

**Maine Yankee  
Community Advisory Panel on  
Spent Nuclear Fuel Storage and Removal  
Meeting Minutes  
Thursday, October 20, 2005**

<u>Member</u>	<u>Attendance</u>
Paul Crary M.D., PA	Yes
General Lewis Curtis	Yes
The Honorable Dana Dow	No
The Honorable Ken Honey	Yes
Mr. Scott Houldin	Yes
Mr. Don Hudson	Yes
Mr. Steve Jarrett	Yes
Mr. Ralph F. Keyes	No
The Honorable Marjorie L. Kilkelly	No
Mike Meisner	Yes
The Honorable Charles Pray	Yes
Mr. Dan Thompson	Yes

### **Introduction**

The meeting was called to order at 6:00 p.m. by Vice-chair Don Hudson. Members introduced themselves.

### **Maine Yankee Update**

**Maine Yankee's Vice President and Chief Nuclear Officer Jim Connell** updated the panel on the end of decommissioning and U.S. Department of Energy Litigation. His slides are included with these minutes.

Mr. Connell welcomed to the CAP former Maine Yankee Vice President and Chief Nuclear Officer Mike Meisner saying that Mr. Meisner brings a lot of experience that will be helpful to the panel. Mr. Meisner replaces Ted Feigenbaum who is now president and general manager of the Yucca Mountain Project for Bechtel SAIC in Nevada.

Mr. Connell noted that at the May 17 CAP meeting he had briefed the panel on what to expect in the final months of decommissioning with NRC approval of remaining final status survey packages and the shipment of the soil pile across

from the Independent Spent Fuel Storage Installation (ISFSI). Closing out the project happened in roughly the timeframe expected with the U.S. Nuclear Regulatory Commission (NRC) amending Maine Yankee's license October 3 and the bulk of the soil now shipped from the site. The NRC license amendment released for unrestricted use about 179 acres of Bailey Point Peninsula from Maine Yankee's license. All that remains under the license is the 12-acre ISFSI footprint. To illustrate Mr. Connell showed the panel before and after decommissioning photos. Work is now underway to survey the area where the soil pile was so that it can be radiologically free released. Mr. Connell said that ISFSI Manager John Niles would have more to say about soil cleanup in his presentation. Another significant activity that took place over the summer was locating, installing and sampling radiological groundwater monitoring wells in fulfillment of the agreement with the State of Maine.

Highlighting the key accomplishments of decommissioning Mr. Connell said that the residual radiological dose to the resident farmer is about one millirem per year as compared to the 10 millirem cleanup criteria. Mr. Connell said that first and foremost the Maine Yankee project team is proud that the decommissioning was accomplished safely. That includes an industrial safety record of more than 2 million hours since the last lost time accident over three years ago and radiological exposure to workers that was less than half the NRC limit. Mr. Connell said that at the beginning of the project just meeting the radiological exposure limit seemed a real challenge. Along with the enhanced radiological cleanup and excellent safety record, the project was also completed within the original cost estimate to Maine Yankee's electric customers.

Mr. Connell also briefed the CAP that Maine Yankee now has a fully licensed fuel canister for storage and transport. The NRC recently signed off on the revised certificate of compliance for the transport cask which is specifically licensed to transport Maine Yankee's spent fuel canisters.

Noting that the CAP had previously been informed that the NRC Commissioners have authorized staff to issue a license for the proposed Private Fuel Storage facility in Utah, Mr. Connell said the license has not yet been issued and that Maine Yankee continues to monitor PFS and keep its options open. Charles Pray commented that if PFS moves forward it will make the facility available to those willing to pay. Mr. Pray indicated he was concerned PFS may be more financially attractive to those utilities that have not yet had to invest in an ISFSI.

On the subject of U.S. Department of Energy (DOE) litigation Mr. Connell said that rulings in other suits are affecting in a generally positive way the cases of Maine Yankee, Connecticut Yankee and Yankee Rowe. Recent rulings have found that proven pre-breach damages are recoverable, recovery of damages is limited to those sustained, and future damages are recoverable but in a separate legal proceeding. Maine Yankee seeks \$160 million in damages through 2010. With these rulings, Maine Yankee will seek to recover damages in two legal

proceedings rather than one. In light of the recent rulings Maine Yankee is in the process of deciding what portion of the \$160 million in damages to seek initially. A ruling from last year's trial had been expected this year but is now likely in 2006.

Scott Houldin asked Mr. Connell about the status of the groundwater monitoring at the former relic dump area near Eaton Farm. Mr. Connell said he thought the monitoring program would be complete in 6-8 months. Mr. Connell reminded the panel that Maine Yankee basically removed all the soil down to bedrock in the relic dump area.

