

NYS Indian Point Closure Task Force Meeting Minutes

September 28, 2017

In attendance:

Chair

Tom Congdon – Deputy Director, New York State Department of Public Service

State Representatives

Dan Fuller - Assistant Secretary of Education with Governor Cuomo

Jon Gordon – Senior Advisor New York State Energy Research and Development Authority

Zackary Knaub – Assistant Counsel for Energy and Environment, Office of the Governor

Casey Kuklick, Policy Advisor on the Energy Team

Michael Lefebvre – Empire State Development

Mario Musolino – Executive Deputy Commissioner Department of Labor

Dan O’Hara – New York State Office of Emergency Management

Scott Palladino – Assistant Deputy Commissioner Department of Tax and Finance

Mark Pattison – Deputy Secretary for Local Government Services Department of State

Allyse Peterson – New York State Energy Research and Development, the State Liaison Officer Designee
US Nuclear Regulatory Commission

John Sipos – Deputy General Counsel Department of Public Service

Megan Taylor – Regional Director of Empire State Development

Kelly Turturro – Department of Environmental Conservation

Adam Zurofsky – Deputy Secretary for Energy and Financial Services, Office of the Governor

Senator Terrence Murphy – Senate District 40

Assemblywoman Sandy Galef- Assembly District 95

Local Representatives

Supervisor Linda D. Puglisi – Town of Cortlandt

Majority Leader Catherine Borgia – Westchester County Board of Legislators (9th District)

Minority Leader John Testa – Westchester County Board of Legislators (1st District -covers Indian Point)

Superintendent Joseph Hochreiter – Hendrick Hudson School District

Mayor Theresa Knickerbocker – Village of Buchanan

Labor Representatives

President Lou Picani – Principal Officer Teamsters Local 456 (represents the Security officers and some construction workers at the Plant).

President James Slevin – Utility workers Union of America Local 1-2 (primary officer for most of the workers at the Plant).

President Thomas Carey – Westchester Putnam Central Labor Council and Business Agent Plumbers and Steamfitters Local 21

Mr. Tom Congdon welcomed everyone to the 2nd official meeting of the Indian Point Closure Task Force. He stated we are here pursuant to State Law to work together as an advisory body to identify opportunities and recommendations to plan for Indian Point's closure. We have the right expertise and representatives to make a difference. Tom extended his appreciation to all at the table for rolling up their sleeves and helping to solve complicated issues for people who live near and work at the Indian Point facility. Mr. Congdon thanked Supervisor Puglisi from the Town of Cortlandt for hosting the meeting. By law it is required to meet three times a year. At these meetings we will share information and discuss issues that need to be addressed and work towards delivering the reports that are required by the statute; namely a re-use assessment for the Indian Point property and annual progress report. Both are due on April 30, 2018.

For today's meeting updates on key issues will be heard as related to the plant and meetings that have occurred since the last meeting in May. Three presentations will be heard on the re-use assessment, decommissioning and the annual report. Tom Congdon noted that they were pleased to be joined by Jeanene Eichenholz from Power Through Cortlandt, who will be making a presentation on local resident's perspectives. Then an open discussion will be held before adjournment.

Tom noted a few ground rules for the meeting: The meeting is open to the public and all of the meetings will be held in public. This meeting is also being videotaped, which was important to the task force. These are working meetings and not public statement meetings. There are opportunities for the public to make comments. Members of the public will be given the opportunity to comment on the annual report in 2018.

Introductions were made by the entire task force. (See list on page 1 for all attendees).

Supervisor Linda Puglisi thanked Tom Congdon and noted that since the last meeting in May everyone has been working very hard with the local task force and with the State officials to discuss the various serious issues regarding the closure of the 2 nuclear plants at Indian Point. She thanked everyone for attending.

Theresa Knickerbocker, Village of Buchanan Mayor and host community of the nuclear power plant introduced herself.

The minutes from the May 31st meeting were officially adopted.

