

Date: February 7, 2022

Date Minutes Approved: 05/16/2022

TOWN CLERK

2022 MAY 17 PM 1:50

OPEN SESSION MINUTES
DUXBURY, MASS.

BOARD OF SELECTMEN

Present: Amy M. MacNab, Chair; Fernando Guitart, Vice Chair; Cynthia Ladd Fiorini, Clerk; Theodore J. Flynn; and Michael McGee

Absent: None

Staff: René Read, Town Manager; John Q. Adams, Finance Director; Nancy O'Connor, Executive Assistant; and Michelle Seda-Stotts, Administrative Assistant

Others: Jeannie Horne, HR Director and Attorney Russell Dupere, Labor Counsel (Executive Session Only)

CONVENED IN OPEN SESSION (*Via remote participation by Zoom*)

I. CALL TO ORDER This meeting was called to order at approximately 6:00 pm. Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means in accordance with applicable law. Please note that this meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. A transcript or other comprehensive record of proceedings will be available as soon as possible after the meeting. Members of the public who wish to watch the meeting may do so by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15. Viewers can visit www.pactv.org/duxbury for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.

II PLEDGE OF ALLIGIANCE

III. EXECUTIVE SESSION

6:00 p.m. Executive Session – *Collective Bargaining*

For the purpose of discussing strategy with respect to collective bargaining since an open meeting may have a detrimental effect on the litigating and bargaining position of the Town.

Ms. Ladd Fiorini moved we go into Executive Session for the purpose of:

Discussing strategy with respect to collective bargaining since an open meeting may have a detrimental effect on the litigating and bargaining position of the Town;

if the Chair so declares, in accordance with Mass. General Laws Chapter 30A, section 21, and that the Board will adjourn and re-convene in Open Session on or about 7:00pm immediately after completion of this Executive Session.

“Ms. MacNab, As Chair, declared that the necessity for an Executive Session to conduct strategy sessions in preparation for contract negotiations with non-union personnel, as to do so in an Open Session may have a detrimental effect on the Town’s bargaining, strategizing and negotiating position.”

Seconded by Mr. Flynn Roll Call Vote: Mr. Guitart-Aye; Mr. McGee-Aye; Ms. Ladd Fiorini-Aye; Ms. MacNab-Aye; and Mr. Flynn-Aye

Motion to Adjourn Executive Session

After the business of Executive Session was completed, Ms. Ladd Fiorini moved that the Board of Selectmen adjourn the Executive Session and re-convene in Open Session on or about 7:00PM.

Seconded by Mr. Flynn Roll Call Vote: Mr. Guitart-Aye; Mr. McGee-Aye; Ms. Ladd Fiorini-Aye; Ms. MacNab-Aye; and Mr. Flynn-Aye

IV. NEW BUSINESS

Discussion regarding the Pilgrim Nuclear Power Station decommissioning by Holtec with Duxbury's State Legislative Delegation and invited representatives from our Federal Legislative Delegation:

Office of U.S. Senator Elizabeth Warren

- Ms. Farrah Ridore
- Ms. Hannah Benson
- Ms. Prerna Bhat

Office of U.S. Senator Edward J. Markey

- Mr. Benjamin Thomas, Regional Director
- Mr. James Cantwell, State Director
- Ms. Katherine Morfill, Congressional Aide, Energy & Environment
- Ms. Paige Rodrigues

Office of Congressman William R. Keating, 9th District of Massachusetts

- Mr. Michael Jackman

Sen. Patrick M. O'Connor, Plymouth and Norfolk District

Rep. Josh S. Cutler, 6th Plymouth District

Mrs. Mary Lampert, Co-Chair, Duxbury Nuclear Advisory Committee

Mr. Jim Lampert, Member, Duxbury Nuclear Advisory Committee

Plymouth Select Board:

- Mr. Richard J. Quintal, Jr., Chairman
- Ms. Betty Cavacco, Vice Chairman

Mr. Mark DeCristoforo, Executive Director, Massachusetts Seafood Collaborative

Specific issues to be discussed:

of the local and State officials, residents, and the fishing and agricultural industries. The Southeastern Massachusetts community has rightly continued to raise important questions about the plans of the decommissioning and they deserve answers. I will continue to fight with my partners in the delegation and all of you to ensure that safety and public participation are prioritized in the decommissioning process. Thank you.

Ms. MacNab thanks Ms. Ridore for the Senator's statement and asked that she stay on to answer any questions. Ms. MacNab then announced the next speaker, Jim Cantwell from Senator Markey's office.

Mr. Cantwell thanked everyone for the invite and for coordinating this conversation on this critical topic. He introduced himself as the State Director for Senator Ed Markey, and he was also joined by several other members of the Senator's staff including Katie Morfill, Paige Rodrigues, and Ben Thomas – who grew up in Plymouth.

