

3 Yankee Companies & National SNF Issue Update

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Maine Yankee Atomic Power Company

Maine Yankee site today

Presentation Topics

- Overview of the 3 Yankee Companies and the national/regional shutdown reactor sites
- National SNF Issue Status
- Overcoming the decades long policy impasse on nuclear waste management
- Questions



Overview of the 3 Yankee Companies

- MY, CY, and YR are independent, single-asset, fully decommissioned NPP sites that have been stand-alone ISFSIs for nearly two decades.
- When DOE meets its obligation to remove the SNF/GTCC waste, ISFSIs will be decommissioned, NRC licenses terminated, sites made available for other purposes, and companies will go out of business.
- Until then it is the 3 Yankees' responsibility as the NRC licensee to store and secure the SNF/GTCC waste in accordance with all applicable regulations.
- The annual cost to operate each of the 3 ISFSIs and companies is on the order of \$10 million per year per site.
- The 3 Yankee Companies have recovered approximately \$575.5 million in court awarded damages through four rounds of litigation.
- There are currently 21 permanently & announced shutdown sites in the U.S.

Permanently & Announced Shutdown Nuclear Plant Sites



- 1. Big Rock**
Charlevoix, MI
- 2. Connecticut Yankee**
Haddam Neck, CT
- 3. Crystal River**
Crystal River, FL
- 4. Diablo Canyon**
Avila Beach, CA
Announced Shutdown, 2025
- 5. Duane Arnold**
Palo, IA
- 6. Fort Calhoun**
Blair, NE

- 7. Humboldt Bay**
Eureka, CA
- 8. Indian Point**
Buchanan, NY
- 9. Kewaunee**
Kewaunee, WI
- 10. La Crosse**
Genoa, WI
- 11. Maine Yankee**
Wiscasset, ME

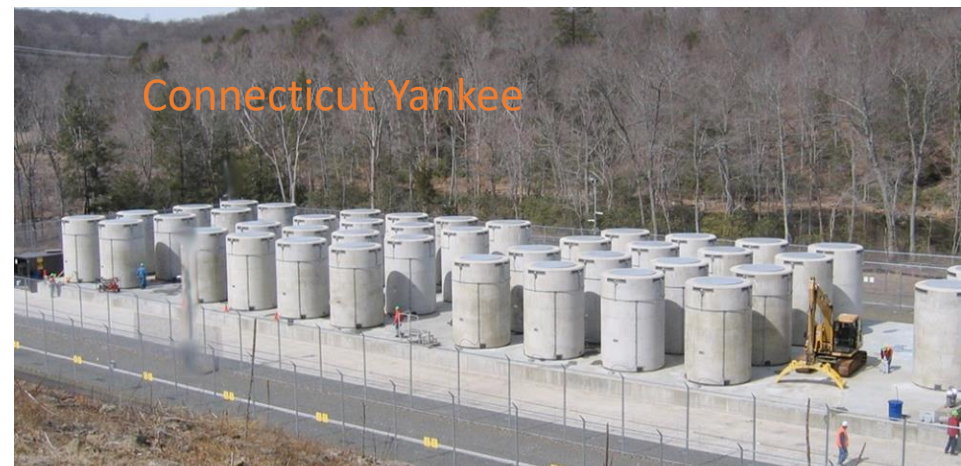
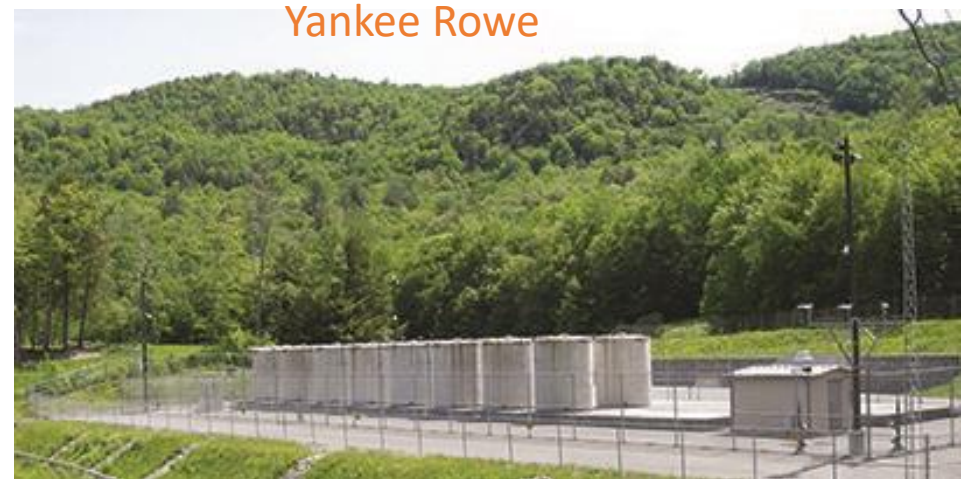
- 12. Oyster Creek**
Lacey Township, NJ
- 13. Palisades**
Covert, MI
Announced Shutdown, 2022

