

Connecticut Yankee (CY) Fuel Storage Advisory Committee Meeting (FSAC)

Monday, May 5, 2025, Riverhouse at Goodspeed Station, Haddam, CT

Meeting Summary

Attendees

FSAC Members: Emmett Lyman (East Haddam) Chair, Raul de Brigard (Haddam) Secretary, Nicole Velardi (Government), Bob McGarry (Haddam), Pete Strickland (East Hampton), Robert Desmarais (CY), David Cox (East Hampton), and Vic Fetter (Chester),

Connecticut Nuclear Energy Advisory Council (NEAC): Craig Salonia, Jim Sherrard, Raymond Woolrich

State of Connecticut Department of Energy and Environmental Protection (DEEP): Mike Firsick, Jeffrey Semancik

Public: Andrew Egri (Haddam Neck), Ben Egri (Haddam Neck), R. Thurston Clark (Haddam Neck), Sean Donlon (Haddam), Jim McHutchinson (Haddam Neck)

CY: Wayne Norton, John Macdonald, Bob Capstick, Kathleen Capstick, Shae Hemingway, Jim Lenois, Luke O'Day, and Carla Pizzella

Chair Emmett Lyman called the meeting to order at 4:05 p.m.

Chair Lyman asked the attendees to introduce themselves. After the introductions, the Chair asked the Committee if there were any comments on the May 1, 2024, Meeting Summary. **There being none, the May 1, 2024, Meeting Summary was approved.**

CY Independent Spent Fuel Storage Installation (ISFSI) Site Status Report

CY ISFSI Manager Robert Desmarais presented the site status report, referencing the handout titled 'ISFSI Status Update.' Mr. Desmarais explained that Industrial safety performance continues to be excellent, with nearly 500,000 safe work hours since the last lost-time accident in March 2015.

Mr. Desmarais then reported that CY is in the process of defining the scope of work necessary for the removal of power from the decommissioned Emergency Operations Facility (EOF).

Mr. Desmarais added that planning is underway to assess a minor indication of water staining on one fuel storage canister that was identified during the 2024 aging management canister inspection. This effort aims to better characterize potential sources of water in-leakage.

Mr. Desmarais went on to explain that in 2025, CY will conduct an Emergency Plan Fire/Medical Drill on May 15, 2025, and a Radiological Drill on July 16, 2025, with strong support expected from sister sites Maine Yankee and Yankee Rowe.

Mr. Desmarais also reported that no findings or violations were noted during the July 2024 NRC Triennial Operations/Safety Inspection. He added that the next triennial Security Inspection is tentatively planned for the week of August 18, 2025. Additionally, the NRC has notified the Yankee Companies of upcoming one-day inspections at each site under the new 'ISFSI License Renewal Inspection' procedure, expected during the week of October 6, 2025.

Mr. Desmarais then described the drone activity that occurred near the facility in March 2025 and informed the Committee that CY promptly notified the NRC, FAA, FBI, and DEEP. No safety or security impacts were identified. A member of the public asked what would happen if more drone activity is observed. Mr. Desmarais explained that CY would follow the same protocol and notify the appropriate agencies.

Federal Nuclear Waste Management Program Update

Mr. Capstick presented a national overview of nuclear waste policy developments. Mr. Capstick used as the basis for his report the information contained in the attached Status Report, supplementing it where appropriate.

Mr. Capstick mentioned that Chris Wright was confirmed as Secretary of Energy on February 3, 2025, after a bipartisan Senate vote (59-38), and that his first Secretarial Order on February 6 directed the DOE to “unleash American Energy,” with a focus on nuclear power, but did not address nuclear waste issues.

Mr. Capstick reported that Ted Garrish, nominated on February 3, 2025, to be Assistant Secretary of Nuclear Energy, has extensive experience in nuclear energy, dating back to the Reagan administration. He added that Garrish’s confirmation hearing was set for April 30, 2025, with a potential Senate floor vote before Memorial Day.

