

The Maine Yankee Decommissioning Advisory Panel

A Model for Public Participation in Nuclear Projects

A REPORT BY THE MAINE YANKEE COMMUNITY ADVISORY
PANEL ON DECOMMISSIONING



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Demolition of the Maine Yankee containment building took two years to complete. The “dropping” of the dome section using explosive demolition occurred in September 2004. Maine Yankee’s containment dome is the first to have been dismantled using the explosive demolition.



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Executive Summary

When the Maine Yankee nuclear power plant closed prematurely in 1997 after 25 years of operation, only two other commercial nuclear facilities had opted to decommission by prompt dismantlement. While the plant's operating history had been one of successful low-cost, reliable generation, the two years preceding its closure were marked by unscheduled outages, increased regulatory scrutiny, and considerable media attention. Given the significant negative economic impact of the plant's closure to the local community of Wiscasset and its surrounding towns, and looming questions about the future of the 800 plus acre site and the inventory of 1434 spent nuclear fuel assemblies, the company decided to create a new vehicle for communication with the public – a panel of community stakeholders that would become the resident experts on issues related to the plant's decommissioning.

Sections 1&2 of the report document the steps taken to form such a panel including the mechanics of selecting and educating the members, meeting organization, establishing trust with the stakeholder interests, and getting information to the public. Section 3 includes the panels' analysis of its accomplishments– in improving public discussion and comprehension of decommissioning issues, in impacting company decisions and in setting an example for other communities to follow. Additionally, the report in Section 4 includes a discussion of lessons learned by the panel including having a defined role and staying focused on that role, being open to and respectful of different perspectives, taking the time necessary to educate and listen, and the importance of consistency in participation and in meeting regularly. Section 5 includes a discussion of the eight recommendations of the Maine Yankee Community Advisory Panel for other communities facing any similar challenge – be inclusive, educate, pay attention to structure and organization, encourage public involvement, maintain media interest, answer all questions, use technology and share knowledge.

In deciding to compile this report, the group, recognizing that members came to the panel with differing views, experiences and interests, chose to allow panelists the opportunity to offer their individual perspectives on the Community Advisory Panel process. Other stakeholder interests, such as the media, were also invited to comment. These perspective pieces are included in sections 6&7 of the report.



Views of Wiscasset - this pretty coastal village was host to Maine's only nuclear plant from 1972 through its decommissioning, completed in 2005.

Introduction

Maine Yankee Atomic Power Company (MYAPC), a single unit 900 megawatt nuclear power plant, in the small coastal village of Wiscasset, Maine generated over 118 billion kilowatt-hours (kWh) of electricity from 1972 through 1996. In August 1997, the owners of Maine Yankee announced the permanent shutdown of the nuclear power plant, eleven years earlier than the expected termination of its operating license. At the time of the plant closing, only three nuclear plants in the United States, all relatively small in scale, had been decommissioned.¹

In the wake of the shutdown decision, the company and the community shared a number of challenges. The community wrestled with the significant and immediate loss of its tax base, the concerns for the safe cleanup of the property, and the looming questions of the storage and ultimate disposition of the spent nuclear fuel that would remain on site. The company faced the challenges of an immediate dismantlement of the facility in a relatively new regulatory environment.² For the decommissioning of Maine Yankee to be successful, the company's ability to satisfy regulators had to be melded with public confidence in the decommissioning process.

During the plant's final two years of operation, constant stakeholder attention had worked to erode that public confidence. Maine Yankee management decided that some vehicle for improving the company's dialogue with the local community was necessary, whether the plant shut down or

continued to operate. When the plant closed, the Maine Yankee Community

Advisory Panel on Decommissioning (CAP) was established to “enhance open communication, public involvement and education on Maine Yankee decommissioning issues”. (Attachment 1)

Over the past seven years the community has witnessed the removal of components, the demolition of structures, rail shipments of waste and construction of a spent fuel storage facility. Through the CAP process, the community and the company together have wrestled with issues such as the final condition of the site, impacts of spent fuel storage after decommissioning, and loss of tax revenue.

With other communities certain to face the issues of decommissioning nuclear facilities or other commercial or industrial entities in the future, the CAP and Maine Yankee wish to share their experiences and perspectives on this challenging endeavor. This report documents the rationale for the establishment of the CAP, the process of determining its role and functions, and lessons learned regarding the CAP process, including interactions between the company, state and federal regulators, the media and the public.



¹ Fort St. Vrain, Shoreham, Pathfinder. U.S. Nuclear Regulatory Commission, Fact Sheet on Decommissioning Nuclear Power Plants, March 2003

² In 1997, of the other sixteen shutdown power reactors in the United States all but three had been placed in SAFSTOR, a condition where the plant is maintained and monitored to allow radioactivity to decay, but actual dismantlement of the facility is delayed to a later time. Two commercial reactors shut-down in 1991 and 1992, Yankee Rowe in Massachusetts, and Trojan in Oregon, had begun decommissioning activities but had yet to file License Termination Plans for NRC approval. Connecticut Yankee, shutdown in 1996, opted to pursue immediate dismantlement about the same time as Maine Yankee.

SECTION 1 – Background

1.1 History

Wiscasset, Maine Yankee's host community is a rural community along the Sheepscot River with a population of about 3700. During plant operations, the Emergency Planning Zone (EPZ), an area within a 25 mile radius of the power plant, included 15 additional towns, spanning two counties. Over 50% of the regional economy is based in service and retail trade industries, much of that in support of tourism. Government, manufacturing, construction, agriculture, forestry and fishing make up the balance of the regional economic base.

When operating, Maine Yankee provided over 500 permanent jobs. Fifty percent of the permanent employees lived within 20 miles of the plant. In addition to the permanent employees, maintenance and refueling outages brought an additional 1000 temporary workers to the area approximately every 18 months. At the time of the plant's closure, the company paid the town \$12 million annually in taxes, covering 90% of the community's municipal budget providing quality community schools, fire protection, and other services. The plant also contributed to the neighboring local communities through purchases of goods and services, financial aid for emergency services and corporate giving. Additionally, Maine Yankee contributed to the budget of Lincoln County

by accounting for more than 90% of Wiscasset's state valuation. When the plant closed, Wiscasset's state valuation dropped approximately 35%. Other towns in Lincoln County saw their county tax effort increase 56% to cover increased costs of county government and the loss of Maine Yankee from Wiscasset's tax base.³



Sheepscot River viewed from Wiscasset



During the plant's twenty four years of operation, Maine Yankee received much public attention and scrutiny from the media, state and federal regulators and

anti-nuclear activists. Three times Maine voters opted to continue the plant's operation in highly publicized statewide referenda campaigns to close the plant. Maine Yankee's operations remained in the forefront of public and political attention during 1995 through early 1997. 1995 brought a near year-long outage to repair leaking steam generator tubes. 1996 followed with a state-initiated NRC Independent Safety Assessment and anonymous accusations of safety violations. In January 1997, the NRC placed Maine Yankee on its watch list of troubled plants and in February the Maine Yankee owners entered into an agreement with Entergy for new management of the plant.

As a result of the extensive outages in 1995 and 1996 and growing concerns about steam generator reliability, plant owners conducted detailed economic analyses on the viability of continuing plant operation versus permanently closing the facility.⁴ By May

³*Economic and Property Tax Impact Analysis: A Report Analyzing the Economic Impact of the Maine Yankee Decommissioning and Future Economic Projections with Site Development - April 19, 2001, PA Strategies, LLC*

⁴*Report of the Special Committee to the Maine Yankee Board of Directors – July 30, 1997 revised 8/5/97*

1997, the owners announced that rising repair costs and uncertainty regarding plant restart would lead to plant closure unless the unit could be sold. Efforts to complete actions necessary to restart the plant were indefinitely postponed. Between May and August 1997, the plant owners negotiated with PECO Energy for a potential sale of the facility. Those negotiations failed, and on August 6, 1997 the Maine Yankee Board of Directors voted to permanently cease further operations of the plant citing economic factors as the basis for their decision.

1.2 Decision to form a Community Advisory Panel (CAP)

When the owners announced the possible closure of the plant in May of 1997, company management had begun strategic planning for decommissioning. Within 30 days of the owners' decision to shut down, Maine Yankee filed with the NRC the Post Shutdown Decommissioning Activities Report (PSDAR). The PSDAR outlined the activities, schedules, estimated costs and environmental impacts associated with decommissioning. The PSDAR stated the company's intention of decommissioning by "prompt dismantlement". Regulatory changes to Technical Specifications, decommissioning planning and preparation, characterization of the site for radiological contamination and decontamination activities were all scheduled to be complete or underway by the first quarter of 1998, within eight months of the plant's closure.

During that summer the company also explored the idea of forming a community advisory panel to provide advice to the company and to serve as a liaison to the community and to the general public. Whether the

plant continued to operate or shutdown, management recognized the value of improving its dialogue with the community, including its critics. To help guide the process Maine Yankee enlisted the help of State Senator Marge Kilkelly who represented Lincoln County, was very involved during the PECO negotiations, and was aware of many of the local concerns. Senator Kilkelly provided insight about the necessity of management commitment and openness to any process that included the community. Management also reviewed efforts to establish citizen based advisory groups at Connecticut

Yankee, another recently shutdown nuclear plant and other industrial facilities. Work began on drafting a charter and identifying interests to serve on an advisory group. When the decision to shut down was announced to the public in August, the company had already

formed a panel representing a cross-section of interests as the formal channel of community involvement with Maine Yankee.

Given the immediate start of the decommissioning planning activities, the economic impact of the plant's closure on the community, perceptions about the plant's safety, and the regulatory and media focus on the plant, company management needed an expedient way to get information about the decommissioning process to the local public. With the components for establishing a community advisory group in place, the panel held its first public meeting on August 21, 1997, just two weeks after the announcement of the plant's closure.



SECTION 2 – Formation of the CAP: Mechanics

2.1 Establishing Charter, Panel Size, Leadership

To formalize and guide the group, Maine Yankee drafted a charter stating the purpose, size and composition of the panel. The charter's purpose stated the CAP was established *“to enhance open communication, public involvement and education on Maine Yankee decommissioning issues. The CAP will serve as a formal channel of community involvement with Maine Yankee. The CAP will evaluate and comment upon data and other information provided by Maine Yankee and other reliable resources. The CAP will function as an advisory panel.”* (Attachment 1) This limited scope in purpose was tested over the years. The group debated on more than one occasion whether to address issues such as the ultimate disposition of the spent nuclear fuel and site redevelopment. Repeatedly the group concluded that these topics, while of importance to the community, were outside the scope of their charter. The CAP members made a conscious decision that their role would remain focused on the nuts and bolts of the decommissioning. The panel did remain apprised of developments on the tangential issues of long term fuel storage and redevelopment but did not engage in debate or discussion of these matters. In addition to stating the panel purpose, the charter broadly outlined meeting protocol and membership terms. Another notable aspect of the charter was the provision for public access and public comment at all advisory panel meetings. Additionally the charter provided that meeting minutes be publicly available.

The company established a workable panel size that would adequately represent stakeholders but remain manageable and balanced with regard to discussion, debate

and committee business such as voting, quorums, and meeting scheduling. The original panel size was fourteen members including a panel chair and vice chair initially appointed by Maine Yankee. Eventually, the charter was revised to reduce the size of the panel to thirteen members, reflecting a long standing vacancy.

Marge Kilkelly, State Senator representing Lincoln County, was very involved on behalf of the community during the PECO negotiations and was aware of many of the local concerns. Senator Kilkelly supported the idea of the community panel and agreed at Maine Yankee's request to serve as the panel's first chairperson. Senator Kilkelly, by virtue of her many years of service in the Maine State Legislature, was experienced in conducting and facilitating meetings in a public forum. The panel's vice-chair since October 1997 is Dr. W. Donald Hudson, Jr.. Dr. Hudson is president of the Chewonki Foundation and was originally appointed to the panel by the governor to represent the interests of the environmental community. The Chewonki Foundation, a non-profit environmental education institution is a close neighbor to the plant. Because of Chewonki's proximity to the plant, Dr. Hudson was aware of much of the plant's operational history and well educated on issues affecting the environment.

2.2 Determining Panel Composition

Maine Yankee's goal was to compose an advisory group that was balanced and that reflected the various points of view held by the public. While the costs of decommissioning were of interest statewide, many of the immediate concerns were more local in nature, i.e. economic consequences of plant closure to the community in terms of loss of jobs, local tax revenues, other spin off benefits, and concerns about emergency



CAP meeting at Chewonki

business community, local town government, Maine Yankee, the local anti-nuclear

planning, site cleanup and fuel storage. In fact, most of these anticipated local economic issues already had received considerable media attention throughout the summer of 1997 during the months of negotiations with PECO Energy. To reflect the impacts to the local and surrounding communities, a majority of the panel membership was reserved for representation of local stakeholders.

There was a diversity of opinion in the local community about the plant's operations, and management assumed that divergent views would also surround its decommissioning. Including a critic of the plant was vital if the panel process was to be valid. Ray Shadis, president of Friends of the Coast, a local group opposing the plant's operations, had a long history of opposition to and knowledge of plant operations and regulatory concerns. Mr. Shadis was a resident of a neighboring community and was viewed as a credible spokesperson for local opposition to the plant. Other interests were identified based on anticipated issues of community concern such as changes in emergency planning requirements and impacts on the marine environment. There was also desire to have professional radiological and environmental experience on the panel to provide independent perspective on technical issues relating to these subjects. At its inception, the following stakeholder interests were identified: Lincoln County residents, local

activist group, local/regional emergency planning agencies, state government, regional marine resources interests, environmental interests, radiological professionals, science educators, and general representation of neighboring communities (EPZ).

