

3 Yankee Companies & National SNF Issue Update

NEHLRWT Taskforce Meeting

May 20, 2020

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3 Yankees: Stand-Alone ISFSI Sites

- MY, CY & YR: Single unit plants shutdown in the 90's; By 2007 plants successfully decommissioned, sites remediated, SNF/GTCC waste moved to dry cask storage. Land apart from ISFSIs released from NRC license.
- Remaining: Stand-alone ISFSIs, safely/securely storing SNF/GTCC in dry casks holding sealed canisters, licensed for storage/transport. Average annual cost to operate each ISFSI is on the order of \$10 million per year.
- ISFSIs can't be decommissioned or NRC licenses terminated until DOE meets its contractual obligation to remove the SNF/GTCC.
- When DOE fulfills its obligations: ISFSIs decommissioned; NRC licenses terminated; companies go out of business; sites available for other purposes.

3 Yankees: DOE Litigation

- The 3 Yankee Companies have been in litigation with the federal government since 1998 to recover costs resulting from the government's failure to fulfill its contractual and statutory obligations to remove the SNF/GTCC waste from the 3 sites.
- The Phase IV case filed in May 2017 addressed damages resulting from the federal government's ongoing failure to honor its contract obligations for the 2013-2016 timeframe. The Phase IV case is complete and the Yankee Companies have received all the awarded damages.
- The Phase V case seeking to recover costs for the years 2017-2020 will potentially be filed late spring or early summer 2021.
- Total damages awarded to date to the 3 companies approximately \$575.5 m.

3 Yankees Former Plant Sites



Connecticut Yankee



Yankee Rowe



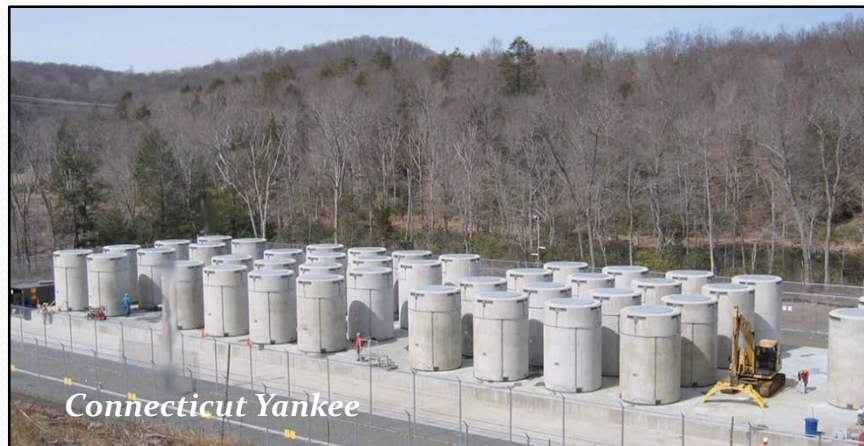
Maine Yankee

3 Yankees ISFSIs



Yankee Rowe ISFSI

- 15 Spent Fuel Dry Casks
- 1 GTCC Dry Cask
- NAC MPC System
- CoC Expires April 10, 2020



Maine Yankee ISFSI

- 60 Spent Fuel Dry Casks
- 4 GTCC Dry Casks
- NAC UMS System
- CoC Expires November 20, 2020



Connecticut Yankee ISFSI

- 40 Spent Fuel Dry Casks
- 3 GTCC Dry Casks
- NAC MPC System
- CoC Expires April 10, 2020

3 Yankees ISFSIs

Cask Relicensing

- CY & YR use the NAC International MPC dry cask storage system and MY uses the NAC UMS system. The NRC storage Certificate of Compliance for both expires this year.
- The MPC C of C storage renewal application was submitted on 12/18/19. The UMS CofC storage renewal application has a planned submittal date for mid-2020; however, submittal and acceptance of the renewal application extends the existing CofC until the completion of the NRC review.
- The storage C of C renewal period for both systems is 40 years.
- There is a separate transportation C of C for the MPC and UMS systems that addresses the shipment system for all SNF/GTCC waste stored at the 3 sites and that is renewed every five years.

3 Yankee ISFSIs

Actions in Response to the Pandemic

- There are currently no confirmed cases of COVID-19 at the 3 Yankee sites and we continue to take actions in response to the Center for Disease Control guidance and ongoing Governors' Executive Orders & Advisories.
- The 3 Yankee Companies have collaborated with the DPC and NEI to collect and implement best staffing related practices at shutdown sites to protect the workforce and to help remain in compliance with NRC regulations and avoid or defer the need to seek regulatory relief from NRC requirements due to the COVID-19 pandemic.
- The NRC held a public webinar May 8th to discuss the regulatory relief process they will follow that included NEI and the DPC reporting on the best practices that have been and continue to be implemented at the sites.

