

**PUBLIC INVOLVEMENT
IN
DECOMMISSIONING
*THE MAINE EXPERIENCE***

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Some Issues and Activities of Focused Public Interest

- **Site Release Criteria**
- **License Termination Plan**
- **Partial Site Release**
- **Spent Fuel Storage**

SITE RELEASE CRITERIA

- **In 2000, Maine enacted site release criteria: 10 mR overall and 4 mR for water, as distinguishable from background.**
- **Maine Yankee Atomic Power Company signed a side agreement with activists limiting the on site disposal of demolition debris to “non radioactive material” (de jure, Reg.guide 1.86).**

SITE RELEASE CRITERIA (continued)

Intact foundations permitted to remain (3 feet below grade at 10/4 for each survey sector).

- NRC has been negative/non-supportive regarding more restrictive state criteria. This is a mistake.**
- Maine Yankee has decided to ship all demo debris off site (if practicable).**

License Termination Plan

- **After giving assurances that obtaining a hearing was a simple matter, NRC staff vigorously opposed citizen intervention in the LTP, damaging agency credibility.**
- **Although Maine Yankee's LTP ASLB process (with state and activists intervening) is being held in abeyance under Board order pending extensive LTP revision and re-submittal, NRC**

License Termination Plan (continued)

staff is continuing RAI's and other processing of the original LTP. This NRC LTP review includes abandoned plans to "rubblize."

- Licensee has proactively engaged with stakeholders to resolve disputed LTP issues.**
- Licensee "partnering" with stakeholders is apparent and laudable. NRC staff doesn't**

seem to, “get it,” and will not share selected technical information.

Partial Site Release

- **Maine Yankee has applied for release of a portion of the site slated for an environmental center.**
- **NRC has accepted and noticed the partial site release application notwithstanding that designation of that portion as a “non-**

affected” area is disputed in the LTP ASLB proceeding.

Spent Fuel Storage

- **NRC has neutered security requirements for spent fuel. No vehicular barriers, no armed guards required for an ISFSI.**
- **The NAC dual-purpose cask slated for use in Maine was rushed into license with RAI’s outstanding.**

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- **The licensee is breaking new ground in placing GTCC waste in casks under 10 CFR 50.59. Was 50.59 ever intended to be stretched for this type of activity?**

Conclusions

- **NRC appears inordinately eager in fostering industry initiatives and regulatory space in decommissioning (e.g. rubblelization, neutering spent fuel security, rush to license**

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casks, refusal to endorse state's more protective site release criteria, stiff-arming intervenors, dual tracking LTP and partial site release).

Conclusions (Continued)

- **Although differences on a number of issues remain distinct, the licensee has assumed a relatively open, cooperative peer/partner relationship with decommissioning**

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**stakeholders that has yet to be emulated by
NRC.**

- **In order to increase public confidence, NRC should better demonstrate that it works for the public by better working with the public.**