To insure the CAP's objectivity, a number of interests outside the company made the initial appointments to the panel. Three seats on the panel were determined by position, i.e. the State Senator from Lincoln County, the Wiscasset Town Planner, and a Maine Yankee representative (the company president or designee). The Wiscasset Selectmen, the Maine Radiological Emergency Preparedness Committee, Friends of the Coast, the Lincoln County Commissioners, the regional and local business association directors, and Maine Yankee each appointed one person to the group. The Governor of the state appointed a person to serve as the state's liaison on the panel. Additionally, the Governor nominated the four inaugural public members representing radiological, marine resource, environmental and educational interests.

It is worth noting that while the original charter of the panel contemplated two year terms for membership with the possibility of extension, the actual experience of the Maine Yankee CAP has been extended panel participation and continuity of membership. Over one third of the current panel members have

served since the beginning of the group in 1997, including the chair and vice-chair. An additional one-third of the current members have served since 1998 or 1999. Since its inception, there have been approximately 20 non-Maine Yankee members who have participated on the advisory group. In November 2002, the company, at the CAP's recommendation, revised the charter to reflect and preserve the panel's existing membership (Attachment 2). The charter was revised in recognition of the value of the current group's experience, the lack of turnover, the task of educating new participants, and the short-term duration of the panel's mission.

2.3 Meeting Format

All CAP meetings are noticed in the local papers at least two weeks in advance of the meetings. The meetings are also noticed in the Public Information section of the company website, www.maineyankee.com. Notices include time, location and a brief description of issues to be discussed (Attachment 3). The meeting duration is three hours (6 – 9 PM) with a short break.

Prior to September 11, 2001, regular CAP meetings were held at the Maine Yankee site. Because of the change in security regulations post 9-11, the meeting location was changed to off-site facilities within Wiscasset. There has been discussion throughout the course of decommissioning as to the value of changing the meeting venue to other neighboring communities. While meetings were not held in other communities, the change in venue from the plant to locations within Wiscasset did not result in increased public participation. Initially, the meetings drew public audiences of approximately 10-20, many of whom were concerned critics. In addition to the public, members of

the local news media attended and provided coverage of meeting matters (see *2.7 Getting Information to the Broader Public*). Over time, public attendance has dwindled to a few regular attendees but media participation and coverage has remained constant. On a few occasions issues with tangible impacts to the local community such as noise of spent fuel cooling fans, concerns of radioactive material going to a local landfill, and confusion about federal standards for site clean-up, drew large audiences.

At the time of this report, the CAP has hosted 50 public meetings. The meeting schedule has mirrored the pace of the decommissioning. In the first years, the panel met approximately monthly. By 1999 meetings were scheduled approximately every six to eight weeks and in 2002, as activities began to wind down, the panel adopted a quarterly meeting schedule.

The nature of the early meetings was "tutorial". The information shared dealt with regulatory, financial and technical issues, and terminology. In the first three months following announcement of plant closure, the company provided information to the public at the CAP meetings about the filing and content of the PSDAR, the selection of a site characterization contractor and decision to contract out the decommissioning, and the filing and content of the rate case to cover decommissioning costs. During the presentations of this technical information, the panel and the public were offered the opportunity to ask questions or offer opinions. The questions asked at the early meetings were recorded and answers were provided and posted on the company's website.

By July of 1998, the panel members transitioned formally from the role of students to that of advisors. At the CAP's initial meeting, Michael Meisner, then Maine Yankee Vice President of Nuclear Safety and

Annual facilitated planning session - 2002



affect management decisions, and concerns about flow of information to the public. In September of 1998, the panel met in a day-long planning session, facilitated by an independent professional. The goals of this meeting were to revisit the mission and objectives of the group, to address the identified concerns and to develop a work plan for the upcoming year that would provide opportunity for appropriate public input and discussion in

advance of significant decommissioning activities. The company provided the panel with a schedule for anticipated decommissioning and regulatory activities, and the panel identified issues of concern to constituents. The format of this facilitated “working” session included break-outs into small discussion groups and offered panel members opportunity to exchange ideas among themselves.

Regulatory Affairs, told the panel the company had not decided whether to keep the spent fuel in wet storage in the fuel pool or to construct an on-site dry storage facility.⁵ Mr. Meisner invited the panel to get involved in this issue. By spring of 1998, the company was weighing the pros and cons of the wet vs. dry storage alternatives. In July, after a series of technical presentations and site visits to other dry storage facilities by the panel, the CAP endorsed the idea of constructing an on-site dry fuel storage facility.⁶

2.4 Agenda Setting

While decommissioning was very new to some panel members and most of the public, Friends of the Coast (FOC) came to the process with formed views such as advancing at the outset a clean up more stringent than that required by the NRC. Balancing the learning curve of the public and the agenda of stakeholders became one of the initial tests of the process. During the dry vs. wet fuel storage discussion, some panel members raised issues about the CAP’s role (advisory or reactionary), the agendas not allowing time for discussion of issues, the members’ ability to

From this information, the panel articulated its vision for Maine Yankee’s decommissioning: *“A safe decommissioning (both actual and perceived) which provides a safe environment and an opportunity to improve both the economy and the ecology of the area; a decommissioning which is cost effective without compromising safety.”*⁷ The panel also established a work plan and meeting schedule for the following year. In general, the CAP’s meeting agendas have included routine informational updates (such as regulatory matters, worker safety, decommissioning activities) and specific topics or issue areas of interest for discussion. Some examples of such topics include the following: Wiscasset landfill, spent fuel storage, transportation of waste, site release criteria,

⁵Community Advisory Panel on Decommissioning, Inaugural Meeting Minutes, August 21, 1997

⁶Community Advisory Panel on Decommissioning, Meeting Minutes, July 16, 1998

⁷In general the group agreed that a “safe decommissioning process” would be one that met NRC and scientific parameters, exceeded national (OSHA) standards for worker injury, accidents and exposure; and was below the dose limits for exposure to workers and the public. CAP Meeting Minutes, September 23, 1998, Attachment 1

license termination plan, large component removal, reactor vessel segmentation, security, Natural Resource Protection Act (NRPA) permitting, containment demolition, and federal and state legislation and litigation issues. Also included as part of the work plan at the CAP's request are routine project updates from state and federal regulators and tours of the plant site. Traditionally, the last portion of the meeting is reserved for public comment and questions.

The annual work plan proved to have several benefits for meeting scheduling, preparing both panel members and the company for presentations and discussion, and for giving the panel, the media and the community notice of significant decommissioning or regulatory activities. The work plan also provided flexibility to discuss emergent or unanticipated issues. The panel has conducted a facilitated year-long planning session on an annual basis in September since 1998.

2.5 Training and Education of Panel Members

The company utilized a number of methods to provide education and training to the panel members about decommissioning issues. As noted above, nearly the first year of meetings were tutorial in nature. The committee had presentations from company staff, contractor technicians, state and federal regulatory officials and outside experts. In addition to information presented at regular meetings the CAP took advantage of opportunities to attend national decommissioning conferences, to visit other plants (both decommissioning and operating), and to receive specialized technical training by independent professionals. For example, a number of CAP members joined Maine Yankee staff in a three-day training seminar on the Multi-Agency Radiation

Survey and Site Investigation Manual (MARSSIM). MARSSIM is a guidance document developed by four federal agencies (EPA, NRC, DOE, and DOD) to provide guidance for conducting the final status surveys of the site. In 2001, many panel members traveled to Yucca Mountain in



Nevada to tour the proposed national repository for spent nuclear fuel and learn about the challenges facing the company and the state with regard to the ultimate disposition of Maine Yankee's used fuel.

Members of the panel have also met with community members from other areas, either while attending the decommissioning conferences or at site visits. CAP members toured the Maine Yankee site numerous times during the decommissioning. New panel members receive an orientation and plant tour.

In addition, individual panel members have read and researched independently or in conjunction with the interests they represent and have shared materials and perspectives with the group. Panel members jokingly debate as to whether they have received reams, rooms or truckloads of documentation about decommissioning. The CAP is routinely provided copies of regulatory correspondence, filings and relevant media clippings. As a result of all these efforts, the Maine Yankee CAP members now include

some of the most knowledgeable citizens in the state on the subject of nuclear plant decommissioning.

2.6 Establishing Trust and Successful Working Relationships between the Panel and the Company and among Panel Members

The company took several initial steps to give the panel credibility with the public and to demonstrate a willingness to share information. Within the first few months of decommissioning, the PSDAR, the 1997 Rate Case, the selection of the decommissioning contractor were all made public at CAP meetings. The company gave individual panel members access to documents previously viewed as internal, such as Radiological Incident Reports (RIR), and made provisions to inform panel members about internal company decisions such as selection of a Decommissioning Operations Contractor (DOC) and efforts to attract interest in site redevelopment. Additionally, while Maine Yankee's executive management changed several times to meet decommissioning needs, company leadership's commitment to the panel process remained strong and consistent. For most of the meetings the Maine Yankee representative at the meeting has been the company president or another officer. In 1998, when neighbors, irritated by the loud noises of the fans installed to cool the spent fuel pool island came to a CAP meeting and voiced their complaints, then company president Michael Sellman was seated on the panel and heard them. Engineers had predicted it would take several months to modify the fans and reduce the noise. The next day Sellman challenged employees to think outside the box and resolve the noise issue. As a result, work began immediately on finding a solution to



CAP members on first tour of containment - 1997

the noise problem and modifications to the fan system were made within weeks resolving the neighbors' concerns.

The panel has had access not only to top management, but also to the people making the decisions on projects, whether they are Maine Yankee personnel or that of contractors responsible for the job. Project managers have attended the meetings and have heard first hand the concerns or questions about decommissioning activities. This public audience has extended the accountability of project managers from management and regulators to the local community. In addition, it has offered the community a view of the professionalism and commitment that these decision makers bring to the project.

The success of the Maine Yankee CAP members' working relationships with each other can be attributed to the following: the individual professionalism and personalities of the members, the strength and consistent leadership of a capable chairperson, and the value of shared experiences. While the panel consists of individuals with differing backgrounds and personal feelings regarding nuclear power generation representing differing constituencies, all members have afforded each other the opportunity to state opinions and have listened respectfully to

each other. The panel has adhered to the meeting ground rules established at their first facilitated meeting. Those ground rules were as follows: to listen respectfully to one another, to provide each person with an opportunity to speak, to remain informal while following Robert's Rules, to allow the facilitator to manage the process, and to provide the opportunity to present a minority position.

The strength of leadership demonstrated by the panel chairperson, Senator Marge Kilkelly, has made a large contribution to the smooth working relationship this group has experienced. Senator Kilkelly came to the panel with 16 years of legislative service. In addition, Senator Kilkelly had served as a selectman in the town of Wiscasset for four years. She was skilled and experienced at running public meetings and at facilitation, and has run the panel in a fair, evenhanded and even-tempered manner. Whether the meeting audience was large and disgruntled as in the case of the residents affected by the noise of the spent fuel pool cooling fans or few and content, Senator Kilkelly has run the meetings in an orderly, open-minded and organized manner, respectful of the effort made by any public to attend and respectful of the time commitment of panel members. Dr. Hudson, chairing meetings in Senator Kilkelly's absence, has also led the meetings in an open and respectful way.

Lastly, many of the panel members have shared experiences beyond the regular meetings. Recognizing the early start time of the meetings (6 P.M.), the company has offered a meal in advance of the meetings to provide members an opportunity to socialize and engage in informal dialogue. Additionally, the experiences gained through travel to conferences and site visits have given the panel members a chance to get to know one another on a more personal level and have

provided for exchange of ideas and information free from the media, company and public audiences.

2.7 Getting Information to the Broader Public



Eric Howes with AP reporter David Sharp

Aside from panel members conveying decommissioning information to constituents or acquaintances, the main vehicle for dissemination of information from the CAP meetings has been the local print media. Statewide print and television media paid some attention to the CAP at its inception and have provided some coverage on major decommissioning events, but have not played a significant role in educating a statewide audience about decommissioning issues.

Meetings are routinely covered by the three local weekly newspapers (*The Wiscasset Newspaper*, *The Lincoln County News*, and *The Lincoln County Weekly*) and by the local daily paper (*The Times Record*). The media have received copies of the presentation materials and had access to presenters, company officials and panel members. Often the panel meetings would be the venue for first public release of information regarding a regulatory filing or decommissioning activity. These releases make the evening meetings “newsworthy” for local reporters. The panel has also benefited from the consistency of the local journalists. Many of the reporters, like the panel members, have been covering the panel process since its early days.

Maine Yankee also developed and maintains a website, www.maineyankee.com, to provide decommissioning information to a broader public audience. The site contains information about decommissioning and

regulatory activities, spent fuel storage, license termination and waste disposal. Current information is provided routinely and CAP minutes and press releases are made available to the public. In addition, the company has posted large regulatory documents, such as the License Termination Plan on the site. The site also contains links to the State of Maine, the Nuclear Regulatory Commission, and the Wiscasset community websites.

The next three sections (III, IV, and V) reflect common views of a majority of the CAP members and were developed in a facilitated session. Panel members were invited to respond to questions about the CAP's milestones, lessons learned and recommendations for others. Their responses were compiled and discussed by a majority of the group. The ideas for which there was consensus at the session are included in this report. Also included as Attachment 4 is a broader list of decommissioning accomplishments.

SECTION III – Accomplishments

1 The significant accomplishments of the CAP include the following:

The CAP provides a forum for public discussion.

Before the formation of the CAP, issues about the plant's performance either were the subject of well crafted press releases by the company or opponents, or were aired in out of state proceedings or behind closed doors in meetings with regulatory officials. While Maine Yankee prided itself on its openness, by staffing a visitor center seven days a week and offering the public tours of its facilities and informational briefings, these efforts were perceived by some as orchestrated public relations tactics. There was no formal system for company management to engage in open public dialogue with neighbors and critics about the company's policies and practices, or for members of the community to express concerns to the company.