A presentation on plant operations was made by John Sipos. John noted that since the May meeting there have been various matters that the public may be interested in. There were some events of note: 6/12/17: Unit 3 manually shutdown to replace and O-ring issue (a 9-day shutdown) and Unit 2 shortly

thereafter (3-day shutdown) due to a water level issue in the steam generator. June 30, 2017 Unit 3 had a small leak in the condensation storage tank (plant was not shutdown). Mid-September Unit 2 was shut down for maintenance/repair of boiler pumps (2-day shutdown). There were several inspections by the federal regulator including an emergency preparation security inspection and also an inspection with long-term decommissioning issue surrounding Indian Point Unit 1, which went off-line in 1970. Looking forward, there will be additional Federal inspections; one is problem identification and resolution inspection and an inspection with compliance with fire safety regulations.

The next presentation was on Reliability Assessments. Mr. Congdon stated that in May he had given a report from the Department of Public Services standpoint on why it is believed the agreement to close Indian Point in 2020/2021 won't have an impact on the system reliability and also indicated at that time that the New York Independent System Operator (NYISO) would be conducting its own technical analysis of reliability issues. As of today, NYISO has started that study. NYISO is a non-profit corporation. They are responsible for managing the state's bulk electrical system, administer the markets and perform reliability planning under federally-approved tariffs. Every 2 years they come out with a reliability needs assessment, which looks out 10 years down the road. They review projected demand on the system and available supply and reports on whether or not they see any reliability issues. This report will be issued in 2018. They also review each and every power plant closure to determine if on the date of closure there are any reliability concerns. Typically, when power plants retire they provide 6 months to 1 year notice; here we have almost 4 years. Given the amount of time we have, they are taking advantage of that time - they have commenced the reliability assessment and believe the assessment will be complete by the end of the year. Hopefully by the next meeting they will be reporting on their findings.

Assemblywoman Galef asked if an analysis has been done recently of the energy facilities that are closer to going on-line. Is that a part of this? Tom Congdon explained that NYISO, in their professional judgment will take into consideration what they expect will be on-line in 2020/2021. They are generally very conservative in their assumptions so that they err on the side of caution. They have a number of criteria that they use themselves to determine whether or not a plant will be considered in operation at the time of the closure. Assemblywoman Galef noted that there was nothing on the list to indicate any plant has gone on-line since we met last. Tom answered that no new plants have gone on-line, except perhaps small solar.

Senator Terrence Murphy asked if the idea of this was to gather up to see exactly where the energy is going to come from and get the report back to us? They will have a report about CPV, Cricket Valley, hydro? Tom explained that they will list precisely what units they assume to be in service for the modeling rooms that they do. They will only include those projects that have a high degree of certainty that they will actually be in operation by 2020. They run very technical analysis on the grid to show power flow and things of that nature. They will be the ones to say if there is a reliability issue. This will be a very important study for planning purposes. Senator Murphy asked who oversees them. Tom explained that they do this work under tariffs approved by the Federal Energy Regulatory Commission.

Tom Congdon noted that since May there have been a few discussions with the Department of Labor, himself and colleagues involved with the Labor movement representing the plant. A lot is learned every time they talk. An update was given from Mario Musolino: He stated that at the first meeting the needs of the workers were discussed as they will develop over time. In this case, there is a longer time-frame than is usual which is an advantage but also throws a bit of uncertainty into the mix. We have a long

time to work with the workforce and understand what their needs are and what their skill sets are and match that with opportunities with those in the community. The goal is to have all of the thousand workers both unionized and non-unionized, with a plan for what their future career is going to be and help them develop the tools to ensure that they can meet that plan. A meeting was held in White Plains, last week to talk about what the right, next-steps are. From the Department of Labor, they will be assigning a couple of lead staff that will be introduced to the labor leaders at the table. Specific information will be collected about the work-force to understand for each of the unions, what the job categories are - there are certainly differences in the different positions at the plant. All the needs will be different and they will try to understand all those titles. That information will be gathered and individual meetings or group meetings will be held to introduce ourselves and talk about the services that can be provided. We can then understand better what opportunities may be out there. Discussions with NYSERDA will be entertained to start talking about some of the ideas they have for new things that will come on-line. There might be connections there that can be facilitated. The big issue right now is the retention issue and how that might work; how long workers will stay at the plant.

