

MAINE STATE LEGISLATURE

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February 1, 2016

MEMORANDUM

TO: Senator David Woodsome and Representative Mark Dion, Co-Chairs of the Joint Standing Committee on Energy, Utilities, and Technology

FROM: Mary C. Mayhew, Commissioner
Department of Health and Human Services

SUBJECT: State Nuclear Safety Inspector's 2015 Annual Accounting Report to the Legislature on the Interim Spent Fuel Storage Facility Oversight Fund

Legislation enacted in the spring of 2008 requires the State Nuclear Safety Inspector to provide an annual accounting of all funds received into and all disbursements out of the Interim Spent Fuel Storage Facility Oversight Fund. The report must be submitted annually to the Joint Standing Committee on Utilities, Energy and Technology by the first Monday in February. This non-lapsing fund is used for oversight activities performed by various state agencies at the Maine Yankee Independent Spent Fuel Storage Installation in Wiscasset.

The enclosed report provides the information required under Title 22 of the Maine Revised Statutes Annotated §668, as enacted under Public Law, Chapter 539, in the second regular session of the 123rd Legislature.

Should you have questions about its content, please feel free to contact Patrick Dostie, State Nuclear Safety Inspector, at 287-6721.

MCM/klv

Enclosure

cc: David Sorenson, Senior Health Policy Advisor
Kenneth Albert, Director, Maine Center for Disease Control and Prevention
Paul Mercer, Commissioner, Department of Environmental Protection
Timothy Schneider, Maine Public Advocate, Office of the Public Advocate
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State Nuclear Safety Inspector's 2015 Report

On the

Interim Spent Fuel Storage Facility Oversight Fund

to the

Joint Standing Committee on Energy, Utilities, and Technology

Legislation was enacted in the spring of 2008 that re-established the state nuclear safety inspector (SNSI) program for the monitoring, regulatory review and oversight of the Maine Yankee Independent Spent Fuel Storage Installation in Wiscasset, Maine.

As part of that legislation, an Interim Spent Fuel Storage Facility Oversight Fund, referred to as "the Fund," was created as a non-lapsing fund for oversight activities performed by various state agencies. These agencies include the Department of Health and Human Services (for the Maine Center for Disease Control's Radiation Control Program and the Health and Environmental Testing Laboratory), the Department of Environmental Protection, the Department of Public Safety, and the Office of the Public Advocate.

The legislation required the State Nuclear Safety Inspector to prepare an annual accounting of all the funds received into and all disbursements out of the Interim Spent Fuel Storage Facility Oversight Fund to the Joint Standing Committee of the Legislature having jurisdiction over Utilities, Energy, and Technology matters.

The fund accounting period is for the calendar year 2015. Table 1 below shows the 2015 revenues received for the Interim Spent Fuel Storage Facility Oversight Fund, Table 2 shows the Fund's disbursements and expenditures, and Table 3 summarizes the current account balance of the Fund.

Revenues

Table 1 – Fund Revenues for 2015

<i>Funds Received in CY2015</i>	
Quarterly Payments from Maine Yankee	\$70,000.00
DICAP Transfer	<u>- \$10,029.00</u>
Total Fund Revenue:	\$59,971.00
Total Fund Budget	\$140,000.00

Prior to 2012, Maine Yankee had been paying a quarterly assessment of \$55,000 to the Fund based on an annual fee of \$220,000. The Fund reflected an excess of revenue, and the state began billing Maine Yankee for only the quarterly amounts needed based on program annual budget projections. Subsequently, Maine Yankee paid \$160,000 into the Fund in each calendar year of 2013 and 2014. \$140,000 was budgeted for CY2015, but only \$70,000 has been paid into the account. The remaining \$70,000 is expected in the first quarter of calendar year 2016.

In addition, an expected reimbursement \$21,958.24 for 2015 time spent by the State Nuclear Safety Inspector assisting the State's X-Ray Inspection Program was not journaled prior to the end of the calendar year, but will be journaled in the first quarter of 2016.

An on-going charge to the Fund is the Department's Indirect Cost Allocation Plan (DICAP). The DICAP is defined as a charge to other than general fund appropriation accounts using a percentage assessment against actual expenditures representing the proportional value of indirect benefits received within the department or agency. The DICAP is considered negative revenue.