The formation of the CAP brought

together on a regular basis a diverse group of representative stakeholders with company management, state and federal regulatory personnel, and local media. The forum encouraged public comment and questions, prompted discussion and debate, and provided to neighbors a method of conflict resolution. The open discussion format raised awareness in the community about long term issues of nuclear waste management and disposal.

As important, the CAP process provided transparency to the decommissioning operation. The CAP forum provided additional non-technical review. Through the public meetings, the company explained to the community the various operational and regulatory steps that were being taken to accomplish the decommissioning of the plant and how those actions complied with all requirements and expectations for protecting industrial and public safety and health. In essence, in addition to regulatory scrutiny, the decommissioning plans routinely were put through a public "straight face" test where the perceptions and perspectives of stakeholders were considered.

The CAP process leads to public benefits.

Maine Yankee, through the CAP process, put a great deal of effort into fostering good community relations. The openness and opportunity for dialogue made possible by the panel enhanced public understanding of complex issues and gave the community a greater sense of comfort with the decommissioning activities.

CAP meetings were a vehicle for educating the community about the site release criteria and the differing views of the EPA and the NRC on these standards. They also provided a forum for Friends of the Coast to urge the adoption of a radiological clean up stan-

dard more stringent than required by the NRC. While the CAP did not take a formal position on what standard to meet, the panel expressed early on that to be a successful decommissioning, the site clean up must be both “real and perceived,” that is both scientifically defensible and perceived as a clean site by the public. CAP members spent numerous meetings grappling with how to assure public confidence in the site’s clean up. The panel’s interest and concern in this area undoubtedly influenced the company’s willingness to exceed the required clean up standards.

The CAP has an impact on decisions and generates change.

The CAP process resulted in many changes at the company. Maine Yankee’s organizational culture became more accustomed to openness and dialogue and less defensive and fraternal. Because project managers and technicians were routinely asked to explain plans to a lay audience and to answer the simple questions, they became more skilled at it. Additionally, public perception about decommissioning activities became a consideration in project review.

On the regulatory front, CAP meetings gave the federal regulators, NRC, the opportunity to listen to community concerns and to engage in less formal and more informative dialogue with the public. When the plant was operating, NRC personnel were familiar to plant officials but were relatively unknown to the local public. Regulatory issues were often heard and resolved at NRC headquarters, out of state. On the infrequent and usually contentious occasions when the NRC appeared in the local community, officials were often defensive and ill at ease. The Maine Yankee CAP requested and received quarterly updates from the NRC at its meetings. By

virtue of these repeated appearances, the NRC players established relationships with panel members. The NRC could explain not only its decommissioning oversight role, but also organizational and regulatory changes underway. The agency became active partners in the process at the local level.

Similarly, the state’s oversight was demystified through participation in the CAP. Quarterly updates from the state inspector and participation on the panel by the Governor’s State Nuclear Safety Advisor kept regulatory issues and concerns transparent and helped to clarify for the public regulatory roles. Regulatory agencies, whether routinely present in the community or not, were asked to account for their actions at the local level.

CAP views progress on Vertical Concrete Cannister construction - 1998



The CAP produced changes within the community. Through the process, citizens became more educated about decommissioning issues and activities. The CAP participated in decisions that had a tangible impact on the community, most notably the decision to move the spent fuel to dry cask storage. After many wet versus dry discussions and visits to Independent Spent Fuel Storage Installation (ISFSI)s in other parts of the country, the CAP went on record in support of dry cask storage. The CAP also provided



Soil Sampling on site

the venue for the community to air concerns about decommissioning activities with direct local impacts. The panel's concern for citizens distressed about noise and its agreement to provide a forum for airing those concerns led to a solution for the noise problem.

The transparency provided by the CAP process has resulted in fewer public complaints and misgivings about the company's actions. When, at a CAP meeting, a concern was raised that low level radioactive waste may have inappropriately been sent to the local landfill years ago during operations, the CAP became a public forum to address resident questions and to discuss company and regulatory actions as a result of the allegation. The company held meetings for abutters to the landfill, investigated past release records and conducted sampling and surveys at the landfill in conjunction with state and federal regulators. The CAP process enabled the company to confront and deal with community concerns in a direct way rather than allowing unanswered concerns to create lingering doubts about the overall quality of the decommissioning operation. Additionally, CAP meeting materials, in the public domain at the Maine State Library, have bolstered the public documentation of decommissioning provided by newspaper articles and regulatory filings.

4 The CAP provides education.

The decommissioning of Maine Yankee involved many "firsts". Industry and regulatory experience on decommissioning of a commercial plant this size was limited. While project managers considered information on technology, science, other experience, and regulatory requirements to inform their decisions about decommissioning actions, the CAP process allowed for sharing of this information with the community. Additionally, CAP members traveled to decommissioning conferences, received technical training, toured other nuclear sites, met with regulators, and met with members of other communities as a means to educate themselves and the community about decommissioning issues. CAP members became the most educated citizen group in the state on decommissioning issues.

The routine meeting format served to get this information to the media and broader public. The meeting schedule allowed community members access to information about decommissioning activities in a timely fashion. Additionally, the relationship CAP members maintained with company officials gained them access to detailed information that otherwise would have remained inside the company.

The education provided by the CAP process was not limited to the panel members and community. Regulatory officials and Maine Yankee also learned. The Governor's panel of experts, the Technical Advisory Panel (TAP), appointed to assist state personnel on radiological issues, received copies of all CAP meeting information and was routinely informed by the CAP process. The NRC, the state, the EPA, and the company were informed about community perspectives on issues such as site release criteria, fan noise, appearance of the



CAP members and project management tour removal route proposed for large components

ISFSI, security, reuse of the site, and project impacts on clam harvesters.

5 The CAP is diverse, inclusive, consistent and well led.

The CAP's accomplishments in these areas are evidenced by the relatively few changes to or criticisms of the panel's composition and leadership. The panel members represented a credible cross-section of the community and brought to the panel different social and political perspectives. The CAP process included critics, and allowed for dissent. While the panel was a collection of individuals, members embraced a common goal and vision for the process – to insure a decommissioning that met or exceeded expectations. This shared vision and individual's commitment to the process led to consistency in membership, bolstering the group's collective knowledge and credibility. Perhaps the greatest endorsement for the quality of the panel's leadership is the consensus by members that the leadership was excellent. Members commented that they felt their time and input was valued by the panel's leadership. Meetings were well planned and well executed. As a result, the Maine Yankee CAP kept up with the pace of the decommissioning.

The CAP sets an example.

6 The Maine Yankee Community Advisory Panel on Decommissioning has established a “road map” for other communities facing the decommissioning of nuclear plants. In fact, the CAP process is an example for any community dealing with a complex or controversial issue. In the year preceding the closure of the Maine Yankee plant, there were literally hundreds of news stories on plant activities, potential closure, criticisms, and controversy. During the decommissioning years, the media coverage became better informed as plant issues were aired and discussed in a public forum, providing opportunity for criticism but lessening the opportunity for one-sided representation of facts, hyperbole and drama. The community still faces tough challenges as a result of the plant's closure in terms of tax burden and economic development of the site, but there is little evidence of divisive sentiment about the decommissioning.

SECTION IV – Lessons Learned

1 Clearly define the purpose, role and scope of a citizen group.

In most cases, members on a panel such as the CAP are volunteers. People, many of whom are professionals in their own right, donate countless hours to this process. Value their commitment and do not make volunteers guess why they are there and what role they play. In Maine Yankee's case, the panel's purpose was to enhance communication and community involvement on decommissioning issues and to function as an advisory group to the company. This role worked. The CAP had no decision-making or policymaking authority but did have the ability to influence decisions and policy. For

example, company management sought the opinion of the CAP members on the wet versus dry fuel storage issue. On numerous occasions, both inside and outside of the meetings, the company sought the expertise and advice of individual CAP members.

2 Stay focused on the defined mission.

There are many issues tangential to decommissioning that impact a community, the most obvious being the ultimate disposition of the spent nuclear fuel and reuse of the site. The CAP acknowledged these issues but recognized that to engage in finding solutions to these would detract from the focus on decommissioning. Perhaps more important was the panel's understanding that having a successful decommissioning was the necessary first step to assuring site reuse and fuel readiness for transport to some permanent repository. Essential to this successful decommissioning was the recognition of industrial and radiological safety as paramount. The CAP continually applauded efforts to establish and improve the culture of safety on the project and made the topic of safety a regular update at meetings.

While the group decided to focus on decommissioning, it did not go unnoticed that the CAP had great interest in post-decommissioning issues, such as site reuse and spent fuel disposal. In recognition of these interests, Maine Yankee supported CAP attendance at industry conferences and tours of Yucca Mountain and encouraged the group's dialogue with other communities. In addition, the company made information

available to the group on efforts related to site reuse, repowering, and spent nuclear fuel removal. On the removal issue the CAP recommended and the company plans to implement a successor community panel that will monitor spent fuel storage and advocate for its removal.



3 Educate, Educate, Educate.

Knowledge empowers people. Decommissioning

of the Maine Yankee facility was a first of a kind operation in many respects. The decommissioning was complex on a number of fronts – technical, scientific

and regulatory. The credibility of the panel as an advisory group hinged on their having knowledge and understanding of the issues presented. Panel members concur that the educational value of the conferences and travel to other facilities, in addition to access to technical training, greatly informed their participation and perspectives. These experiences combined with the constant flow of information and initial tutorials during the meetings led to panel members becoming the most informed citizens in the state on nuclear plant decommissioning. As noted in the accomplishments, panel members have become a resource not only for their communities but for others. Their expertise is recognized. Several CAP members have been able to share what they have learned to help inform state policy makers by serving on a legislatively appointed state panel on Low

Lessons Learned

Level Radioactive Waste and Decommissioning.

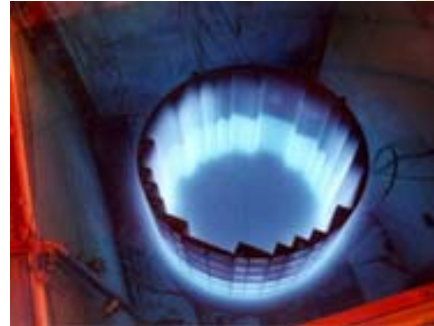
In addition to educating the panel members, take the time and effort to educate the community and general public. Utilize technology, such as the World Wide Web, to offer information about decommissioning and the panel to a broader audience. Publish commonly asked questions about decommissioning issues and the responses to those questions. Post regulatory filings or link to the sites of regulatory agencies. File information from public meetings in the public domain at a local library or other publicly accessible place.

4 Embrace openness, respect diversity, listen, and take some risks to build trust.

Insist that the community process be transparent and open. To accomplish this, one must respect diversity and divergent points of view and invite those divergent views into the process. As one CAP member put it, *“Do not be afraid of having noisy opposition at the table.”* Air criticisms, voice concerns, be respectful. There is debate at all levels on some decommissioning issues and the public process should reflect that debate. The goal of the community advisory panel is not to have consensus on all issues, but to have a process that better informs decision-making.

The trust established between members of the CAP and Maine Yankee company officials was accomplished through mutual respect and dialogue. The company, the critics, and the community all took risks by agreeing to participate in this process. The result of taking those risks was greater access to information for the community, resolution of differences, and a decommissioning that has exceeded expectations for safety, prompt

execution, and thoroughness of site clean-up.



View of reactor vessel internals - 2001

While decommissioning a nuclear plant involves complex issues, multiple options, and countless opinions it is not mysterious nor beyond the comprehension of community members. Be patient and persistent.

Decommissioning of a nuclear power plant is a complex and multifaceted project. There are multiple options available to decision makers. What has worked for others might not work for you. While the accumulation of industry knowledge about decommissioning grows, there is still no set prescription for a nuclear plant decommissioning. The issues are complex and society and technology are changing. Regulations, a combination of science and politics, are dynamic. Factors that may influence decommissioning decisions, positively or negatively, are sometimes beyond the control of project managers. For example, during the course of Maine Yankee's decommissioning, decisions in other states like Texas and South Carolina altered Maine Yankee's options for disposal of low level radioactive waste while national events, such as the September 11, 2001 attacks, changed the outlook for reuse of the Bailey Point Peninsula.

While much debate is around methodology, the complexity of a project is not always technical. When Maine Yankee's

engineered solution for cooling the spent fuel pool post shutdown met all technical criteria but failed to consider the impact of the noise on local residents, the CAP provided the forum for citizens to challenge the adequacy of the company's actions. Residents were not intimidated by technical specifications for fuel cooling when the result negatively impacted the quality of life in their neighborhood. As a result, engineers found a way to meet the requirements for fuel cooling and resolve the noise issue.



CAP members and local media on a routine tour of decommissioning activities.

6 Hold regular, well announced and well planned meetings.

Decommissioning activities are planned actions. Public meetings to discuss project activities should be regular and well announced. By planning the Maine Yankee CAP's work on an annual basis, the group was positioned to be proactive rather than reactive on issues. Giving the public lead time to digest the implications of major projects served both the community and the company well.

⁸A fourth area, participation by the general public, was discussed at length among CAP members. While participation by the public is important, lack of public participation was not viewed by the panel as negatively impacting the CAP's success. Certainly, on issues with a tangible local impact (for example fan noise), there was significant community attendance. Given that meetings were well advertised and held routinely, this group is hopeful that the broader community has been satisfied with the panel's representation and the media coverage of decommissioning events.

