

Meeting Minutes

Yankee Rowe Fuel Storage and Removal Community Advisory Board November 8, 2011

The Yankee Rowe Fuel Storage and Removal Community Advisory Board held their Annual 2011 meeting at the Golden Eagle Restaurant in Clarksburg, MA on November 8, 2011.

Attendees: Dawn Peters (Heath), Art Schwenger (Franklin County Chamber of Commerce), David Nash (Monroe), William LeQuier (Readsboro), Anne Skinner (Williamstown), Gail Cariddi (North Adams), Jana Brule (Florida) and Thomas Wilson, (CAN).

The meeting was called to order at 6:50 p.m. by William LeQuier, Acting Chairman.

Minutes of the November 4, 2010 meeting were amended to include the discussion of the new schedule of meetings which will be held annually in the fall with a report being mailed out in the spring. Additional meetings can be held if there are significant issues associated with the site.

ISFSI Status Report was presented by Bob Mitchell, ISFSI Manager. (Presentation attached).

Further discussion was held regarding well closures and the need for sampling those wells. NRC inspections were discussed and are scheduled for sometime in 2012.

Regional and Federal Nuclear Waste Issue report was presented by Robert Capstick (presentation attached).

CAB New Business:

A request was made for the Minutes of the Annual CAB Meeting be mailed to members within a few months of the meeting date.

The next CAB meeting is scheduled for Thursday, November 13, 2012 at the Golden Eagle Restaurant.

The Meeting was adjourned @ 8:10 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**

Tuesday, November 8, 2011

ISFSI Status

Overall

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

Industrial Safety

There were no Lost Time Accidents or OSHA recordable injuries since the last meeting. Since we last met, there as been one minor first aid that resulted in an abrasion to a hand while clearing a jam from a paper shredder.

Physical Work

- Site work since the last meeting consisted of equipment and facility maintenance.
- We closed 21 of the 51 wells that are no longer part of the Post Closure Monitoring Program. The closure program was halted after the MADEP expressed some concerns about Yankee closing abandoned wells that are not part of the approved long term monitoring program. Yankee has been in discussion with the DEP and has proposed an alternative closure plan which is currently under review.

Regulatory

- As discussed during the last meeting, the NRC has determined that the recently issued revision to 10CFR73.55 "*Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage*" is also applicable to ISFSIs. Yankee submitted it's response including requesting a number of exemptions from the new regulation that are not directly applicable to ISFSI's. Yankee is expecting to receive NRC response before the end of the year.
- As a result of the changes to 10CFR73.55, the NRC is modifying their inspection procedure(s) for ISFSIs and as a result, inspections originally planned for 2011 are being rescheduled to 2012.
- Yankee conducted it biennial Emergency Plan Exercise in October this year which was a "Security Event" in which Local Law Enforcement (Rowe Police), MA State

Police, including their STOP Team and an FBI Response Team from Springfield and Boston responded to the site and participated in the Exercise.

Post Closure Monitoring Program

Yankee received from the MA-DEP the "Phase II-Comprehensive Site Assessment Report – Final Report" date April 8, 2009. Yankee has implemented 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 results of the groundwater sampling completed in March 2010 continues show a stable or decreasing trend for tritium across the site, with the highest concentration reported at well MW-107C at an activity of 20,100 pCi/L, down from the 2009 sample results of 21,300 pCi/L. The next scheduled sample event will be in the spring of 2012.

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 Minimum Concentration Level (MCL) in one well, MW-107C and the Arsenic concentration decreases below the MCL for two consecutive samples in well MW-101A. Tritium remains slightly above the MCL in MW-107C, but is continuing to trend downward based on the 2010 sample results (the limit is 20,000pCi/L and the well is currently at 21,100pCi/L). In 2010 the Arsenic concentration in MW-101A was below the MCL of 0.01pCi/L for the second consecutive sample and well has been removed from the sampling program.

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.
- There as been no further discussions on the property with any of the interested parties since we last met.
- The Massachusetts Clean Energy Technology Center (MassCEC) has installed a **SODAR** (*SONic Detection and Ranging*) system which is used to remotely measure the vertical turbulence structure and the wind profile of the lower layer of the atmosphere on the Yankee property to collect data to determine the potential wind development. The device will be removed before the end of the year.

