

## **Sunset Advisory Commission 2022 Board and Commission Questionnaire**

The Sunset Advisory Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

Please answer the following questions about the specific board or commission under review. If asked to testify before the Sunset Advisory Commission, please plan to provide concise recommendations regarding the continued operation of the board or commission under review and any revisions to its powers, duties, or membership.

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

***The Nuclear Decommissioning Citizens Advisory Panel (NDCAP) meets four times a year and has done so during the past two fiscal years. Agendas and minutes of meetings can be found on the website of the Vermont Department of Public Service:  
<https://publicservice.vermont.gov/electric/ndcap>***

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.

***• Emily Davis (Tunbridge, VT), Citizen Appointee of former Senate President Pro Tempore Tim Ashe (through October 31, 2023), Panel Chair through December 31, 2022.***

***• Lissa Weinmann (Brattleboro, VT), Citizen Appointee of Senate President Pro Tempore Becca Balint (through August 31, 2025).***

***• Josh Unruh, (Vernon, VT), Citizen Appointee of Governor Phil Scott (through August 31, 2023), Panel Vice-Chair through December 31, 2022.***

***• Bob Leach (Brattleboro, VT), Citizen Appointee of Governor Phil Scott (through August 31, 2024).***

***• Marvin Resnikoff, PhD (Brattleboro, VT), Citizen Appointee of former Speaker of the House Mitzi Johnson (through September 30, 2024).***

***• June E. Tierney, Commissioner of Public Service, ex officio.***

***• Dr. William Irwin, Department of Health, Radiological & Toxicological Sciences Program Chief, Designee for the Secretary of Human Services, ex officio.***

- *Patricia Coppolino, Department of Environmental Conservation, Waste Management and Prevention Division Environmental Program Manager, Designee for the Secretary of Natural Resources, ex officio.*
- *Brett Long, Deputy Commissioner of Economic Development, Designee for the Secretary of Commerce and Community Development, ex officio.*
- *Chris Campany, Executive Director of the Windham Regional Commission (WRC), ex officio.*
- *VT State Representative Laura Sibilia, Member of the House Committee on Energy & Technology*
- *VT State Senator Mark MacDonald, Member of the Senate Committee on Natural Resources & Energy.*
- *Madeline Arms, Representative for the Town of Vernon, VT.*
- *Todd Amato, Second Representative for the Town of Vernon, VT.*
- *Corey Daniels, Senior ISFSI Manager, NorthStar Vermont Yankee.*
- *David Pearson, Vice-President and Regional Manager, NorthStar Group Services.*
- *VACANT, Citizen Appointee of Speaker of the House.*
- *VACANT, Optional Representative for the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, NH, Appointee of New Hampshire Governor's Office.*
- *VACANT, Optional Representative for the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, Appointee of Massachusetts Governor's Office.*

*Members of the panel who are not ex officio members, employees of the State of Vermont, representatives of the owners of the Vermont Yankee Nuclear Power Station (VYNPS) site, or members representing towns outside Vermont, and who are not otherwise compensated or reimbursed for their attendance, shall be entitled to \$50.00 per diem and their necessary and actual expenses. The per diem funding is paid out of the gross receipts revenues which the Department collects pursuant to 30 V.S.A. §22. Legislative members shall not be entitled to a per diem under this section for meetings while the General Assembly is in session.*

3. Provide an overview of the board or commission's purpose.

*NDCAP serves in an advisory capacity. The duties of NDCAP (based on 18 V.S.A. §1701) are:*

• *To hold a minimum of four public meetings each year for the purpose of discussing issues relating to the decommissioning of VYNPS. The Panel may hold additional meetings as deemed necessary.*

• *To advise the Vermont Governor, the Vermont General Assembly, Vermont State Agencies, and the public on issues related to the decommissioning of the VYNPS. A written report is provided annually to the Governor and to the Energy Committees of the Vermont General Assembly. (These Annual Reports are available at the VT NDCAP website:*

*<https://publicservice.vermont.gov/electric/ndcap>).*

• *To serve as a conduit for public information and education on and to encourage community involvement in matters related to the decommissioning of the VYNPS and to receive written reports and presentations on the decommissioning of the Station at its regular meetings.*

• *To periodically receive reports on the Decommissioning Trust Fund and other funds associated with the decommissioning of or site restoration at the VYNPS site, including fund balances, expenditures made, and reimbursements received.*

• *To receive reports regarding the decommissioning plans for the VYNPS, including any site assessments and post-shutdown decommissioning assessment reports, and provide a forum for receiving public comment on these plans and reports.*

• *To provide comment on the VYNPS decommissioning and site restoration plans and reports as the Panel may consider appropriate to State Agencies and / or the VYNPS owner and in the Annual Report. Additionally, VT NDCAP is charged with assessing whether further changes to the Panel's membership or duties are appropriate and shall include recommendations on such further changes in the Annual Report to the Governor and Energy committees of the Vermont General Assembly.*

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?

*The essential purpose of NDCAP is two-fold: (1) to provide a citizen-empowered forum to educate the public about matters relating to the decommissioning of the VYNPS – e.g., the adequacy of the rate-payer funded trust to pay for decommissioning, the rehabilitation of the VYNPS site, the economic development prospects for the region post-closure of the VYNPS; and (2) to advise the Governor, the General Assembly, various State agencies on such issues. If NDCAP no longer existed to perform this function, the citizen-empowered voice would be lost in advising the Governor, the General Assembly, and State agencies on decommissioning issues and it would likely fall to the Public Service Department to provide such advice.*

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

***My assessment is the NDCAP is performing as well as can be expected, given the expansive composition of the panel and the complexity of the subject matter. The evidence supporting my assessment is necessarily based on my subjective perception: The NDCAP meets regularly and provides robust opportunity for public education and comment about the decommissioning of the Yankee Nuclear Generation Facility in Vernon, Vermont. Guest speakers frequently accept invitations appear (without compensation) and share generously of their expertise because they realize this is a good use of their time and resources. Public attendance and participation are consistent and engaged.***

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

***To my knowledge, there is no more effective or efficient way to accomplish the purpose of the NDCAP, except possibly paring back the membership and more clearly defining the scope of the panel's mission. That said, both of these steps would run counter to the citizen-empowered nature of the panel that is directed at giving the public a forum for education and a voice in informing State policy on decommissioning issues.***

7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose?

***To my knowledge, neither the functions nor the purpose of the NDCAP overlap with another State Board or commission or federal or State agency.***

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

***Yes.***

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

***Per 18 V.S.A. 1700(g)(6), the expenditures of NDCAP are capped at \$35,000 and are payable by the owners of the VYNPS.***

***For last fiscal year, the expenses totaled \$3,135.92:***

<b><i>Per Diem</i></b>	<b><i>\$ 300.00</i></b>
<b><i>Per Diem mileage</i></b>	<b><i>\$ 285.92</i></b>
<b><i>Recording services</i></b>	<b><i>\$2,300.00</i></b>
<b><i>Speakers fees</i></b>	<b><i><u>\$ 250.00</u></i></b>
<b><i>Total:</i></b>	<b><i>\$3,135.92</i></b>

***Additionally, the Department of Public Service incurred \$21,470.59 in FTE expenses (e.g., salaries and benefits) for staffing the NDCAP that is not compensated by the funding provided by the owners of VYNPS pursuant to 18 V.S.A. 1700(g)(6).***

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

***As noted in answer 3 above, NDCAP is required by law to produce an annual report that is filed with the General Assembly. During my tenure, beginning in 2017, this requirement has been met every year.***