Before starting with the Senator's formal remarks, Mr. Cantwell pointed out that 1) we are all neighbors as I live about ten miles away from this plant, and we have staff that grew up in Plymouth; 2) we have a long history of fighting for environmental protection relating to the operation and now the closure of this power plant. He stated that Senator Markey was involved in the 80's in a show-cause petition that was showing and unveiling the fact that Pilgrim was one of the worst run plants in the nation. He, working with others, forced Edison to spend a lot of money to ensure safe operations; and 3) Senator Markey, Senator Warren and Representative Keating will be fully engaged in this battle to ensure that no harmful discharge of waste by Holtec will be going into the Bay.

Statement on behalf of Senator Markey:

"When it comes to the decommissioning of the Pilgrim Power Station the public's interests will always be the top priority - plain and simple. That's why I've spent my entire career in Congress fighting to ensure the NRC prioritizes the public's interests and not nuclear industry profits. Throughout my career in Congress, I've worked tirelessly alongside of incredible nuclear safety advocates locally, including my dear friends Pixie (Mary) Lampert and Jim Lampert who are here virtually tonight, to hold the NRC and plant operators accountable and to keep our communities around Pilgrim safe. Back in 1998, I sent a letter to the NRC urging the commission to make sure that important records about waste and site contamination were not lost in the sale of Pilgrim by Boston Edison. I knew these records would be vital to the eventual cleanup and decommissioning that Pilgrim is undergoing today, and I've been fighting along side you all for a safe process. In 2108 I urged the NRC to delay ruling on the Pilgrim Nuclear Power Station's license transfer request until after the commission ruled on the petitions and motions that were left on the docket. I also called on the commission to explain as to how climate change and associated environmental threats were considered ensuring the safety of spent nuclear fuel at decommissioned nuclear sites. Entergy ultimately heeded the recommendation at their site to put dry casks as a higher elevation. We need to make sure they are made safe where they are presently located. More recently I fought to improve safety and security recommendations to Pilgrim. I have also been a vocal opponent of the rubberstamped approval process of Pilgrim's license transfer from Entergy to Holtec. I worked to amplify our communities' concerns throughout the decommissioning process thus far. This evening my team looks forward to speaking with you about what we can do together to push back against Holtec's proposal to dump approximately one million gallons of radiated water into Cape Cod Bay and to discuss actions we can take to ensure the NRC

and Holtec are properly maintaining the safety and security of the more than 60 dry cask storage sites at Pilgrim. In regards to Holtec's proposed discharge of radioactive water, I am demanding that Holtec cooperate and communicate with local stakeholders and businesses who have deep and justifiable concerns about what this means to their livelihoods. I want to be clear that the fish and shellfish in Cape Cod Bay are safe to eat, whether they are gathered from oyster bays at Island Creek, tidal flats of Cape Cod or the traps next to Cape Cod Bay, nevertheless, Holtec must understand that hundreds of Cape Cod Bay businesses and organizations rely on Cape Cod Bay's reputation for clean and safe water. That's why when news broke about the potential release of radioactive waste water, our offices immediately engaged with our Federal partners, and Bill Keating, Mike Jackman you will probably hear from him tonight, and you already heard from Farah of Senator Warren's office. We all acted together to contact the NRC and Holtec to elevate our concerns. Holtec confirmed that they would not then have plans to discharge radioactive water in 2022 as alternatives are considered. In closing, in January the Senator wrote a letter to Holtec along with our delegation, Senator Warren and Rep Keating along with Rep Moulton urging the company to pursue alternative options for disposing of radioactive water. We have seen, as Senator Warren's statement said, other decommissioning plants like Vermont Yankee choose other options and that's what we are looking for consideration. The public must have a say in how Holtec's waste is disposed especially when other viable options exist because after all Massachusetts rate payers who paid into the original fund for Pilgrim's decommissioning. I remain committed to ensuring that the dry casks Pilgrim is sited to maintain are done so in the safest and most secure way possible. Dry casks are not the answer for permanent storage of nuclear waste. We need to get the spent fuel out of Plymouth and into long term storage and help to determine long term consent-based path forward for storing nuclear waste. The Senator joined with Congressman Mike Levin of CA to introduce the nuclear waste task force act just last September. That legislation establishes a new task force that considers amending the Atomic Energy Act of 1954 to stop exempting nuclear waste from the nation's environmental laws. Eliminating that loophole could enable consent-based siting of long-term storage solutions for our nuclear waste. As Chairman of the Senate Environmental and Public Works Subcommittee on clean air, climate and nuclear safety, I will continue to work with the White House, Senator Warren, Congressman Keating, and our colleagues in the Senate to push the NRC and any NRC nominees to prioritize public safety. I will also continue working to make sure that safety and security are prioritized on how we deal with nuclear waste for the Plymouth and Cape Cod regions."