- 14. Pilgrim**
Plymouth, MA
- 15. Rancho Seco**
Herald, CA
- 16. San Onofre**
Pendleton, CA
- 17. Three Mile Island**
Middletown, PA
- 18. Trojan**
Ranier, OR

- 19. Vermont Yankee**
Vernon, VT
- 20. Yankee Rowe**
Rowe, MA
- 21. Zion**
Zion, IL

ISFSI dry cask systems licensed by NRC for storage & Transport: NAC UMS System at MY, NAC MPC system at CY & YR

- 115 canisters SNF, 8 canisters GTCC waste
- Yankees are working with NAC on NRC applications to renew the MPC & UMS storage CofCs for up to 40 years
- Multi-year effort involves developing an aging management program that includes periodic canister inspections





Radioactive Components much larger & heavier than SNF casks that were safely shipped during decommissioning

National SNF Issue Status: Congress, Appropriations

- On 9/30/21: FY '21 CR to 12/3 signed into law. In FY '21 Congress appropriated \$20 m for CIS and \$7.5 m for YM maintenance, NWF oversight, and administration of the Standard Contract.
- FY 22: Congress appropriated same amounts. Notable difference: House bill is in accordance with current law that links progress on CIS to progress on YM. Senate bill includes language to establish a federal CIS facility with priority for shutdown reactor sites.
- The Senate language has not survived past conferences reconciling the House and Senate approps bills.
- On 6/4/21 Rep Matsui (D-CA) & other Members including Rep Pingree (D-ME), Rep Neal (D-MA) sent a letter to Chair & Ranking Member of the House E&WD Approps Subcommittee asking that the FY 22 bill include \$27.5m for SNF and GTCC waste storage and disposal with an initial focus on shutdown reactor sites.

National SNF Issue Status: Congress, Authorizing Legislation

- On 3/2/21, members of the NV delegation re-introduced the “Nuclear Waste Informed Consent Act” in House/Senate. Bill would require state, local, and tribal consent to site a nuclear waste storage facility including Yucca Mountain.
- On 3/19/21, Rep Matsui (D-CA), re-introduced the Store Act (“Storage & Transportation of Residual and Excess Nuclear Fuel Act of 2021”) Rep. Pingree (D-ME) and Rep Andy Kim (D-NJ) are cosponsors. The bill would authorize DOE to develop nuclear waste storage facilities and enter into a contract to store waste at a non-federal facility; obtaining state, local, and tribal consent for facility siting; prioritizing the removal of SNF from shutdown reactor sites.
- This spring the STRANDED Act to assist nuclear closure communities was reintroduced in the Senate and House (“Sensible and Timely Relief for America’s Nuclear Districts’ Economic Development”). The bills are essentially the same as the bills introduced in the last Congress. Cosponsors include Senators Collins (R-ME), King (I-ME) , Markey (D-MA), Sanders (I-VT) and Reps Pingree and Welch (D-VT).

National SNF Issue Status: Congress, Authorizing Legislation (continued)

- On 9/28/21, Senator Markey (D-MA) and Congressman Mike Levin (D-CA) introduced the "Nuclear Waste Task Force Act" which among other provisions would create a panel under the auspices of the EPA to develop clear guidelines on what constitutes consent in a consent-based siting process.
- On 7/21/21, Congressmen Mike Levin and Rodney Davis (R., Ill.) announced the formation of the Spent Nuclear Fuel Solutions Caucus. The stated purpose of the bipartisan caucus is to address challenges associated with stranded commercial spent fuel and serve as a forum where House members can discuss the issue whether or not they have a preferred solution. Rep Pingree (D-ME) is an original member of the Caucus.
- On 9/23/21, the US GAO issued a report to Congress that recommends Congress amend existing nuclear waste policy largely to enact the recommendations of the BRC's 2012 report.