Federal Nuclear Waste Management Program Update

Blue Ribbon Commission:

The BRC issued its draft report on July 29th, 2011. It included as one of its key recommendations the following: "Spent fuel currently being stored at shutdown reactor sites should be "first in line" for transfer to consolidated interim storage." A copy of the statements and recommendations in the draft report that address the needs of the shutdown sites is attached. The final report is due to the Secretary in January 2012.

Yankee and Rowe CAB comments (attached) were provided at the October 12th BRC public meeting in Boston. State Rep Cariddi represented the Rowe CAB and testified at the Boston meeting and provided a statement for the record (attached). Congressman Olver submitted a supportive letter that was read into the record (attached). The New England Council also submitted a supportive letter for the record (attached). Attendees at the Boston meeting included representatives of MEMA, the MA DPU, the MA AG's Office, the MA Executive Office of Energy and Environment, and the New England Governors' Conference,

DOE Waste Management Program:

The DOE continued to follow the President's direction - the Office of Civilian Radioactive Waste Management and the Yucca Mountain project is completely dismantled. The DOE's Office of Nuclear Energy will integrate any nuclear waste disposal related activities into its fuel cycle long term research & development program.

Yucca Mountain License Application:

The NRC Commissioners issued an order on September 9th stating that in the matter of whether the Commission should review, and reverse or uphold, the Yucca Mountain ASLB's decision denying the DOE's motion to withdraw its construction authorization application with prejudice, that the Commission found itself evenly divided on whether to take the affirmative action of overturning or upholding the Board's decision. It further directed the Board to, by the close of the current fiscal year, complete all necessary and appropriate case management activities, including disposal of all matters currently pending before it and comprehensively documenting the full history of the adjudicatory proceeding.

The Yucca Mountain Atomic Safety & Licensing Board issued a Memorandum and Order on September 30th suspending the YM proceeding. Although the ASLB confirmed that DOE cannot pull its license application to build a repository at Yucca Mountain, the board also said the agency's review of the proposal would be suspended for lack of money and uncertainty over staffing. The Board concluded, "Although we have been informed that the agency has current appropriated Fiscal Year 2011 Nuclear Waste Funds (NWFs) that could be carried over into the next fiscal year, there are no Full-Time Equivalent (FTE) positions (i.e., federal employee positions) requested in the President's Fiscal Year 2012 Budget for Yucca Mountain High-Level

Waste activities. Therefore, because both future appropriated NWF dollars and FTEs for this proceeding are uncertain, and consistent with the Commission's Memorandum and Order of September 9, 2011, this proceeding is suspended."

The US Court of Appeals presiding over the consolidated petitioners (Aiken County; states of SC and WA) lawsuit opposing DOE's withdrawal of the Yucca Mountain License Application case dismissed the petitions in early September for lack of jurisdiction. Subsequent to the decision, the petitioners filed a writ of mandamus asking that the Court of Appeals determine that the NRC has unreasonably delayed consideration of the license application and compel the NRC to immediately resume consideration and rule on the Yucca Mountain license application within 30 days. NARUC also joined the lawsuit and were included in the writ of mandamus filing. There has been no decision issued by the Court yet.

NRC

As reported in the May update, the NRC published its waste confidence decision that amended the Commission's generic determination on the environmental impacts of storage of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. The decision stated that NRC had confidence that spent fuel could be safely stored at reactors sites for a 120 year period (60 wet pool operating life period and a 60 year dry cask storage period).

