Department of Health and Human Services
Maine People Living Safe, Healthy and Productive Lives
Paul R. LePage, Governor
Mary C. Mayhew, Commissioner

Department of Health and Human Services
Commissioner's Office
221 State Street
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 287-3707; Fax (207) 287-3005
TTY Users: Dial 711 (Maine Relay)

June 25, 2013

MEMORANDUM

TO: Senator Justin Alfond, President of the Senate, and Representative Mark Eves, Speaker of the House

FROM: Mary C. Mayhew, Commissioner
Department of Health and Human Services

SUBJECT: State Nuclear Safety Inspector's December, 2012 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 focuses on activities at the site and includes highlights of the national debate on storing and disposing the used nuclear fuel. For your convenience highlights of local and national events are captured in the executive summary to the report.

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 123rd Legislature.

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

MCM/klv

Enclosure

cc: Mark Lombard, U.S. Nuclear Regulatory Commission
Monica Orendi, U.S. Nuclear Regulatory Commission, Region I
James Connell, Site Vice President, Maine Yankee
Holly Lusk, Senior Health Policy Advisor
Sheila Pinette, DO, Director, Maine Center for Disease Control and Prevention
Patricia W. Aho, Commissioner, Department of Environmental Protection
Richard Davies, Maine Public Advocate
Lieutenant Anna Love, 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

December 2012 Monthly Report to the Legislature

Executive Summary

As part of the State's long standing oversight of Maine Yankee's nuclear activities, legislation was enacted in the second regular session of the 123rd and signed by Governor John Baldacci requiring that the State Nuclear Safety Inspector prepare a monthly report on the oversight activities performed at the Maine Yankee Independent Spent Fuel Storage Installation facility located in Wiscasset, Maine.

The report covers activities at the storage facility, including the State's on-going environmental radiation surveillance and the national debate over the licensing and construction of a geologic repository for the disposal of spent nuclear fuel. The report's highlights assist readers to focus on the significant activities that took place during the month, both locally and nationally.

LOCAL:

- On December 4th a 2.8 magnitude earthquake occurred near North Waterboro. The tremor was lower in magnitude and not as widely felt as the 4.0 that happened on October 16th near Hollis Center. Since there was no movement of the concrete casks at the storage facility in Wiscasset for the 4.0 earthquake and this tremor was at least ten times lower in intensity than the previous one, it was not necessary to inspect the casks on this smaller tremor.
- The quarterly conference call of the Federal Energy Regulatory Commission rate case settlement briefing on spent fuel storage issues reported very promising news The group was briefed on the status of the three Yankee companies (Maine Yankee, Connecticut Yankee, and Yankee Atomic) Phase I and II lawsuits. In the first lawsuit the federal government had until midnight December 4th to file a petition with the U.S. Supreme Court to reconsider the U.S. Court of Appeals unanimous decision awarding the three Yankee companies nearly $160 million for the federal government's failure to take the used nuclear fuel. The federal government chose not to file a petition with the Supreme Court which made the Appeals Court decision final and non-appealable. Maine Yankee was awarded $81,690,866. Connecticut Yankee will receive $39,667,243 and Yankee Atomic $38,268,655. The U.S. Treasury is expected to process the payments but it may take several months before the funds are received as there are no requirements as to when the awards have to be paid out. As soon as the money is received the Yankee companies will contact the appropriate parties and inform them of the recommendations and process going forward. In the second lawsuit the presiding judge issued an order allowing the Yankee companies and the federal government to file supplemental briefs by November 27th and until December 17th to respond to the respective briefs. Unless the deadline is extended, the case is closed and awaiting a decision.
- Maine Yankee submitted its ISFSI decommissioning funding plan to the NRC for review and approval. The submittal was in response to the NRC's recent publishing of a "final rule that amended its regulations regarding decommissioning planning, including changes to the information required to be contained in a licensee's decommissioning cost estimate and the financial assurance requirements for ISFSI decommissioning funding". The final rule required a cost estimate for managing irradiated fuel.

