

## Vermont State Nuclear Advisory Panel

**Minutes of the November 29, 2012 meeting at the Brattleboro Union High School,  
131 Fairground Road, Brattleboro, Vermont 05301, from 6:00 pm to 9:00 pm.**

### **Attendance:**

#### VSNAP Members

Commissioner Elizabeth Miller, Chairman  
Dr. William E. Irwin, Sc.D., CHP (Representing Secretary Doug Racine)  
Laurence Becker (Representing Secretary Deb Markowitz)  
Senator Mark MacDonald  
Dr. Leslie Kanat

#### Department of Public Service Staff

Uldis Vanags

#### Vermont Emergency Management Homeland Security (VEMHS)

Joe Flynn, Director  
Erica Bornemann, Planning Chief  
John Angil, Manager, Brattleboro

The meeting was called to order by Chairman Miller at approximately 6:00 PM on November 29, 2012.

Chairman Miller began the meeting by introducing the VSNAP Panel members and noted that VSNAP member Jim Matteau is out on FEMA assignment and will not be present at this meeting, as well as Representative Sarah Edwards. Chairman Miller announced that she will be leaving as Commissioner of the Public Service Department (PSD) and introduced Christopher Recchia as the new Commissioner of the PSD beginning upon the inauguration of Governor Shumlin on January 10, 2013. Chairman Miller then reviewed the VSNAP agenda, and two additional topics were added to the agenda by Panel members. They are: (1) further discussion of adding the Public Safety Department to the VSNAP Panel, and (2) make a recommendation to the Nuclear Regulatory Commission to have spent nuclear fuel stored in the spent fuel pool at Vermont Yankee moved to dry cask storage.

Chairman Miller asked for a motion to accept the draft minutes with edits of the November 8, 2012 VSNAP meeting in Montpelier which was motioned by Senator MacDonald, and seconded by Laurence Becker and was voted unanimously by the Panel.

Catherine Gjessing of the Agency of Natural Resources (ANR) provided a presentation to the Panel on the National Pollutant Discharge Elimination System (NPDES) permitting process as it applies to the Vermont Yankee Nuclear Station. Discussion and questions to Catherine Gjessing from Panel members followed. Dr. Kanat presented documents that he acquired from the NPDES website on apparent violations where regulatory limits from Vermont Yankee's discharge into the Connecticut River have exceeded permit levels. Catherine Gjessing received the documents and agreed to provide a written explanation to the Panel.

The Panel voted to have ANR provide notification to VSNAP of any NPDES violations by Entergy Nuclear Vermont Yankee. Dr. Kanat motioned the vote that was seconded by Dr. Irwin and passed unanimously. Chairman Miller noted that a memo will be sent to ANR requesting that NPDES violations be reported to the VSNAP.

Catherine Gjessing noted that ANR is upgrading their public website and that once completed (in a couple of months) information relating to Vermont Yankee regulatory compliance, permitting, and studies will be posted. Dr. Irwin motioned that upon completion of the ANR website a link be placed on the VSNAP website. The motion was seconded by Dr. Kanat and passed unanimously.

Several comments and questions to Catherine Gjessing were taken from members of the public in the audience since she would not be available for the last hour of the meeting due to the travel weather conditions.

Laurence Becker provided the panel with information on his activities and discussion with the NRC on their reevaluation of seismic analysis for nuclear power stations.

Chairman Miller provided a brief description highlighting some activities and issues being undertaken by the Department. The Department recently attended an NRC meeting with Vermont Yankee at NRC Headquarters in Rockville, Maryland on the topic of Vermont Yankee needing to install a diesel generator since they will no longer be able to credit the Vernon Tie Line to meet station blackout NRC regulations beginning in September 1, 2013. Also, the Department will be providing comments to the NRC on the scope of the Environmental Impact Study for the NRC Waste Confidence Decision.

The Panel undertook discussion on preparation of the VSNAP annual report to the Legislature and Governor. The recommendation was made that the following should be considered for the annual report:

- 1) An executive summary
- 2) Address the duties of the VSNAP as stated in the statute, specifically section 1701 (2) and (5).
- 3) Summarize state agency functions in the annual report.
- 4) The Agencies of Human Services and Natural Resources to provide a summary on how they meet the responsibilities noted in the VSNAP statute in section 1701(2).
- 5) Have Vermont Emergency Management Homeland Security (VEMHS) provide a summary of their activities relating to protecting the health and safety of the public with regard to the Vermont Yankee nuclear station.
- 6) Provide a summary stating the value of having VEMHS attending and participating in VSNAP activities, and their willingness to do so. Discuss the options the Legislature can take in amending the VSNAP statute to add the Public Safety Department as a member to the VSNAP panel or define their role with the VSNAP.
- 7) Note the request by the Red Cross for emergency planning and response funds.
- 8) Include relevant attachments (key reports) to the annual report.

The Panel began discussion on whether VEMHS should be formally included as a member of the VSNAP. The Panel agreed to continue this discussion at the next VSNAP meeting. Discussion continued with the Panel on whether to issue a resolution asking the NRC to move more quickly to require usage of dry cask storage of spent nuclear fuel rather than fuel pools.

The Panel discussed the crafting of the annual report and items that should be included, discussed other emergency planning topics, and observations during a tour of the Vermont Yankee station before adjourning.

### Public Comments

There were no public comments.

### Conclusion

Chairman Miller adjourned the meeting at approximately 4:45 PM on November 8, 2012. A recording of this meeting, as well as all handouts, presentations, and information requested by the Panel, is available on the VSNAP website.

### Motions Passed with Deliverables

None

### Action Items

- 1) VEMHS to provide an update on the review and possible comments to the NRC REP rule change that will be discussed at the next Tri-State meeting of the Emergency Planning Directors on December 18, 2012.
- 2) Obtain the after-action report for the New England Radiological Health Committee table-top and full scale exercises from Dr. Irwin and post these to the VSNAP website. In addition, have Dr. Irwin present a summary of the reports to the VSNAP at an appropriate upcoming meeting of the Panel.
- 3) Have VEMHS present to the VSNAP (at an appropriate time) changes/improvements to Emergency Planning adopted from after-action reports prior to the June 5, 2012 FEMA graded exercise for the Vermont Yankee station.
- 4) Have VEMHS provide a comparison of other state budgets for RERP and post this on the VSNAP website as well as other materials from VEMHS responding to questions from the public from the September 10, 2012 VSNAP meeting.