Mr. Cantwell stated that he appreciated the opportunity to speak and to read this statement and noted that their whole team will stay on to hear others and to answer any questions.

Mr. Michael Jackman provided the following statement on behalf of Congressman Bill Keating:

Thank you for the opportunity to address you and the people of Duxbury in the 9th Congressional District about our delegation's efforts to ensure that Pilgrim Nuclear Power Station is decommissioned in the safest manner possible. Since the cessation of the energy generating operations of Pilgrim and the subsequent transfer of custody of the plant to Holtec International. Senator Warren, Senator Markey and I have been in regular contact with the NRC and other agencies to ensure that the process is undergoing rigorous oversight. This outreach has been a partnership between Federal, State and local officials, all of whom have a stake in the health public safety, and environmental impact of the decommissioning work. I applaud the Board for speaking out about the

many concerns that have arisen during Holtec's stewardship of this site. Your advocacy is an important contribution to the discussion that is happening at all levels of government. As you know the MA Nuclear Decommissioning Citizens Advisory Panel ("NDCAP"), which includes Duxbury's Mary Lampert among its members, has worked to educate the public about the decommissioning process and to allow for a discussion of concerns and questions that have arisen. One such discussion surrounds the eventual fate of the 1 million gallons of water from Pilgrim's spent fuel pool, which is no longer in use as all spent fuel has been transferred to dry cask storage. At a November, 2021 meeting of NDCAP, the commission said that Holtec officials stated multiple times that it had not yet decided on how to dispose of this water, but that releasing it into Cape Cod Bay, so called "overboarding," was an option. My office contacted the NRC shortly after that meeting and discovered that despite its statements to the contrary the week before at a public forum, Holtec has indeed informed the NRC that it planned to overboard the water into the Bay during the first quarter of 2022. Subsequent media coverage and public outcry caused Holtec to backtrack and announce that it would not release any overflow into Cape Cod Bay in 2022. I opposed the release of the water into Cape Cod Bay and joined my Federal partners, Senator Warren and Senator Markey, in calling on Holtec to seek alternatives to this dangerous activity. The only safe option for our communities is for Holtec to ship the water to a licensed storage facility off site. An option that has been undertaken at other decommissioned nuclear power plants. The release of radioactive water into Cape Cod Bay would have negative environmental and health impacts and will be detrimental to important Massachusetts industries including aquaculture, fishing and tourism. I have also called on the NRC and the EPA to examine its regulatory frameworks to ensure that license holders such as Holtec are not allowed to choose the least expensive option in decommissioning Pilgrim and other similar plants. The people of Massachusetts paid into the Trust Fund that is underwriting decommissioning operations. Holtec must not exploit that trust by taking actions that will have severe environmental and economical impacts on our region. I also want to point out that my office has been in touch with the NRC regarding regulation of dry casks, a concern highlighted in the Board's letter of 9/27/21. The NRC tells us that Holtec has indeed proposed to inspect one canister in the Plymouth site's independent spent fuel storage facility every five years. This is clearly insufficient given the questions that surround the long-term reliability of the dry cask storage systems. The NRC will be publishing this proposed rule for comments later this year, and I look forward to that opportunity to urge the NRC to apply a greater level of scrutiny to the dry cask system in place in Plymouth and other sites throughout the country. Ultimately it is the responsibility of the Federal government to locate a suitable site for the long-term storage of nuclear waste created by the Pilgrim plant. The Biden Administration, as Jim referred to, has committed to a consent-based process and is an important step in fulfilling this obligation. I look forward to working with my colleagues in Massachusetts and with state and local stakeholders to continue to work towards a safer future for the South Shore and greater Massachusetts.

Sincerely, Bill Keating – Member of Congress

More detailed discussions continued with statements from Senator Patrick O'Connor, Representative Josh Cutler, and others all with the same concerns and unified support. The Selectmen thanked everyone for attending and for their support.

To watch this forum in its entirety, please visit www.pactv.org and watch the video on demand.

V ADJOURNMENT

Ms. Ladd Fiorini moved that the Board of Selectmen adjourn at approximately 9:10pm.
Seconded by Mr. Flynn Roll Call Vote: Mr. Guitart-Aye; Mr. McGee-Aye; Ms. Ladd Fiorini-Aye; Ms. MacNab-Aye; and Mr. Flynn-Aye

Minutes submitted by Nancy O'Connor

LIST OF DOCUMENTS

- 1) BOS Agenda*
- 2) Executive Session Motion (Exec Session documents kept separately)*
- 3) Documentation related to Holtec/Pilgrim Discussion*