Mr. Capstick then shared that the DOE’s nuclear waste program, under Paul Murray, was reduced by 25% in February 2025 due to federal employee reduction initiatives and that on March 13, 2025 a U.S. District Judge ruled the layoffs unlawful, forcing the DOE to reinstate fired employees. Mr. Capstick added that the Department is attempting to avoid further cuts by offering early retirements, as the Administration is planning another RIF (Reduction in Force) and that the nuclear waste program remains in a holding pattern until Garrish’s confirmation.

Mr. Capstick continued his presentation explaining that the President’s FY 2026 budget maintains funding levels for DOE’s nuclear waste management program and that DOE Deputy Assistant Secretary Paul Murray continues efforts to restart an integrated

national nuclear waste program, potentially including a second repository for all U.S. nuclear waste categories.

Mr. Capstick explained to the Committee that private consolidated interim storage (CIS) facilities in Texas and New Mexico were licensed by the NRC, but their approvals were vacated by the U.S. Court of Appeals. The issue is now before the U.S. Supreme Court, with a decision expected mid-2025. Strong political opposition persists in both states.

DOE Spent Fuel Lawsuit

Mr. Capstick provided the Committee with an update on the current phase (Phase V) of the ongoing litigation between the three Yankee companies (Connecticut Yankee, Maine Yankee, and Yankee Rowe) and the DOE. Mr. Capstick referred the Committee to the attached handout section entitled “DOE Spent Fuel Lawsuit Status Update” for the details surrounding the legal activity associated with the lawsuit

Mr. Capstick added that the Phase VI litigation, covering 2022–2025 damages, is expected to be filed next year. To date, total damages awarded across all completed cases (Phases I–V) amount to \$575.5 million, paid from the U.S. Judgment Fund rather than the Nuclear Waste Fund.

A member of the public asked what the lawsuit with the DOE has to do with CY’s inability to dispose of fuel because they have nowhere to send it. Mr. Capstick explained that the government had responsibility for picking up the spent fuel and disposing of it under a contract that CY had with the DOE. When the DOE breached the contract and did not pick up the fuel by the specified date, the court ruled that CY could sue for damages, or the costs it incurs for storing the fuel until the government picks it up.

Mr. Firsick (DEEP) conveyed that spent nuclear fuel has not moved in decades in the U.S., but DOE’s Atlas railcar is now certified for transporting spent nuclear fuel and plans to use it to transport a canister with high burnup spent nuclear fuel assemblies from the North Anna Nuclear Station in Virginia to the Idaho National Lab as part of a demonstration program for evaluation in 2027.

Mr. Capstick concluded his presentation and asked if there were any questions. A member of the public asked if there were any plans to open the CY Site to the public. Mr. Norton responded that there were no plans to do so given the required regulatory buffer (boundary) around the ISFSI and the focus on maintaining robust security at the Site.

Other Business

On behalf of the Committee, Chair Lyman made a presentation to Mr. Capstick, in recognition of his years of service to CY and the FSAC as he retires from his position as Director of Government and Public Affairs at the end of 2025. Chairman Lyman thanked Mr. Capstick for his decades of outstanding support to CY and the FSAC and

his role in enhancing open communication, public involvement, and education regarding the decommissioning of the plant, environmental remediation of the site, and the storage of the Spent Nuclear Fuel & GTCC waste.

Next Meeting Date

Following discussion, the Committee voted to hold its next meeting on Wednesday, May 6, 2026.

Adjournment

There being no further business, the meeting was adjourned at 5:10 p.m.

ATTACHMENTS

- **May 5, 2025, Meeting Agenda**
- **Connecticut Yankee May 5, 2025, FSAC Update**
- **Approved May 1, 2024, Meeting Summary**