The NRC staff held the first of its public meetings on their plan to review regulations for extended storage of spent fuel and its transportation off-site after storage. Earlier in the year the Commission directed the NRC staff to combine that effort with a separate initiative to plan for a long-term waste confidence rulemaking that will also address the impacts of storing spent fuel beyond 120 years. The NRC staff is planning to: 1) develop a long-term Waste Confidence rule, including an environmental impact statement (EIS) and updated waste confidence decision, for the handling and extended storage of spent nuclear fuel for more than 60 years after a reactor's licensed life; and, 2) describe the integration of waste storage activities with the extended storage and transportation project plan activities. The Staff considers a timeframe of 120 up to 300 years of storage to be appropriate for characterization and prediction of aging effects and aging management issues for extended storage and transportation. The Staff plans to develop a final report on a preliminary Environmental Impact Statement (EIS) framework and initiate a formal NEPA process (public scoping) in 2012. NRC also plans to complete a draft EIS, draft decision, and draft proposed rule for public comment before 2018, with a final EIS and decision (and rule if applicable) by the end of 2019.

The Attorney General's from New York, Connecticut and Vermont filed a lawsuit in the D.C. Circuit challenging the NRC's waste confidence rule. The suit challenges that NRC violated the Federal Administrative Procedures Act and NEPA when it found that

– without conducting site specific studies – that no significant safety or environmental impacts will result from storing HLW onsite at more than 100 sites around the country for 60 or more years after the reactors are closed. The State's briefs were filed September 15th.

The Decommissioning Plant Coalition and the individual Yankee companies submitted comment letters to the NRC regarding NRC Draft Guide 5033, "Security Performance (Adversary) Characteristics for Physical Security Programs for 10 CFR Part 72 Licensees". The letters expressed serious concerns regarding the scope of the regulatory bases and changes in DG 5033 and the associated impacts upon implementation on standalone ISFSIs.

Congressional Update

There is a Continuing Resolution that continues funding the government through mid November and there remains no funding for the DOE waste management program.

The House approved the fiscal 2012 Energy & Water Development Appropriations spending bill (H.R. 2354) which included some funding for the NRC review of the Yucca Mountain nuclear waste repository program license application. The Senate Appropriations Committee marked up and passed its Energy & Water Development FY 2012 bill in early September. The E&WD Subcommittee Chairwoman Feinstein included some language requiring the DOE to create a strategy for spent fuel storage, including options for consolidating and storing spent fuel at one or more regional sites. Congressional leaders appear to have reached an agreement to advance several smaller bundles of appropriations legislation instead of moving forward with the 12 individual funding measures, or an overarching single Omnibus Appropriations bill. These "mini-buses" will seek to combine 2 or 3 appropriations bills at a time. Speaker Boehner has indicated he does not want to proceed with an Omnibus measure, and with the current Continuing Resolution funding bill set to expire on November 18th, there is not enough time for lawmakers to debate, pass, and conference the individual spending bills.

Other Related Efforts Update

Yankee continued to work with the Decommissioning Plant Coalition, as well as the New England Governors' Conference and the New England Council, and others to communicate to the administration, congress, and the BRC the shutdown reactor spent fuel storage issues and the basis for priority attention to the needs of the shutdown reactor sites. Yankee will also continue its efforts to expedite the removal of the fuel from the site through organizations such as the Nuclear Waste Strategy Coalition; the Nuclear Energy Institute; and the National Association of Regulatory and Utility Commissioners. The continued support of these organizations will hopefully result in recommendations in the final BRC that support priority removal from shutdown sites.

DOE Spent Fuel Lawsuit Status Update

Yankee Phase I Cases

On September 7, 2010 the U.S. Court of Federal Claims issued a favorable decision in the Yankee Companies' ongoing litigation over the U.S. Department of Energy's failure to remove Spent Nuclear Fuel and Greater than Class C Waste from the three New England Yankee nuclear reactor sites as required by contract and law was appealed by the government. The approximate damages awarded to the three Yankee companies were: Yankee Atomic Electric Company, \$21 million; Connecticut Yankee Atomic Power Company, \$40 million; and Maine Yankee Atomic Power Company, \$82 million.

All briefing has been completed and submitted to the appellate court. The court scheduled November 7th for the oral argument.

Yankee Phase II Cases

In December 13, 2007 the Yankee Companies filed a second round of damages claims in the U.S. Court of Federal Claims. Judge Merow denied the government's motion to amend the scheduling order in the case to delay the trial for 90 days to allow them more time to review additional documents provided in discovery. The trial began October 11, 2011 and lasted four days.