Jim Slevin (President Utility Workers) stated that they will be entering into collective bargaining talks. The contract with Entergy does expire in January 17, 2018. At the present time they do not have a retention agreement. The concern is this will lay down a map of where the utility workers are going to be with the Indian Point facility.

County Legislator John Testa asked to put a request in that he knows Entergy has vowed to help relocate as many workers as they can in their other plants that are pretty far away. There are 2 plants in Oswego, NY that we are all paying for to stay open so he would like to see an opportunity for those who wish to stay within the field that they have been trained and if there is an opening in those plants, they should have first strike at the openings.

County Legislator Catherine Borgia asked are their commercial applications for those skills, especially the highly technical skills. Could they find jobs in industry? It was explained that most of the nuclear operators were trained in the Navy and transitioned into this. It would be a re-training skill. Some of the other workforce can make an easier transition.

Senator Murphy asked Mr. Musolino if they had been in contact with the entire labor force at Indian Point. Mr. Musolino answered that they had not, as of yet, just with the labor leaders. Senator Murphy stated that we are 9 months into this and these discussions have to take place in a facility that is close to where these people come and work so they can get some information regarding their future. Lou Picani (President Teamsters) explained that they are unique; they are highly trained security officers so they will not be placed that readily into another position. In the construction field, if they are part of the decommissioning then they could transition that way. The security officers are trained constantly above and beyond the police training. They are qualified to help secure any facility in NYS. These are the discussions that they have had with the Department of Labor. Senator Murphy stated that he wanted to make sure that no one is left behind.

Supervisor Puglisi noted that at the last meeting it was talked about when these plants are dismantled we would like, wherever possible to have the skilled, excellent workers that are there now to be able to stay at the site to work on the decommissioning. The conversation should begin now. Senator Murphy agreed.

Casey Kuklick added that NYPA should be included in these discussions. They are a utility in White Plains, NY and there may be some match making that can be done very easily that can keep some workers in this area and in their field.

Megan Taylor and Michael Lefebvre have had a few meetings to discuss economic development opportunities locally. Megan stated that following the last task force meeting she met with Supervisor Puglisi and the Town of Cortlandt Planning Department. The town was wonderful in pulling together a very comprehensive list of town-owned and privately owned vacant properties that are truly right for development. The various sites have been reviewed in the context of the town's comprehensive plan (Envision Cortlandt). The focus is on four key strategies that the town has identified. The first is the Cortlandt Boulevard Area (CBA), the second is the Medical-Oriented District (MOD) which will build on the existing medical institutions, especially near the NY Presbyterian Hospital, third is the Transit-Oriented District (TOD) which would allow the creation of a TOD approximately ½ mile from the Cortlandt Metro-North Train Station and lastly the Waterfront Sustainability District (WSD) which would promote waterfront dependent uses and compact mixed-use development along the Verplanck and Annsville waterfronts. Megan noted that the Town of Cortlandt's identity is strongly linked to historical roots and the Hudson River. The Town continues to wish to embrace and enhance these strengths while planning for its future as a diverse and vibrant, economically strong and interconnected community. Throughout the meetings the major impediment to growth that was identified was the lack of infrastructure within the town (sewers). The ESD will work with the town to ensure that there is some type of remedy to these issues. Megan commended the Master Plan committee for the fantastic comprehensive plan. It set the stage for the town to be successful going forward. ESD will assist in identifying State funding resources to implement these goals to better position the committee for future economic growth. There are various developers in the town who are interested in several significant parcels in the town that are excited about the opportunities for economic growth. ESD will work with those developers to identify any opportunities where they can be of assistance, whether technical or financial incentives and they will continue to do that. Megan stated that she has reached out to a few of them and meetings will be set-up in the coming months and work with them to ensure that they have all the resources they need to be successful in the town. The same will be done with the Village of Buchanan, as well.

