

Vermont State Nuclear Advisory Panel

Annual Report

2010

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DRAFT

Department of Public Service
112 State Street
Montpelier, Vermont 05620-2601

INTRODUCTION

The Vermont State Nuclear Advisory Panel (V-SNAP) is established by and functions in accordance with the Vermont Statutes Annotated (VSA), Title 18, Chapter 34 provided as Attachment 1. Its primary function is to consider issues related to the use of nuclear power in the State of Vermont. Issues for consideration include, but are not limited to, responsibilities of state agencies for assuring the safety and health of the public, changes in operation and problems associated with nuclear facilities, state-federal regulatory interface, potential liabilities, and the benefits and repercussions of nuclear power generation in the state.

Membership of V-SNAP consists of 1) the secretary of the agency of human services, or designee, 2) the secretary of the agency of natural resources, or designee, 3) the commissioner of the department of public service, 4) a member of the Vermont house of representatives, 5) a member of the Vermont senate, and 6) two members of the public. In 2010 V-SNAP representation consisted of:

- Commissioner David O'Brien, Chair
- Larry Becker, State Geologist, Designee for Secretary Jonathan Wood
- Dr, William E. Irwin, Designee for Secretary Wendy Davis
- Senator Mark MacDonald
- Representative Sarah Edwards
- Brad Aldrich, April 30, 2010-2014
- William Burton, April 30, 2010-2014

Staff Services were provided by the Department of Public Services.

This report is provided in accordance with 18 VSA §1701(1), which establishes that V-SNAP shall provide an annual written report to the Governor and to the energy committees of the General Assembly.

MEETINGS

There were no meetings held in year of 2010.

2010 LEGISLATIVE ENACTMENTS

During the 2009-2010 Legislative session, H760 was signed into law effective July 1, 2010. The revision to the V-SNAP statute requires a minimum of 3 meetings per year, and for the Department of Public Service to provide all relevant information to V-SNAP members within the jurisdiction of the Panel. The language enacted includes the following (full text set forth in appendix):

§ 1700. CREATION; MEMBERSHIP; OFFICERS; QUORUM

* * *

(f) The department of public service shall:

- (1) keep the panel informed of the status of matters within the jurisdiction of the panel;*
- (2) notify members of the panel in a timely manner upon receipt of information relating to matters within the jurisdiction of the panel; and*
- (3) upon request, provide to all members of the panel all relevant information within the department's control relating to subjects within the scope of the duties of the panel.*

§ 1701. DUTIES

The duties of the panel shall be:

- (1) To hold regular a minimum of three public meetings each year for the purpose of discussing issues relating to the present and future use of nuclear power and to advise the governor, the general assembly and the agencies of the state thereon with a written report being provided annually to the governor and to the energy committees of the general assembly . . .*

In response to the need to improve the provision of relevant information to the V-SNAP members, the Department worked with the State of Vermont Department of Information and Innovation to develop a website where documents relevant to the jurisdiction of the Panel can be accessed by V-SNAP members. On a regular basis, the Department enters documents received by the Nuclear Regulatory Commission, Entergy Nuclear Vermont Yankee, and other sources into a web-based program called SharePoint. All V-SNAP members have access to this web site which provides for efficient and prompt distribution of documents received by the Department. The Department recently (January 2010) has addressed password and access issues with DII. The Department is reviewing the availability of other direct means of information access for Panel members, including NRC listserv. Although no meetings occurred in 2010, the Department has already scheduled the first meeting for 2011 and will set further meetings in collaboration with Panel members at the earliest opportunity.

LOOKING AHEAD TO 2011

The Department is committed to bringing V-SNAP in compliance with its statutory mandate. The Department has scheduled the first V-SNAP meeting for 2011 and will schedule remaining meetings promptly. The Department is ensuring that Panel members, including any newly-appointed public members, have access to relevant information as set forth in the statute. The Department looks forward to working collaboratively with V-SNAP members to address the many issues regarding the operation of the Entergy Nuclear Vermont Yankee station within the purview of the Panel.

ATTACHMENT 1

Title 18: Health

Chapter 34: NUCLEAR ADVISORY PANEL

§ 1700. Creation; membership; officers; quorum

- (a) There is created a nuclear advisory panel which shall consist of the following:
- (1) the secretary of the agency of human services or designee;
 - (2) the secretary of the agency of natural resources or designee;
 - (3) the commissioner of the department of public service, or his or her designee;
 - (4) one member of an energy committee of the Vermont house of representatives, chosen by the speaker of the house;
 - (5) one member of an energy committee of the Vermont senate, chosen by the committee on committees; and
 - (6) two members of the public, selected by the governor for terms of four years.
- (b) Ex officio members shall serve for the duration of their time in office or until a successor has been appointed. Members of the general assembly shall be appointed for two years or until their successors are appointed, beginning on or before January 15 in the first year of the biennium. Representatives designated by ex officio members shall serve at the direction of the designating authority.
- (c) The commissioner of the department of public service shall serve as chairperson.
- (d) A majority of the members of the panel shall constitute a quorum. The panel shall act only by vote of a majority of its entire membership and only at meetings called by the chairperson or by any three of the members. The person or persons calling the meeting shall provide adequate notice to all its members.
- (e) Members of the panel, except for ex officio members and except for legislative members while the general assembly is in session, shall be entitled to \$30.00 per diem and their necessary and actual expenses. Funds for this purpose shall come from the monies collected under section 22 of Title 30 for the purpose of maintaining the public service board.
- (f) The department of public service shall:

- (1) keep the panel informed of the status of matters within the jurisdiction of the panel;
- (2) notify members of the panel in a timely manner upon receipt of information relating to matters within the jurisdiction of the panel; and
- (3) upon request, provide to all members of the panel all relevant information within the department's control relating to subjects within the scope of the duties of the panel.
(Added 1997, No. 147 (Adj. Sess.), § 271, eff. April 29, 1998; amended 2009, No. 135 (Adj. Sess.), § 7.)

§ 1701. Duties

The duties of the panel shall be:

- (1) To hold a minimum of three public meetings each year for the purpose of discussing issues relating to the present and future use of nuclear power and to advise the governor, the general assembly and the agencies of the state thereon with a written report being provided annually to the governor and to the energy committees of the general assembly;
- (2) To define the responsibilities of state agencies for assuring the safety and health of the public as the result of the operation of a fixed nuclear facility and to assess the ability of state and local governments to meet this responsibility in terms of both technical expertise and financial support;
- (3) To discuss proposed changes in operations or specific problems that arise in the operation of a fixed nuclear facility, and to prepare and present technical data to serve as a basis for establishing the state's position on such changes or problems;
- (4) To maintain communications with the operators of any fixed nuclear facility, including the receipt of written reports and presentations to the panel at its regular meetings;
- (5) To develop awareness in the state and in the state government of the potential liabilities, benefits or repercussions of nuclear power generation in the state in comparison to other electrical energy sources; and
- (6) To review the current status of state relations with the Nuclear Regulatory Commission and to seek some agreement on federal and state regulatory efforts. (Added 1997, No. 147 (Adj. Sess.), § 271, eff. April 29, 1998; amended 2009, No. 135 (Adj. Sess.), § 8.)

§ 1702. Assistance

Staff services for the committee shall be furnished by the department of public service, the agency of human services, the agency of environmental conservation and the office of the attorney general. (Added 1997, No. 147 (Adj. Sess.), § 271, eff. April 29, 1998.)