7 Consistent participation matters.

There were three areas of participation⁸ that were critical to the success of the Maine Yankee CAP process: the consistent attendance of the representative panel members themselves, the participation of the state and federal regulators, and the consistent attendance of the local print media. The Maine Yankee CAP was effective because the majority of its diverse stakeholder representatives consistently attended the meetings, engaged in dialogue, and took information back to the community. The appearances of the state and federal agency personnel served to inform the panel and educate the regulators about community concerns. The consistent media coverage of meetings provided by the local newspaper reporters brought the information about decommissioning to the broader community audience. To achieve this consistency of participation consider the following:

- Expect panel members to attend meetings and have a mechanism for removing members who cannot fill reasonable time commitments.
- Provide opportunities for informal dialogue between panel participants.
- Empower panel leadership to invite federal and state regulators into the process. If necessary, use community or political connections to encourage state and federal agency participation.
- Make the meetings newsworthy. Develop relationships with local media, invite them on site visits with the community panel and allow them unrestricted access to the panel.

SECTION V – Recommendations

1 Be inclusive and work with differences.

Consider all the potential issues that might impact the community – regulatory, environmental, transportation, emergency management, etc. and think about who will care and who might have knowledge to share. Include at least one critic.

2 Put time into education.

All parties involved in a project such as a nuclear plant decommissioning can learn something; panel members, company officials, project opponents, state and federal regulatory personnel, town officers, elected officials, community residents. Often these groups learn from one another. Look for opportunities to provide education, and look for opportunities to let education happen. Site visits are a powerful educational tool. Offer stakeholders tours of the project on a regular basis.

3 Pay attention to structure and organization.

Structure and organization matter. In Maine Yankee's experience, the pace of activity at the onset of plant closure was dramatic. The number and complexity of the issues discussed would have been overwhelming were the group and meetings unorganized.

4 Encourage public involvement.

Never stop inviting the public into the process. Experiment with meeting locations; never tire in attempting to encourage public attendance.

5 Maintain interest and involvement of local media.

Decommissioning a nuclear power plant is not sexy and if one has a good process for community involvement, it might even be noncontroversial. Decommissioning is however, newsworthy. There are several impacts on the local community and its residents. Make the media a part of the process.

6 Answer all questions.

Record questions and answers. Find a mechanism for publicizing common questions and answers. If the answer to a question is not known at a meeting, follow up with the answer when available.

7 Use technology.

Use the web technology to get information about the decommissioning project and community issues widely disseminated. Keep information updated and current. Educate panel members and the media as to how to access relevant information. Use overhead projections, or current technology, during meetings so that both panel members and all others can see what is being presented graphically. Consider televising meetings to reach a broader local audience.

8 Share knowledge.

As one CAP member puts it, *"In the United States, there are over 100 more of these decommissionings to go."* The nuclear industry, through conferences and networking, will continue to build upon the lessons learned by the early decommissioning plants. Communities will also benefit by understanding the experiences of others who have faced the challenges of decommissioning.

Attend conferences, meet with members of other communities, seek information and share with others what you know.

SECTION VI – Perspectives of Individual CAP Members

6.1 MY CAP Experience - Marge Kilkelly, CAP Chair

Is there a role for the public in scientific decision making? What are the benefits and challenges of opening up the internal decision making process and letting even opponents have access to information? Those were the basic questions facing us 7 years ago when the CAP was established.

The old adage of Knowledge is Power was central to the debate. How much knowledge was the corporation willing to share with a group of community folks who ranged in expertise from a nuclear physician to a State Senator - and in philosophy from staunch supporters of nuclear power to an high profile outspoken opponent-and everything in between?

When approached by MY staff my major concern was to identify the level of commitment to this process. Would they share information in a timely manner? Would CAP members be actually providing advice not just reviewing action taken by administration and the Board? If MY was going to ask a number of community members to spend several years in this process it needed to be an honest process.

In retrospect I am very pleased with the process and the result.

I believe that the CAP accomplished several very important things in its process:

- The CAP spent an entire year on “tutorials” and members became well versed in the process of decommissioning and safety and were able to talk informally to community members about the process. A strong orientation program for new members allowed them to quickly get up to speed and



Eric Howes, Maine Yankee and CAP members Marge Kilkelly, Ralph Keyes, and Steve Jarrett tour Palisades

participate in the process.

- By holding regular, well publicized meetings the CAP provided a forum for the public to ask and receive answers to questions especially when the decommissioning impacted their lives; fan noise, waste disposal.

- Asking the dumb questions – by serving on the CAP as a lay person and asking for clarification on presentations we educated the technical staff about the level of understanding of most people. Staff soon learned to put information into understandable terms which could then be reported in the local papers and the entire community could understand.

- Prevented conflict: there is no way to measure something that did not happen, however it must be noted that the decommissioning has gone on for several years without

a major lawsuit or other effort to slow down the process. This has been advantageous to both the company and the community which will get to reuse some of the property more quickly.

- The CAP process created and documented a model of risk and success that can be replicated by any organization.

It is hard to imagine that this process is moving into the next phase. We have gone from looking at computer generated pictures of the site as a greenfield to needing to see pictures of the plant to remember what it looked like. I hope that our experience and the documentation of it, can help others along the way. It should not just be considered for decommissioning nuclear plants but also for operating plants, and even other kinds of facilities because communication can only help to create trust relations between towns and plants.

Marge Kilkelly was born in CT because her Maine born parents moved there to find good paying jobs; they returned to Maine when she was a young child. That fact has shaped most of her career. She grew up in Boothbay Harbor when fishing and tourism equally co-existed on that peninsula. She has a BS in Social Services and MS in Community Economic Development, because of her belief that the most important legacy for the next generation is a state with vital communities and a wide variety of jobs for a diverse population.

Kilkelly served in the Maine legislature from 1986 - 2002. Her top priorities were maintaining rural jobs and communities. She currently serves as the Director of the Northeast States Association for Agricultural Stewardship, an organization of northeast legislators involved in agriculture and rural policy.

Kilkelly lives on the Eastern River in Dresden, with her husband Joseph Murray where they are developing a small diverse farm and value added enterprise. Between them she and Joe have five children and six grandchildren.

6.2 On decommissioning Maine Yankee – W. Donald Hudson, Jr.

As I look back on seven years of regular meetings, conferences, and site visits related to the decommissioning of Maine Yankee, two events stand out. The first event defined the process for me and the second – a site visit – brought into focus the fundamental failure of society at so many levels to resolve the difficult and seemingly intractable problem of closing the nuclear cycle.

The decommissioning began in earnest in August 1997. The Community Advisory Panel met for the first time that month to review the Post Shutdown Decommissioning Activities Report and to begin an experiment with public participation new to the nuclear industry. A test of the sincerity of Maine Yankee's managers for an open dialogue came near the end of that first meeting when questions were raised about access to information normally kept out of view of the public. Maine Yankee's president, Michael Sellman, opened a door to the Friends of the Coast and Raymond Shadis that evening, which has remained open to this day. Of the watershed moments in decommissioning Maine Yankee, this simple overture ranks at the top of my list.

High level radioactive material – *waste* in the minds of many, *spent fuel* in the language of the industry and regulators – remains on Bailey Point at the end of the day. The visit to the Palisades Nuclear Power Station in June 1998 convinced me that dry storage was the best way to handle Maine Yankee's spent fuel for the short term of 50 or 100 years. The visit to Palisades also convinced me that our community as well as company officials, state inspectors, and federal regulators should prepare to secure and watch over the stranded nuclear material

on Bailey Point for several lifetimes.

The national debate about a single repository for spent fuel from commercial reactors at Yucca Mountain in Nevada is polarized and, at this writing in June 2004, is crippled by a congressional decision to virtually eliminate funding for the NRC license application – effectively ending the project.

Can the history of land use prepare us for this new responsibility as stewards of nuclear materials?

We tend to have a very short-term memory when it comes to industrial and economic development in the United States and around the world. Small mills were once found operating on every major stream and river in New England. The owners and managers of those mills must have had plans for the regular maintenance of belts, gears, shafts, and structures in order to guarantee that they could earn a living by grinding wheat or maize into flour for their customers.

Our assumptions about milling grain changed when the technology changed, and the vast majority of operators walked away from their mills without a second thought. Paddle any stream or river in New England and you can find evidence of this abandonment. When we move on to new ways of doing things we tend to forget – almost immediately – about the past. As a result, the infrastructure of our society, mills and factories in this case, tend not to last. History is poised to repeat itself along the shores of the Back Sheepscoot River.

The only truly long-lived, man-made structures on the planet that have survived more than a couple dozen generations are monuments or shrines whose maintenance and care is a part of culture and ritual.

I believe that we have to plan for changing the culture surrounding waste as we plan for the long-term storage of nuclear material either in Wiscasset or at Yucca Mountain. If

we begin with people like Einstein, Fermi, and Eisenhower, we are only in the second or third generation of the management of atomic power in the world. We have to plan, realistically, to manage the nuclear fuel cycle and its highly radioactive and dangerous by-products for at least another 500 generations (or 10,000 years).

Who will shovel the snow away from the air intake inlets at the base of the casks, or perform the various daily, weekly, monthly and yearly inspections *if* the casks are still on their pads in Wiscasset in 2050? In 1998, after 5 years of use, the concrete pad at Palisades showed the signs of over a dozen surface patches and repairs. Who will design the new pad in Wiscasset and re-sleeve the steel canisters in new overpacks in 2075 when our coastal climate has wreaked havoc on the concrete?

With the possible exception of the Waste Isolation Pilot Project in New Mexico, there is no system yet in place on this planet that has been designed to these tolerances of 500 generations. It is high time we create such a system.



Don Hudson was appointed president of the Chewonki Foundation in 1991. Following graduation from Dartmouth College in 1972, Don developed an interest in plants while leading expeditions for Chewonki in the wilds of Quebec. That interest led to the University of Vermont where he earned a

Master's degree studying a rare Arctic/alpine plant, then on to Indiana University to complete doctoral studies on the origin and evolution of a domesticated plant, the tomaté, before returning to Chewonki as Head Naturalist in 1982. Governor Angus King appointed Don to the Maine Yankee CAP – just up the bay from Chewonki Neck – in 1997, and as Maine's public sector

representative to the Gulf of Maine Council on the Marine Environment in 2001. Don lives with his wife, Josephine, and their two sons Charlie and Reuben in Arrowsic, Maine.

6.3 Individual Perspective on the MYCAP Experience - A Statement by Daniel H. Thompson, Wiscasset

As resident and Town Planner in Wiscasset, I was favorably impressed when Maine Yankee officials approached me about the Community Advisory Panel. I stated my perspective: "I want to see the highest and best reuse of the site." Although the reuse did not become the primary focus of the Panel, I am pleased that the most flexible end use was kept in mind. Further, I am very pleased that the owners of Maine Yankee wisely decided to decommission immediately rather than put it in safe storage.

Maine Yankee, state and federal regulators patiently educated us in some very specialized subjects. I especially appreciated trips to other power plants and to the sessions of the American Nuclear Society. I am in awe of the long-range planning of Sweden; they thought through the whole cycle from construction to final disposition of spent fuel. They then executed their plan apparently without flaw.

As an engineer and management consultant, I examined and monitored the detailed plans for the decommissioning operation. Maine Yankee skillfully and methodically planned this virtually unprecedented de-construction. They focused on safety of the public and of the workers. Although the media did not applaud their safety record, I believe from experience in other industries that both the accident and exposure records are second to none. I attribute their success with both safety and the smooth progress of



Don Hudson, Charlie Hudson and CAP members Wayne Norton, Dan Thompson, and Paula Craighead tour progress at Yucca Mountain

the operation to a mind-set for quality processes, continuous improvement, and unusually open and candid communications with both the public and their employees.

Dan is a charter member of the Community Advisory Panel for Decommissioning Maine Yankee. He is a member of the Maine Association of Planners and was the Town Planner and Chair of the Wiscasset Comprehensive Planning Committee in Wiscasset for 13 years. Dan was a member of the Investment Committee of Coastal Enterprises, Inc., a community development corporation for 8 years. He was founding President of the Board of the Genesis Fund for Affordable Housing in Maine. He is currently a member of the Economic Development Council of Maine. He is a licensed Professional Engineer in the states of Maine and New York. He is a nationally certified professional consultant to management. Dan is President and a Co-Founder of Advanced Management Catalyst Inc., a consulting company established in 1993. He spent 33 years in the marine field in which he worked for Bath Iron Works, Sparkman & Stevens, Inc. and the United States Navy. Mr. Thompson served in the U.S. Navy as an Engineering Duty Officer with sea duty in the North

Atlantic and for four years at the U.S. Ship Repair Facility in Yokosuka, Japan.

6.4 PANEL MEMBER'S VIEWPOINT - Lewis Curtis

Decommissioning a nuclear power plant is a very involved process. Having completed a military career involved with nuclear munitions, I soon found myself immersed in the study of a different aspect of nuclear application. Though my representation on the panel was as an emergency management agency planner, I found my other background helped me to understand the issues of the Nuclear Regulatory Agency (NRC) and the Department of Energy (DOE).



Two aspects that made the panel function well were the openness of the Maine Yankee staff in offering information and seeking inputs from the panel members; and the diversity in backgrounds of the panel members, which Maine Yankee used well. The panel included both supporters and detractors of nuclear power, and that caused me to do my homework in order to understand both sides. The panel members and the excellent panel leaders assured that both points of view and the views of the general public were heard. Media coverage from Lincoln County was ever-present, and that was good.