Connecticut Yankee Fuel Storage Advisory Committee

Meeting Agenda

Monday, May 5, 2025

**The Riverhouse at Goodspeed Station, Rte. 82, 55 Bridge Rd.,
Haddam, CT**

4:00 p.m. Call FSAC Meeting to Order – Emmett Lyman

Introductions

Approval of May 1, 2024, Meeting Summary

Status Report – Rob Desmarais

- ISFSI Operations
- Aging Management Program Inspection
- NRC Inspection

Federal Nuclear Waste Management Program Update – Bob Capstick

DOE Spent Fuel Lawsuit Status Update – Bob Capstick

Other Business – Emmett Lyman

Public Comment and Questions

Proposed 2026 Meeting date: Wednesday, May 6, 2026

5:30 p.m. Adjournment

CONNECTICUT YANKEE FUEL STORAGE ADVISORY COMMITTEE

MAY 5, 2025, UPDATE REPORT

Industrial Safety: There have been no Lost Time Accidents, OSHA Recordable Injuries, First Aid cases, or near misses since the last report. The last Lost Time Accident at Connecticut Yankee occurred in March 2015.

ISFSI Operations: The site is in the process of planning work associated with an assessment of the minor indication of water intrusion on TSC 38, as identified in the 2024 aging management canister inspection. This assessment is being developed to better characterize potential sources of water in-leakage. CY has begun to define the scope of the work necessary for the removal of power from the decommissioned Emergency Operations Facility (EOF).

2025 Emergency Plan Events: CY had a successful Emergency Plan Fire/Medical Drill on June 27th and a successful Emergency Plan Radiological Exercise on August 29th, with great support from our sister sites, Maine Yankee and Yankee Rowe. This year we have an Emergency Plan Fire Drill Scheduled for May 15, 2025, and the Radiation Drill planned for July 16, 2025.

NRC Inspections: The NRC triennial Operations/Safety Inspection at CY was performed the week of July 22, 2024, to coincide with the Aging Management Program inspection. The final inspection report was issued on August 27, 2024, with no cited, non-cited, or minor violations. The NRC triennial security inspection is tentatively scheduled for the week of August 18, 2025. The NRC recently informed the 3 Yankee Companies of their intention to conduct one day inspections at each site in accordance with a new NRC Inspection Procedure: "ISFSI License Renewal Inspection". The current projected inspection dates are for the week of Monday October 6, 2025.

Reports to the NRC Operations Center: CY witnessed unmanned arial vehicles (drone) activity along the Connecticut River on March 27th and March 28th. Because of its proximity to the ISFSI site, CY made the required federal notifications to the Nuclear Regulatory Commission (NRC), Federal Aviation Administration (FAA), and Federal Bureau of Investigation (FBI). CY also notified the Connecticut Department of Energy and Environmental Protection (DEEP) of the activity.

Dry Storage System Aging Management Program: Initial results from the July Aging Management Inspection indicated that most surfaces inspected are within acceptance criteria, with one exception. A minor indication of a water staining was identified on the east side of TSC 38. The minor indication was entered into the Corrective Action Program. No inspection interval or scope revisions are expected to be required. This year a follow-up assessment is being planned to further investigate a water stain indication identified during the July 2024 baseline canister inspection. This will include taking borescope pictures of the indication for comparison, taking surface samples and investigating the source of the water leak into VCC38.

Federal Nuclear Waste Management Program Update

Administration

DOE Energy Secretary Confirmation

President Trump's nominee for DOE Secretary (Chris Wright) had a hearing before the Senate Energy & Natural Resources Committee on January 15th and the Committee vote held on January 23rd confirmed his nomination on a bi-partisan vote of 15-5. He was confirmed on February 3rd by a Senate vote of 59-38 and sworn in as Secretary.

His first Secretarial Order issued on February 6th directed the Department to take immediate action to "unleash American Energy" in accordance with President Trump's executive orders. It included specific mention of unleashing nuclear power in the US with no mention of the nuclear waste issue.

Assistant Secretary of the Office of Nuclear Energy (NE) Confirmation

The Administration is continuing to fill out DOE leadership positions, and on February 3rd nominated Ted Garrish to be Assistant Secretary of the Office of Nuclear Energy (NE). He previously served as a DOE Assistant Secretary for International Affairs during the first Trump administration and has a long history of working on nuclear energy issues dating back to the Reagan administration. He previously served as General Counsel and Assistant Secretary for Nuclear Energy at DOE, as well as DOE Assistant Secretary for Congressional and Intergovernmental affairs. His nomination was referred to the U.S. Senate's Committee on Energy and Natural Resources on February 3rd which scheduled his confirmation hearing for April 30th, so his nomination might clear the Senate floor before Memorial Day.

