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February 11, 2014

The Honorable Allison Macfarlane
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Re: Modernizing the Decommissioning Plan Process

Dear Chairman Macfarlane:

I am writing to follow up on our conversations and to again ask the Nuclear Regulatory Commission to revise its current rules to give host states and other interested parties a meaningful role in the decommissioning process and the ability to impact the decommissioning plan.

As you know, in 2014, Entergy is planning to shut down the Vermont Yankee power plant. Within two years of permanently ceasing operations at the plant, Entergy must submit a Post-Shutdown Decommissioning Activities Report to the Nuclear Regulatory Commission.

The crafting of this plan and the preparation of the key subsequent documents (the License Termination Plan and the Final Status Survey Report) is of enormous consequence to the communities near the plant and to the State of Vermont. As we have discussed, I am concerned about the economic impact of the plant closure, including the loss of jobs and the loss of revenue to the state. I am also concerned about the environmental impact of letting the non-operating plant sit for an extended period of time before being decommissioned, the environmental impact of the decommissioning process itself, and the green fielding of the site once process is completed. There are social and community impacts, as well.

Every state with a nuclear power plant has a strong interest in how that plant will eventually be decommissioned. All five NRC commissioners, including you, expressed agreement with this

principle during the January 30 hearing of the Senate Environment and Public Works Committee.

Despite our agreeing on this principle, however, the NRC's current rules do not provide states with a meaningful role in the decommissioning process. States, local communities, and other interested parties are afforded nothing more than a token opportunity to provide comments after the licensee has already completed the plan. This comment period provides no meaningful opportunity to provide input during the process, and gives states no power to impact the outcome.

Given that you and the other NRC commissioners agree that host states have a significant interest in the decommissioning process, the NRC's current rules for the Post-Shutdown Decommissioning Activities Report do nothing to give states a voice in the outcome. While I appreciate your support for "citizen advisory councils," the NRC's current rules neither require their use, nor ensure that their input has a meaningful impact on the Post-Shutdown Decommissioning Activities Report.

I look forward to working with the NRC to expeditiously modernize your rules to create a significant, meaningful role for affected states in the crafting of the Post-Shutdown Decommissioning Activities Report. In the event that NRC does not update its rules, I intend to introduce legislation to accomplish this goal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bernard Sanders".

Senator Bernard Sanders