After visiting the Fort St. Vrain decommissioned Nuclear Power Plant in Colorado, I realized the decommissioning of Maine Yankee was going to be different. Ft. St. Vrain was converted to natural gas, some

of its spent fuel was shipped off site, and some was stored onsite by the NRC. None of these applied to Maine Yankee, and we were in new territory with its decommissioning. Therefore, the staff spent a lot of time educating panel members on its process including tours of the plant during each stage of decommissioning.

Finally, Maine Yankee assured the smooth operation of the Community Advisory Panel by budgeting for it and providing great support, without which the panel process would have floundered. My hat is off to a group of panel members that devoted countless hours to study the issues involved in the decommissioning process.

Lewis G. Curtis, Major General (Ret.) USAF, spent thirty-four years on active duty as an officer in the United States Air Force in aircraft maintenance and munitions. General Curtis supported nuclear alert on both bomber and fighter aircraft. Curtis provided overhaul and modifications on aircraft, munitions, and ICBMs. During his tenure in the military, General Curtis served in eleven states, three European assignments, and one tour in South-east Asia. Lew retired in 1989 from the position as Commander of the San Antonio Air Logistics Center, which included responsibility for management of Air Force Nuclear Weapons.

For the past thirteen years Lew has been the deputy director of Emergency Management for Boothbay Harbor, Maine.



6.5 Dr. Paul Crary's CAP Experience

Prior to the shutdown and decommissioning of Maine Yankee, I had worked with and supported nuclear electric generation in the midwest as a public health and safety planner for radiation issues involving transport of nuclear materials as well as nuclear –based disaster management.



As a keen observer of the imbroglio that arose from the Three Mile Island meltdown, I felt that the matter had been reported too sensationally and irrationally.

The actual emission of radiation in that event turned out to be nominal, indicating that the containment technology engineered into the reactor vessel had indeed worked – this was overlooked in the reporting of the aftermath by the media.

The same sensational pattern and tenor of reportage concerning Maine Yankee was in full array and outcry here, and it was disconcerting to experience anew the same frustrating hyperbole and skewed presentation of facts to an easily confused and potentially frightened populace.

So when I was invited to sit as a CAP member by the Lincoln County commissioners as their representative, I jumped at the opportunity. My background and training in matters of physical and medical radiation applications were to be useful as the long process of decommissioning unraveled itself.

There were some surprises along the way. Chief among them was the relative lack of public participation and interplay on the big issue items, but rather the smaller ones

such as equipment noise, and the perceived misplacement of low-level radioactive waste on one occasion.

There was so little public interest, contrary to what had been anticipated, that I feared that the whole CAP process would become too trivial in effectiveness to merit continued support by the Maine Yankee Co. Another of the big surprises was that the company DID continue its unstinting support. Along that line, let me say that the MYAPC personnel, top to bottom, were most cordial and collegial at all times, and stand out in my mind as some of the best persons with whom I've associated professionally in my lifetime.

Finally, I can't say enough of the quality and tenacity of fellow CAP participants who shared the long, tedious, sometimes contentious seminars, presentations, field-trips, et al., that constituted the uncharted wilderness we traversed together. I was honored and very pleased to share their acquaintance on that journey, and will never forget them.

What we accomplished here was unique and groundbreaking. The fall-out, if you'll permit the opportune alliteration, has a wide range and long half-life.

I'm proud I could be there.

- Paul D. Crary, M.D. -

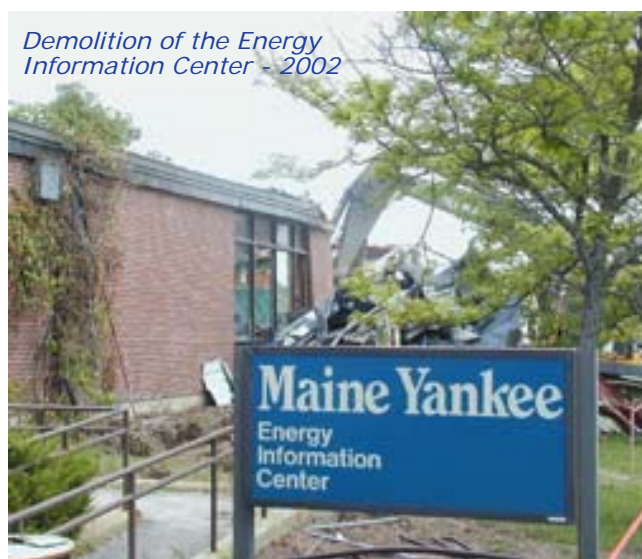
Dr. Paul D. Crary grew up in the northern Kentucky suburbs of Cincinnati, Ohio. Dr. Crary received his B.S. from Xavier University in 1959, his M.D. from St. Louis University in 1963. Dr. Crary joined the navy in 1961, completing his internship and residency at the US Naval Hospitals in Great Lakes, IL. And Philadelphia, PA, respectively.

During his tenure in the navy, Dr. Crary continued post graduate work in the field of nuclear medicine, radiologic pathology, and radiation oncology.

He is a diplomate of the American Board of Radiology and American Board of Nuclear Medicine.

Dr. Crary served as the staff radiologist at St. Elizabeth, St. Luke and Booth Memorial hospitals in the northern Kentucky from 1971 – 1989. In 1989, Dr. Crary accepted the position of staff radiologist at Miles Hospital in Damariscotta and St. Andrews Hospital in Boothbay Harbor, Maine where he served until his retirement in 1996.

Dr. Crary served in the navy from 1961-1971, where he earned the rank of lieutenant commander. In 1984, Dr. Crary reentered military service with the US Army reserves, serving until 1991 and achieving the rank of colonel. In addition to his distinguished military service, Dr. Crary has served as president of the Greater Cincinnati Radiologic Society and the N. Ky Medical Society and chairman of the N. Ky. Board of Health.



6.6 CAP Perspective - Ralph Keyes

Any science teacher should find a decommissioning nuclear power plant to be a rich learning resource. To have one in your community, and to be invited to sit on a panel that considers the intricate details of the project, is a rare career opportunity. I know that I have benefited greatly,

and I hope that my students have enhanced their understanding of the technical, physical and ethical dimensions of nuclear power.

The CAP has been effective in calling attention to details of the decommissioning project, and the local press has been faithful in publicizing the work milestones. I know this because I hear my students report on what they are seeing in the local papers. Serving on the CAP gives me the great advantage of being able to interpret the details for my students, but all teachers who have an ear for what is going on in the community can enrich their curricula by helping students to understand the decommissioning process.

If we were to do this again, I would encourage the company to keep a strong formal community education component until the very end of decommissioning. Sadly, when the plant shut down, just when things started to get really interesting, the education center was shut down. In retrospect, it would have been valuable to keep it going at some level so others could benefit from the abundant educational resources, as I have.

Ralph Keyes teaches Science to students at Wiscasset High School. He teaches primarily Biological and Earth/Environmental Science, and always emphasizes the importance of understanding science issues at the local community level.



6.7 Personal Perspective on the CAP Experience - Raymond Shadis

By permitting the makeup of the CAP to be heavily skewed by those supportive of the company and of nuclear power, Maine Yankee Atomic Power Company missed an opportunity to field an advisory panel that would have more truly reflected the sentiments of the public. In three successive referenda, more than one-half the voters in the Emergency Planning Zone voted to close the plant. In the Town of Wiscasset, approximately one-third voted to close the plant. However, the 14 member CAP boasted only two members who would admit to voting to close Maine Yankee, and one of those, not publicly. An advisory panel loaded with friends of Maine Yankee cannot wholly represent our more evenly divided community.

Panel members were more than aware of the Friends of the Coast presence, in large part, because, as FOTC representative, I came to the CAP meetings, site tours, and field trips with an agenda and I pursued it: the protection of the environment and the interests of our (EPZ majority) constituency. By default, the minutes are filled with questions, cross-questions, issues, and challenges raised by Friends of the Coast. At the first CAP meeting, in the fall of 1997, I brought forward the question of radiological site release criteria and was met with a mix of hostility and/or indifference. The Town of Wiscasset fought against both a stringent clean-up standard and against a prohibition of onsite disposal of radiologically contaminated demolition debris proposed by Friends of the Coast. And so on it went.

Most recently, our Maine State Nuclear Safety Advisor and another CAP member signed a letter reiterating the myth that Maine Yankee had, in its 24 year history,



Portland Press Herald reporter Bill Nemitz and Ray Shadis

operated, “safely.” For the record: In 1996 and 1997, Maine Yankee was found to have more than 30 serious design basis, safety-related defects that owners could not afford to remedy and so brought permanent shut-down. Therefore, industry and regulator claims notwithstanding, Maine Yankee’s history was that of an unsafe reactor.

Maine Yankee’s legacy is a remnant facility storing 700 tons of high-level nuclear waste and, despite the best efforts of Friends of the Coast, a site shot through with abandoned radiological hotspots.

Maine Yankee boasts, and perhaps rightly, that they included a vocal critic on the CAP. What they and my fellow CAP members will never fathom is the personal emotional cost of being an often solitary voice to break the unanimity in a seven year round of periodic go-along-get-along two and three-hour meetings. It has been enervating and corrosive. Any advocacy group member, who contemplates accepting a proposition to serve as a token opposition member of a similar company panel, should be prepared to pay a heavy psychological and spiritual toll; to risk being ground down, and to decide if the personal price is worth it.

Raymond Shadis, his wife, Patricia, and three children moved to Wiscasset, Maine from West Virginia in 1967. Shadis taught art in the Wiscasset Elementary and high schools.

Patricia founded the area's People-to-People low-income assistance program. In 1970, the Shadis family settled on an old homestead in Edgcomb where they practiced subsistence farming. Shadis continued his craft of liturgical art with church and privately commissioned sculpture placed across the eastern U.S. The Shadis family grew by three children. All six of the Shadis children attended local schools and went on to New England colleges. There are now ten grandchildren. Shadis is past parish council president of Our Lady-Queen of Peace Catholic Church, Boothbay Harbor. He also served a term as president of the Boothbay Region Art Foundation.

In 1979, having weighed the risks made obvious by the nuclear accident at Three Mile Island, Raymond and Patricia Shadis, initiated the nation's first referendum to close an operating atomic power station, Maine Yankee. In 1980, 41.9% of the electorate voted to close the seven year-old plant. In 1982, Shadis coordinated technical information in a legal intervention before NRC to prevent Maine Yankee from reconstituting spent nuclear fuel assemblies for dense pack storage. From 1982 to 1998, Shadis served as a trustee of the New England Coalition on Nuclear Pollution. In 1995, he founded Friends of the Coast- Opposing Nuclear Pollution and is presently its executive director. From 1997 through 2003, Shadis was invited to address technical issues before the US Nuclear Regulatory Commissioners on five occasions, with an additional five invited appearances at NRC Regulatory Information Conferences. In 1998, Shadis was hired as Staff Technical advisor to the New England Coalition. In this position he is responsible for tracking and addressing safety and environmental issues at New England's five operating and four decommissioning nuclear power stations. In 1999, Shadis was named to the Keystone National Dialogue on Decommissioning where he served with national nuclear, regulatory, and public advocacy leaders. In 2000-2001 Shadis was named to serve on NRC's Initial Implementation Evaluation Panel for the agency's new Reactor Oversight Process.



CAP member Steve Jarrett "hugs" a cask of spent nuclear fuel during a tour of the Palisades ISFSI in Michigan. The photo demonstrated for other panel members and the public the scale of the casks .

6.8 CAP Member Perspective - Steve Jarrett

My appointment to the CAP was made by the Wiscasset Selectmen about half-way through the decommissioning process. The position was for a resident, with an interest or background in the nuclear power area. I completed the U.S. Navy's Nuclear Power School and was assigned to the aircraft carrier USS Enterprise as a nuclear electrician for two years. When appointed to the CAP I was chair of the Wiscasset Planning Board and while a CAP member was elected to the Board of Selectmen for two years and appointed chair for a year. I also was appointed to the Maine Advisory Panel for Nuclear Waste and Decommissioning by the state senate president and am serving my second term on this panel

at present.

The Maine Yankee team working from the president down were the most cooperative business group I've ever had the pleasure to work with. The CAP was never in the dark about any aspect of the decommissioning at any time and on most items of real concern we were the first to be notified which was of great benefit in our every day affairs as rumors could be quickly dispelled. Most public fears and questions were answered as they became known. The public relations from Maine Yankee was top notch – all presenters at the CAP meetings were department heads or leaders in their area of expertise which assured us we were getting the most up to date information available at the time. As the CAP process moved along, less and less interest seems to be generated by the general public. I believe it was directly the result of the CAP team and Maine Yankee formulating a much respected understanding of each group's agenda and their openness and willingness to keep everyone informed.

All in all, when done, it can be said the challenge was in front of us – the first nuclear power plant to be demolished and returned to a usable place in the environment. We met that challenge and succeeded in a most successful manner. The tasks which affect the town and other local nearby communities are still on-going. Loss of jobs and loss of tax base would have a large effect on any community. I feel Maine Yankee has been more than generous to us all and I thank all concerned for a job well done.

Steve was born at Rockland, Maine in 1941, and graduated from St. George High School in 1959. Jarrett received an Associate Degree in Science from Mohegan Junior College in New York, joined the Navy in 1959 and retired in 1982. While in the Navy, he attended the Navy's Nuclear Propulsion School and served on the USS Enterprise CVN-65 as a

Nuclear Electrician. Upon Retirement Steve worked at Bath Iron Works and for the last 17 years has worked as Maintenance Coordinator for Coastal Enterprises, Inc. in Wiscasset.

A resident of Wiscasset since 1979, Steve served on the Planning Board as Secretary and Board Chair. He also served on the Board of Selectman as Vice Chair and Chairman. Steve serves as Wiscasset representative to the MYCAP and also serves on the Maine Advisory Committee on Nuclear Waste and Decommissioning.