YAEC SPENT FUEL STORAGE AND REMOVAL COMMUNITY ADVISORY BOARD UPDATE

November 8, 2011

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Statements/Recommendations in the July 29, 2011 Draft BRC Report Addressing the Needs of Shutdown Reactor Sites.

Executive Summary

- “Developing consolidated interim storage capacity would allow the federal government to begin the orderly transfer of spent fuel from reactor sites to safe and secure centralized facilities independent of the schedule for operating a permanent repository. The arguments in favor of consolidated storage are strongest for “stranded” spent fuel from shutdown plant sites. Stranded fuel should be first in line for transfer to a consolidated facility so that these plant sites can be completely decommissioned and put to other beneficial uses”. (page x)

Key Recommendations

- “Spent fuel currently being stored at shutdown reactor sites should be “first in line” for transfer to consolidated interim storage.” (page xvi)

Section 5.2.1 Consolidated Storage Would Allow for the Removal of ‘Stranded’ Spent Fuel from Shutdown Reactor Sites

- “At all of these sites, which are formally known as “independent spent fuel storage installations” or ISFSIs, the spent fuel is both monitored and well-guarded and hence is not thought to present immediate safety or security concerns. Nonetheless, the continued presence of spent fuel at shutdown reactor sites is problematic and costly. Most obviously, it prevents these shutdown sites from being reclaimed for economically productive or otherwise desirable uses that would benefit the surrounding communities. Moreover these communities were never asked about, and never contemplated or consented to, the conversion of these reactor sites into indefinite long-term storage facilities. As a result, they generally also did not have an opportunity to negotiate for rights of participation or incentives and benefits of the sort that would likely be available to the host community of a dedicated storage facility. Finally, most of these shutdown reactor sites no longer have the capability to remove spent fuel from storage canisters for inspection if long-term degradation problems emerge that might affect the ability to transport the canisters. Consolidated storage sites can be developed to provide these capabilities.” (page 40).
- “Direct cost considerations alone provide a compelling reason to move stranded spent fuel as quickly as possible to a consolidated storage facility. This is because the cost attributable to storing spent fuel at plant sites increases dramatically once the reactor is shut down. Since the cost of loading fuel into dry storage casks has generally already been incurred at this point, continued storage involves little activity other than site security and monitoring. At an operating nuclear plant, security is already in place and only incremental effort is required to include the ISFSI within the plant’s security umbrella. The same is true for the personnel needed to monitor the status of the fuel and perform any routine maintenance. When the rest of the site is shut down, however, these structures, systems, equipment and people are still needed to tend the spent fuel, and the cost is substantial. Recent studies find that the operation and maintenance costs for spent fuel storage at shutdown sites range from \$4.5

million to \$8 million per year, compared to an incremental \$1 million per year or less when the reactor is still in operation. *Even assuming no further change in security requirements at shutdown sites, these cost estimates suggest that the savings achievable by consolidating stranded spent fuel at a centralized facility would be enough to pay for that facility.* Consolidation would also allow any new safety or security measures that might be required in the future to be implemented more cost-effectively.” (page 41)

- “In sum, equity and cost considerations together argue for moving as quickly as possible to transfer stranded spent fuel from shutdown reactor sites to consolidated interim storage. Given the significant direct benefits of transferring spent fuel from these sites, both for the surrounding communities and in terms of cost savings, the Commission recommends that *spent fuel currently being stored at shutdown reactor sites be “first in line” for transfer to a consolidated interim storage facility.*”(page 41)

Section 5.2.6 Consolidated Storage Would Provide Options for Increased Flexibility and Efficiency in Storage and Future Waste Handling Functions

- “Dry storage facilities at shutdown reactors without pools do not have any of the fuel handling and recovery capabilities that would be provided in a consolidated facility—in effect, these facilities are simply well-guarded parking lots for storage casks. If fuel at these sites needed repackaging, a new fuel handling facility would have to be constructed at considerable time and expense. Considering current uncertainties about long-term degradation phenomena in dry storage spent fuel from shutdown reactor sites to a central facility before any issues arise and where problems can be dealt with much more easily and cost effectively than at multiple shutdown sites. The importance of consolidating inventories of spent fuel before there might be a need to reopen dry storage containers increases as the period of interim storage being contemplated increases.” (page 44)

