

To:

Nov. 11, 2009

Representative Michael Obuchowski, Chair, Joint Fiscal Committee
Senator Ann Cummings, Vice-Chair, Joint Fiscal Committee
Representative Tony Klein, Chair House Natural Resources and Energy Committee
Senator Ginny Lyons, Chair, Senate Natural Resources and Energy Committee

c/o Catherine Benham, State of Vermont, Joint Fiscal Office

From:

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Summary of the final comments I made near the close of the joint meeting of the Vermont Joint Fiscal Committee and chairs of the Natural Resources committees, on 10-26-09, is presented below:

I reiterated my concern that there was insufficient data and information upon which to render a conclusion on the acceptability of the ENVY Spent Nuclear Fuel Storage site. Vt. PSB Docket 7082 and certain underlying reports lacked important information. The site may or may not be adequate for dry cask storage, but the basis for such decision is inadequate. There should be a search for additional existing data; the regional context of the site needs to be more fully developed; additional experts should be involved in re-evaluation of existing and new data. I was aware of many of the arguments made by other people testifying that morning and their information and opinions did not sway me to change my conclusions and listing of options for further assessment presented by me earlier that morning. Some of their arguments actually strengthened my resolve that morning. For example, placing an artificial fill and other foundation elements into the sand soil (totaling 10 feet all across the dry cask site) will create another set of earthquake vibrations in the sediment, needing additional liquefaction analysis beyond the usual vibrations associated with the quake itself. Another example of comments that morning that caused me to be further concerned, was that prior testimony by Dewolkar was not mentioned wherein he said that evaluations should be reconsidered in light of any new data collected.

Perhaps my most important closing remarks were that I could foresee only two realistic paths for a proper re-evaluation of the site: 1) collect the additional information (which likely would be a considerable amount of information, such as cores, river bathymetry, regional river history, sample tests, and test-drilling in Vernon Neck, etc.); or 2) conduct modeling studies based on estimates using worst case values that are significantly beyond the current range of data.