



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

November 13, 2019

MEMORANDUM TO: Bruce A. Watson, CHP, Chief
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

FROM: Amy M. Snyder, Project Manager */RA/*
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

ACTIVITY: Nuclear Energy Innovation and Modernization Act (NEIMA)
Section 108 Public Meetings to Collect Feedback on
Establishment and Operation of Community Advisory Boards

FACILITY: Pilgrim Nuclear Power Station, Plymouth, MA

SUBJECT: SUMMARY OF THE SEPTEMBER 11, 2019, PUBLIC MEETING
NEAR THE PILGRIM NUCLEAR POWER STATION
REGARDING THE ESTABLISHMENT AND OPERATION OF
COMMUNITY ADVISORY BOARDS

Background

On September 11, 2019, a Category 3 public meeting was held between U.S. Nuclear Regulatory Commission (NRC) staff, members of the public and interested stakeholders at the Hotel 1620 Plymouth Harbor, 180 Water Street, Plymouth, Massachusetts. The purpose of the meeting was to assist the NRC staff in identifying best practices and lessons learned for establishment and operation of local community advisory boards (CABs) associated with power reactor decommissioning activities.

These actions are being taken in response to Section 108 of Nuclear Energy Innovation and Modernization Act (NEIMA), which was signed into law on January 14, 2019, and requires the NRC to provide a report to Congress no later than July 14, 2020, identifying best practices for establishing and operating local community advisory boards to foster communication and information exchange between a decommissioning licensee and the local community, including lessons learned from such organizations.

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The meeting notice can be found in the Agencywide Documents Access and Management System (ADAMS) under Accession No. [ML19219B393](#). A list of attendees is provided in Enclosure 1 (note that the names of some participants were not captured), the meeting transcript is available in ADAMS at Accession No. ML19274B663, and is linked in Enclosure 2. Meeting

On September 11, 2019, the NRC staff held a public meeting to discuss the agency's activities in accordance with Section 108 of NEIMA to collect information on the use local community advisory boards during decommissioning activities and issue a best practices report. The contents of this report will include a description of the type of topics that could be brought before a community advisory board; how the board's input could inform the decision-making process of stakeholders for various decommissioning activities; how the board could interact with the NRC and other Federal regulatory bodies to promote dialogue between the licensee and affected stakeholders; and how the board could offer opportunities for public engagement throughout all phases of the decommissioning process. The report will also include a discussion of the composition of existing community advisory boards and best practices identified during the establishment and operation of such boards, including logistical considerations, frequency of meetings, and the selection of board members.

Representatives from the NRC staff gave a presentation on the requirements of NEIMA Section 108 and presented the various methods to provide feedback on best practices and lessons learned from community advisory boards. This presentation can be found in ADAMS at Accession No. [ML19248C239](#), and is linked in Enclosure 3. Additional information on NEIMA Section 108, as well as an electronic means of providing comments, are available at the NRC public website at: <https://www.nrc.gov/waste/decommissioning/neima-section-108.html>.

At the end of the presentation, the NRC staff received feedback from members of the public and other stakeholders on the various topics outlined in NEIMA Section 108. The comments and questions received are summarized in Enclosure 4, and focused primarily on the membership of community panels, the desire for panels to have decommissioning decision making ability, the independence of the panel as an advisory body, the ways in which the panel can establish outreach with the community, and panel funding mechanisms. To date, no Public Meeting Feedback forms were received.

Docket No. 50-293
License No. DPR-35

Enclosures:

1. List of Attendees
2. Public Meeting Transcript
3. NRC Presentation Slides
4. Summary of Public Comments

cc: w/enclosures: Distribution via ListServ

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NEAR THE PILGRIM NUCLEAR POWER STATION
REGARDING THE ESTABLISHMENT AND OPERATION OF
COMMUNITY ADVISORY BOARDS **DATE November 13, 2019**

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*** via email**

OFFICE	DUWP	DUWP	DUWP	DUWP
NAME	ASnyder	CHolston	BWatson	MDoell
DATE	11/13/19	11/13/19	11/13/19	11/13/19

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LIST OF ATTENDEES
SEPTEMBER 11, 2019, PUBLIC MEETING NEAR
THE PILGRIM NUCLEAR POWER STATION REGARDING
THE ESTABLISHMENT AND OPERATION OF COMMUNITY ADVISORY BOARDS

U.S. Nuclear Regulatory Commission

Trish Holahan, NMSS/DUWP
Bruce Watson, NMSS/DUWP
Amy Snyder, NMSS/DUWP
Kim Conway, NMSS/DUWP
Ted Smith, NMSS/DUWP
Scott Wall, NRR
Jenny Weil, OCA
Eugene Dacus, OCA
Tison Campbell, OGC
Jennifer Scro, OGC
Nicholas Mertz, OGC
Craig Gordon, RIV
Brett Klukan, Facilitator
Chin Yuan Lin, Taiwanese Regulator

Meeting Attendees*

Jim Cantwell, State Director for the U.S.
 Senator Edward Markey
Hannah Benson, Senator Warren's Office
Michael Jackman, Congressman Keating's
 Office
State Senator, Vinny deMacedo
State Representative, Matt Muratore
Ken Tavares, Chair of Board of Selectman
 Plymouth
Sean Mullin, Chair of Massachusetts
 Nuclear Decommissioning Citizen's
 Advisory Panel (NDCAP)
Senator Dan Wolf
Kevin O'Reilly, Vice Chair of NDCAP
Pine duBois, NDCAP member
Rebecca Chin, Co-Chair of the Duxbury
 Nuclear Advisory Commission
Richard Rothstein, NDCAP member