Section 5.4 The Case for a New Approach to Prioritizing the Transfer of Spent Fuel from U.S. Commercial Reactor Sites

- “Third, accepting spent fuel according to the OFF priority ranking instead of giving priority to shutdown reactor sites could greatly reduce the cost savings that could be achieved through consolidated storage if priority could be given to accepting spent fuel from shutdown reactor sites before accepting fuel from still-operating plants.” (page 47)
- “The magnitude of the cost savings that could be achieved by giving priority to shutdown sites appears to be large enough (i.e., in the billions of dollars) to warrant DOE exercising its right under the Standard Contract to move this fuel first. Although this action would disrupt the queue specified in the Standard Contract, as utilities continue to merge and a growing number of reactors reach the end of their operating licenses, every utility (or nearly every utility) will have one or more shutdown plants. In that context, giving priority to moving fuel from decommissioned sites is likely to be seen by all parties involved as being in everyone’s best interest.” (page 47)

5.6 Transportation Issues

- “For example, extensive planning and preparation for transport arrangements will be required even if only the 2,800 metric tons of spent fuel currently being stored at shutdown reactors are slated for initial transfer to consolidated storage. Because this planning would need to involve state, tribal and local officials, DOE or another organization should complete the development of procedures and regulations for providing technical assistance and funds (pursuant to section 180 (c) of the NWPA) for training local and tribal officials in areas traversed by spent fuel shipments. Although the final destination of the material to be shipped (whether for storage, recycling or disposal) is not known, every origin site is known.” (page 54)

12. NEAR-TERM ACTIONS

“The Commission recognizes that it will take time, commitment to action, and new authorizing legislation to implement our most important recommendations, particularly the recommendation to establish a new waste management organization. Given uncertainty about how long that might take and the fact that under current law DOE remains responsible for the nuclear waste management activities of the federal government, it is important that those steps that do not require the new organization to be in place be initiated as soon as possible. Specifically, the Commission urges near-term action in the areas described below.” (page 133)

Financing the Waste Program

- “DOE should initiate a rulemaking to revise the Standard Contract ... The rulemaking should also address other potential revisions discussed in this report, e.g. to allow reprioritization of spent fuel receipt to increase transportation efficiency and facilitate closure of shutdown reactor sites, and to incentivize actions by contract holders (e.g. use of standardized storage systems) that would reduce overall waste management system costs. When the rulemaking is complete, DOE should then offer to enter into negotiations with contract holders to revise current contracts to include the new provisions.” (page 133)

Storage

- “Using existing authority in the NWPA, DOE should begin laying the groundwork for implementing consolidated storage and for improving the overall integration of storage as a planned part of the waste management system without further delay.” (page 133)

Transportation

- “DOE should complete the development of procedures and regulations for providing technical assistance and funds (pursuant to section 180 (c) of the NWPA) for training local and tribal officials in areas traversed by spent fuel shipments, in preparation for movement of spent fuel from shutdown reactor sites to consolidated storage.” (page 134)

**Statement to the Blue Ribbon Commission on America's
Nuclear Future**

**James Connell, Vice-President and Independent Spent Fuel
Storage Installation Manager, Maine Yankee Atomic Power
Company**

**Boston, MA
October 12, 2011**

Distinguished Commissioners, ladies and gentlemen, my name is Jim Connell. I am Vice-President and Independent Spent Fuel Storage Installation Manager for Maine Yankee Atomic Power Company in Wiscasset, Maine where I have served as an engineer in a variety of capacities for 30 years. Additionally, I have professional responsibilities at Connecticut Yankee Atomic Power Company in Haddam, Connecticut and Yankee Atomic Electric Company in Rowe, Massachusetts. The three are separate entities known informally as the "Yankee Companies" but are linked through their oversight and shared management services.

