

# Brief Overviews of Decommissioning Community Advisory Panels

October 10, 2019

The following short descriptions are meant to provide basic information about the CAPS set-up at nuclear power plants that are closed and undergoing decommissioning. There are a number of different models used for CAPS – some are set-up and advise the state, while others are set-up and advise the licensee. Members of the CAPS can be chosen and represent interests of affected communities and groups in different ways.

The information in this overview is more of the factual kind. These are not critical reviews of how they are actually working. There are many questions about how the CAPS are structured, their scopes, and how well they are working. Answers to those questions come best from the people involved, and you will hear about them from participants in the panel today.

## Diablo Canyon Decommissioning Engagement Panel

The Community Engagement Panel was set-up by PG&E, the utility owner of the Diablo Canyon NPP in 2018. The purpose of the panel is for community members to “provide direct input to PG&E on behalf of the local community on DCPD decommissioning plans and activities” and the panel “is focused on representing community interests, and providing an opportunity for the panel and the community to learn about the various aspects of DCPD decommissioning.” There is no obligation for PG&E to accept recommendations. It meets monthly. Members were selected by PG&E with some input from community leaders for 2 year terms (with options for re-appointment), and PG&E employees and family members are not allowed to be members of the Panel). No seats are designated for any organization or interest group. PG&E states that it agreed “to assemble and convene an external stakeholder group in order for PG&E to engage in open and transparent dialogue with the community on matters surrounding the decommissioning of DCPD. Moreover, PG&E is strongly committed to involving the local community in decommissioning and future land use plans.” Critics complain that “The existing panel—the Diablo Canyon Decommissioning Engagement Panel (DCDEP)—was created by PG&E to serve as a “public relations conduit” for the company. It allows PG&E to “check the box” of public engagement, without hassle” (<https://www.powermag.com/blog/independent-panel-needed-for-diablo-canyon-decommissioning/>). The future of the panel is in doubt because of PG&E’s bankruptcy filing.

More information:

- [https://www.pge.com/en\\_US/safety/how-the-system-works/diablo-canyon-power-plant/diablo-canyon-power-plant/engagement-panel.page](https://www.pge.com/en_US/safety/how-the-system-works/diablo-canyon-power-plant/diablo-canyon-power-plant/engagement-panel.page)
- [https://www.pge.com/pge\\_global/common/pdfs/safety/how-the-system-works/diablo-canyon-power-plant/diablo-canyon-power-plant/DC-Engagement-Panel-FAQ.pdf](https://www.pge.com/pge_global/common/pdfs/safety/how-the-system-works/diablo-canyon-power-plant/diablo-canyon-power-plant/DC-Engagement-Panel-FAQ.pdf)

## Indian Point Community Advisory Panel

The Indian Point Community Advisory Panel held its first meeting in June 2019. The CAP was formed in anticipation of the closure of Indian Point in 2021. The CAP is intended to be the formal channel for community involvement in decommissioning, with a stated purpose to: “to enhance open communication, public involvement, and education on Indian Point decommissioning issues.” Like other CAPs, it is a “non-regulatory, advisory only body.” Members of the CAP (26) include representatives from local, nearby, and regional government, 2 representatives from the licensee, and residents. The local residents are appointed by the relevant local government officials. CAP meetings are open to the public, and will be no more than quarterly.

More information:

- <http://www.villageofbuchanan.com/ndcap.html>
- [http://www.villageofbuchanan.com/NDCAP/Indian\\_Point\\_CAP\\_Charter.pdf](http://www.villageofbuchanan.com/NDCAP/Indian_Point_CAP_Charter.pdf)

## **Kewaunee Nuclear Task Force**

The idea for a Nuclear Task Force was initiated by Univ. of Wisconsin Extension Service staff and the Community Development Agency staff in 2014, after closure of the nuclear power plant was announced. They explained the initial purpose as a place to learn about the decommissioning process, look at case studies, and develop and maintain relationship with Dominion and NRC. Initially 7 people were part of the Task Force and it was organized as a Subcommittee of the County Personnel Committee. One former member commented that “We had no power. All volunteers. When we got some momentum though the County Board shut us down.” The members were recommended by the Univ. of Wisconsin Extension Service staff, the Community Development Agency staff, and local officials. The County Board approved members. The Nuclear Task Force was disbanded after a new County Board Chair was elected. Little information about the Task Force is available.