DOE Nuclear Waste Program

The DOE's spent fuel program under Paul Murray (Deputy Assistant Secretary for Spent Fuel and Waste Disposition) was reduced by 25% in February as a result of the administration's federal government employee reduction initiatives. However, on March 13th the Department of Energy reinstated employees who had been fired in the governmentwide returning then to their previous position with DOE and to federal service effective the date of the initial firing. DOE said it was forced to do so as a result of a U.S. District Judge's order that day to reinstate the fired staffers calling the decision to make the cuts "unlawful." The Judge's Order was immediately appealed by the Administration so the cuts may be temporary.

The Secretary of Energy has made a 2nd "early retirement" offer to DOE employees because there has been a request from the Administration for another RIF (Reduction in Force) and it has been established that 7,000 of the roughly 15,500 DOE employees are non-essential. The offer for early retirement is an attempt by the Secretary to avoid

forced Reduction In Force (RIF). Essentially, the nuclear waste program is in pretty much a holding pattern until Mr. Garrish is nominated and confirmed by the Senate.

President's FY 26 Budget

The President's FY 26 Budget (the so-called "skinny" budget) request is expected to be released in May. It is not likely to include a great deal of detail that would indicate the direction that the Trump Administration wants to take on the SNF program. Much of that will await the confirmation of the Assistant Secretary of the Office of Nuclear Energy nominee Ted Garrish.

Nuclear Regulatory Commission

On January 20th President Trump appointed NRC Commissioner David Wright to be the Chair of the Nuclear Regulatory Commission. He was nominated to be Commissioner by President Trump during his first administration and his five-year term expires this June 30th. If not reappointed by the President and reconfirmed as a Commissioner by the Senate, he will need to leave the Commission.

In the final days of the last Congress, Senate Democrats used their lame-duck majority to confirm Matthew Marzano as a Commissioner, the majority of the Commissioners for most of President Trump's second term will be the 3 Democratic appointees and 2 Republican appointees (assuming Chairman Wright is renominated and confirmed).

Congress

Appropriations Legislation

The FY 2025 "Full-Year Continuing Appropriations and Extensions Act, 2025" that will keep the federal government running through September 30, 2025 – passed by Congress on March 14th which was then signed by the President.

There is nothing in the Act that would provide the DOE spent fuel program (on a fiscal year basis) with anything less than what the program received in FY24. That doesn't mean that will remain the case over the next 5 months depending on whether the current Administration wants to reprogram some funds (there are limits to the amount they can do without alerting the Appropriations Committees) or change what those funds will be used for (again within limits).

Authorizing Legislation

There are several nuclear waste-related bills expected to be re-introduced this session:

The Congressmen August Pfluger (R-TX) and Mike Levin (D-CA) bill "The Nuclear Waste Administration Act" that would establish a new single-purpose, independent federal agency to manage the nation's nuclear waste. The bill would transfer the responsibilities for siting, constructing, and operating nuclear waste storage facilities

and repositories from the Department of Energy (DOE) to the new Nuclear Waste Administration.

Also expected to be reintroduced in the new Congress is the Congresswoman Doris Matsui (D-CA) and Congressman Mike Levin (D-CA) bill, “Storage and Transportation of Residual and Excess (STORE) Nuclear Fuel Act”. This bill seeks to create a legislative framework to develop a consolidated interim storage program for spent nuclear fuel at the Department of Energy. It allows for both active and decommissioned nuclear power plants, with priority given to decommissioned plants, to move spent nuclear fuel and other high-level radioactive material to off-site interim storage facilities.

One bill that was already reintroduced on February 5th by Rep Mike Levin (D-CA) and two California Republican [Rep Darrell Issa (R-CA) and Rep Young Kim (R-CA)] is the bipartisan “Spent Fuel Prioritization Act”. This bill would give priority to removing nuclear waste from sites located in areas with large populations, earthquake hazards. Previous iterations of the bill in past sessions did not make it through the Committee process for a vote.