Senator Murphy stated that we have just made the biggest investment in NYS history into clean water, 2 billion dollars. He asked, is that money from there to be used or is that going to be a separate pot of money in order to do some of the sewer/water infrastructure. There are two things you can't live without; oxygen and water. We need clean water. The Senator asked where is all this money going to come from? Is it already allocated in some of the budget money? He noted that accessing this money is extremely difficult. This should be separate and in a pot exclusively for Indian Point. Megan Taylor answered that right now there is not a separate allocation that she is aware of for the infrastructure necessary for the town or the village. She is referring to identifying State or Federal resources. The CFA process is inclusive of many different programs across many different State agencies. She noted that the town has done their due diligence in applying for many of these grants and they are moving forward. ESD will continue to ensure that the town is aware of all the available resources and make sure they are taking advantage of this and apply.

Senator Murphy said that this is where things get so messed up with government because it crosses over and this is why he wants to try to get a specific carve out for the closure of Indian Point and how it

is going to affect the business community, the labor, the people in the area and the school district. These are the things that we should carve out a specific inclusion for the closure of Indian Point.

Tom Congdon stated that he appreciated the suggestion but every year we have to go through the budget process so there will be opportunities to make these argument in the state. He noted that when we formed the task force and had the first meeting we talked about the resources that we were bringing to the table. This is a great example of what this task force can do and that is to help shepard the communities interests given the unique challenge that we are dealing with in terms of the closure to ensure that the money that has already been appropriated is very well known and having someone who can navigate the process with the locals to ensure that we can try to take advantage of that. Senator Murphy agreed and added that should be just the icing on the cake. There has got to be a foundation of what is going to happen to this community when it closes. We fought tooth and nail to get language in the budget for Hen Hud to have their rainy-day fund. That is not the State giving them a penny and that was like pulling teeth to get that in the budget. This has got to be front and center of getting something carved out for the closure of Indian Point. This is going to be a devastating effect on this area. Tom Congdon responded that is why we are here.

Tom Congdon continued that in addition to the State Task Force there is also a Local Community Unity Task Force; several members of the NYS task force are also on the Community Task Force. He asked Supervisor Puglisi to speak about this task force. She reported that (to Terrence Murphy's point) the town does apply for every grant that is out there. When we talk about infrastructure, we talk about additional infrastructure; obviously we have good infrastructure but because of the closure of Indian Point and the redevelopment of properties we need more additional infrastructure and that means money to bring in corporations, office parks, industry, commercial, etc. She noted that recently there was a story in the Journal News about how property values in the Town of Cortlandt are good and we are ecstatic about that. There are 3 realtors that are on our local task force (Don Dwyer, Clayton Livingston and Joe Lippolis) are mentioned in the article. In 5 and 10 years we want to see the same article. We don't ever want it to be a distressed community. Everyone in this room is working hard to make sure this will not occur.

The Supervisor mentioned that she has met with Megan Taylor and talked about all the properties in the town, concentrating on the Hendrick Hudson School District. The Town is hiring an economic development consultant to work in concert with Empire Development. We are going to work together to look at the properties that are currently vacant, available or could be re-used or re-zoned, if need be, to bring in more economics to help offset the loss of revenue that we will have in a few years. With the help of the State we are really excited about what we can do. Chris Kehoe, Director of Planning in the Town of Cortlandt, put together a list of properties that are currently available. We are excited about getting going. When we signed a second PILOT agreement with Entergy in 2014 for ten years; we did not know the plant was to close – why would Entergy sign the PILOT with us? We didn't think it was going to close but now that we know it will be closing sooner we are getting going immediately to find new economics to bring here to offset the losses of revenue. We've had good meetings and will continue the dialogue.

The Supervisor added that the local task force meets monthly, made up of a cross-section of the community. In the beginning we were gathering data and information, doing research paper to find out

how long decommissioning will take (up to 60 years), how much of the property can be re-used (perhaps we can use a portion of it), the spent fuel rods, etc. We have had speakers (Entergy, etc.).

