

PETER WELCH
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HOUSE DEMOCRATIC
STEERING & POLICY COMMITTEE

COMMITTEE ON
ENERGY AND COMMERCE

COMMITTEE ON
OVERSIGHT AND GOVERNMENT
REFORM

Congress of the United States
House of Representatives
Washington, DC 20515-4500

October 14, 2015

The Honorable Stephen Burns
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Chairman:

Thank you for your testimony at the September 9, 2015 joint hearing of the House Energy and Commerce subcommittees on Energy and Power, and Environment and the Economy. I want to reiterate the concerns I raised at the hearing regarding the decommissioning of Entergy's Vermont Yankee plant located in Vernon, Vermont.

Specifically, I am deeply concerned about:

- 1) the lack of state and local stakeholder involvement in the decommissioning process;
- 2) questionable uses of the Decommissioning Trust Fund by Entergy; and
- 3) the reality that the use of the SAFSTOR decommissioning procedure will effectively delay the full cleanup and redevelopment of the Vermont Yankee site for decades.

In addition, subsequent to that joint hearing, I have become very concerned about significant new developments in relation to Vermont Yankee emergency programs.

The lack of meaningful stakeholder participation in decisions related to Vermont Yankee's decommissioning is unacceptable. It is essential that Vermonters have a seat at the table throughout this process. The NRC has failed to substantively engage state and local officials and appears to be increasingly relying on the perspective of the nuclear energy industry. I request that you creatively engage local stakeholders in a manner that goes beyond standard regulatory procedures to ensure that their concerns are heard and addressed.

The Decommissioning Trust Fund should not be used for non-decommissioning expenses. It is my understanding that the fund can only be used for expenses that reduce radiological levels at the site. Yet the NRC has granted preliminary approval to Entergy for several exemptions, including authorizing payment for spent fuel management, attorney fees, and even the company's membership dues to the Nuclear Energy Institute. These unjustified expenditures will further delay an already lengthy decommissioning process. The NRC must be a careful

steward of the fund to ensure that these ratepayer dollars are not diverted to pay for inappropriate or unauthorized expenses.

I have significant concerns with the decision by Entergy to use the "SAFSTOR" method of decommissioning. The use of SAFSTOR will delay clean-up, waste disposal, and remediation of the Vermont Yankee site for generations. As a result, the community will be unable to redevelop the site for economically beneficial purposes. While SAFSTOR clearly benefits Entergy, its use will render economic harm to the community. As an alternative, the NRC should consider accelerated options for decommissioning such as DECON, which would allow for prompt cleanup, redevelopment, and reuse of the Vermont Yankee site.

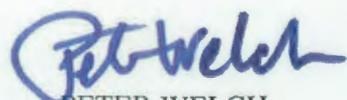
In addition to these three issues that I raised at the hearing, Vermont stakeholders have recently expressed concern about Vermont Yankee's emergency programs. Specifically, it is my understanding that Entergy is proposing to reduce the size of the Emergency Planning Zone, reduce funding to the state of Vermont for emergency preparedness, and dismantle Vermont Yankee's Emergency Response Data System (ERDS). These proposals raise serious questions as to the ongoing safety precautions in place for a site that continues to be the host for a significant amount of highly-radioactive waste.

While I understand that the NRC has already ruled on the issue of dismantling ERDS, I strongly urge the Commission to not prematurely reduce the size of the Emergency Planning Zone. I would also urge the Commission to bring Entergy to the table to negotiate in good faith with the State of Vermont on a reasonable level of financial support for emergency preparedness activities going forward.

As you know, Vermont Yankee is the first merchant nuclear power plant in the country to be decommissioned. It is critical, therefore, that the NRC work closely with Vermont's stakeholders to get it right by developing a model for the decommissioning of other merchant plants that respects and resolves the concerns of state and local stakeholders.

I look forward to your timely response and stand ready to work with the Commission to address these issues.

Sincerely,



PETER WELCH
Member of Congress

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At-Large, Vermont

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The Honorable Kristine L. Svinicki
Commissioner
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Commissioner Svinicki:

Thank you for your testimony at the September 9, 2015 joint hearing of the House Energy and Commerce subcommittees on Energy and Power, and Environment and the Economy. I want to reiterate the concerns I raised at the hearing regarding the decommissioning of Entergy's Vermont Yankee plant located in Vernon, Vermont.

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October 14, 2015

The Honorable Jeff Baran
Commissioner
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Commissioner Baran:

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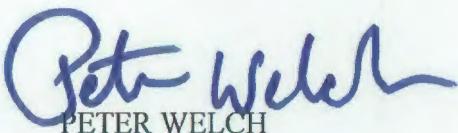
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October 14, 2015

The Honorable William C. Ostendorff
Commissioner
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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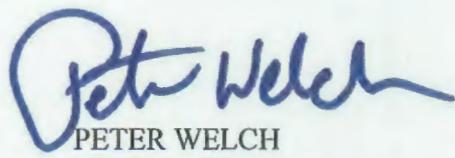
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CHAIRMAN Resource

From: Fowler, Mark <Mark.Fowler@mail.house.gov>
Sent: Wednesday, October 14, 2015 4:29 PM
To: CHAIRMAN Resource
Subject: [External_Sender] Rep. Welch letter re Vermont Yankee
Attachments: 10.14.15 - Rep. Welch Letter to Commissioner Svinicki.pdf; 10.14.15 - Rep. Welch Letter to Chairman Burns.pdf; 10.14.15 - Rep. Welch Letter to Commissioner Baran.pdf; 10.14.15 - Rep. Welch Letter to Commissioner Ostendorff.pdf

Hi –

Rep. Welch would like to submit the attached letters concerning the Vermont Yankee decommissioning to the Commissioners. Thanks for your help and please let me know if I can answer any questions.

Best,
Mark

Mark Fowler
Office of Rep. Peter Welch (VT-AL)
2303 Rayburn HOB
202.225.4115
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