**ISFSI Manager John Niles** then provided an update on the ISFSI and soil removal. His slides are included along with Mr. Connell's. Mr. Niles said that about 44 million pounds (225 rail cars) of soil has been shipped from the site. Final cleanup and surveying of the soil pile footprint area is ongoing. Water has been the biggest problem the past few weeks. Another 2-3 cars of soil may result from the remaining cleanup effort. To illustrate Mr. Niles showed the panel a photo of the soil pile from last summer and one taken just recently with the pile removed. With soil shipments essentially done, the Route 144 rail crossing has been repaired to make it smoother. The crossing had generated some public concern. Mr. Niles said the new gatehouse for site access control is complete and currently manned. The final setup for the remote gate controls will be in place soon. The remaining Jersey barriers near the road will be removed this fall. Maine Yankee continues to work with state and local response organizations coordinating security and emergency planning. That includes the state police, Maine Emergency Management Agency, and local agencies. Recently Maine Yankee and the Wiscasset fire department conducted a drill. Mr. Niles said these exercises are particularly useful for new people to familiarize them with the site.

In response to two questions raised at the May 17 CAP meeting regarding the heat load of the spent nuclear fuel and lessons learned from the Maine Yankee fuel move campaign that may have helped Connecticut Yankee and Yankee Rowe, Mr. Niles presented two charts. One chart showed how the heat output from the fuel canisters compared to a common hair dryer or portable electrical room heater. The other showed the dates of spent fuel and Greater than Class C waste loading at the three plant sites. Mr. Niles noted that Connecticut Yankee and Yankee Rowe have a slightly different canister system than Maine Yankee's. Also Yankee Rowe's fuel move campaign was ahead of Maine Yankee's. Maine Yankee benefited to a certain extent from lessons learned at Rowe, and Connecticut Yankee benefited from the experienced Maine people who brought with them to Connecticut improvements in the fuel loading process.

Ralph Keyes asked if the water in the soil pile footprint needs to be treated and if the soil area is now part of the ISFSI. Mr. Niles said the water did not need to be treated as there is no detectable activity but that Maine Yankee was nonetheless

keeping the water on the ISFSI site. Also, the soil pile footprint has been incorporated into the still licensed ISFSI area.

As a member of the Lincoln County Emergency Planning Committee, General Lewis Curtis commented that he was pleased Mr. Niles attends the committee's meetings. Having Mr. Niles there gets questions about Maine Yankee and spent fuel storage answered on the spot. General Curtis encouraged Mr. Niles to continue attending the meetings, and Mr. Niles indicated he plans to.

Steve Jarrett asked what the plan is for the field where the power plant once stood. ISFSI Manager John Niles replied that Maine Yankee hasn't yet decided. Near the ISFSI Maine Yankee will keep the grass mowed and the brush clear, but farther out and in the area of the former plant, Maine Yankee may allow it to return to a natural state.

## **U.S. Nuclear Regulatory Commission Update**

**Mark Roberts, Senior Health Physicist, NRC Region 1**, presented the NRC update which is included with these minutes. Mr. Roberts began by introducing Marie Miller, the NRC Region 1 Decommissioning Branch Chief. Ms. Miller recently succeeded Dr. Ronald Bellamy who often attended CAP meetings during decommissioning.

Mr. Roberts discussed the October 3 Maine Yankee license amendment and safety evaluation report which released the majority of the Maine Yankee site for unrestricted use. Mr. Roberts said that site was remediated in accordance with Maine Yankee's License Termination Plan which met NRC and State of Maine requirements. Along with the license amendment, Mr. Roberts also discussed two NRC Inspection Reports for Maine Yankee that covered from February - October 2005. Those reports examined the full range of decommissioning activities and found Maine Yankee's programs effective. Mr. Roberts discussed a highly technical issue regarding Maine Yankee's relocation of some radiological survey points to more accessible locations. This issue prompted a good deal of discussion between the NRC and Maine Yankee. Mike Meisner asked Mr. Roberts to clarify that this issue was of no safety significance. Mr. Roberts agreed with Mr. Meisner saying this was a process issue and not a question of radiological material being left in place that should have been removed. Also as part of his update Mr. Roberts said that the NRC had examined the water from the dripping rail cars earlier this spring and had found the activity in the water to be miniscule with no health effects.

Mr. Roberts concluded his presentation by talking about his inspection activities from the past week. They included looking at final waste shipping records, techniques for surveying the soil pile footprint, access control, observing the fire drill, and a site tour. Mr. Roberts commented that with the site restored and grass growing it is difficult to pinpoint where structures like containment once

stood. Mr. Roberts also reinforced there is no plant derived activity in the soil footprint water.

