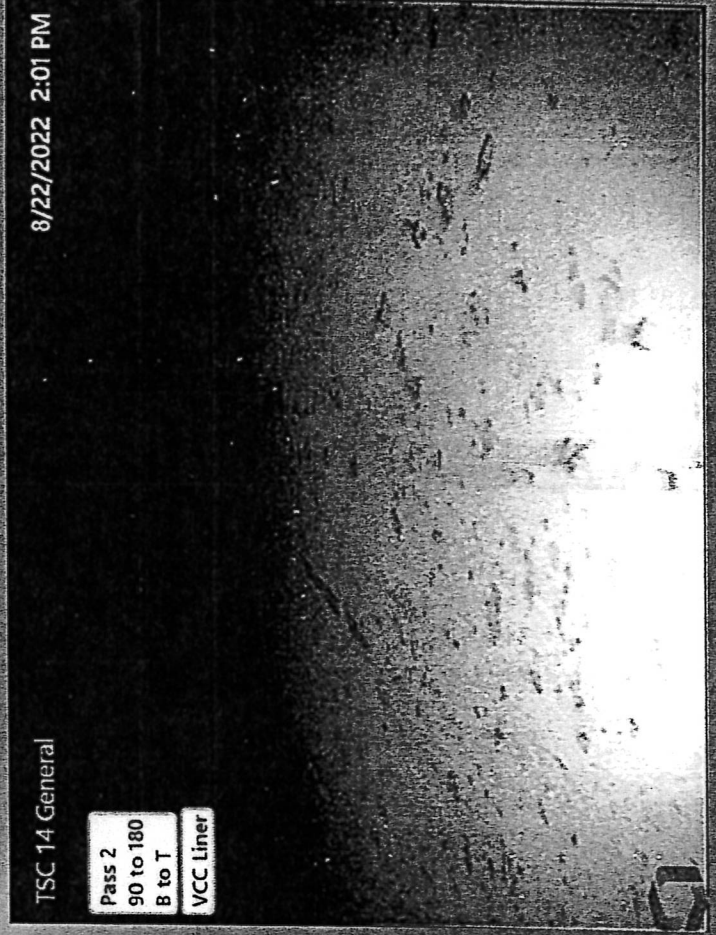
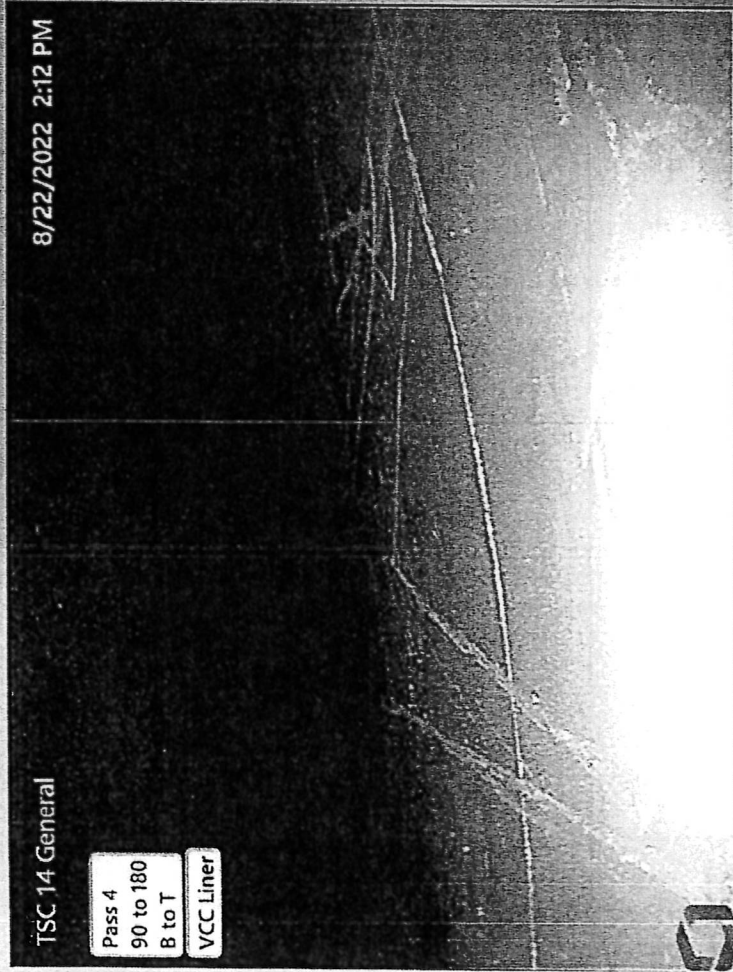
Annulus Region Showing the TSC/VCC Liner and TSC Vertical Weld and Base Metal