Maine Yankee's $112.5 million estimate included irradiated fuel and Greater Than Class C waste. Of the $112.5 million, $86.7 million will be necessary to manage the facility until 2021 with the remaining $25.9 million to decommission the site by 2023 when its storage license expires. All the cost values were based on 2013 dollars. If the Department of Energy (DOE) aggressively moves forward to open a pilot interim storage facility by 2021 for used nuclear fuel from decommissioned reactor sites, then, according to the DOE, it would take an additional six to seven years for all the used fuel to be removed from the site. Assuming that Maine Yankee was the first of the nine shutdown sites to have its fuel moved, the Wiscasset site would be available for public use by 2030.

The national highlights primarily focused on the Nuclear Regulatory Commission, the federal courts, and consolidated interim storage and repository activities.

National:

- The Nuclear Regulatory Commission (NRC) featured two public scoping webinars as a follow-up to the November 14th public meeting seeking input from stakeholders on its proposed scope for its Environmental Impact Statement to support the Commission's Waste Confidence Decision and Extended Temporary Storage Rule. The State participated in both NRC webinars. Approximately 62 individuals participated in the December 5th webinar and 21 participated in the December 6th evening seminar. Webinar participants included members of the public, and representatives from federal and state agencies, industry, and public advocacy groups. The concerns and comments ranged from increasing the use of social media for greater public input to multiple regional public meetings to a preference for site-specific instead of a generic assessment to catastrophic natural events and terrorist activities on spent fuel storage facilities, to hardened on-site storage systems instead of fuel
- The U.S. Court of Appeals for the DC Circuit agreed with the Nuclear Regulatory Commission's December 5th motion to extend the deadline to file a status report to January 4, 2013. The three judge panel is weighing a lawsuit that charges the NRC illegally halted in 2010 its consideration of a license for the proposed Yucca Mountain nuclear waste repository. The plaintiffs in the case are seeking a court order for the agency to complete its studies of the site.
- Private Fuel Storage (PFS), LLC, a consortium of utility companies, requested that the NRC terminate its special nuclear materials license for its consolidated interim storage facility on the Skull Valley Band of Goshute Indian reservation in Tooele County, Utah. After a ten year review the NRC had issued a license in 2006 for the storage facility. However, three governors and the state's congressional delegation spearheaded efforts to derail the 100-acre project. Consequently, the firm was unable to secure federal permits from the Department of Interior. The U.S. Bureau of Indian Affairs refused to sign off on the lease agreement between the Goshutes and PFS and the U.S. Bureau of Land Management refused a right-of-way to allow construction of a rail line near Interstate 80 to the reservation. A federal appeals court threw out the Interior Department rulings two years ago and labeled them as arbitrary and capricious. However, the company never met two of its twenty NRC licensing conditions before construction and operation could begin.
- Posiva Oy, a firm jointly owned by Finnish utilities TVO and Fortum, submitted a construction license application to Finland's Ministry of Employment and the Economy for a final Finnish repository for spent nuclear fuel. The facility will be built at Olkiluoto in Eurakjoki, Finland. The construction application is based on more than 30 years of research and will include an above ground encapsulation plant and an underground final repository 1300 to 1500 feet deep. The application process will require input from several ministries, authorities, organizations, a safety assessment from the Finnish Radiation and Nuclear Safety Authority and a public consultation before it is submitted to the government in late 2014 for a final decision. If the construction application and an operating license are approved, final disposal could start in 2020.

Introduction

As part of the Department of Health and Human Services' responsibility under Title 22, Maine Revised Statutes Annotated (MRSA) §666 (2), as enacted under Public Law, Chapter 539 in the second regular session of the 123rd Legislature, the foregoing is the monthly report from the State Nuclear Safety Inspector.

The State Inspector's individual activities for the past month are highlighted under certain broad categories, as illustrated below. Since some activities are periodic and on-going, there may be some months when very little will be reported under that category. It is recommended for reviewers to examine previous reports to ensure connectivity with the information presented as it would be cumbersome to continuously repeat prior information in every report. Past reports are available from the Radiation Control Program's web site at the following link: www.maineradiationcontrol.org and by clicking on the nuclear safety link in the left hand margin.