Mr. Meisner asked about the frequency of NRC inspections now that decommissioning is complete. Ms. Miller said inspections of the ISFSI would likely be a couple of times per year.

Dan Thompson said he was concerned about the Maine Yankee decommissioning experience being lost as institutional memory is delicate. Mr. Thompson said there has to be a way to ensure the institutional memory is maintained. It would be too bad to have to reinvent the wheel when the next decommissioning occurs. Ms. Miller said the NRC is aware of the importance of this issue and is working on it. Mr. Roberts noted that lessons learned from decommissionings such as Maine Yankee's are being used in the field today. He cited the example of lessons learned in the area radiological contamination prevention. He also said that based on experience decommissioning procedures have been amended. Mr. Hudson said that he had just participated on a decommissioning panel at the annual NRC decommissioning symposium. Mr. Hudson said it is clear from that process there is an annual review of decommissioning going on. Mr. Hudson also commented that he thought the CAP process had been good for all involved. When the CAP started Mr. Hudson said he felt there was palpable tension between the regulator and licensee but that this improved over time.

## **State of Maine Update**

**State Nuclear Safety Inspector Pat Dostie** updated the CAP on his activities at Maine Yankee since last spring. His slides are included with these minutes. Mr. Dostie enumerated the survey units he and his staff had worked in. He noted that a real challenge had been instrument failures due to the wet conditions. Recent activities include working with Maine Yankee on the groundwater monitoring program, working with the vendor on soil sample analysis, beginning the survey of the former soil pile area, and beginning the final site walk down. Mr. Dostie said he is also working on reviewing Maine Yankee final status survey reports and generating a final state confirmatory report of the decommissioning project.

**State Nuclear Safety Advisor Charles Pray** then updated the panel on his activities related to spent nuclear fuel removal. His slides are included with these minutes along with Mr. Dostie's. Mr. Pray said that he is concerned Yucca Mountain is stalled and is falling ever further behind. In his view a big part of this is due to pressure on the federal budget from having to pay for international obligations and hurricane relief. Yucca has always been underfunded with nuclear waste fund monies being diverted to other programs. Mr. Pray said he fears this will only get worse in the current budget environment and that the program may at this point be stalled out. Mr. Pray said he is concerned by recent

talk of the government possibly “taking title” to spent fuel at reactor sites and said this is not acceptable to the State. Mr. Pray said the key to moving forward on fuel removal is getting the 41 states with spent fuel stored in them to support the effort. As co-chair of the Yucca Mountain Task Force, Mr. Pray said he will be going to a meeting in the mid-west on this subject next week. The principle goals of the Task Force are to galvanize national grassroots support for a comprehensive funding solution, facilitate the timely development of a final Yucca Mountain radiation standard, encourage the U.S. DOE to submit to the NRC a high quality license application in a timely manner, and facilitate a Yucca Mountain transportation and waste acceptance system with public confidence.

Mr. Thompson thanked Mr. Pray for the work that he is doing in this area. Mr. Thompson said he is concerned about the intersection of politics and science. Talking about 10,000 years in planning the repository is beyond our understanding. He said he was gratified that what Mr. Pray is doing is in the here and now. Mr. Thompson agreed with Mr. Pray that the “take title” concept is troubling. He said the whole world has to wrestle with spent fuel disposal. Mr. Thompson said we should be looking at Sweden as the example of how to do this right. He then asked Mr. Pray what could be done to help. Mr. Pray said the problem of lack of support is not in Maine. The Maine congressional delegation has been very supportive. In fact, this past week Congressman Allen agreed to sign onto a New England delegation letter to the Secretary of Energy urging removal of the spent fuel. Mr. Pray said it is people in other affected states who need to be brought on board, and that ‘s what the Task Force is working on. Mr. Pray also stressed that the position of the State and the Task Force is that spent fuel is safe stored where it is but that it could be safer in a central national storage area.

### **Public Comment**

There were no comments from the public.

### **Committee Business**

Maine Yankee’s Eric Howes suggested a minor house keeping amendment to paragraph 2 of the CAP Charter. Because decommissioning was complete October 3, Mr. Howes suggested deleting the phrase “until its conclusion in May 2005.” The CAP approved this change to the Charter.

The CAP approved the May 17, 2005 meeting minutes.

The CAP decided to meet again in March 2006. Eric Howes will work with the Chair to schedule the meeting.

The meeting adjourned at 7:50 p.m.