Paint Abrasion and Bug Nest on Canister



VCC Liner - Light Efflorescence and Localized Coating Discoloration



Summary

- There were no indications exceeding acceptance criteria on either the TSC or VCC for the baseline inspection.
- Indications noted on the TSC were:
 - Spider webbing
 - Moisture streaking
 - Light scuff marks (attributed to initial loading)
- Indications noted on the VCC were:
 - Localized areas of coating discoloration
 - Light debris at the bottom of the VCC annulus
 - Light efflorescence on the VCC liner
- Inspection coverage met the desired 80% minimum:
 - Estimated 90%+ on the TSC shell
 - Estimated 85-90% of the TSC shell welds and HAZ's
 - Estimated 90% on the VCC liner and interior surfaces
- Overall, the inspection results confirm that TSC 14 and VCC 14 are in very good condition.
- Exterior inspections of VCC 14 included concrete and coated carbon steel surfaces.
 - Concrete Indications: Tier 2 cracks, spalls and efflorescence.
 - Coated Carbon Steel: No indications

Public/Government Affairs Manager

Presentation

Robert Capstick

YANKEE ROWE CAB FEDERAL ISSUES AND SPENT FUEL
LITIGATION UPDATE
OCTOBER 26, 2022

Administration

As reported in Karen's September 29th email to the CAB, the Department of Energy issued a report on September 15th that summarized and analyzed the 225 submissions in response to its December 2021 request for information (RFI) on using a consent-based siting process for federal consolidated interim storage facilities.

That report was followed on September 20th with a DOE Funding Opportunity Announcement of \$16 million to provide resources to communities interested in learning more about consent-based siting, management of spent nuclear fuel, and interim storage facility siting considerations. DOE plans to fund as many as eight awardees over a period of 18 to 24 months. While DOE is not soliciting volunteer sites to host consolidated interim storage facilities as part of this funding opportunity, they hope to encourage engagement, open dialogue, and building capacity among interested stakeholders and communities about the consent-based siting process.

The DOE's stated six next action steps are to: (1) implement congressional direction in a way that maximizes the potential benefits of consolidated interim storage, (2) address the current deficit of trust in DOE by making changes internally and externally, (3) ensure that its consent-based siting process is fair and inclusive, (4) focus on fairness in siting outcomes by putting communities' needs and well-being at the center of the siting process, (5) continue and expand ongoing efforts to address transportation issues and related planning needs, and (6) rigorously apply safety, security, and other criteria in all aspects of the siting process, including by supporting communities that wish to conduct independent studies related to safety and other issues of concern.

On October 3rd, DOE hosted a Q & A webinar to share progress on DOE's consent-based siting efforts and answer questions about the recent funding opportunity announcement. The funding opportunity invites proposals from communities and organizations interested in learning more about consent-based siting. Potential awardees will engage communities within the continental United States to support community engagement in consent-based siting activities. Eligible awardees include, but are not limited to: Higher-education institutions (colleges, universities, and other institutions of higher learning); Tribal, State, and Local governments (municipalities, towns, cities, and counties); Community foundations, and non-governmental organizations (trade associations, 501(c)(3) organizations, and other public groups). Federally funded research and development centers are not eligible to apply for funding.