Commencing with the January 2010 report the glossary and the historical perspective addendum are no longer included in the report. Instead, this information is available at the Radiation Control Program's website noted above. In some situations the footnotes may include some basic information and may redirect the reviewer to the website. In October 2011 the format of the report was changed to include an executive summary which replaced the official memorandum to the legislative leadership transmitting the report. To further streamline efforts, beginning in August of 2012, the report featured hyperlinks to documents that would normally be attached as copies to the report. The hyperlinks should facilitate the reports review with some readers focusing on the report while others who wish to explore the cited documentation can do so.

Independent Spent Fuel Storage Installation (ISFSI)

During December the general status of the ISFSI was normal, with no instances of spurious alarms due to environmental conditions.

There were no fire- or security-related impairments for the month. However, there were six security events logged. Five were due to transient environmental conditions. The sixth was for a detector failing a routine test.

There were thirteen condition reports[1] (CR) for the month of December and they are described below.

1st CR: Documented the presence of a duck hunter on Little Oak Island.
2nd CR: Documented a computer access issue, which was resolved with the appropriate password.
3rd CR: Was written to document some ISFSI drawings not being stored in electronic storage.
4th CR: Was written to document intermittent problems with the email server.
5th CR: Documented an improper dimension used in a radioactive waste volume calculation. The calculation was corrected.
6th CR: Was written to document a revised procedure attachment not being updated in one field book.
7th CR: Was written to document the email server being down. The unit was repaired.
8th CR: Was written to document the very slight movement of one camera in high wind.
9th CR: Documented a ground fault alarm in the fire alarm panel. The alarm cleared itself and never returned.
10th CR: Documented a component supposedly failing a routine test.
11th CR: Was written to provide additional detail testing guidance in a security procedure on what constitutes a component failing a routine test.
12th CR: Documented an observation from quality assurance surveillance of electronic records storage. Resolution is pending an evaluation of several recommendations.

[1] A condition report is a report that promptly alerts management to potential conditions that may be adverse to quality or safety. For more information, refer to the glossary on the Radiation Program's website.

13th CR: Documented the very slight movement of a camera during snow removal. The camera was returned to its original position.

Other ISFSI Related Activities

1. On December 1st Maine Yankee security observed a duck hunter on Little Oak Island. The local law enforcement agencies (LLEA) were immediately notified. The responding agencies were able to contact the individual. The individual was counseled by the LLEA and the duck hunter left the Island immediately. The Nuclear Regulatory Commission's Operations Center was notified of the incident.

2. On December 4th a 2.8 magnitude earthquake occurred near North Waterboro. The tremor was lower in magnitude and not as widely felt as the 4.0 that happened on October 16th near Hollis Center. Since there was no movement of the concrete casks at the storage facility in Wiscasset for the 4.0 earthquake and this tremor was at least ten times lower in intensity than the previous one, it was not necessary to inspect the casks on this smaller tremor.

3. On December 17th Maine Yankee submitted its ISFSI decommissioning funding plan to the NRC for review and approval. The submittal was in response to the NRC's recent publishing of a "final rule that amended its regulations regarding decommissioning planning, including changes to the information required to be contained in a licensee's decommissioning cost estimate and the financial assurance requirements for ISFSI decommissioning funding". The final rule required a cost estimate for managing irradiated fuel. Maine Yankee's $112.5 million estimate included irradiated fuel and Greater Than Class C waste. Of the $112.5 million, $86.7 million will be necessary to manage the facility until 2021 with the remaining $25.9 million to decommission the site by 2023 when its storage license expires. All the cost values were based on 2013 dollars. If the Department of Energy (DOE) aggressively moves forward to open a pilot interim storage facility by 2021 for used nuclear fuel from decommissioned reactor sites, then, according to the DOE, it would take an additional six to seven years for all the used fuel to be removed from the site. Assuming that Maine Yankee was the first of the nine shutdown sites to have its fuel moved, the Wiscasset site could be available for public use by 2030.

Environmental

The State received its first quarter 2013 thermoluminescent dosimeters[2] (TLD) on December 18th and were immediately placed in storage at the Health and Environmental Testing Laboratory's pre-World War II steel vault pending their field placement in early January. The vault storage is necessary to minimize the amount of natural background radiation on the dosimeters.

