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I appreciate the opportunity to address the Transportation and Storage Subcommittee of the Blue Ribbon Commission on America's Nuclear Future.

My name is Uldis Vanags, and I am the State Nuclear Engineer for the Vermont Department of Public Service, and the Vermont designee to the Northeast High Level Radioactive Waste Transportation Task Force. The Department of Public Service is an agency within the executive branch of Vermont state government. Its charge is to represent the public interest in matters regarding energy, telecommunications, water and wastewater.

With regard to energy, Vermont has one nuclear power station, Entergy Nuclear Vermont Yankee, located in southern Vermont. Vermont Yankee is an early vintage boiling water reactor that began operation in 1972. Vermont Yankee's Nuclear Regulatory Commission (NRC) operating license, as well a Certificate of Public Good issued by the Vermont Public Service Board are due to expire on March 22, 2012.

Vermont Yankee has sought a 20 year license renewal from the NRC and a decision is expected in the near future. But for Vermont Yankee to continue its operation after 2012, the company also requires a Certificate of Public Good (CPG) from our state Public Service Board for the same time frame which will extend its operation to 2032. The proceedings for the Certificate of Public Good began several years ago and are continuing. The issuance of the CPG requires examination and consideration of the impact of the Vermont Yankee operation on the environment, economic benefit, reliability of the electric power generation, and other issues to weigh whether there is a overall public benefit. Additionally, our legislature must make a finding that continued operation of the plant will promote the general welfare.

The uncertainty of the final disposition of spent nuclear fuel at Vermont Yankee, and additional used fuel that would be produced with another 20 years of operation has resulted in decision makers and the public debating whether continued operation is in the public good.

One of the issues examined by the Board is the production of spent nuclear fuel and the disposition of this used fuel. Several years ago, Vermont Yankee applied to the Public Service Board for a CPG to build an independent spent fuel storage installation (ISFSI) because after 36 years of operation it had maximized spent fuel pool reracking, and needed to begin moving spent fuel into dry casks to preserve the ability for full core off-load. After deliberations and testimony from parties that were opposed and supportive of granting Vermont Yankee the permission to build a limited capacity ISFSI, the Board



granted the CPG. The size of the ISFSI is limited to 36 casks which would accommodate spent nuclear fuel produced until 2032, while preserving full core off-load. However, the CPG granted to Vermont Yankee only permits the storage of spent nuclear fuel produced until March 2012. This CPG was granted with the understanding that the Yucca Project was moving forward and the Department of Energy had a schedule to remove the used fuel.

In addition to Vermont Yankee seeking a CPG from the Board to continue their nuclear power operation to 2032, Vermont Yankee is also specifically requesting approval to store spent fuel generated in the next 20 years of their operation. Testimony has been filed and hearings have been held to date. The issue of the Department of Energy's failure to perform in removing spent nuclear fuel from the many power reactor sites was fully aired. The estimated dates when DOE would begin removing spent nuclear fuel at power reactor sites for the last 25 years has constantly been pushed to a later date, to the point that it is hard to make an argument that the dates are meaningful. And now, with the Administration seeking to stop the Yucca Mountain Project, the final disposition of the spent fuel is left in question, but most of all decision makers and members of the public are weighing whether it is responsible to produce more spent fuel at the Vermont Yankee station when there presently is no plan. Although this is not the only issue that is being considered by Vermonters regarding the continued operation of Vermont Yankee after 2012, it is an issue that is easy for all to understand and have strong opinions. This issue is analogous to a can being kicked down the road for decades, and the public is wondering if it will be ever picked-up and disposed properly or recycled. The spent nuclear fuel certainly cannot be stored indefinitely at a nuclear power site where it was never intended to be stored long term, and the public was told numerous times that it will be removed by the Federal Government.

This issue places at risk the continued operation of the Vermont Yankee nuclear station for an additional 20 years, and the prospect of Vermonters having to cope with spent nuclear fuel sitting on site for unknown periods of time stretching out for decades.

The uncertainty with the final disposition of the spent fuel, has also led our Department and our Legislature to examine whether a separate fund needs to be established and funded by the operators of Vermont Yankee for the storage of spent fuel should the station shutdown in 2012 or 2032. This need to establish a spent nuclear fuel fund would not be welcomed by Vermont Yankee, and is a burden for Vermont as well but plans have to be made given the uncertainty around when the spent fuel will move and where. Because Vermont Yankee will have tons of spent nuclear fuel on site, this is a real issue that needs to be dealt with given the Federal Governments breach of its contractual obligations. The bottom line is that uncertainty looms over where and when spent nuclear fuel will be removed from the site, and while it is being stored who is going to pay for it.

With this said, I hope that I have presented to this distinguished panel how this spent fuel issue is complicating the issue of the continued operation of Vermont Yankee, and may add to its operation ceasing in 2012.

I appreciate the mission the BRC is undertaking to reevaluate how to resolve the back end of the nuclear fuel cycle. I remain hopeful and optimistic that the BRC will provide direction for our nation to resolve this issue.