6.9 The CAP experience: Don Schuman

When I first joined the CAP to replace Sandy Labaree as a representative of the Wiscasset Regional Business Association, I had no idea what a great experience serving on the CAP would turn out to be. As a non-scientist who got only a C in a college physics course called "Physics for the Inquiring Mind" (read, physics for math dummies), I certainly knew very little about nuclear power and radionuclides. I had read the news articles about the various ups and downs Maine Yankee had experienced over the years and was aware of the premature shutdown of the plant, an event I had hailed as a positive one at the time. After all, as an idealistic young high school teacher and budding environmentalist, I had often spoken out against the building of all of the "Yankees."

How my time on the panel has caused my views to shift! Starting with the CAP orientation conducted by various members of the Maine Yankee staff and decommissioning team, most notably the nuclear radiation primer delivered so expertly by Jamie Mallon, I began a slow but steady change in point of view which culminated for me during the International Decommissioning Conference many of us CAP members at-

tended on Captiva Island back in 2000. As I listened to the presentations by experts from across the globe and as I got to know several folks on the decommissioning team who had worked at the plant during its operating years, I came to feel, and still believe, that it is a shame Maine Yankee isn't still operating. Wouldn't it be far better to have an operating plant on the Maine Yankee site generating huge amounts of power without contributing to air pollution and global warming than simply a high level nuclear waste storage facility that is probably more vulnerable to a possible terrorist attack than an operating plant would be? Hopefully, we will never get an answer to that question.

What the conference on Captiva showed me was that the nuclear industry is far from dead. Countries like Sweden and Germany are doing nuclear power better than we ever did in the USA, and they are experimenting with newer generation, smaller plants that use smarter, easier to manage types of fuel, etc. Given the sad state of energy policy and development in the U.S., it seems to me that it won't be long before this country realizes the need to build new generation nuclear power plants, especially since our government has certainly never picked up the ball on solar and other non-fossil-fuel alternatives. Of course, until the Federal DOE fulfills its part of the bargain with the nuclear industry by opening a federal repository for the long-term storage of spent nuclear fuel, how can there be any re-licensing of older nuclear plants or building of new generation plants?

The other eye-opening aspect of my time on the CAP has been witnessing the panel, the company, state officials, regulatory bodies and all of the other stakeholders, including anti-nuclear groups such as Friends of the Coast, skillfully, quite civilly and thoughtfully navigate the tricky waters and swirling

currents of the incredibly complex and daunting decommissioning and clean-up process. I've been inspired by the openness, professionalism, and tireless efforts of all those involved.

I only wish the CAP had been established back when the plant first opened. Rather than worrying about the fate of our local nuclear waste dump, we might instead still be witnessing the scientific miracle and engineering marvel of safely harnessed nuclear energy being transformed into electric power over on Bailey Point. We might still have living in our community the amazing team of scientists, engineers and other staff members who once worked with such dedication and pride at the Maine Yankee Atomic Power Company.

- Don Schuman -



Don Schuman poses in front of containment just before its demolition - 2004

Don Schuman joined the CAP in 2000 to replace the then terminally ill Sandy Labaree and fill her slot as a representative of the Wiscasset Business Association. The holder of a BA in English from Princeton and a Master of Arts in Teaching from Johns Hopkins, Don taught English in the Westport, CT, public schools from 1966 to 1995. After retiring from full-time teaching, he and his wife Charley moved to Cod Cove Farm in Edgecomb where they operate a Bed and Breakfast. From September of 1997 to June of 1999, Don taught English in the Chewonki Foundation's Maine Coast Semester program. He now serves as



In 2000, CAP members attended a decommissioning conference in Nevada and toured Yucca Mountain, DOE's proposed long term storage facility for commercial spent nuclear fuel. Here, CAP members look first hand at the tunnel boring machine, used to create the underground repository.

president of the board of directors of the Boothbay Region Food Pantry and is an active member of the Oratorio Chorale and the Heartwood Regional Theater Company.

**6.10 CAP Personal Perspective—
Ted Feigenbaum (MY President
CAP member 2003- present)**

The Maine Yankee Community Advisory Panel is a model for how corporate America should interact with its Stakeholders when planning a high impact, controversial project. The level of candor, information exchange and learning that occurs at CAP meetings and on-site tours is the best way to combat misinformation and fear about issues involving nuclear and radiological materials. Moreover, the opportunity to see, meet, speak with and question the project decision- makers on a regular basis establishes a face-to-face human relationship and an atmosphere of mutual commitment that fosters trust and good decision-making.

I am particularly struck by the dedication of the CAP membership. Year after year,

a core group of committed community leaders would regularly leave their warm homes at night to brave the often harsh Maine winter to listen to lengthy technical reports for many hours. They listened intently and provided insight from their varied professional and life experience. The CAP members did this without compensation or reward to benefit the community at large. Their contribution to the successful outcome of the Maine Yankee Decommissioning should not be underestimated. While not every member of the community participated at a CAP meeting, it is my firm belief that the community was aware (through media and word of mouth) that their interests were being served by the CAP and the open, candid and professional process that was advising and overseeing the nuclear decommissioning that was taking place in their community.

Ted Feigenbaum began as president and chief executive officer at Maine Yankee in December 2002. Ted has overall responsibility for bringing the decommissioning project to a



safe and successful conclusion. He has 30 years experience in the nuclear industry. Ted worked at Seabrook Station in New Hampshire from 1984 – 2002. In 1990 he was named president

and chief executive officer of Seabrook. Prior to coming to Maine Yankee, Ted served for seven years on the company's board of directors.

Ted received a bachelor of engineering degree in mechanical engineering from The City College of New York and is a registered professional engineer. He also completed the Advanced Management Program at Harvard University's Graduate School of Business Administration. He is a member of the American Nuclear Society and is active in many civic and cultural organizations in New England.

**6.11 Hon. Charles P. Pray
State Nuclear Safety Advisor
State of Maine**

Having been involved with governmental, private, and industrial sector relations for over four decades I have found the Maine Yankee Community Advisory Panel a highly recommended organizational endeavor for openness and cooperation between parties of what sometimes need not be alienated interests. The open and public sharing of information and discussions have lifted a veil of mistrust and misinformation that is too often disruptive in the flow of operations of a business interest, the governing oversight bodies of local, regional and State entities. MYCAP creation and undertaking has served the industry's interests and

the relations between the communities and citizenry of the surrounding areas and the State as a whole to a higher and inclusive participation and success.

To see the diversity, the inclusiveness of parties of interest, no matter their concern or intent, I believe, have led to a smoother, more productive decision making process and cooperation. In my very brief participation with the MYCAP, as the decommissioning rushed to its completion, I noted the commitment and involvement of all the members from across a broad prospective, bringing public contribution and harmony towards a common and agreeable goal.

I hesitate to ponder the missed opportunities, savings and efficiencies that an earlier establishment of a MYCAP could have provided. But, all things in their time. The MYCAP has excelled in its assigned task and has achieved a level of accomplishment that may have required the earlier abrasions which allowed the MYCAP to earn its deserved, special, and noted accolades of a job well done.



Charles P. Pray served as a Maine State Senator from 1975 through 1992 where he was highly involved in energy related issues. Pray served eight years at the U.S. Department of Energy in a Senior Executive Service position as a senior

advisor and special assistant in the Clinton Administration. As a State Senator, Pray had been involved in legislation relating to Maine Yankee from the late 70's through the early 90's. In 2003 Governor John E. Baldacci named Pray as the State Nuclear Safety Advisor.

SECTION VII – Perspectives of Others

7.1 Greg Foster, Lincoln County News reporter/photographer

Slightly more than four years ago I attended my first Community Advisory Panel, which I will never forget. The terminology and use of acronyms was like stepping into a foreign country with its own language.

Since then I have learned so much and benefited immeasurably from exposure to the nuclear power industry as it relates specifically to the decommissioning process of Maine Yankee. A high level of company professionalism and expertise has been evident throughout the more than four years I have been covering the meetings, tours, and events.

Through the CAP discussions, many unanswered questions that I and the general public have had were answered encouraging me to think about some tough issues and enabling me to keep our readership better informed about the decommissioning work.

I am proud to be a part of this history-making project that will undoubtedly influence decommissioning in other places throughout the country and elsewhere for years to come. Certainly the significance of the public's having a handle on what is happening there is incalculable.

CAP members have served their constituency well, in my estimation, and I believe Maine Yankee has gained much from their input, whether negative or positive.

I cannot thank people like Eric Howes and Catherine Ferdinand enough for their timely and helpful responses to all my questions and probing. We, after all, are the bearers of the public record, and they and the CAP have made our difficult task much

simpler and more enjoyable.

7.2 Bob Kalish, Times Record

What I liked and appreciated about covering the CAP meetings was the unique ambience. It's one of the few times as a reporter when you have everyone under one roof – you have management, workers, p.r. people, anti-nuke activists. When Ray Shadis and Mike Meisner exchanged words, there was something of the theatre in it, especially the way they both stayed in their places and managed to retain civility.

If you had a question about the meaning of some of the reports, there was always Eric Howes and Catherine Ferdinand to help you out. I was there when the two sides fought over rubbleization, I was there during the 10/4 debate and yes, there was some anger and ruffled feathers, but over and over again the process worked. It seems quaint now, given how politics has demeaned itself, but I certainly appreciated it as a resident of the area and as a reporter.

7.3 Wiscasset Newspaper Reporter Charlotte Boynton

After retiring from Bath Iron Works, I became a part-time reporter for the Wiscasset Newspaper. The first assignment I was given by my editor Paula Gibbs was to cover the Community Advisory Panel (CAP) meeting at Maine Yankee. Needless to say, it didn't take long for me to know I was in over my head. However, with the patience and help of Eric Howes, and Catherine Ferdinand the Wiscasset Newspaper was able to report



Bob Kalish

accurately on the decommissioning activities.

As the years went by, and I became familiar with some of the terminology and acronyms, my editor would question me as to their value to the story. There were times when my explanation was not clear enough, and I would have to call Eric or Catherine for help. It became a bit of humor in the office, because the staff would know Paula would want my story clear enough for people to read and understand what I was trying to tell them. The office manager would say, *“Oh no, not another Maine Yankee Story.”*

The CAP meetings not only provided an opportunity for Maine Yankee, the state, and federal agencies to report the activities of the decommissioning, it also was a place for the public to come and ask questions, and express their concerns. The CAP meetings became Maine Yankee’s report card, and it was the media’s responsibility to inform the public of that report card, the concern of the public and the CAP members.

The CAP members come from all walks of life, each having their own opinion and concerns. They identified many community issues, and their efforts many times influenced decisions by the company.

The Wiscasset Newspaper staff has reported on Maine Yankee activities from the beginning in 1972, and will continue until the spent fuel has been removed from Wiscasset.

The media’s account of Maine Yankee will be read for many years by future generations. I am proud to have contributed a small part in writing that history.



Reporters
Charlotte
Boynton
(front left)
and Greg
Foster (front
right)



SECTION VIII - EPILOGUE

As one CAP member put it, *“this marks the end of a process, but not the end of the story”*. When the Maine Yankee site restoration is completed in 2005, there will remain at the site 1434 spent fuel assemblies passively stored in 60 airtight concrete canisters. Another 4 of these canisters holds Greater Than Class C (GTCC) waste – irradiated stainless steel that was removed from the reactor vessel. When and if the national spent fuel repository at Yucca Mountain becomes available to receive Maine Yankee’s fuel are unknowns at this time.

As the CAP prepares for its sunset, plans are moving forward to implement post-decommissioning, what one member jokingly refers to as “Son of CAP” (Attachment 5). Early on, the group contemplated some forum for community involvement relative to the spent fuel and other post-decommissioning issues. There are concerns that as long as spent fuel remains on site, the community should have some continued dialogue with federal regulatory and company personnel. One of the greatest unforeseen benefits of the Maine Yankee CAP’s work may be this – the development of a citizenry, broad-based, informed, and non-complacent about the presence indefinitely of spent nuclear fuel in their community. ■ ■ ■



*Demolition of
the Maine
Yankee control
room*



*Removal of Spent
Fuel Storage Racks
from Spent Fuel Pool
upon completion of
fuel transfer to ISFSI
-2004*



*CAP suited up for
tour of
containment in
1997*

Maine Yankee COMMUNITY ADVISORY PANEL CHARTER

I. PURPOSE

- A. The Community Advisory Panel (CAP) is established to enhance open communication, public involvement and education on Maine Yankee decommissioning issues. The CAP will serve as a formal channel of community involvement with Maine Yankee.
- B. The CAP will evaluate and comment upon data and other information provided by Maine Yankee and other reliable sources.
- C. The CAP will function as an advisory panel. Maine Yankee is not obligated to accept or conform to the advice or recommendations made by the CAP, although will, in cases of disagreement, provide the CAP with an appropriate rationale for the disagreement.