National SNF Issue Status: Stakeholder initiatives

- On 1/15/21, the DPC sent a letter to President-elect Biden urging the reestablishment of a high-level focus within DOE on nuclear waste management and the development of a sustainable funding mechanism to support a multi-generational integrated waste management program.
- On 3/17/21, “Southern California Edison distributed a [three-volume set of plans](#) supporting the offsite relocation of the spent nuclear fuel currently stored at the San Onofre Nuclear Generating Station. The strategies are outlined in the Action Plan, Strategic Plan and Conceptual Transportation Plan. To further build momentum toward commercially reasonable offsite storage or disposal solutions, and to urge the federal government to meet its legal obligations, SCE and the counties of Orange and San Diego announced the formation of a stakeholder coalition, [Action for Spent Fuel Solutions Now](#).” (SCE press release)
- On 5/3/21, 8 organizations led by the NWSC sent a joint letter to DOE Secretary Granholm requesting that DOE establish an office dedicated to nuclear waste management: NARUC, ANS, DPC, ECA, NEI, Sustainable Fuel Cycle Task Force, and the US Nuclear Industry Council.

National SNF Issue Status: **Private Consolidated Interim Storage License Applications**

Interim Storage Partners, Texas

- The NRC decision approving the license for the proposed ISP CIS facility in Texas was issued 9/13/21.
- On 9/7/21 a bill was passed by the Texas Legislature and signed by Governor Greg Abbott making it illegal to transport or store SNF in Texas except where it is already stored and prohibiting state agencies from issuing permits for a CIS facility.
- On 9/23/21, the Texas AG filed suit on behalf of Governor Abbott and the Texas Commission on Environmental Quality asking the Fifth Circuit U.S. Court of Appeals to vacate the NRC license issued to ISP for its proposed CIS facility. The lawsuit claims that the NRC's decision on September 13 to issue a license to ISP violates Texas law.

National SNF Issue Status: **Private Consolidated Interim Storage License Applications (continued)**

Interim Storage Partners, Texas

- The lawsuit filed by the TX AG as well as the lawsuit filed by intervenors in the US Court of Appeals DC Circuit opposing both the ISP and Holtec project in NM likely won't conclude until the end of 2022.
- On 7/23/21, members of the Texas State Senate and House sent a letter to the NRC joining Governor Abbott in strongly opposing the proposed Interim Storage Partners CIS facility and expressing opposition to the proposed Holtec CIS facility in New Mexico.
- On 7/30/21, the Commissioners Court of Andrews County Texas approved “A resolution expressing opposition to the consolidated interim storage of high-level radioactive waste, spent nuclear fuel in Andrews County, Texas” reversing a 2015 resolution supporting the project.

National SNF Issue Status: **Private Consolidated Interim Storage License Applications (continued)**

Holtec, New Mexico

- In a 7/2/21, letter to Holtec NRC said it plans to issue the Final Environmental Impact Statement for the proposed Holtec CIS facility by November and the Final Safety Evaluation Report in conjunction with its final licensing decision by January 2022. In May this year NRC issued Holtec a second round of RAIs which resulted in a revised NRC review schedule.
- Holtec continues to have local support for the proposed CIS facility, especially the Eddy-Lea Energy Alliance.
- On 7/1/21, the Governor of New Mexico, the state's U.S. Senators and a member of the congressional delegation sent a letter to DOE Secretary Granholm stating their strong opposition to the interim storage of SNF and HLW in New Mexico. They noted the lack of a permanent disposal strategy leaves them extremely concerned that "interim" storage will become defacto permanent storage.

National SNF Issue Status: **Private Consolidated Interim Storage License Applications (continued)**

Holtec, New Mexico

- On 3/29/21, NM's AG filed suit in US District Court of NM against the NRC and the United States "seeking to stop them from indefinitely storing the nation's supply of high-level radioactive waste in Southeastern New Mexico." "New Mexico similarly challenges the NRC's unlawful proceedings involving the Interim Storage Partners, LLC ("ISP") CISF in Andrews County, Texas..."
- On 8/16/21, the NRC filed a brief in the U.S. District Court of Appeals in NM asking the court to dismiss NM's lawsuit arguing that licensing of the CIS facilities by private entities is governed by the Atomic Energy Act, not the Nuclear Waste Policy Act. The NRC argued the NWPA only applies if the DOE has filed a license to construct a federally owned facility.

SNF/GTCC
waste to remain
stranded at our
sites for many
years to come
until Congress
acts

We expect the decades long nuclear waste management policy stalemate to continue until Congress:

- Agrees on a robust CIS program in parallel with a repository program;
- Provides sufficient, sustainable annual funding from the Nuclear Waste Fund;
- And establishes an integrated nuclear waste management program that includes transportation and funding for states/tribes.

Thank you!

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