Other Newsworthy Items

1. On December 3rd the Leadership in Nuclear Energy Commission issued a progress report on policies the State of Idaho can adopt to "support and enhance the long-term viability and mission of the Idaho National Laboratory (INL) and the broader nuclear industry." INL is the nation's leading nuclear research laboratory and one of Idaho's largest employers. Several subcommittees were created to address the following topic areas:
    - Safety and the Environment
    - Technology: Current and Future
    - Education and Workforce

[2] Thermoluminescent Dosimeters (TLD) are very small, passive radiation monitors requiring laboratory analysis. For a further explanation, refer to the glossary on the Radiation Program's website.

- Infrastructure
- National and Global Landscape

The Commission report contained over sixty preliminary recommendations. The purpose of the progress report was to spur public comment on Idaho's nuclear future. One of the recommendations will likely generate controversy as it called for a small interim storage facility for spent nuclear fuel. If adopted, it would require a revision to the 1995 landmark agreement with the federal government that capped the amount of nuclear waste in Idaho. The Governor had already expressed his unwillingness to renegotiate the 1995 agreement. The Commission must finalize its recommendations to the Governor by the end of January.

2. On December 4th the State participated in a national webinar on Radioactive Material Transportation and Public Understanding. All three presenters (Oregon Department of Energy, Colorado State Patrol, and U.S. Department of Energy) focused on methods and approaches to communicating with the public on radioactive material transportation. Each expressed on what lessons were learned and what approaches were successful and meaningful to the public. The Oregon's Energy Department addressed the public's misconceptions of the radiation associated with transportation vehicles by illustrating with photos the extent of the regulation limits compared to what was actually measured, the radioactive shipment routes and numbers as opposed to what the public perceived them to be, and the use of aerial, satellite and Google photos on the low-level radioactive waste burial site near Richland, Washington to alleviate public misconceptions on what areas were affected.

3. On December 5th the Nuclear Regulatory Commission (NRC) filed a motion with the U.S. Court of Appeals District of Columbia Circuit for an extension of time until January 4, 2013, to file its status report that is due December 14th on the Fiscal Year 2013 appropriations. The Court issued an Order on August 3rd presuming that Congress and the President would resolve the issue of the Yucca Mountain licensing proceedings by providing either funding or direction on how the NRC should use their remaining funds on the Yucca Mountain case. The motion was made to accommodate a medical emergency as the lead counsel for the NRC was expected to undergo open heart surgery on December 6th and would not be available for some time. In addition, budgetary discussions between Congress and the President over the fiscal cliff crisis would continue until the end of the year. The State of Nevada did not oppose the filing. The web link for the motion can be accessed by positioning the cursor over the underlined text and following the directions.

4. On December 5th quarterly conference call of the Federal Energy Regulatory Commission rate case settlement briefing on spent fuel storage issues reported very promising news The group was briefed on the status of the three Yankee companies (Maine Yankee, Connecticut Yankee, and Yankee Atomic) Phase I and II lawsuits. In the first lawsuit the federal government had until midnight December 4th to file a petition with the U.S. Supreme Court to reconsider the U.S. Court of Appeals unanimous decision awarding the three Yankee companies nearly $160 million for the federal government's failure to take the used nuclear fuel. The federal government chose not to file a petition with the Supreme Court which made the Appeals Court decision final and non-appealable. Maine Yankee was awarded $81,690,866. Connecticut Yankee will receive $39,667,243 and Yankee Atomic $38,268,655. The U.S. Treasury is expected to process the payments but it may take several months before the funds are received as there are no requirements as to when the awards have to be paid out. As soon as the money is received the Yankee companies will contact the appropriate parties and inform them of the recommendations and process going forward. In the second lawsuit the presiding judge issued an order allowing the Yankee companies and the federal government to file supplemental briefs by November 27th and until December 17th to respond to the respective briefs. Unless the deadline is extended, the case is closed and awaiting a decision.

