

High-Level Radioactive Waste Advisory Council
Minutes of the November 22, 2022 Meeting
Virtual Meeting via Teams

The meeting was called to order by Chairman Roers at 1:41 pm.

Chairman Roers welcomed everyone to the meeting. He welcomed and introduced two new Council members, Joshua Teigen (Dept of Commerce Commissioner) and Ron Henke (NDDOT Director).

Ed Murphy was asked to assist with the roll call.

Advisory Council attendees:

Representative Dan Ruby, District 38	Ron Henke, NDDOT Director
Senator Dale Patten, District 39	Dr. Nizar Wehbi, ND State Health Officer
Senator Jim Roers, District 46	Kenneth Vein, City Government Rep
David Glatt, Dept. of Environmental Quality	Rebecca Leier, Agricultural Community Rep
John Paczkowski, Dept of Water Resources	Ed Murphy, Geological Survey
Joshua Teigen, Dept of Commerce	

Council members not in attendance: Representative Mark Owens, District 17; Jeb Williams, ND Game and Fish; Dean Pearson, County Government Rep.

Ed Murphy stated that the Council is looking for a new County Rep, due to the retirement of Dean Pearson.

Murphy noted that a quorum was present.

Additional people attending the meeting were: Featured Presenter Dan Schultheisz (EPA), Featured Presenter David Stradinger (DEQ), Jay Santillan (EPA), Tom Peake (EPA), Marina Gasser (DMR).

The first order of business was to approve the June 14, 2022 meeting minutes. John Paczkowski made a motion to approve the June 2022 minutes. Josh Teigen seconded the motion. The motion was unanimously carried out to approve the written June 14, 2022 meeting minutes.

The second order of business was a presentation from Featured Speaker, Dan Schultheisz, the EPA Associate Director for the Center of Waste Management & Regulation. The main points of his "EPA Standards for High-Level Waste and Spent Fuel" presentation were: EPA's roles and responsibilities for high-level waste and spent nuclear fuel; EPA's statutory authorities for high-level waste and spent fuel repositories; the existing EPA standards; the standard-setting process; the elements of protection standards; additional considerations for future standards; and what EPA is anticipating from Congress in the next few years.

Questions and discussion to follow.

Senator Roers asked when things will become critical, and at what time something will need to be done. Schultheisz stated that there is no formal activity now as the law says that Yucca Mountain is the repository, without another alternative. He said that the EPA has done everything that Congress has asked them to do. Although, they do anticipate that Congress will be asking them to develop new standards in the future.

Senator Roers asked when spent nuclear fuel stored onsite at power plants will ever become a critical situation. Schultheisz said that the cells are currently being stored safely and it is not an immediate safety concern, but it is not the optimal condition as onsite dry cask storage was not intended to be a permanent solution. There are private efforts to develop interim storage where the fuel can be moved off-site to a centralized location. DOE has also started its consent-based siting process.

The third order of business was a presentation on high-level, low-level, and technologically enhanced naturally occurring radioactive material (TENORM) waste from David Stradinger, North Dakota Department of Environmental Quality Division of Waste Management. The main points of discussion were: descriptions of high-level, low-level, and TENORM wastes; the process of nuclear fission; a nuclear fuel assembly depiction; concerns of high-level waste; spent fuel pools; dry cask storage examples; transportation challenges of HLRW; transuranic waste; the authorities that regulate TENORM and high and low-level waste; active low-level waste disposal sites; TENORM waste examples; radioactive material licenses required for TENORM waste in the state of North Dakota; financial assurance requirements for TENORM; and transportation requirements of TENORM.

Questions and discussion to follow.

Chairman ROERS stated that the Council has now heard reports from the three federal agencies on high-level radioactive waste: The Nuclear Regulatory Commission, the Department of Energy, and the Environmental Protection Agency, and asked members what they would like to hear and learn more about in the future.

Chairman Roers asked if the Council should consider investigating the opportunity of using today's technology to capture the unutilized energy from the State's current wastes. Josh Teigen agreed that it would be in North Dakota's best interest and considered it a valuable option and worth looking into.

Chairman Roers asked if anyone had any more discussion or comments regarding the meeting.

Chairman Roers asked for a motion to adjourn the meeting.

Senator Dale Patten moved to adjourn the meeting.

John Paczkowski moved to second the motion.

The motion was unanimously carried.

Chairman Roers adjourned the meeting at 3:09 pm.