Interested parties may submit an optional letter of intent by October 20th and by December 4th submit any specific questions about the funding opportunity. The applications for funding are due December 19th with the anticipated start date of March 2023

Congress

Funding Legislation

On July 20th, a mini omnibus appropriations bill was passed by the House. H.R 8294 included the Energy and Water Development (E&WD) bill as well as the House Transportation, Housing and Urban Development bill; Agriculture, Rural Development and FDA bill; Financial Services and General Government bill; Interior and Environment bill; Military Construction and Veterans Affairs bill.

At the end of July, the Senate Appropriations Committees released their FY23 spending bills including the Energy & Water Development bill. That bill aligns with the scope of the House E&WD bill and directs DOE to move forward under its existing authority for a consent-based approach to identify a site for a Federal Consolidated Interim Storage facility. It also specifically directs that priority for storage be given to SNF located on sites without an operating reactor.

As has been the case the past several years at the end of September when the fiscal year ended, Congress passed a CR funding the government until Dec 16 as work has not been completed on the FY '23 budget.

Authorization Legislation

On July 6th Rep. Dina Titus' (D-NV) offered an amendment to the House bill National Defense Authorization Act (NDAA), that would prohibit the Department of Energy from unilaterally using funds in the federal Nuclear Waste Fund "for expenditures involving repositories for disposing of spent nuclear fuel or high-level radioactive waste." Under the amendment, DOE could only start using the fund for repository development after it has entered into written agreements with the host state's governor as well as local and tribal governments – language similar to that of a bill she and Sen. Catherine Cortez Masto have repeatedly tried to push through Congress – most recently back in March 2021. The amendment did not make the cut by the House Rules Committee, so it was not taken up on the House floor during debate of the NDAA.

In late July, Senator Manchin raised a draft bill "The Nuclear Waste Administration Act" to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste, and for other purposes. The bill was to be included at the July 28th full Senate Committee on Energy and Natural Resources hearing along with 10 other bills, but was pulled by Senator Manchin from the schedule just before the hearing date based on his absence from the Capitol and the hearing due to his Covid diagnosis.

House Spent Nuclear Fuel Solutions Caucus

The SNF Solutions Caucus held a virtual meeting associated with the July NARUC Summer Policy Summit in San Diego that involved state utility commissioner participation. The state folks that spoke were Maryland's PUC Commissioner Tony O'Donnell (who is Chair of

NARUC's Subcommittee on Nuclear Issues-Waste Disposal) and Minnesota's PUC Chair Katie Sieben (who is the Chair of the Nuclear Waste Strategy Coalition).

Nuclear Regulatory Commission

Commissioner Status

On July 27th, the Senate Environment and Public Works Committee reported the nominations of Annie Caputo and Bradley Crowell to the Nuclear Regulatory Commission by voice vote. They both subsequently received a confirmation vote by the full Senate.

ISFSI Security Requirements Rulemaking

In July, the NEI submitted a comment letter to NRC regarding the staff's effort to provide the Commissioners with an options paper they requested to move the rulemaking forward.

The letter basically said that the NRC staff had previously recommended discontinuing the rulemaking because the 9-11 security orders for ISFSI Sites were adequate – and that there is no new information or issues that would warrant the imposition of new or revised security requirements for the ISFSIs beyond those orders – and NRC has not provided any basis for a change on position.

It was reported by NRC staff during a September NEI Decommissioning Working Group meeting that the staff's options recommendations to the Commissioners for potentially codifying ISFSI-specific security requirements are expected to be issued soon.

Decommissioning Rulemaking

Public comments were due August 30th on the rule and guidance documents. The 3 Yankee companies provided comments that were included in the Decommissioning Plant Coalition comment letter and attachments that Wayne Norton signed as the Executive Spokesperson for the DPC. The 3 Yankee companies also participated in the development of NEI's comments. NRC staff reported at the September NEI Decommissioning Working Group meeting that the final rule is expected to go to the Commission in October 2023.