The updates also included the enactment on September 28th of a six-month continuing appropriations resolution; Senator's Bingaman comprehensive legislation to implement the Blue Ribbon's Commission recommendations will die in Committee this year; the impasse between the Senate and the House on nuclear waste policy with the Senate supporting a pilot program for interim storage with priority to decommissioned sites and the House holding firm to the completion of the Nuclear Regulatory Commission's (NRC) Yucca Mountain licensing review; the status of the congressionally mandated July 26th report from the Department of Energy (DOE) on how they will implement the Blue Ribbon Commission's recommendations; the DOE's preliminary site evaluations of their visits to the three Yankee companies' sites at the end of August estimating 5.8 to 7.4 years to remove all the used nuclear fuel from one site and 11 to12 years for three of the nine shutdown site; the Court's current abeyance on the mandamus case pending congressional deliberations on appropriations; the Court's order vacating the NRC's Waste Confidence Decision and Ruling and the NRC's public scoping meeting and webinars on its Environmental Impact Statement for long term, on-site storage of used nuclear fuel; the NRC ISFSI security rule, which could change the scope of security at stand-alone ISFSIs; the NRC's implementation of a National Academy of Sciences recommendation to perform a $2 million pilot study of cancer risk around six nuclear power plants and a nuclear fuel facility . Additional updates were provided on activities of the Decommissioning Plant Coalition, the Nuclear Energy Institute, the Nuclear Waste Strategy Coalition, and the National Association of Regulatory Utility Commissioners.

5. On December 5th-6th the Nuclear Regulatory Commission (NRC) featured two public scoping webinars as a follow-up to the November 14th public meeting seeking input from stakeholders on its proposed scope for its Environmental Impact Statement to support the Commission's Waste Confidence Decision and Extended Temporary Storage Rule. The State participated in both NRC webinars. Approximately 62 individuals participated in the December 5th webinar and 21 participated in the December 6th evening seminar. Webinar participants included members of the public, and representatives from federal and state agencies, industry, and public advocacy groups. The concerns and comments ranged from increasing the use of social media for greater public input to multiple regional public meetings to a preference for site-specific instead of a generic assessment to catastrophic natural events and terrorist activities on spent fuel storage facilities, to hardened on-site storage systems instead of fuel pools to the risk of spent fuel pool leaks and fires to the safety and security of spent nuclear fuel. The web link for the scoping agenda can be accessed by positioning the cursor over the underlined text and following the directions.

6. On December 6th the Nuclear Waste Strategy Coalition (NWSC) held its bi-weekly conference call to update its membership on the Administration's activities within the Department of Energy (DOE) and the Nuclear Regulatory Commission (NRC); the current status of congressional activities, and the three cases before the U.S. Court of Appeals for the D.C. Circuit (the fee suspension, waste confidence, and mandamus); besides upcoming meetings and webinars of interest. Concern was expressed that the congressionally mandated DOE report on the implementation of the Blue Ribbon Commission's recommendations on managing the nation's used nuclear fuel would be further delayed with the anticipated departure of Energy Secretary Chu during President Obama's second term. His tenure had been marred by the many ailing and failing stimulus recipients that the DOE backed, such as the Solyndra bankruptcy. There was some discussion on the recent NRC Waste Confidence Environmental Impact Statement scoping webinars and what the Coalition should file as comments before the January 2, 2013 deadline.

7. On December 6th the petitioners filed their opposition to the NRC motion with the D.C. Circuit Court of Appeals contending that the other three counsels on this case could easily file a status report by the originally imposed deadline of December 14th. The petitioners further contended that they expected no further budgetary discussions on Yucca Mountain since a continuing resolution was signed into law by President Obama extending the budget until March 27, 2013 and provided no

further clarity on funding or direction on how the NRC should expend its remaining Yucca Mountain funds. The web link for the response can be accessed by positioning the cursor over the underlined text and following the directions.

8. On December 11th the U.S. Nuclear Waste Technical Review Board sent a letter to the Department of Energy's (DOE) Assistant Secretary for Nuclear Energy expressing their appreciation for the DOE's involvement and participation in the Board's October 16th-17th meeting in Idaho. The Board strongly recommended that the DOE "continue and strengthen its interactions" with State Regional Groups in preparation for transportation of used nuclear fuel and high-level radioactive waste. The letter also provided feedback on

    - Transportation, Storage and Disposal System Analyses,
    - Evaluations of Canister and Waste Package Temperatures, and
    - The Importance of DOE Fully Engaging Stakeholders and Being Clear and Transparent.