II. ORGANIZATION AND MEMBERSHIP

A. Membership

1. The CAP will reflect the diverse viewpoints of residents within the primary Maine Yankee Emergency Planning Zone. The majority of the CAP members will reside in the 16 community area comprising the primary EPZ.
2. The CAP will consist of (14) members as follows:
 - The State Senator from Lincoln County;
 - The Wiscasset Town Planner;
 - A Maine Yankee representative;

Appointed members:

- A Wiscasset resident selected by the Wiscasset Selectmen;
- A resident of the EPZ outside Wiscasset, selected by Maine Yankee;
- A resident of the EPZ with emergency planning expertise selected by the chair of the Maine Radiological Emergency Preparedness Committee;
- A representative from Friends of the Coast;
- Liaison to the Governor;
- A radiological professional with either an academic or medical background from the EPZ. Inaugural member suggested by the Governor;
- A professional from the marine resources community who lives in the EPZ. Inaugural member suggested by the Governor;
- A resident of Lincoln County selected by Lincoln County

Commissioners;

- A science teacher from the EPZ. Inaugural member suggested by the Governor;

- An environmentalist who lives in the EPZ. Inaugural member suggested by the Governor;
 - An EPZ business owner chosen by the executive directors of WRBA, Bath/Brunswick Chamber, Damariscotta Region Chamber, and Boothbay Harbor Region Chamber.
3. Each appointed member of the CAP shall serve for a two (2) year term (following the initial staggering of terms), unless such term is otherwise extended in accordance with this Charter. Expiration dates of the terms of inaugural members will be staggered. The first six appointed members (as listed in the charter) will have their initial terms expire September 31, 1998. The remaining five appointed members will have their initial terms expire September 31, 1999. The Governor's liaison will serve at the discretion of the Governor.
 4. Termination of membership will automatically occur in the event that three (3) consecutive CAP meetings have been missed without prior notification to and approval by the Chairperson.
 5. Membership may be resigned by writing to the Chairperson of the CAP. The Chairperson shall immediately forward a copy of such resignation letter to the Maine Yankee Law and Government Affairs Department and the selecting body.
 6. When a member of the CAP who was appointed by the Governor resigns, that vacancy will be nominated and filled by majority vote of the CAP after it has reviewed and approved applications for that position. All other member vacancies will be filled by the original appointing authority. All vacancies must be filled consistent with the criteria for membership stated in 2, above. The term of a member filling a vacancy will end at the same time as it would have for the member being replaced. Vacancies created by the expiration of a member's term will be filled as stated in this section; however, the new member will have a full term of two (2) years, subject to the term of the CAP as set forth in Article IV, TERM.
 7. A member's term may be renewed for an additional two (2) years. Such renewal is subject to the term of the CAP as set forth in Article IV, TERM.

B. OFFICERS

1. The CAP shall have a Chairperson, Vice-Chairperson and Secretary. The inaugural Chairperson and Vice-Chairperson will be appointed by Maine Yankee. Subsequent Chairpersons and Vice-Chairpersons will be elected by a majority vote of the CAP. The Secretary of the CAP will be appointed by the Chairperson.
2. The term for the Chairperson and Vice-Chairperson will be two (2) years. The Secretary will serve at the discretion of the Chairperson.

- C. COMMITTEES - Committees, sub-committees or similar working groups will be designated by the Chairperson as needed to carry out the work of the CAP. Such committees, sub-committees or working groups will serve at the discretion of the Chairperson.

D. DUTIES

1. Chairperson shall perform the following duties:
 - a. Call meetings of the CAP.
 - b. Prepare and/or approve agenda for meetings.
 - c. Preside at CAP meetings.
 - d. Appoint Secretary of CAP and provide for the keeping of meeting minutes in the Secretary's absence.
 - e. Certify the accuracy of meeting minutes after approval by CAP membership.
 - f. Submit to the Maine Yankee Law and Government Affairs Department all recommendations adopted by the CAP.
 - g. Forward member resignation letters to the Maine Yankee Law and Government Affairs Department and the selecting body.
 - h. Work with Maine Yankee administrative support to ensure the smooth flow of information to the CAP and public.
2. Vice-Chairperson shall perform all the duties of the Chairperson in his/her absence.
3. Secretary shall perform the following duties:
 - a. Keep minutes of all CAP meetings including a record of members present and a complete and accurate description of matters discussed and conclusions reached.
 - b. Provide the originals of all CAP records to the Maine Yankee Law and Government Affairs Department for retention and public inspection as described in Section III.G.
 - c. Work with Maine Yankee administrative support to ensure the smooth flow of information to the CAP and public.
4. Maine Yankee Administrative Support
 - a. Maine Yankee will provide administrative support to the CAP and will work with the Chairperson and Secretary to ensure the smooth flow of CAP information to Panel members and the public.
 - b. Administrative support will include but not be limited to typing, copying, compiling, and mailing CAP documents, assisting with meeting arrangements, maintaining CAP records, and ensuring their availability to the public in the Public Document Room of the Wiscasset Public Library, and the Maine State Library. As appropriate, documents will also be available on the Maine Yankee web site. (www.maineyankee.com).

III. MEETINGS

- A. Frequency - The CAP will meet on an as-needed basis, but no fewer than two (2) times a year. The need for such meetings will be determined by the CAP. Additional meetings may be called by the Chairperson.
- B. Open Meetings - All CAP meetings will be open to the public.
 1. All meetings will have a public comment period.
 2. Issues brought before the CAP that are not on the meeting agenda will only be added to that meeting's agenda following an

affirmative vote of two-thirds of the CAP members present. If the vote falls short of the two-thirds majority, the issue will be placed on the agenda of the next CAP meeting.

3. Meetings will be announced a minimum of one week in advance. Meeting agendas and other materials sent to CAP members prior to meetings will be available one week in advance at the Public Document Room of the Wiscasset Public Library and the Maine State Library.

- C. Reimbursement - Members of the CAP will not be reimbursed for travel or other expenses incurred by them in the performance of their duties as members. However, Maine Yankee will provide a meal for CAP members at every meeting.
- D. Quorum - Seven (7) members will constitute a quorum for a meeting of the CAP at which a vote or other official action is to be taken. In the absence of a quorum, the CAP may convene the meeting and adjourn until such time as a quorum is present. No official action may be undertaken by the CAP at a meeting which lacks a quorum.
- E. Majority Vote - Wherever this Charter refers to a "majority vote", it means a simple majority of those members present and voting; provided a quorum is present at the meeting. If no quorum is present, the CAP cannot vote on any matter, except adjournment, or take any official action of any kind. Minority reports will be part of the CAP record.
- F. Rules - Roberts Rules of Order will govern all CAP meetings.
- G. Minutes - Minutes shall be kept of all CAP meetings and will include a record of members present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the CAP.
- H. Records - The records of the CAP consist of this Charter, meeting agendas, meeting minutes, reports submitted to or drafted by the CAP, studies made available to or prepared by the CAP, correspondence to or from the CAP. All such records shall be made available to the public at the Public Document Room of the Wiscasset Library and the Maine State Library. As appropriate, records will also be available on the Maine Yankee web site.
- I. Membership Renewal - The CAP shall vote to renew the terms of its existing members at the last regularly scheduled meeting of its term, unless a concurring vote of at least seven (7) members selects an earlier meeting for such renewal. Any member not receiving a concurring vote of at least seven (7) members of the CAP for renewal will cease being a member at the expiration of his/her term. Any vacancies created by the expiration of a member's term will be filled in accordance with the procedures set forth in Section II.A.6.

IV. TERM

- A. The CAP shall exist and operate for an initial term of two (2) years, ending September 31, 1999. The continuation of the CAP beyond its initial term shall be determined by Maine Yankee.

rev 1 - 7/16/98

**Maine Yankee
COMMUNITY ADVISORY PANEL
CHARTER –Revised 11/02**

INTRODUCTION

With decommissioning then nearly 70 percent complete, the CAP at its September 12, 2002 meeting agreed to amend the CAP Charter to enable current members to continue serving until the CAP completes its work and dissolves at the end of decommissioning in 2005. The Charter was revised to reflect that sentiment and became effective at the January 16, 2003 meeting of the CAP.

I. PURPOSE

A. The Community Advisory Panel (CAP) is established to enhance open communication, public involvement and education on Maine Yankee decommissioning issues. The CAP will serve as a formal channel of community involvement with Maine Yankee.

B. The CAP will evaluate and comment upon data and other information provided by Maine Yankee and other reliable sources.

C. The CAP will function as an advisory panel. Maine Yankee is not obligated to accept or conform to the advice or recommendations made by the CAP, although will, in cases of disagreement, provide the CAP with an appropriate rationale for the disagreement.

II. ORGANIZATION AND MEMBERSHIP

A. Membership

1. The CAP will reflect the diverse viewpoints of residents within the former primary Maine Yankee Emergency Planning Zone.

2. The CAP will have sufficient members to fulfill its purpose including the following:

- Chair Marge Kilkelly;
- Vice Chair Don Hudson;
- The State Senator from Lincoln County;
- A State Representative from Lincoln County appointed by the Lincoln County Legislative Delegation;
- A Maine Yankee representative appointed by the company;
- Steve Jarrett;

- Dan Thompson;
- Lewis Curtis;
- Raymond Shadis;
- Liaison to the Governor appointed by the Governor;
- Paul Crary;
- Ralph Keyes;
- Don Schuman.

3. With the exception of the Governor's liaison, the Maine Yankee representative, the State Senator, and the State Representative who may change from time to time, CAP members shall serve until the end of decommissioning in 2005.

4. Membership may be resigned by writing to the Chairperson of the CAP. The Chairperson shall immediately forward a copy of such resignation letter to the Maine Yankee Law and Government Affairs Department and the selecting body.

5. With the exception of the Governor's liaison, the Maine Yankee representative, the State Senator, and the State Representative, replacement of members who resign shall be decided by a majority of the CAP. In the event a member is replaced, the CAP will seek a replacement who best matches the viewpoint of the departing member.

B. OFFICERS

1. The CAP shall have a Chairperson and Vice-Chairperson. The inaugural Chairperson and Vice-Chairperson will be appointed by Maine Yankee. Subsequent Chairpersons and Vice-Chairpersons will be elected by a majority vote of the CAP.

2. The term for the Chairperson and Vice-Chairperson will be until the end of decommissioning in 2005.

C. COMMITTEES - Committees, sub-committees or similar working groups will be designated by the Chairperson as needed to carry out the work of the CAP. Such committees, sub-committees or working groups will serve at the discretion of the Chairperson.

D. DUTIES

1. Chairperson shall perform the following duties:

- a. Call meetings of the CAP.
- b. Prepare and/or approve agenda for meetings.
- c. Preside at CAP meetings.
- d. Submit to the Maine Yankee Law and Government Affairs Department all recommendations adopted by the CAP.
- e. Forward member resignation letters to the Maine Yankee Law and Government Affairs Department and the selecting body.
- f. Work with Maine Yankee administrative support to ensure the smooth flow of information to the CAP and public.

2. Vice-Chairperson shall perform all the duties of the Chairperson in his/her absence.

3. Maine Yankee Support

- a. Maine Yankee will provide administrative support to the CAP and will work with the Chairperson to ensure the smooth flow of CAP information to Panel members and the public.
- b. Administrative support will include but not be limited to taking minutes, typing, copying, compiling, and mailing CAP documents, assisting with meeting arrangements, maintaining CAP records, and ensuring their availability to the public at the Maine State Library.

III. MEETINGS

A. Frequency – The CAP will meet on an as-needed basis, but no less than two (2) times a year. The need for such meetings will be determined by the CAP. Additional meetings can be called by the Chairperson.

B. One month prior to the annual CAP meeting, Maine Yankee will issue a report to the CAP of key activities associated with the operation of the ISFSI from the preceding year and activities the company has been engaged relative to removing high-level nuclear waste from the site.

C. Open Meetings - All CAP meetings will be open to the public.

- 1. All meetings will have a public comment period.
- 2. Issues brought before the CAP that are not on the meeting agenda will only be added to that meeting's agenda following an affirmative vote of two-thirds of the CAP members present. If the vote falls short of the two-thirds majority, the issue will be placed on the agenda of the next CAP meeting.
- 3. Meetings will be announced a minimum of one week in advance.

C. Reimbursement - Members of the CAP will not be reimbursed for travel or other expenses incurred by them in the performance of their duties as members. How-

ever, Maine Yankee will provide a meal for CAP members at every meeting.

D. Quorum – A majority of members will constitute a quorum for a meeting of the CAP at which a vote or other official action is to be taken. In the absence of a quorum, the CAP may convene the meeting and adjourn until such time as a quorum is present. No official action may be undertaken by the CAP at a meeting which lacks a quorum.

E. Majority Vote - Wherever this Charter refers to a “majority vote,” it means a simple majority of those members present and voting; provided a quorum is present at the meeting. If no quorum is present, the CAP cannot vote on any matter, except adjournment, or take any official action of any kind. Minority reports will be part of the CAP record.

F. Rules - Roberts Rules of Order will govern all CAP meetings.

G. Minutes - Minutes shall be kept of all CAP meetings and will include a record of members present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the CAP.

H. Records - The records of the CAP consist of this Charter, meeting agendas, meeting minutes, reports submitted to or drafted by the CAP, studies made available to or prepared by the CAP, correspondence to or from the CAP. All such records shall be made available to the public at the Maine State Library.

IV. TERM

A. The CAP shall exist and operate until the end of decommissioning in 2005.

Sample of meeting notice published in local newspapers

**The Maine Yankee
Community Advisory Panel (CAP)
will meet on Thursday, July 17, 2003
at 6:00 p.m**

The meeting will take place at the Chewonki Center for Environmental Education in Wiscasset. The agenda includes the following: an update from the U. S. Nuclear Regulatory Commission, a routine update on decommissioning activities and presentations on the physical end state of the site and status of the Resource Conservation Recovery Act closure process.