Private Consolidated Interim Storage (CIS) Facility Initiatives

Texas CIS Facility Litigation: There continues to be nothing new to report on the Texas petition requesting the Fifth Circuit U.S. Court of Appeals to vacate the NRC license issued for the Interim Storage Partners (ISP) CIS facility or the New Mexico challenge of the ISP license approval in the 10th Circuit. They are expected to continue through the rest of the year.

Texas Attorney General Ken Paxton submitted a July 6th letter to the Fifth Circuit Court of Appeals arguing that the Supreme Court's ruling in *West Virginia v. EPA* blocks the licensing of Interim Storage Partners' proposed project. The letter claims that the

Supreme Court upheld a legal theory known as “major questions doctrine,” which holds that Congress must authorize federal agencies’ decisions on issues of major political or economic significance – and that NRC’s September 2021 decision to license the ISP site falls under that definition. The NRC subsequently responded on 8/3/22 with a brief refuting the TX AG filing that it applies in the ISP case. Taking a similar approach to Texas - in a different Court – Beyond Nuclear raised the same major questions doctrine argument in a July petition to the D.C. Circuit Court of Appeals.

New Mexico CIS NRC License Review: The NRC published the final Environmental Impact Statement on July 13th and the staff recommended issuing the license, subject to the determinations in the staff’s safety review of the application. Staff expects to issue the final Safety Evaluation Report in conjunction with its final licensing decision by January 2023.

New Mexico CIS Litigation: There is nothing new to report on the NM lawsuit filed last March against the NRC and the US to stop the NM and TX CISs.

Yucca Mountain Licensing Litigation:

On September 20, Nevada filed a motion with the NRC requesting that the Commission lift the suspension of the Yucca Mountain licensing proceeding which has been in place since 2011. Specifically, Nevada requested that the Commission lift the suspension for the limited purpose of allowing the state to file three motions for summary judgement addressing DOE’s alleged failure to: (1) obtain necessary ownership and controls over land in and surrounding the repository, (2) obtain restrictions on overflights of military aircraft from the U.S. Air Force, and (3) include an analysis of human-induced climate change in the YM license application.

On September 30 NEI filed an answer joined by NARUC and others opposing Nevada’s motion arguing the motion is untimely, not supported by changed circumstances and would result in a waste of all parties’ resources. NRC staff also filed an answer opposing NV’s motion making similar arguments. There were no answers filed supporting NV’s motion. DOE did not file an answer.

DOE Spent Fuel Lawsuit Status Update

Phase V DOE Litigation

In May the federal government asked Judge Carolyn Lerner for a six-month extension to all schedule dates, including the July 2023 trial date.

The federal government said they needed more time and that the Yankees answers to their questions weren’t fulsome enough. The 3 Yankees opposed the government’s motion as unwarranted and asked Judge Lerner to allow the 3 Yankees to add the 2021 damages to the case. During a status call in early June, Judge Lerner gave both parties part of what they asked for granting the government’s motion to extend all pre-trial dates by six months, but she kept the existing trial date. Originally discovery was supposed to be done by the end of July. Judge Lerner also granted the Yankees leave to add the 2021 damages to the case, which has been done, and she required the government to address these additional claims within the amended

time frame. With the addition of 2021 the Phase V damages are approximately \$150 million. Judge Lerner is requiring the parties to report to her each month on discovery progress and any disputes. The 3 Yankees continue to hope that the parties will settle.

In mid-September 2022, the federal government filed a motion with the Court seeking a further delay in the discovery deadlines. This time they are asking for a six-month delay in the deadlines for expert reports. As with their initial request for a schedule delay, they claim the 3 Yankees are not being responsive enough to their discovery requests. The Yankees disagree and will oppose the request. Both parties have asked Judge Lerner for a conference to settle the matter. While the Government has not sought a delay in the trial date in their latest request, if it is granted, being able to go to trial in July 2023 could be problematical, especially if the government continues to challenge many of our costs.