## **Maine Yankee Community Advisory Panel**

As the owners of Maine Yankee considered closure in 1997 they explored the possibility of creating a community advisory Panel. The Maine Yankee Community Advisory Panel was established in 1997, and had its first meeting 2 weeks after the formal announcement of the plant’s closure. The stated purpose of the CAP, defined in its charter, was to ““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 was established by the licensee and functioned in an advisory mode; the licensee had no obligation to accept the advice or recommendations of the CAP. The CAP was organized to have 14 members (later reduced to 13). Members were selected by different entities (Governor, local officials, business and interested organizations, and Maine Yankee). Members represented: Lincoln County residents, the local business community, local town and state government, Maine Yankee, the local antinuclear activist group, local/regional emergency planning agencies, regional marine resources interests, environmental interests, radiological professionals, science educators, and neighboring communities. Members were initially asked to serve 2 year terms, but most served for the entire duration of the CAP. The CAP had over 50 meetings, and their frequency changed over the course of the process, before ending in 2005. Then, it evolved into the Maine Yankee Community Advisory Panel on Spent Nuclear Fuel Storage and Removal, which continues to meet. The purpose of the Maine Yankee Community Advisory Panel on Spent Nuclear Fuel Storage and Removal is 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.

More information:

- <http://www.maineyankee.com/public/cap%20final.pdf>
- <http://www.maineyankee.com/public/capcharter05.pdf>

## **Oyster Creek Safety Advisory Panel**

Oyster Creek does not have a community advisory panel. Recently, at the urging of Clean Water Action Governor Murphy re-established a state independent safety oversight panel to add an extra layer of scrutiny to the decommissioning, leading up to the plants closure by the end of the year. New Jersey Department of Environmental Protection Commissioner Catherine R. McCabe will head the new Oyster Creek Safety Advisory Panel, which will also include members of the New Jersey State Police, the Office of Homeland Security and Preparedness, and the Board of Public Utilities. The public is being assured that the Oyster Creek Safety Advisory Panel will actively engage the public, but there are no public representative members.

## **Pilgrim Nuclear Decommissioning Citizens Advisory Panel (NDCAP)**

The Pilgrim NDCAP is modeled on the Vermont Yankee NDCAP. It was established by authorizing legislation in 2016. Its purpose, as defined by legislation, is “to advise the governor, the general court, the agencies of the commonwealth, and the public on issues related to the decommissioning of the [Pilgrim Nuclear Power Station], with a written report being provided annually to the governor and to the energy committees of the General Court.” There are currently 21 members, including 4 ex officio members to represent state agencies and two members appointed by the licensee. It meets monthly (except August and December). An amendment was filed this year to address some of the difficulties with the legislation in order to make it more effective: funding for administrative purposes and to hire experts; remove the two industry appointees-Holtec and CDI; change the administration appointees so that they are not voting members, to address issue they cannot vote absent approval of each agency’s secretary; change voting to be a majority of those present; change over-all membership to include representatives from EPZ communities, appointed by town’s BOS, not simply having citizen members from host community and representatives from unique geographic areas-Cape Cod in this case.

More information:

- <https://www.mass.gov/orgs/nuclear-decommissioning-citizens-advisory-panel>
- <https://www.mass.gov/regulations/14-CMR-18800-an-act-to-promote-energy-diversity>

## **San Onofre Decommissioning Community Engagement Panel**

The SONGS Community Engagement Panel (CEP) was established in 2014 by Southern California Edison the licensee. In parallel with other advisory groups set-up as part of decommissioning activities, its stated purpose is “to enhance and foster open communication, public involvement and education on SONGS decommissioning activities. It is intended to serve as a conduit for public information and encourage community involvement and communication with the SONGS Co-owners on matters related to SONGS decommissioning.” Southern California Edison is not obligated to accept recommendations of the panel. Regular meeting are intended to be held each quarter. Members of the CEP will be a mix of elected officials (or their designated representatives) and others that represent business and community groups that are selected by the licensee: “elected officials from local communities and will include, as a minimum, cities and counties within the SONGS 10-mile Emergency Planning Zone, including the Cities of San Clemente, Dana Point, and San Juan Capistrano as well as San Diego and Orange Counties. Members from represented cities will be determined by their respective city councils. Representatives from the counties will be the elected County Supervisors. An additional 10 to 12 members, representative of the local public and key stakeholders, will be selected by the SONGS Co-owners.” They serve for 2 year terms (with options for re-appointment) up to a maximum of six years.