Private Consolidated Interim Storage Facility Status

Private Consolidated Interim Storage (CIS) Facility Status

The New Mexico Holtec and the Texas Interim Storage Partners (ISP) NRC licensed CIS facilities have been licensed by the NRC, however, both remain subject to litigation.

As previously reported, the U.S. Court of Appeals for the Fifth Circuit vacated the licenses that NRC granted to Interim Storage Partners for their CIS facility in Texas and Holtec International for theirs in New Mexico. The Fifth Circuit ruled that that NRC lacked the statutory authority to issue such licenses and also held that individuals who had not participated in the NRC hearing process could nonetheless challenge agency actions in court. The Fifth Circuit decisions splits with the D.C. and Tenth Circuit of Appeals decisions that previously approved NRC’s authority to grant the licenses.

The US Supreme Court heard the Fifth US Circuit Court of Appeals decision that vacated the licenses NRC granted to the Texas and New Mexico CIS facilities. The arguments were held on March 5th with a decision expected by the middle of this year.

According to press accounts of the hearing, the Court appeared split on the question of whether the NRC has the authority to license private temporary offsite storage of nuclear waste. While the case weighs the agency’s power to issue the license for sites separate from the reactor where the waste was created, it also has broader implications for the procedures for challenging an agency’s rulemaking process.

Several justices also questioned whether the Texas facility would truly be temporary, noting that the government has failed to establish a long-term nuclear waste storage

facility at Nevada's Yucca Mountain despite a congressional mandate and the NRC's license for the facility is good for 40 years with the option for renewal.

DOE Spent Fuel Lawsuit Status Update

Phase V DOE Litigation (Note: the recently updated section is in bold)

The Phase V DOE litigation cases were filed by the 3 Yankee Companies in the U.S. Court of Federal Claims on March 25, 2021, seeking recovery of monetary damages resulting from the federal government's ongoing failure to fulfill its contractual obligations to remove the SNF waste from the three Yankee sites for the years 2017-2020. Judge Stephen Schwartz scheduled the discovery/deposition phase to run until the end of July 2022 and set a trial date of July 25, 2023. The cases originally assigned to Judge Schwartz were reassigned on February 28, 2022, to Judge Carolyn Lerner. It is our understanding that the reason for the consolidated cases to be reassigned to a new judge was to allow the Court of Federal Claims to even out caseloads among the existing judges.

In May 2022 the federal government asked Judge Lerner for a six-month extension to all schedule dates, including the July 2023 trial date. The federal government said they needed more time and that the Yankees' answers to their questions weren't fulsome enough. The 3 Yankees opposed the government's motion as unwarranted and asked Judge Lerner to allow the 3 Yankees to add the 2021 damages to the case. During a status call in early June 2022, Judge Lerner gave both parties part of what they asked for granting the government's motion to extend all pre-trial dates by six months, but she kept the existing trial date. Judge Lerner also granted the Yankees leave to add the 2021 damages to the case, which has been done, and she required the government to address these additional claims within the amended time frame. With the addition of 2021 damages, the Phase V damages for the 3 Yankee companies are approximately \$150 million. On November 8, 2022, the 3 Yankee Companies learned that the consolidated Phase V case had been transferred from Judge Lerner to Judge Thompson M. Dietz. Just as before with Judge Lerner, no reason was given for the transfer. As a result of previous schedule extensions and the government's position that two weeks will be needed to try all the issues, Judge Dietz issued an order scheduling the trial from October 16-27, 2023.

Discovery was scheduled to end on April 28, 2023. However, the parties agreed to extend the deadline until the end of May 2023. Both parties filed Motions for Summary Judgment on the off-set issue. The government sought a legal determination that increases in the Trust Funds off-set damages. The Yankees' Motion sought a ruling in their favor on the off-set issue.