We commend the Commission for its draft recommendation that spent nuclear fuel (SNF) at decommissioned reactor sites should be "first in line" for transfer to consolidated interim storage. We agree this finding makes good policy sense from an economic and equity perspective. Further we support strongly the Commission's draft near-term action recommendations

for the U.S. Department of Energy (DOE) using existing authority to begin implementing consolidated interim storage and the transportation planning necessary to accomplish that. I am grateful for the opportunity to participate in this discussion on the issues of stranded SNF and Greater than Class C waste (GTCC) stored at our Independent Spent Fuel Storage Installations (ISFSI). The continued burden on the ratepayers of New England and our local host communities is substantial.

All that remains at each of these former nuclear power plant sites is an ISFSI storing the SNF and GTCC waste generated during the years of operation. As U.S. Nuclear Regulatory Commission licensees, it is our responsibility to store the SNF and GTCC waste safely and securely in accordance with all applicable regulations until the federal government fulfills its obligation to remove this material from our sites as required by contract and the Nuclear Waste Policy Act. The federal government was obligated to begin removing this material in January 1998 and we are now nearly a decade into dry cask storage of this material at the three Yankee sites.

At Maine Yankee there are 60 canisters loaded with SNF and four with GTCC waste; at Connecticut Yankee there are 40 canisters loaded with SNF and three with GTCC waste; and at Yankee Atomic there are 15

canisters loaded with fuel and one with GTCC waste. I would suggest that Table 1 on Page 40 of the Blue Ribbon Commission's July 29, 2011 Draft Report be revised to more accurately state the total number of canisters at each of our sites as well as the total number of canisters loaded with GTCC waste. We encourage you to make this factual adjustment to the chart in the Final Report.

The current annual cost to operate our three ISFSIs is approximately \$24 million. We are concerned the annual cost to our ratepayers will only increase the longer the SNF and GTCC remains stranded at our sites. In addition to the future costs associated with the inevitable changes and additions to existing ISFSI regulatory requirements, we are concerned about the increased costs to New England's ratepayers from extended storage issues involving canister relicensing and ultimate transportation of the SNF and GTCC waste that is the responsibility of the federal government to remove.

In December 2010 the NRC finalized changes to its Waste Confidence Rule finding that SNF can be safely stored for at least 60 years beyond the licensed life of a reactor. NRC staff is now engaged in a process at the direction of the Commission to analyze the safety of SNF storage at plant sites or interim storage facilities for up to 300 years. The longer the SNF

and GTCC waste remains at the three Yankee sites, the more costly it will become for the region's ratepayers. Indefinitely stranding the material at the Yankee sites makes little sense. Centralized Interim Storage as your draft report suggests addresses this issue with our full support.

In closing I want to thank members of our community advisory panels, local communities, and state and federal elected officials for remaining engaged over many years in the effort to have SNF and GTCC waste removed from our sites so that the property can be returned to beneficial use and the burden on ratepayers lifted. I also want to thank again the Commission's Transportation and Storage subcommittee for meeting in Wiscasset in August 2010 to learn first-hand about the issues of stranded SNF. You listened to us then and we appreciate the opportunity to continue the conversation today.

#

September 13, 2011

The Honorable Lee Hamilton
The Honorable Brent Scowcroft
Co-Chairmen
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington D.C. 20585

Dear Chairmen,

I am writing as Chairman of the Yankee Rowe Spent Fuel Storage & Transportation Community Advisory Board (Rowe CAB) to provide comments on the Blue Ribbon Commission on America's Nuclear Future Draft Report to the Secretary of Energy dated July 29, 2011.

The Rowe CAB was established to enhance open communication, public involvement and education of the decommissioning and spent fuel storage at the former Yankee Atomic Electric Company nuclear power reactor site located in Rowe, Massachusetts. The power plant site has been fully decommissioned and all that remains at the Rowe site today is the Independent Spent Fuel Storage Installation (ISFSI) facility that was constructed to store the spent nuclear fuel (SNF) and Greater-Than-Class-C (GTCC) waste stranded there because of the federal government's failure to fulfill its obligation under the Nuclear Waste Policy Act of 1982 to remove this material beginning in 1998.

