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January 31, 2018

## MEMORANDUM

**TO:** Senator Michael Thibodeau, President of the Senate, and Representative Sara Gideon, Speaker of the House

**FROM:** Ricker Hamilton, Commissioner  
Department of Health and Human Services

**SUBJECT:** State Nuclear Safety Inspector's October 2017 Monthly Report to the Legislature on the Interim Spent Fuel Storage Facility in Wiscasset, Maine

Legislation enacted in the spring of 2008 requires the State Nuclear Safety Inspector to provide monthly reports to the President of the Senate, Speaker of the House, the U.S. Nuclear Regulatory Commission, and Maine Yankee. The report emphasizes local and national highlights on the storing and disposing of used nuclear fuel.

The enclosed report provides the information required under Title 22 of the Maine Revised Statutes Annotated §666, as enacted under Public Law, Chapter 539, in the second regular session of the 123<sup>rd</sup> Legislature.

Should you have questions about its content, please feel free to contact Mr. Patrick J. Dostie, State Nuclear Safety Inspector, at 287-6721.

RH/klv

Enclosure

cc: Mark Lombard, U.S. Nuclear Regulatory Commission  
Monica Ford, U.S. Nuclear Regulatory Commission, Region I  
J Stanley Brown, Independent Spent Fuel Storage Installation Manager, Maine Yankee  
Nick Adolphsen, Acting Senior Health Policy Advisor  
Dr. Bruce Bates, Director, Maine Center for Disease Control and Prevention  
Paul Mercer, Commissioner, Department of Environmental Protection  
Barry Hobbins, Maine Public Advocate  
Lieutenant Scott Ireland, Special Services Unit, Maine State Police  
Nancy Beardsley, Director, Division of Environmental Health  
Jay Hyland, PE, Manager, Radiation Control Program

State Nuclear Safety Inspector Office  
Maine CDC – DHHS

October 2017 Monthly Report to the Legislature

The report covers activities at the Maine Yankee Independent Spent Fuel Storage Installation (ISFSI) facility, including the State's ongoing environmental radiation surveillance and provides updates on the national effort to license and construct a consolidated interim storage facility and/or a permanent geologic repository for the disposal of spent nuclear fuel. Maine's goal is to move the ISFSI waste stored at Maine Yankee to one of these facilities. The report highlights the significant activities that took place locally, nationally and, at times, internationally during the month.

Local:

- The Maine Yankee Community Advisory Panel (CAP) forwarded a letter to Maine's Congressional delegation expressing encouragement at the Trump Administration's budget request to restart the Yucca Mountain licensing proceedings for a geologic repository. The CAP Chair stressed how a pilot consolidated interim storage program would benefit not only Maine residents but also help the federal government in meeting its obligations to remove the stranded nuclear fuel. He also highlighted the need for rail transportation casks and emergency preparedness training for local responders. Although hopeful that Congress will respond to resolve the nation's growing stockpile this fiscal year, he was disheartened at the lack of movement so far.
- Maine Yankee proposed to the Department of Environmental Protection (DEP) some monitoring changes to their chemical groundwater sampling program. The present program started in 2005 and required three samplings every fifth year until 2035. Currently, there are seven remaining sampling wells on-site. After careful review and analysis Maine Yankee determined that further sampling was unwarranted as an Environmental Covenant exists between the DEP and Maine Yankee that places activity and restrictions on the use of the property that is recorded in the Lincoln County Registry of Deeds and the Bailey Point peninsula is controlled under tight security until the spent nuclear fuel is moved to a centralized storage facility or geologic disposal repository, which may take a decade or more before any movement takes place.

National:

- At the request of the House Committee on Energy and Commerce, the Congressional Budget Office (CBO) issued a cost estimate on the House Bill, "Nuclear Waste Policy Amendments Act of 2017." "The CBO expects that enacting the House Bill would not significantly change the overall magnitude of the long-term costs the federal government would incur under the initial Nuclear Waste Policy Act of 1982 (tens of billions of dollars over multiple decades). However, relative to CBO's ten-year baseline projections, we estimate that enacting the bill would increase direct spending over the next 10 years. The bill would reduce projected receipts from certain fees (which are treated as reductions in direct spending) that utilities might otherwise pay by about \$1.5 billion and would increase direct spending for payments to state, local, and tribal governments by \$260 million over the next 10 years." The 2017 proposed legislation was reported out of Committee with an amendment and ordered to be printed in preparation to move the bill to the House floor for final action.
- Six organizations co-signed and sent letters to the Speaker of the House, the Senate Majority Leader, and all U.S. Senators and Representatives urging their assistance in ensuring that the Department of Energy honors its legal commitments to remove and dispose of spent nuclear fuel stored at shutdown and operating sites. They urged Congress to fund the nation's nuclear waste program with the following funding

priorities to enable the federal government to honor its commitments and address its escalating liability through the:

- a) Completion of the Yucca Mountain Licensing Review
- b) Implementation of the Pilot Consolidated Interim Storage Facility with Priority for Stranded Nuclear Fuel
- c) Preparation for the Transportation of Spent Nuclear Fuel and Defense High-Level Radioactive Waste

The six organizations were the American Nuclear Society, the Decommissioning Plant Coalition, the National Association of Regulatory Utility Commissioners, the Nuclear Energy Institute, the U.S. Nuclear Infrastructure Council, and the Nuclear Waste Strategy Coalition.

- The Nuclear Regulatory Commission (NRC) forwarded its monthly status report to the Chair of the House Committee on Energy and Commerce on the staff's activities regarding the resumption of the Yucca Mountain licensing application. The activities included the completion of the knowledge management reports on technical topics that include climate and hydrology in pre- and post-closure assessments and the completion of document retention activities including archiving information used in preparation of the NRC staff's Yucca Mountain licensing documents. It also included some planning work for training the Licensing Support Network Advisory Review Panel members, organizing a virtual meeting of Panel members, and assessing hearing space in Nevada and NRC headquarters in Maryland. The monthly expenditures for the above activities amounted to \$66,799.
- The National Association of Regulatory Utility Commissioners (NARUC) proposed a revision to its 2013 resolution at its annual meeting regarding the management and disposal of high-level nuclear waste and put forth five guiding principles:
  1. "America needs a permanent Solution to nuclear waste disposal.
  2. The Nuclear Waste Fund must be managed responsibly and used only for its intended purposes.
  3. Some consolidated Interim Storage is needed; the amount, basis of need and duration should be determined.
  4. The management of federal responsibilities for used fuel management would be more successful if assigned to a new organization with a new approach to siting and better access to financing.
  5. NARUC must be an active stakeholder on nuclear waste management and disposal."

### International:

- The Geoscientific Review Group for Canada's Nuclear Waste Management Organization visited Ignace, Ontario, site of the first deep borehole for a potential geologic repository for disposing Canada's spent nuclear fuel. The Group of international recognized experts from Canada, Sweden, Switzerland, and Australia were on hand to get a first-hand look at the rock samples and the suitability of the rock formation for a deep geologic repository. The Review Group provides oversight of Canada's geoscientific work to ensure that it meets or exceeds international best practices.