The parties had a pre-trial conference with Judge Dietz on July 27, 2023. During the conference the Judge stated that he intended to rule on the Motions before going to trial and that he was considering having Oral Argument on them in the October/November 2023 timeframe. As a result, he said the earliest practical date for the Phase V trial

would be in February/March 2024 and he asked the parties to confer and try to agree on a new schedule to propose to him. Judge Dietz issued an Order setting November 2, 2023, as the date for the oral arguments on the two Motions for Summary Judgment. The hearing took place as scheduled, and the Judge indicated that he would issue his decision on the opposing Summary Judgment Motions “soon”. He also stated that he would address the trial issues, including the date of the trial after he rules on the Summary Judgment Motions.

Judge Dietz ruled on February 7, 2024, in favor of the Yankees on the competing Summary Judgment Motions, finding, in essence, that the government could not use trust fund earnings as a set off to damages. Approximately two weeks later, Judge Dietz held a status conference with the parties to discuss pending discovery motions. He subsequently ruled in favor of the government’s request for further email discovery and ruled in Yankees’ favor that the government needed to provide the Yankees with the specific category of issues they plan to challenge at trial. On March 13, 2024, the Judge issued an Order establishing a schedule to complete discovery by June 10, 2024.

During a post-discovery conference on June 26, 2024, Judge Dietz set the Phase V trial for October 28 through November 8, 2024. The parties filed a Joint Status Report on September 11th seeking a status conference with the Court to discuss pending issues, one of which was a tentative settlement of the Phase V cases. The government also asked for the trial to be delayed while they pursue their settlement approvals. The Yankees opposed the delay. The court agreed to delay the start of the trial until January 13, 2025, but said if the settlement approvals are not in place by early November 2024, he will impose pre-trial requirements on the parties. The proposed settlement, if approved, would provide the Yankees with approximately 97% of their alleged damages, with the government maintaining their appeal to the trust fund offset issue that they lost on summary judgment. The proposed settlement is subject to approval by both sides’ higher authorities.

The 3 Yankee companies’ Boards of Directors approved the proposed settlement as did the federal government which the Judge subsequently approved and issued a Stipulated Judgement Order be entered against the Government in the total amount of the \$145M in damages requested by the 3 Yankee companies and that the Judgment is also subject to the Government’s right to appeal of the Court’s earlier Summary Judgement decision in favor of the Yankees on the “offset” issue. (Note: Judge Dietz ruled in February 2024 in favor of the Yankees on competing Summary Judgment Motions, finding, in essence, that the government could not use trust fund earnings as a set off to damages). The Stipulated Judgment resolves the DOE Phase V cases covering damages from January 1, 2017, through December 31, 2021. The Government had until January 2025 to file their appeal, subject to a 30-day extension for extraordinary circumstances – which it did.

The Federal Circuit Court of Appeals docketed the Government’s appeal of Judge Dietz’s DOE Phase V Summary Judgment “offset” decision on January 27, 2025,

which started the briefing calendar with the government's opening brief due on March 28, 2025. However, not unexpectedly, the Department of Justice (DOJ) requested a 60-day extension, which Yankees' DOE appellate counsel recommended be accepted in light of the large number of court cases filed against the Trump Administration. The Yankees agreed to the extension with the DOJ's agreement that it would not challenge the Yankees' request for a similar extension if desired to file their reply brief. The DOJ's opening brief is due by May 27, 2025.

Phase VI DOE Litigation

It is expected that the Yankees will follow past practice and are likely to file their Phase VI DOE cases covering the years 2022 through 2025 damages sometime next year.

NOTE: The ongoing litigation between the 3 Yankee companies and the Department of Energy is being conducted in phases as an earlier U.S. Federal Appeals Court decision ruled that utility companies cannot receive damage awards for costs that have not yet been incurred. As a result, the three companies have, and expect to continue to litigate with the DOE every several years to request damages for costs incurred by the ratepayers for the federal government's failure to meet its statutory and contractual obligation to begin removing the SNF and GTCC waste from the sites beginning in January 1998. The total damages awarded to the 3 companies to date for the Phase I, II, III, and IV lawsuits are \$575.5 million, and these awards are paid out of the US Judgment Fund - not the Nuclear Waste Fund that the electric ratepayers have paid into.