National Spent Nuclear Fuel Issue Status cont.

Congress

Authorizing legislation:

- There's been no movement of note on any of the Senate or House authorizing legislation since last fall's update in Roswell, NM.

FY 2020 Funding:

- The FY '20 House and Senate Energy & Water Development Appropriations bills contained no funding for YM, but both for the first time did include funding for CIS.
- However, funding for CIS was not included in the 12/20/2019 omnibus bills President Trump signed into law to fund the federal government through the end of this fiscal year, 9/30/2020.

National Spent Nuclear Fuel Issue Status cont.

FY 2021 Funding

- The House and Senate E&WD Appropriations Subcommittees held hearings the first week of March on the Administration's proposed DOE budget request that includes \$20 million for a "robust interim storage program."
- On March 17th 3 letters regarding FY '21 funding were sent to the Chair and Ranking Member of the House E&WD Appropriations Subcommittee:
 - Twenty Democrats led by Reps Matsui (CA), Pingree (ME) and Levin (CA), sent a letter requesting: "\$10 million for the initiation of a robust CIS program at DOE; \$10 million for site preparation activities at Stranded Fuel sites preparing to move SNF...; and \$5 million to support DOE's efforts to reinitiate Regional Transport compacts and transportation coordination." New England Reps Neal (MA), Courtney (CT), and Welch (VT) also signed the letter.

National Spent Nuclear Fuel Issue Status cont.

FY 2021 Funding:

- A bipartisan letter led by Reps Peters (D-CA) and Duncan (R-SC) urged "adequate funding for permanent nuclear waste disposal, specifically the Nuclear Regulatory Commission's Nuclear Materials and Waste Safety Program for related activities at Yucca Mountain, NV." Rep Courtney (D-CT) was one of over 25 Members to sign this letter.
- A letter led by Rep McNerney (D-CA) and Rep Lujan (D-NM) urged the committee to avoid the inclusion of any authorizing language in the FY '21 E&WD Appropriations bill. "We were pleased that last year's Fiscal 2020 appropriations package did not include any riders that would have usurped the role of the authorizing committees in determining the fate of our nation's nuclear waste."

National Spent Nuclear Fuel Issue Status cont.

FY 2021 Funding:

- On March 30th the NWSC submitted testimony to the House and Senate E&WD Appropriations Subcommittees regarding the FY '21 budget. Among other items the testimony: sought funds for DOE and the NRC for an effective nuclear waste management program to include YM, CIS, and transportation; and access to the NWF to provide funding certainty to implement the program over decades.
- The Nuclear Energy Institute and the American Nuclear Society also submitted testimony with similar messages to the House and Senate E&WD Appropriations Subcommittees regarding FY '21 funding for nuclear waste management.

National Spent Nuclear Fuel Issue Status cont.

Private CIS License Applications – Holtec, NM; ISP, TX

- In 2019 the NRC ASLB for both the CIS license applications found that none of the contentions raised were admissible for an evidentiary hearing. The intervenors on both the TX and NM applications appealed to the Commissioners.
- On April 23, 2020 NRC Commissioners ruled on the appeal regarding Holtec's application affirming the ASLB's decision in most instances, remanding two late filed contentions to the ASLB for consideration of admissibility, and remanding several groundwater concerns related to site characterization for further consideration of their admissibility .
- There will be a separate Commissioners' decision on the pending appeals of the Board's decision relative to Interim Storage Partners' TX application.

National Spent Nuclear Fuel Issue Status cont.

Private CIS License Applications – Holtec, NM; ISP, TX

- On March 10, 2020 the NRC issued the draft EIS for Holtec's CIS application. The draft report concludes that the environmental impacts of the project would not preclude granting Holtec a license. Comments on the draft EIS are due by July 22.
- NRC plans to hold a nationwide webinar and five public meetings in NM during the public comment period to present the staff's preliminary findings and receive public comments. As the COVID-19 situation evolves, NRC will continue to re-evaluate their plans for engaging the public, and will consider whether additional extensions to the comment period are warranted.
- The NRC EIS for the Interim Storage Partners CIS application in Texas was issued May 4, 2020 with a finding of no discernible negative effects on the environment or natural resources. Public comments will be accepted until 9/4 and the NRC plans to schedule public meetings and a webinar.

National Spent Nuclear Fuel Issue Status cont.

Private CIS License Applications – Holtec, NM; ISP, TX

- NRC staff expects to complete the environmental and technical/safety reviews of both applications in spring 2021.

**Thank you.
Questions?**



Thank You!

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