I am pleased that the Commission responded to the concerns raised in my May 12, 2010 letter to the BRC Co-Chairs; as well as to our request that the Commission hold a public meeting in Maine and tour the Maine Yankee spent fuel storage site to learn firsthand about the unique circumstances confronting single-unit decommissioned reactor sites – which the Commission's Subcommittee on Transportation & Storage did on August 10, 2010.

As Chairman of the Rowe CAB, I am also encouraged by the several statements and recommendations in the BRC Draft Report that directly address the urgent need to remove the SNF/GTCC waste on a priority basis from permanently shutdown reactor sites such as Yankee Rowe and we urge their adoption in the Commission's final report. In particular, the Commission's conclusion that, "Developing consolidated interim storage capacity would allow the federal government to begin the orderly transfer of spent fuel from reactor sites to safe and secure centralized facilities independent of the schedule for operating a permanent repository. The arguments in favor of consolidated storage are strongest for "stranded" spent fuel from

shutdown plant sites. Stranded fuel should be first in line for transfer to a consolidated facility so that these plant sites can be completely decommissioned and put to other beneficial uses”.

The BRC Draft Report correctly states that the continued presence of spent fuel at shutdown reactor sites is problematic and costly. Also that it prevents shutdown sites such as Rowe from being completely decommissioned and reclaimed for economically productive or otherwise desirable uses that would benefit the surrounding communities. Moreover, as the report states, towns such as Rowe and the surrounding communities were never asked about and never contemplated the conversion of the former reactor site into an indefinite long-term storage facility. Concerns also exist that the Rowe site no longer has the capability to remove the spent fuel from the storage canisters for inspection should long-term relicensing related issues potentially emerge that might affect the ability of the federal government to transport the canisters. Accordingly we see the development of a consolidated storage site and removal of these canisters to such as site as an urgent priority matter for the federal government.

The impacts to the shutdown reactor site communities associated with indefinite long term storage at the site, combined with the associated cost considerations outlined in the BRC's draft report, provide a compelling reason as stated in the draft report to remove the SNF/GTCC waste stranded at shutdown reactor sites such as Yankee Rowe as quickly as possible and that these sites be “first in line” for transfer to consolidated interim storage.

The Commission correctly recognizes that it will take time to implement some of the reports important recommendations. Given the uncertainty about how long that will take and the fact that DOE remains responsible for the nuclear waste management activities of the federal government, we very much support immediate adoption of the following specific near-term actions included in the draft report:

- Using existing authority in the NWPA, DOE should begin laying the groundwork for implementing consolidated storage and for improving the overall integration of storage as a planned part of the waste management system without further delay. This effort should include development of the necessary agreements to remove the SNF/GTCC waste from shutdown sites such as Yankee Rowe on a priority basis
- Extensive planning and preparation for transport arrangements will be required even if only the 2,800 metric tons of spent fuel currently being stored at shutdown reactors are slated for initial transfer to consolidated storage. Because this planning needs to involve state, tribal and local officials, the federal government should complete the development of procedures and regulations for providing technical assistance and funds (pursuant to section 180 (c) of the NWPA) for training local and tribal officials in areas traversed by spent fuel shipments, in preparation for movement of spent fuel from shutdown reactor sites to consolidated storage.

In addition, I urge the Commission in its final report to endorse the FY 2012 House Energy & Water Development Committee Report language that directs the DOE, “... to submit, with its fiscal year 2013 budget request, a plan containing options to develop interim storage capacity

that would, as a priority matter, provide a means of consolidating the spent nuclear fuel and other high level waste present at permanently shut-down reactors.”

Indefinite long term storage of spent fuel and nuclear waste at single-unit shutdown reactor sites such as Yankee Rowe is unacceptable. Such a situation was never intended as a matter of federal policy or under the provisions of the Nuclear Waste Policy Act. Because the Department of Energy has taken steps to eliminate the long standing federal radioactive waste management program and Yucca Mountain repository license application, the Blue Ribbon Commission final report needs to emphasize as a priority matter the expedited removal of the nuclear waste stranded at former reactor sites that have been decommissioned such as Yankee Rowe to a centralized interim storage facility.