Connecticut Yankee (CY) Fuel Storage Advisory Committee Meeting (FSAC)

Wednesday, May 1, 2024, Riverhouse at Goodspeed Station, Haddam, CT

Meeting Summary

Attendees

FSAC Members: Emmett Lyman(East Haddam) Chair, Nicole Velardi (Government), Bob McGarry (Haddam), Robert Desmarais (CY), David Cox (East Hampton), Vic Fetter(Chester), and Noah Carver (Congress)

Connecticut Nuclear Energy Advisory Council (NEAC): Craig Salonia, Jim Sherrard

State of Connecticut Department of Energy and Environmental Protection (DEEP): Mike Firsick, Jeffrey Semancik

Public: Tim Bragdon (Chester), Michael Lafleur (East Hampton)

CY: Bob Capstick, Kathleen Capstick, Shae Hemingway, Jim Lenois, John Macdonald, Carla Pizzella

Chair Emmett Lyman called the meeting to order at 4:09 pm.

Chair Lyman asked the attendees to introduce themselves. After the introductions, the Chair invited the members of the public to speak out with their questions during the meeting instead of waiting until the Public Comment segment of the meeting as described on the agenda.

Approval of May 7, 2023, Meeting Summary

The members approved the May 7, 2023, meeting summary.

CY Independent Spent Fuel Storage Installation (ISFSI) Site Status Report

Rob Desmarais, the CY ISFSI Manager, provided a CY site status update report and spoke from the attached meeting handout section entitled "ISFSI Status Update."

Mr. Desmarais presented an update on Industrial Safety at CY, which continues to be good. The last Lost Time Accident was 2015.

Mr. Desmarais discussed the CY ISFSI pad multi-phased resurfacing project that was completed in the Spring of 2023. Mr. Desmarais mentioned that to date, the repairs appear to be holding up well.

Mr. Desmarais then reviewed the CY site projects that will be undertaken this year. The first project mentioned is a canister inspection planned for July 2024 to inspect the internals of one spent fuel canister to assess for chloride induced stress corrosion. Mr. Desmarais pointed out that both Yankee Atomic and Maine Yankee have conducted similar inspections. The Nuclear Regulatory Commission (NRC) will observe the inspection as they will be on-site for their triennial inspection of ISFSI operations.

The Committee asked Mr. Desmarais how many fuel canisters were at the CY ISFSI, and he responded that there are 40. The Committee followed up with an inquiry as to how CY can determine if one canister is representative of all canisters with regard to the inspection. Mr. Desmarais and Mr. Macdonald pointed out that CY follows industry guidance and regulations driven by the NRC, as well as an Aging Canister Management Program. They also explained that the canister selected for inspection is the one with the lowest heat rating. This is because the lower the heat, the more likely it is for condensation/moisture to form. Mr. Desmarais was asked about the frequency of inspections, and he explained that the canisters are on a ten-year inspection cycle, unless something is found during an inspection which would impact the frequency.

Mr. Desmarais was asked by a few members of the Committee whether they could attend the canister inspection. Mr. Desmarais explained that he would have to determine if this is possible and would get back to the Committee.

Mr. Desmarais then explained that a project for ISFSI infrastructure power and fiber optic upgrades is planned for later in the year. Mr. Desmarais pointed out that it has been 20 years since the first cask was put on the ISFSI pad. He also stated that the Certificate of Compliance for the canisters was approved in October of 2023, relicensing them for forty years.

Mr. Desmarais mentioned that the area radiation monitors that are on the outside fence surrounding the ISFSI will be out of service for a period of time while the infrastructure upgrades are underway. However, CY's area dosimetry will remain active as well as the Department of Energy and Environmental Protection's (DEEP) dosimetry. Mr. Desmarais also mentioned that the security staff is trained to do assessments if the need arises. Finally, Mr. Desmarais mentioned that the radiation monitors will be sent for calibration while they are out of service. A member of the public asked if there has been a safe level of radiation at the ISFSI as measured over the past 20 years. Mr. Desmarais responded affirmatively. The Committee then asked how the level of radiation and temperature have changed over the years. Mr. Desmarais explained that both the measured radiation and temperature have decreased over the years and should continue in that manner.