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*The public is invited to attend and offer comment.
The CAP was established by Maine Yankee to enhance
open communication about the decommissioning process.*

Decommissioning Milestones		CAP Accomplishments
<p>5/97 - Decommissioning Planning Begins</p> <p>8/97 - Permanent Plant Shutdown</p> <p>8/97 - Post Shutdown Decommissioning Report filed w/NRC</p> <p>10/97 - 4/98 Initial Site Characterization</p> <p>1/98 -12/98 Pre-decommissioning Prep Work</p> <ul style="list-style-type: none"> A. Asbestos Removal B. RCS Loop Decon to Reduce Worker Exposure C. “Cold and Dark” D. Conversion to Spent Fuel Pool Island 	<p>1997</p> <p>-</p> <p>1998</p>	<p>CAP provided forum for public dialogue about how decommissioning would be approached – how the site would be characterized, how material would be released from the site (including batch discharges to bay from RCS Loop decon/disposition of hazardous and radwaste materials), what risks would remain with the plant in a defueled condition and how those risks would be addressed, and what the estimated decommissioning costs would be</p> <p>Amid community concerns about removal of on-site NRC inspectors, CAP brought NRC presence and state regulatory presence to the community on a regular basis</p> <p>CAP provided forum for residents to voice concerns directly to company and regulators about noise of spent fuel pool island cooling fans and alleged free release of radioactive materials to Wiscasset landfill</p> <p>CAP included in decision about spent fuel storage; CAP members given access to tours of other facilities, construction of multi-purpose storage canisters; CAP concerns about perceived security of dry fuel storage facility directly responsible for installation of ISFSI berm</p>
<p>1/99 - Commodity Removal Begins</p> <p>8/99 - Site Work Begins for Independent Spent Fuel Storage Installation (ISFSI)</p>	<p>1999</p>	<p>CAP forum required company and regulators to explain to lay public methodologies and science behind approaches to meeting release criteria for the site (LTP, pathways analysis, dose assessment methods, rubblization, 25 mrem plus ALARA vs. 10/4). CAP summoned NRC and EPA to local community to provide insight as to how public might gain confidence about ultimate safety of site given differing site release criteria at the federal regulatory level</p> <p>Provided forum for local residents to express concerns/opinions on donation of Eaton Farm to non-profit</p>

Decommissioning Milestones

1/00 License Termination Plan (LTP), Rev. 0, filed with NRC

4/00 Remove Steam Generators and Pressurizer from containment

6/00 Transport of Steam Generators and Pressurizer to Barges; Ship Barges to GTS Duratek reprocessing facility in Memphis, TN

8/00 Mobilize RPV internals segmentation contractor and equipment

7/00 – 7/01 ISFSI Pad, Facility and Berm Construction

10/00 – 5/01 Segmentation of Reactor Vessel Internals

10/00 Commence construction of Vertical Concrete Casks (VCC) for ISFSI

10/00 NRC Issue Certificate of Compliance for Standard Fuel Cask Storage System

10/00 Begin Final Status Surveys for ISFSI grounds and other areas as appropriate

12/00 Deliver First Fuel Storage CaskTSC

4/01 – 8/02 Turbine/Service Building Demolition – Phase I

6/01 License Termination Plan, Rev. 1, filed with the NRC

7/01 Complete ISFSI Construction

8/01 LTP, Rev. 2, filed with the NRC

10/01 Demolition of Turbine Pedestal using Controlled Explosives

9/01 – 12/01 Circulating Water Pump House Demolition

10/01 Natural Resources Protection Act Permit filed with MDEP

11/01 Begin Cask Loading (GTCC); Explosive Demolition of Turbine Building ; complete VCC construction

2000
-
2001

CAP Accomplishments

Provided public long lead time to understand mechanics of large radioactive component removal (SGs, pressurizer, RPV) and transportation. CAP process made major activities public and sensitized company to local issues; such as impact on clambers of Marine Safety Zones and potential impact to lobstering gear from barge transport

Discussions on large component removal also prepared public for understanding of reactor vessel shipment.

CAP process provided explanations for visible site changes – construction of ISFSI, VCC construction, building demolition

Lesson learned through CAP process with spent fuel pool island cooling fans applied when turbine building demolished using explosives – company notified all neighbors and invited them to attend CAP meeting to hear details of building demolition in advance of actual demolition

Sept 11- while security issues have always been safeguarded information, the CAP was an established forum where concerns about site security could be and were registered with company, state and federal regulators

Decommissioning Milestones		CAP Accomplishments
<p>4/02 Complete Cask Loading (GTCC) 6/02 Information Center Demolition 7/02 Release of “Backlands” from NRC license 8/02 Begin Cask Loading (Fuel) 9/02 Remove Reactor Vessel from Containment, shipping by barge to Barnwell, S.C. tbd 10/02 – 10/04 Containment Building Demolition 12/02 Submit Forebay Remediation Plan to MDEP</p>	<p>2002</p>	<p>CAP provided public opportunity to understand plans to clean up forebay, disposition of diffuser piping, and meet RCRA standards</p> <p>CAP meetings provided a forum for updates on progress with transfer of spent fuel to the ISFSI</p> <p>CAP provided forum for state to report and explain its findings on confirmatory study of the ‘backlands’ release from NRC license</p>
<p>2/03 NRC Approval of LTP 4/03 – 12/03 Forebay Remediation & backfill</p>	<p>2003</p>	<p>CAP provided public forum for information to abutters on containment demolition activities and expected noise, etc.</p>
<p>10/03 Bailey Farmhouse Demolition 10/03 – 12/03 Turbine Building Demolition – Phase II</p>		<p>CAP provided forum for the public to understand process of discharging the spent fuel pool water to the Back River</p>
<p>2/04 Completion of Cask Loading 3/04 - 6/04 Spent Fuel Pool drain down 4/04 - 5/04 Primary Auxiliary Building Demolition 7/04-8/04 Fuel Building Demo 9/04 Explosive Demolition of Containment 10/04 –12/04 Staff Building/Warehouse Demolition</p>	<p>2004</p>	<p>The Friends of the Coast/Maine Yankee marine sediment study was the subject of a CAP presentation, updates were provided, and the results of the study will be made public</p> <p>The CAP provided a number of opportunities for the explosive demolition of containment to be thoroughly aired publicly</p> <p>The CAP forum has been the public’s “window” to the company’s transition to stand alone ISFSI and the resulting changes to management structure, security, and emergency planning</p>
<p>3/05 Submit Final Status Survey Report to NRC Spring 2005 Decommissioning Complete</p>	<p>other</p>	<p>While it has not been within the mission of the CAP to resolve larger issues such as the lack of federal repository for spent fuel or potential reuse of the site, the CAP forum has provided the community an opportunity to express concerns about these to the media and to state and federal officials. In June 2004, DOE presented at the CAP meeting regarding the agency’s plans for spent fuel removal.</p>

DRAFT – December 1, 2004

**Maine Yankee
Community Advisory Panel on
Spent Nuclear Fuel Storage & Removal
Charter**

Introduction

The Maine Yankee Community Advisory Panel on Spent Nuclear Fuel Storage and Removal was established in March 2005 to enhance open communication, public involvement and education on the interim storage of spent nuclear fuel at Maine Yankee and to advocate for its prompt removal from Maine Yankee to a safe location outside New England.

The panel is an outgrowth of its predecessor, the Maine Yankee Community Advisory Panel on Decommissioning which was integral to the success of plant decommissioning from the beginning of the project in August 1997 until its conclusion in March 2005.

At its September 2002 planning session, the original CAP recognized the need for a community advisory panel to continue beyond plant decommissioning to monitor interim storage at the Independent Spent Fuel Storage Installation (ISFSI) and to advocate for the removal of spent nuclear fuel as required by federal statute and contract with the U.S. Department of Energy.

Charter

- I. Purpose
 - A. The Maine Yankee Community Advisory Panel on Spent Nuclear Fuel Storage and Removal (CAP) is established to enhance open communication, public involvement and education on spent nuclear fuel storage at Maine Yankee and to advocate for the prompt removal of that waste from Maine Yankee to a safe location outside New England.
 - B. The CAP will evaluate and comment upon data and other information provided by Maine Yankee and other reliable sources.
 - C. The CAP will function as an advisory panel. Maine Yankee will consider the advice or recommendations made by the CAP. Although not obligated to follow such advice or recommendations, Maine Yankee will, in cases of disagreement, provide the CAP with an appropriate rationale for the Company's approach to the issue.

II. Organization and Membership

A. Membership

1. The CAP will consist of seven core members defined below, as well as members of the Maine Yankee Community Advisory Panel on Decommissioning who choose to serve.
2. The CAP will include at least three members knowledgeable about spent nuclear fuel storage and transport.
3. Defined CAP membership categories are: The Chair and Vice-Chair of the decommissioning CAP; the State Senator from Lincoln County; the Governor's representative; the Town of Wiscasset's representative; a representative from a business located on former Maine Yankee property known as north Ferry Road, and Maine Yankee's representative.
4. CAP members shall serve an initial two year term.
5. Membership may be resigned by writing to the Chairperson of the CAP. The Chairperson shall forward a copy of such resignation to the President of Maine Yankee and, if applicable, to the selecting body.
6. Replacement of the Governor's representative, the Wiscasset representative, and the Maine Yankee representative, shall be by the selecting body. In the event the Senator from Lincoln County resigns, the CAP will request that the Lincoln County Legislative Delegation select a replacement from among its members. In the event the business representative from north Ferry Road resigns, the CAP will request that the businesses in residence there select a new representative from their group. In the event the Chair and/or Vice-Chair of the decommissioning CAP resigns, their replacement shall be chosen by a majority of the CAP. In the event a member of the Maine Yankee Community Advisory Panel on Decommissioning resigns who is not serving in one of the seven defined membership categories, that person will not be replaced.

B. Officers

1. The CAP shall have a Chairperson and Vice-Chairperson elected by a majority vote of the CAP.
2. The term for the Chairperson and Vice-Chairperson will be two years.

C. Committees – Committees, sub-committees or similar working groups will be designated by the Chairperson as needed to carry out the work of the CAP. Such committees, sub-committees or working groups will serve at the discretion of the Chair-person.

D. Duties

1. Chairperson shall perform the following duties:

- a. Call meetings of the CAP.
- b. Prepare and/or approve agendas for meetings.
- c. Preside at CAP meetings.
- d. Submit to the Maine Yankee President all recommendations adopted by the CAP.
- e. Forward member resignation letters to the Maine Yankee President and the selecting body where applicable.
- f. Work with Maine Yankee administrative support to ensure the smooth flow of information to the CAP and public.

2. Vice-Chairperson shall perform all the duties of the Chairperson in her/his absence.

3. Maine Yankee Support

- a. Maine Yankee will provide administrative support to the CAP and will work with the Chairperson to ensure the smooth flow of CAP information to Panel members and the public. Whenever feasible electronic mail will be the preferred method of communicating with and among CAP members.
- b. Administrative support will include but not be limited to taking minutes, typing, copying, compiling, and mailing CAP documents, assisting with meeting arrangements, maintaining CAP records, and ensuring their availability to the public at the Maine State Library.

III. MEETINGS

A. Frequency – The CAP will meet a minimum of once a year during the month of March, though additional meetings can be called at the Chair's discretion.

B. One month prior to the annual CAP meeting, Maine Yankee will issue a report to the CAP of key activities associated with the operation of the ISFSI for the preceding year and activities the company has been engaged in relative to removing spent nuclear fuel from the site.

Attachment 5

- C. During the year between CAP meetings Maine Yankee will also periodically update the CAP on any noteworthy developments related either to spent nuclear fuel storage or its removal.
- D. Open Meetings - All CAP meetings will be open to the public.
 - 1. All meetings will have a public comment period.
 - 2. Issues brought before the CAP that are not on the meeting agenda will only be added to that meeting's agenda following an affirmative vote of two-thirds of the CAP members present.
 - 3. Meetings will be announced a minimum of two weeks in advance.
- C. Reimbursement - Members of the CAP will not be reimbursed for travel or other expenses incurred by them in the performance of their duties as members. However, Maine Yankee will provide a meal for CAP members at every meeting.
- D. Quorum – A majority of members will constitute a quorum for a meeting of the CAP at which a vote or other official action is to be taken. In the absence of a quorum, the CAP may convene the meeting and adjourn until such time as a quorum is present. No official action may be undertaken by the CAP at a meeting which lacks a quorum.
- E. Majority Vote - Wherever this Charter refers to a "majority vote," it means a simple majority of those members present and voting; provided a quorum is present at the meeting. If no quorum is present, the CAP cannot vote on any matter, except adjournment, or take any official action of any kind. Minority reports will be part of the CAP record.
- F. Rules - Roberts Rules of Order will govern all CAP meetings.
- G. Minutes - Minutes shall be kept of all CAP meetings and will include a record of members present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the CAP.
- H. Records - The records of the CAP consist of this Charter, meeting agendas, meeting minutes, reports submitted to or drafted by the CAP, studies made available to or prepared by the CAP, correspondence to or from the CAP. All such records shall be made available to the public at the Maine State Library.

IV. TERM

- A. The CAP shall exist and operate through the March 2007 meeting at which time the CAP will review its continuation.

CAP Members - Past & Present

Senator Marge Kil Kelly	8/97- present
W. Donald Hudson	8/97- present
Tom Cashman	8/97- 99
Daniel Thompson	8/97- present
John Chester	8/97- 99
Raymond Shadis	8/97- present
Margot Murphy	8/97- 11/98
Sandy Labaree	8/97- 10/99
Uldis Vanags	8/97- 3/00
Alan Houston	8/97- 1/00
Ron Ouellette	8/97 - 9/98
Michael Sellman (MY)	8/97- 3/98
Dr. Paul Crary	1/98 - present
Lewis Curtis	2/98 - present
Mary Ann Lynch (MY)	3/98 - 4/00
Steve Jarrett	3/99 - present
Ralph Keyes	3/99 - present
Don Schuman	1/00 - present
Paula Craighead	3/00 - 9/03
Eric Howes (MY)	5/00 - 2/01
Wayne Norton (MY)	2/01- 1/03
Charles Pray	11/03 - present
Ted Fiegenbaum (MY)	1/03 - present
Senator Chris Hall	1/03 - present
Representative Ken Honey	1/03 - present