More information:

- <https://www.songscommunity.com/community-engagement/community-engagement-panel>
- <https://www.songscommunity.com/community-engagement/meetings>

## **Vermont Yankee Nuclear Decommissioning Citizens Advisory Panel (NDCAP)**

The Vermont Yankee NDCAP was established by authorizing legislation by the State of Vermont in 2014. The NDCAP advises state officials: the governor, state assembly, agencies, and the public. It is not set-up by the licensee. The stated purpose of the NDCAP is “to serve as a conduit for public information and education, to encourage open communication and community involvement in matters related to the decommissioning process of the Vermont Yankee Nuclear Power Station (VYNPS), and to receive written reports and presentations on the decommissioning of the Station at its regular meetings.” Members of the NDCAP are defined in the authorizing legislation; members are appointed as representatives of particular entities (general assembly committees, licensee, towns, regional commissions, MA towns, HN towns), as well as six members of the public. There are 15 appointed representatives and 4 ex officio members. Representatives of the owners of Vermont Yankee are voting members. The NDCAP has meetings each quarter. The NDCAP is

subject to the open meeting laws of Vermont. Vermont Yankee has a unique section defining the decision-making process that should be conducted within the panel and at each meeting. The charter states “the NDCAP will strive to reach consensus on key issues by conducting their deliberations through dialogue and joint learning. Engage in a thoughtful, thorough deliberation. Advocate for the interests of his/her agency or constituency. Share relevant information with the other group members.”

More information:

- <https://publicservice.vermont.gov/electric/ndcap>

### **Yankee Rowe Community Advisory Board**

The Yankee Rowe CAB was established in 1998. Its stated purpose, in its organizing charter was to “open communication, public involvement and education on remaining decommissioning and fuel storage activities at the Yankee Nuclear Power Station.” It was advisory only, to Yankee Atomic, and the licensee selected the members who represented local towns, regional planning commissions, a member of the Citizens Awareness Network (CAN), Yankee Atomic, and a radiological professional. Terms were for 2 years and renewable. When Yankee Rowe was completely dismantled in 2005, the CAB transitioned to a Fuel Storage and Removal Community Advisory Board. Its new purpose, defined with a new charter, is “to promote and enhance open communication, public involvement and education on the interim storage of spent fuel and high-level waste at the former Yankee Rowe plant site and to advocate for its prompt removal as required by federal statute and contract with the U.S. Department of Energy.” This CAB meets annually.

More information:

- <https://decommissioningcollaborative.org/wp-content/uploads/2019/01/Yankee-Rowe-CAB-Charter-REVISED-May-2011-1.pdf>

### **Zion Station Community Advisory Panel (ZCAP)**

ZCAP was established in 2012 by ZionSolutions, a subsidiary of Energy Solutions, the company responsible for the decommissioning of the Zion nuclear power plant. The stated purpose of ZCAP is “to enhance open communication, public involvement and education on Zion Station decommissioning activities. It will serve as a conduit for public information and as a formal channel of community involvement and communication with ZionSolutions.” Zion Solutions is not obligated to accept recommendations, but has promised “in cases of disagreement, provide the ZCAP with an appropriate rationale for the Company’s approach” (although ZionSolutions has been criticized for not doing so). The organizing charter indicates that it will meet quarterly or on an “as needed basis” but at least twice a year. Members are selected by “participating groups with appointing authority” that represent legislative, business and community groups intended to reflect diverse stakeholder viewpoints. They serve for 2 year terms (with options for re-appointment).

More information:

- <http://www.zionsolutionscompany.com/community/zion-station-community-advisory-panel/>
- [http://0313157.netsolhost.com/Zion/wp-content/uploads/2014/07/ZS\\_Community\\_Advisory\\_Panel\\_Charter.pdf](http://0313157.netsolhost.com/Zion/wp-content/uploads/2014/07/ZS_Community_Advisory_Panel_Charter.pdf)

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