Mr. Desmarais also mentioned that 2024 is an Emergency Plan exercise year for CY. A Fire/Medical Drill is scheduled for Thursday, June 27, 2024, and a Radiological Exercise is scheduled for Thursday August 29, 2024.

The Committee asked if the recent New Jersey earthquake impacted CY and Mr. Desmarais responded that it had not.

Federal Nuclear Waste Management Program Update

Mr. Capstick provided the attendees with an update on nuclear waste issues from the national perspective. He spoke from the attached handout section entitled "Federal Nuclear Waste Management Program Update". The following points were made:

- The President's FY 2025 Budget for the DOE nuclear waste management program proposes to continue at the FY 24 funding levels and scope of effort.
- In March, Paul Murray (DOE's Deputy Assistant Secretary for Spent Nuclear Fuel (SNF) and Waste Disposition) met with the US House Spent Nuclear Fuel Solutions Caucus (of which Congressman Courtney is one of its most active members on the issue). Mr. Murray outlined that he is looking to restart an integrated nuclear waste management program - under his existing authority - that would include initiating a second repository program for all the nation's nuclear waste - commercial, naval, WW II Manhattan Project legacy sites, and future advanced new nuclear reactor material.
- Congressman Courtney continues to be a great advocate on solving the national SNF storage issue, and he invited CY to participate in a March 27th series of daylong meetings in his District where he hosted the Department of Energy's Deputy Assistant Secretary for Spent Nuclear Fuel & Waste Disposition, the previously mentioned Paul Murray, and Finland's Ambassador to the U.S. Congressman invited Finland's Ambassador to his Congressional District.
- The March 27th visits included the 3 Rivers Community College Nuclear Engineering Technology Program (that is headed by Jim Sherrard) and Millstone Station's SNF Storage facility; and the stakeholder roundtable discussion focused on the nuclear waste issue and Finland's geologic repository program, which will become the world's first operational geologic repository for SNF this year following a lengthy consent-based licensing process. The afternoon stakeholder roundtable meeting at the Waterford Town Hall had a panel that included Congressman Courtney, Finland's Ambassador, the DOE Deputy Assistant Secretary, the Millstone VP, the State Representative from Waterford, Jim Sherrard of the Three Rivers Nuclear Program Director, the Waterford First Selectman, and others including DEEP's Radiation Division Director Jeff Semancik, and Mr. Capstick.

Mr. Firsick of the DEEP mentioned to the Committee that the DOE now has an Atlas rail car that has been tested and certified to move SNF. He also mentioned that the North Anna Nuclear Generating Station has safely and successfully moved fuel from one of their sites to another.

Private Consolidated Interim Storage Facility Status

Bob then updated the Committee on the status of private consolidated interim storage. He spoke from the attached handout section entitled “Private Consolidated Interim Storage Facility Status”. Bob explained that the private CIS facilities in Texas and New Mexico have NRC approved licenses; however, there is strong state political opposition and an ensuing legal battle over those license approvals that may rise to the level of the U.S. Supreme Court.

DOE Spent Fuel Lawsuit Status Update

Bob provided the attendees with an update on the current phase (Phase V) of the lawsuit with the Department of Energy. The Phase V lawsuit seeks monetary damages for the period from 2017 – 2021 for the federal government’s ongoing failure to fulfill its contractual obligation to remove the Spent Nuclear Fuel and Greater-Than-Class C Waste from the CY Site (as well as the Maine Yankee and Yankee Rowe Sites). Bob referred the Committee to the attached handout section entitled “DOE Spent Fuel Lawsuit Status Update” for the details surrounding the legal activity associated with the lawsuit. At the present time, discovery is still underway, in accordance with a Judge issued Order of March 13, 2024, establishing a schedule to complete all discovery by June 10, 2024. A trial date has yet to be scheduled pending the completion of discovery.

Next Meeting Date

Following discussion, the Committee voted to hold the 2025 meeting on Wednesday, May 7, 2025.

Adjournment

There being no further business, the meeting was adjourned at 5:10 PM.