    The web link for the letter can be accessed by positioning the cursor over the underlined text and following the directions.

9. On December 12th the U.S. Court of Appeals for the DC Circuit agreed that the Nuclear Regulatory Commission could extend the deadline to file a status report to January 4, 2013. The three judge panel is weighing a lawsuit that charges the NRC illegally halted in 2010 its consideration of a license for the proposed Yucca Mountain nuclear waste repository. The plaintiffs in the case are seeking a court order for the agency to complete its studies of the site. The web link for the Order can be accessed by positioning the cursor over the underlined text and following the directions.

10. On December 13th South Carolina's Governor's Nuclear Advisory Council held a meeting to discuss uses for the Savannah River Site (SRS). Topics included nuclear material stabilization projects, fissile materials disposition such as mixed oxide fuel, interim storage and recycling of used nuclear fuel. The French nuclear company, AREVA, presented the concept for an interim storage and recycling facility at the SRS. The web link for the agenda can be accessed by positioning the cursor over the underlined text and following the directions.

11. On December 14th the Council of State Governments Eastern Regional Conference issued a press announcement that it will be co-hosting the National Transportation Stakeholders Forum (NTSF) with the Department of Energy's (DOE) Environmental Management and Nuclear Energy Divisions on May 14th-16th in Buffalo, New York. The NTSF is the mechanism through which the DOE communicates at a national level with states and tribes about the Department's shipments of radioactive waste and materials. Maine is a member of the Northeast High-Level Radioactive Waste Transportation Task Force which is coordinating this effort. The web link for the press release can be accessed by positioning the cursor over the underlined text and following the directions.

12. On December 19th the Nevada Agency for Nuclear Projects briefed the Las Vegas City Council on Yucca Mountain and the State's activities. The presentation provided an overview of the Blue Ribbon Commission's final report and a rationale for Nevada's opposition to the Yucca Mountain Project, the safety and business cases against Yucca Mountain, the status of the licensing and litigation on Yucca Mountain, alternative uses for Yucca Mountain, and the Department of Energy's draft site-wide Environmental Impact Statement for the Nevada Test Site, which borders Yucca Mountain.

13. On December 20th the Nuclear Waste Strategy Coalition held its second bi-weekly conference call to update its membership on the Waste Confidence scoping webinars. The industry perspective at the Nuclear Regulatory Commission NRC scoping webinars was to limit the scope to what the DC

Circuit Court deemed deficient and what needed to be addressed. The environmental groups expressed their concerns that the NRC's scoping approach was not as comprehensive as it should be and provided examples such as hardened on-site storage as a means of mitigating armed terrorist attacks. The discussion also focused on rumors that the much anticipated Department of Energy (DOE) report that would outline the DOE's strategy for implementing the Blue Ribbon Commission's recommendations would be released sometime in January. The NWSC is an ad hoc organization of state utility regulators, state attorneys general, consumer advocates, electric utilities, local governments, tribes, and associate members. Its primary focus is to protect ratepayer payments into the Nuclear Waste Fund and to support the removal and ultimate disposal of spent nuclear fuel and high-level radioactive waste currently stranded at numerous sites across the nation.

14. On December 20th Private Fuel Storage (PFS), LLC, a consortium of utility companies, requested that the Nuclear Regulatory Commission (NRC) terminate its special nuclear materials license for its consolidated interim storage facility on the Skull Valley Band of Goshute Indian reservation in Tooele County, Utah. After a ten year review the NRC had issued a license in 2006 for the storage facility. However, three governors and the state's congressional delegation spearheaded efforts to derail the 100-acre project. Consequently, the firm was unable to secure federal permits from the Department of Interior. The U.S. Bureau of Indian Affairs refused to sign off on the lease agreement between the Goshutes and PFS and the U.S. Bureau of Land Management refused a right-of-way to allow construction of a rail line near Interstate 80 to the reservation. A federal appeals court threw out the Interior Department rulings two years ago and labeled them as arbitrary and capricious. However, the company never met two of its twenty NRC licensing conditions before construction and operation could begin. The web link for the letter can be accessed by positioning the cursor over the underlined text and following the directions.