Peter Brown
Mary Lampert, Director Pilgrim Watch
Elaine Dickinson, Cape Downwinders
Diane Turco, Cape Downwinders
Jim Lampert, Pilgrim Watch
John Kleiman
Henrietta Cosentino, Plymouth Area League
 of Women Voters
Susan Carpenter, Cape Downwinders
Joanne Corrigan, Cape Downwinders
Claire Miller, Toxics Action Center
Margaret Stevens, Cape Downwinders
Rosemary Shields, League of Women
 Voters Cape Cod Area
John Gulley
Frank Mand
Gerry Londergan
Stephen Buckley, Open Metrics
Janet Azarovitz

*note that name spelling is approximate

Enclosure 2

**PILGRIM NEIMA Section 108
Public Meeting Transcript**

ML19274B663

Enclosure 2

Enclosure 3

**U.S. Nuclear Regulatory Commission
Presentation Slides**

[ML19248C239](#)

SUMMARY OF COMMENTS FROM THE
SEPTEMBER 11, 2019, PUBLIC MEETING NEAR
THE PILGRIM NUCLEAR POWER STATION REGARDING
THE ESTABLISHMENT AND OPERATION OF COMMUNITY ADVISORY BOARDS

During the public comment portion of the Pilgrim Nuclear Energy Innovation and Modernization Act (NEIMA) Section 108 public meeting, the U.S. Nuclear Regulatory Commission (NRC) staff received feedback from members of the public and other stakeholders on the various topics outlined in NEIMA Section 108 regarding best practices and lessons learned for community advisory boards. Comments specific to NEIMA were received on the following topics:

AUTHORITY:

- Congress should return “power” to local and state stakeholders. Citizen Advisory Boards (CABs) should not be advisory, but they should have real authority so, concerns will be addressed and enacted.
- CABs should have a more meaningful role beyond an advisory role in the decommissioning process.
- Advise can be ignore. CABs should not be advisory, but they should have the authority to make decommissioning decisions or have a voice.
- CABs should facilitate a more effective solution or search for solutions.
- CABs should provide input (to their principal(s)) on how to mitigate local impacts.

FUNDING:

- Specific to CABs, CABs or Nuclear Decommissioning Citizen’s Advisor Panels (NDCAPs) should be more independent and should be provided funding by the NRC or another government federal agency, even if mandated by State Legislation.
- CABs should be interacting with the same agency staff members throughout decommissioning.
- Federal money should go to CABs to support CAB work and so that CABs can hire consultants to support CABs, have administrative support, and to develop their information websites.
- CABs should be given the resources to do what the NRC won’t.

MEMBERSHIP:

- CABs should have more local representation that are voting members of the CAB.
- CABs should have a member from each local Emergency Planning Community organization on the CAB and they should be appointed by the Board’s selectman (local government representative).
- Plant operators should not be allowed to be involved on the CAB because it has a negative effect on the Panel’s ability to discuss and deliberate critical decommissioning issues. If the plant owner is on the CAB, it should not be a voting CAB member.
- CABs should also include members from unique geographic areas, such as Cape Cod and some “pertinent” state agencies that will appear to the CAB meetings.
- For State mandated CABs, State Legislators should not dictate terms of the CABs regarding membership and restricted by State open meeting laws that curtail the role of the CAB by limiting the open and transparent discussions.
- CAB members should have the authority to independently vote and not gain approval from their home agency first, as with many state official CAB members.

GENERAL INTERACTIONS:

- CABs should bring young people into the decommissioning discussion.
- CABs should be interacting with the same agency staff members throughout decommissioning.
- CABs should not be prohibited from learning the details of or from participating in meetings, discussions, or negotiations between the State and the plant's owner on decommissioning.
- CABs should draw on experience from CABs from other communities and their "best practices" should be adopted and embraced.
- Licensees should be required to negotiate in good faith with the State and not refuse to even discuss CAB critical issues (even if proprietary) with the CAB and the local town.
- CABs should be provided information about the experience level of those doing the work and those regulators overseeing the work.
- CABs should be given characterization information so that they can clean up the site as well as watch the clean-up progress.
- CABs should have subcommittees to get more done beyond monthly CAB meetings.
- CABs should report whether the CAB trusts and respects the NRC and felt listened to by the NRC.
- CABs should be formed early, well before the plant is going to shut down and decommissioning is determined, to enable the CAB to have input on the planning.
- CABs and local communities should be provided with more educational and site information.

PROPOSED NRC-CAB INTERACTIONS:

- NRC should listen more and provide more time (in its licensing process and hearing process) to allow for input from the states and the community advisory boards (CABs).
- NRC should listen to CAB concerns and address them.
- NRC should be invited/attend each CAB meeting to provide input.
- NRC should substantially participate in the CAB and provide NRC expertise to the CAB. At minimum, there should be an NRC representative on each CAB so that the NRC can hear for themselves the concerns.
- NRC should work with CABs (as a resource).
- CABs should be required by the NRC.
- NRC should be required to mandate that CABs become part of the decommissioning process and they should be supported and funded by the NRC.
- If the NRC does not agree with the CAB concerns it should be required to explain why in writing (in SER or other vehicle) so that CABs do not feel ignored.
- Congress should require that NRC provide written responses to CAB "legitimate" questions and concerns (in Safety Evaluation Report or other vehicle), even if it means causing a delay in completing the regulatory review process.
- CAB members should be provided (detailed) NRC justification (SER or other vehicle) on how licensing transfer actions were approved so that CAB members can advise their principal(s).
- CAB process is a "farce" because NRC should act on the CAB concerns and not favor the licensee. Congress needs to ensure this current practice (not addressing CAB concerns) stops.