Disbursements and Expenditures

Table 2 illustrates disbursements and expenditures from the Fund and is based on available budget reports covering three categories: Disbursement to the SNSI Office, Disbursement to Other State Agencies, and Other Expenditures.

Table 2 – Disbursements and Expenditures for 2015

Total CY 2015 Disbursements from the Fund:	\$136,644.90
<i>Disbursements to State Nuclear Safety Inspector (SNSI) Office</i>	
SNSI Salary and Benefits	\$122,508.64
Transportation Expenses	\$316.36
Office Rental, Computers, Utilities, Supplies, Parking and Postage	<u>\$6,660.53</u>
Sub-Total	\$129,485.53
<i>Disbursements to Other State Agencies</i>	
	None
<i>Other Expenditures</i>	
Global Dosimetry Environmental Radiation Devices	\$664.00
Environmental Radiation Monitor Expenses	\$228.20
Nuclear Waste Strategy Coalition Dues	\$1,000.00
Transfer to General Fund STACAP	<u>\$5,267.17</u>
Sub-Total	\$7,159.37
Total Disbursements from the Fund:	<u>\$136,644.90</u>

There have been no disbursements to the "Other State Agencies" in 2015. This is an oversight by the SNSI Office. The 2105 total funds that should have been disbursed were \$38,594.25 and will be journaled in 2016 based on the following amounts:

Department of Environmental Protection	\$2,951.36
Department of Public Safety	\$15,307.99
DHHS Radiation Control Program	\$20,334.90

A similar amount for 2016 will also be journaled to the other state agencies at the same time. (The expenses for both the Department of Environmental Protection and the Department of Public Safety's are the same each year.)

Likewise, in the "Other Expenditures" listing, the cost items and amounts were similar to 2014.

- The Global Dosimetry expenses are for processing costs associated with the State's radiation monitoring devices in the vicinity of the storage facility while the monitor expenses are related to the electrical costs to power the monitors.
- The Health and Environmental Testing Laboratory costs for maintaining the State's radiological environmental monitoring program were not charged to the Fund. The State Nuclear Safety Inspector's actual costs amounted to \$1224. An additional \$360 from 2014 should have been billed to the Oversight Fund. Consequently, \$1,584 will be journaled into the appropriate account in 2016.
- The Nuclear Waste Strategy Coalition dues are for the State's membership in the Coalition's efforts to remove and ultimately dispose of the spent nuclear fuel stranded at numerous sites across the country, including Maine Yankee.
- The Statewide Cost Allocation Plan (STA-CAP) is a charge to Federal Expenditures Funds, Federal Block Grant Funds, Other Special Revenue Funds or other fund accounts using a percentage assessment against the aggregate of monthly actual expenditures. The Oversight Fund is from dedicated revenues, which is considered a Special Revenue Fund, and is therefore assessed a STA-CAP charge.

Account Balance

Table 3 below lists the Fund balance at the end of the 2015. It was noted by Maine Yankee in previous oversight meetings that there was no accounting for the State Inspector's accrued vacation and sick leave. The computed amount will be maintained as a minimum balance in the account to ensure its proper disbursement should there be a future separation in employment. The maximum Total Accrued Time includes all costs for all possible eventualities.

Table 3 – 2015 Fund Account Balance

Account Balance as of 12/31/14		\$164,446.38
Revenue Received		\$59,971.00
Expenditures		- \$136,644.90
Account Balance as of 12/31/15	Sub-Total	\$87,772.48
Total Accrued Time (Maintained as a minimum balance)	Sub-Total	\$98,110.18
Available Balance as of 12/31/15		- \$10,337.70

Even though the available balance indicates a negative amount at the time of this report, there will be an anticipated balance in the account with \$220,000 from Maine Yankee (\$70,000 for the last two quarters of 2015 and an expected \$150,000 for the coming year) and nearly \$52,000 in reimbursement is expected from the X-Ray Inspection Program for the coming year (\$22,000 past due and about \$30,000 for 2016); these revenues will more than offset any anticipated expenses and other agency disbursements.

The calendar year 2016 allocations to the various state agencies providing oversight were previously determined and will be outlined in the Radiation Control Program's 2015 Oversight Activities Report to the Joint Standing Committee on Utilities, Energy, and Technology later this month.