15. On December 20th the Connecticut Siting Council held a hearing on the Millstone Power Station's request to increase its dry cask storage from 19 to 135 units. The 135 units would hold all the spent nuclear fuel generated by the two operating and one decommissioned power plants through 2045. The company has permission to build an extra 30 units but determined that it would be easier to build all the units it will need at once rather than incrementally. Currently, 18 of the 19 dry cask units are at capacity. Four members of the public spoke out against the expansion. One of the four represented the Connecticut Coalition Against Millstone and was granted intervenor status. Another public member representing the Clean Water Action Connecticut voiced his approval of the dry storage system as a better alternative than maintaining the used nuclear fuel in cooling pools. Another hearing is set for February with the expectation that the council will decide on the expansion by early spring.

16. On December 27th the National Association of Regulatory Utility Commissioners (NARUC) submitted its comments on the NRC's Environmental Impact Statement (EIS) scoping process. NARUC supported the Nuclear Energy Institute's comments and suggestions. NARUC argued that the Court's mandated no repository scenario is "an infeasible alternative" and suggested instead that the NRC employ its regulatory framework for extended on-site storage. The web link for the letter can be accessed by positioning the cursor over the underlined text and following the directions.

17. On December 28th the Nuclear Waste Repository Project Office (NWRPO) of Nye County, Nevada submitted their comments to the Nuclear Regulatory Commission's scoping for the Waste Confidence Environmental Impact Statement (EIS). The NWRPO proposed fourteen comments and ranged from addressing the Court's findings that originally vacated the NRC's Waste Confidence Ruling, several suggestions on possible scenarios the NRC should evaluate including the defunded Yucca Mountain Project, the importance of financing in a no repository scenario, transportation and repackaging of containers, and raised concerns on future technical, institutional, societal and political uncertainties should the nation indefinitely defer "developing a nuclear waste repository

The web link for the letter can be accessed by positioning the cursor over the underlined text and following the directions.

18. On December 28th Posiva Oy, a firm jointly owned by Finnish utilities TVO and Fortum, submitted a construction license application to Finland's Ministry of Employment and the Economy for a final Finnish repository for spent nuclear fuel. The facility will be built at Olkiluoto in Eurakjoki, Finland. The construction application is based on more than 30 years of research and will include an above ground encapsulation plant and an underground final repository 1300 to 1500 feet deep. The application process will require input from several ministries, authorities, organizations, a safety assessment from the Finnish Radiation and Nuclear Safety Authority and a public consultation before it is submitted to the government in late 2014 for a final decision. If the construction application and an operating license are approved, final disposal could start in 2020.

19. On December 31st the Decommissioning Plant Coalition (DPC) sent a letter to the NRC staffs' November 14th submitting its formal comments on the NRC's proposed scoping process for its Environmental Impact Statement (EIS) to support its Waste Confidence Decision and Rule. The DPC recommended that the NRC

    - Maintain its position that it does not support indefinite on-site storage, and
    - Bound or limit the EIS to the Court's designated three deficiencies.

    In addition, the DPC offered five specific comments centered on the federal government's obligations, the near universal support for consolidated interim storage, the Department of Energy's responsibility for transportation infrastructure, and for the NRC to avoid reliance on a previous draft document it published. The web link for the letter can be accessed by positioning the cursor over the underlined text and following the directions.

20. In December the Nevada Commission on Nuclear Projects overseeing the Yucca Mountain Project submitted to the Governor and the Legislature a 127 page report detailing the status of the Yucca Mountain licensing, the future of Yucca Mountain and their recommendations. The report expounded on the technical case against Yucca Mountain, the lessons learned from the Project, listed potential uses for the Yucca Mountain site and why some recommendations are not feasible. The report recommended the Governor and the Legislature maintain its strong opposition to the Yucca Mountain Project, urged Nevada's congressional delegation seek full implementation of the Blue Ribbon Commission's recommendations, and support the Agency for Nuclear Projects and Attorney General in intervening in the Nuclear Regulatory Commission's licensing proceedings for Yucca Mountain should they resume. The web link for the report can be accessed by positioning the cursor over the underlined text, following the directions, and then clicking on the report's link at the center of the page after the January 17, 2013 update.