

TO: VY NDCAP Panel  
FROM: Emily Davis (outgoing member), Lissa Weinmann, Dave Eastman  
RE: Proposed Process for Funding NDCAP Expenses  
DATE: 4 December 2023

### **Introduction**

This memorandum outlines a process for funding programmatic Vermont Yankee Nuclear Decommissioning Citizens Advisory Panel (NDCAP) expenses.

In 2021, Northstar agreed to reimburse the VT Department of Public Service (Department) up to \$35,000 in expenses incurred by the NDCAP. That funding mechanism is codified in a 2021 amendment to [18 V.S.A. §1700](#) (NDCAP's enabling statute). Since then, Panelists have attempted to outline a budget for programmatic expenses, but it was difficult to anticipate what future needs of the Panel would be, and the Department needed more guidance on what expenses it should approve.

Instead of proposing a budget, this proposal outlines a process. The intent is for the Department, NDCAP officers, and NDCAP panelists to be responsive to future budgetary needs. It addresses two issues: (1) what appropriate NDCAP expenses are, and (2) how those expenses should be approved.

### **Appropriate NDCAP Expenses**

This proposed funding policy distinguishes two types of NDCAP expenses: Administrative and programmatic. *This policy only proposes changes to the discretionary, programmatic expenses that Panelists may from time-to-time propose.*

#### ***Administrative Expenses***

Currently, NDCAP is couched within the Department, and incurs administrative expenses for running and managing the regular Panel meetings, providing administrative support for the Panel, and keeping Panelists apprised of relevant matters within jurisdiction of the Panel.

These administrative matters are already within the operational purview of the Department, and further guidance is not necessary. The NDCAP statute provides that the Commissioner shall provide:

“administrative support to the Panel, including scheduling meetings and securing meeting locations, providing public notice of meetings, producing minutes of meetings, and assisting in the compilation and production of the Panel's annual report.” 18 V.S.A. §1700(g)(1).

#### ***Programmatic Expenses***

Programmatic expenses reflect the Panel's desire to educate itself and the public on issues related to VY decommissioning. Education is particularly important for citizen appointees who volunteer their time to understanding the many issues and community impacts around

decommissioning. Appropriate programmatic expenses will advance the Panel's purpose as outlined in the statute, which is in part to:

"To serve as a conduit for public information and education on and to encourage community involvement in matters related to the decommissioning of Vermont Yankee and to receive written reports and presentations on the decommissioning of the site at its regular meetings." 18 V.S.A. §1701(a)(3).

Using the above provision as guidance, the NDCAP may incur such expenses for the following activities, for issues related to VY NPS decommissioning:

- disseminating information to the public,
- educating the panel and/or the public on decommissioning issues,
- encouraging community involvement in VY decommissioning matters,
- receiving written reports for panel and/or public education,
- hiring or paying an honorarium for guest speakers or presenters.

### ***Process for Approving Expenses***

The Commissioner of Public Service will provide for the "reasonable and necessary" programmatic expenses of the Panel, "as the Commissioner may consider appropriate on request of the Panel from time to time." 18 V.S.A. §1700(g)(6).

To assist the Commissioner in considering and approving such expenses, the NDCAP may adopt the following process:

1. NDCAP Panelist(s) Proposes an Expense
  - a. The Panelist(s) prepares an narrative of the expenses, all of which should be calculated as per state of Vermont rules, including:
    - i. The dollar amount of the expense and travel as per established state guidelines, and when it is to be paid,
    - ii. A description of how the expense will support or promote NDCAP duties, such as:
      1. Information dissemination,
      2. Panel or public education, and/or
      3. Community involvement
    - iii. As applicable, a brief description of how the Panelist intends to share the information with the full Panel (this is especially relevant when funding travel or registration expenses for a Panelist to attend conferences, workshops, etc).
  - b. Panelist submits the narrative description to the NDCAP Chair.
2. NDCAP Chair Responds to Expense Request
  - a. The Chair will answer the request within 10 business days. The Chair will either approve the expense, or work with the proposing Panelist(s) to adjust the proposal to ensure that the expense supports the Panel's programmatic duties. If the Chair is proposing the expense, following the narrative description outline

above, then the Vice Chair must approve and forward the request directly to the Commissioner.

3. NDCAP Chair (or Vice Chair) Submits Request to Commissioner
  - a. Copying the administrative staff of the Panel. Staff may facilitate the process of proposal development, as appropriate.
  - b. Commissioner reviews and either approves or denies the proposed expenses within a reasonable time.
  - c. Chair shares any expense approval over \$100 with full panel.
  - d. Once approved, PSD Department staff may either fund the expense directly, or reimburse as appropriate.
  - e. If refused, the requesting panelist(s) can request a full panel vote on whether or not the expense qualifies for reimbursement with commissioner casting any deciding vote.
  - f. All such expenses are to be recorded on NDCAP budget by PSD staff and are included in annual reports to Governor and Legislature.

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