Thank you for your consideration of our comments regarding this important and urgent nuclear waste storage concern.

Sincerely,



Leonard Laffond

Chairman, Yankee Rowe Spent Fuel Storage & Transportation Community Advisory Board

Copy:

U.S. Senator John Kerry
U.S. Senator Scott Brown
Congressman John Olver
Governor Deval Patrick
State Senator Ben Downing
State Representative Gail Cariddi



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

GAILANNE M. CARIDDI
STATE REPRESENTATIVE
FIRST BERKSHIRE DISTRICT

Room 130, State House
617.722.2130

District Office
10 Main Street
North Adams, MA 01247
413.664.6812

Committees:
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October 12, 2011

The Honorable Lee Hamilton, Chair
The Honorable Brent Scowcroft, Chair
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington, DC 20585

Dear Chairmen Hamilton and Scowcroft,

Please accept this as written testimony relative to the former Yankee Atomic Electric Company in Rowe, Massachusetts, and, I respectfully urge the federal government to fulfill its obligation under the Nuclear Waste Policy Act of 1982 to remove the spent fuel from the site.

As State Representative serving the Town of Rowe and ten neighboring communities, and the former Chair of the Yankee Rowe Spent Fuel Storage & Transportation Community Advisory Board I remain committed to the complete removal of the stranded waste at the Yankee Rowe site. The Yankee Rowe site has been fully decommissioned for years, yet what remains is the Independent Spent Fuel Storage Installation facility. The removal of the material was to begin in 1998.

Aside from the fact that it has been more than a decade since removal was to have begun, time and the rate payers money is wasted until the site can be used for other beneficial ways. Removal becomes more urgent because, as time passes, concerns rise because the process is very involved and time lengthy, and may be hindered by relicensing and requirements for the transport after this unforeseen delay.

I urge the Commission to endorse the FY 2012 House Energy & Water Development Committee Report to include language that directs the Department of Energy to, "...submit, with its fiscal year 2013 budget request, a plan requesting options to develop interim storage capacity that would, as a priority matter, provide a means

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of consolidating the spent nuclear fuel and other high level waste present at permanently shut-down reactors.”

I very much appreciate your attention to this matter and I look forward to seeing action toward the removal of spent fuel at Yankee Rowe. Thank you.

Sincerely yours,

GAIL CARIDDI

GAILANNE M. CARIDDI
State Representative
First Berkshire District

JOHN W. OLVER
1ST DISTRICT, MASSACHUSETTS

COMMITTEE:
APPROPRIATIONS

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TRANSPORTATION, HOUSING AND URBAN
DEVELOPMENT, AND RELATED AGENCIES
RANKING MEMBER

ENERGY AND WATER DEVELOPMENT
HOMELAND SECURITY

October 7, 2011

The Honorable Lee Hamilton
The Honorable Brent Scowcroft
Co-Chairmen
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington, DC 20585

RE: Spent fuel storage.

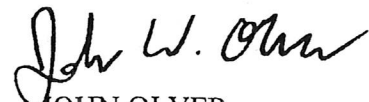
Dear Chairmen Hamilton and Scowcroft,

I am writing to express my support for the BRC's draft report recommendation that "spent fuel being stored at shutdown reactor sites should be first in line for transfer to consolidated interim storage." The Yankee Rowe spent fuel storage facility resides in my district, and I believe that this draft language would help ensure the earliest possible removal of the nuclear waste stranded at this and other decommissioned sites.

I therefore respectfully request that this draft language be included in the BRC's final report.

Please do not hesitate to contact me if I can provide further information or be of assistance on this or any other matter.

Sincerely,


JOHN OLVER
Member of Congress

PLEASE RESPOND TO:
 1111 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2101
(202) 225-5335
(202) 226-1224 FAX

DISTRICT OFFICES:
 57 SUFFOLK STREET
SUITE 310
HOLYOKE, MA 01040
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(413) 532-6543 FAX

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78 CENTER STREET
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(978) 342-8722
(978) 343-8156 FAX