Catherine Borgia stated that it is a very good idea to have a new PILOT and asked with whom would that be? Supervisor answered that it would be with Entergy. A new PILOT would be with Entergy to see if we could go forward because they are still going to own it for several more years. If they turn it to a decommissioning company the understanding is Entergy will still own part of the property. Another part is to assess the spent fuel rods that go into the dry cask storage as a rate-able; if they are going to be here we want to be able to tax them.

Tom Congdon recognized Pat Keegan from Nita Lowey's office, a representative (Craig Hanson) from Amy Paulin's office and a member of the Assembly Mr. Kevin Burns who were all in attendance.

Jon Gordon from NYSERDA was introduced to give an update on the consultant that has been chosen. Jon stated that even before the first meeting of the Task Force NYSERDA was scoping out what would be required for the consultant to meet the objectives of the legislation. Since then an RFP had been issued to meet these objectives. We are trying to get some good, solid facts that facilitate the decision making of the task force, going forward. A wide-net was cast to find the most experienced consultant; this was a fairly unique solicitation because we were looking for very specific qualifications (people familiar with the decommissioning of a nuclear power plant). Five responses were received and the committee agreed to choose D.L. English Consulting, Inc. They have already been in contact with Entergy and were introduced.

David English thanked the Task Force for inviting them to speak at the meeting. As background, he explained that D.L. English Consulting has been in business for 19 years, mostly in the nuclear industry but they do have a diverse background which works well because it helps bring to the table different perspectives and best practices from various industries. They also have experience with the federal government where they have worked on DOE sites, specifically Yucca Mountain. Several annual audits of that operation were done before being shut down. They have done other work for the nuclear industry, specifically worked for VT Public Utilities Commission reviewing Entergy's submission to splinter off the VT Yankee facility making it a separate entity. They have also done multiple bank reviews for facilities around the country (non-nuclear). They did a study for the US Coast Guard and an LNG company in Boston. That study allowed critical shipments of LNG into the Port of Boston, immediately following 9-11.

David stated that their strength is their communication skills with all clients. They realize there will be a diverse group that will be represented over the next 4-5 months on this project. He noted they teamed with an appraiser who has looked at various sites (most recently the Northport Power Station). The appraisal firm is Goodman-Marks based in New York. David's noted his role is corporate sponsor and "worker bee". The project manager will run the day-to-day activities. The fact-based report will be led by Fred Petschauer, who will serve as the Project Manager. Fred was the resident manager on the Shoreham, Long Island decommissioning project and the Brookhaven graphite reactor decommissioning. He has significant decommissioning experience. He has experience with ISFSI sites (the technical term for where the storage of spent fuel is on site – which is at all nuclear stations) currently in the Country.

Fred Petschauer noted that he has worked almost 40 years in the nuclear power industry, the last 30 with decommissioning. He worked at Shoreham and various other nuclear power plants. Fred provided

a preliminary outline of the report. Their initial effort is to gather data from the site. They have been in touch with Entergy and will get access to the site soon. Their objective is to get a broad picture of the radiological conditions, including hazardous material and details on the spent fuel facility (the ISFSI). The first section of the report is to give a picture of Indian Point. The goal is to distinguish which areas of the 240 acres are radiological impacted vs. non impacted. That is the ground-work for the second section – that will be decommissioning. Fred noted that he would anticipate including a composite of the history of decommissioning efforts in the country and the reuse of those sites. The report will identify the decommissioning scenarios. This chapter will include time-lines for the decommissioning scenarios. The third chapter will address regulatory affairs which will identify any regulatory frame-work of decommissioning scenarios and the decision makers in the process, including stakeholders. Based on the decommissioning scenarios, section four will identify potential re-uses for the facility.

Sandy Galef commented that there is a gas pipeline going through this property and we have been asking Tom and the Governor for months for a report that was supposed to be done about safety issues with the pipeline near this nuclear plant. Sandy asked if this would-be part of the safety that will be studied? Is this part of what you would be looking at as you assess the property for re-use? David responded that the site would be characterized to identify all the utilities that exist above and below ground to better understand what constraints that may put on the property. So yes, it would be included in terms of what impact it would have on re-use. Having that report would be valuable information; the more information, the better. Tom Congdon stated that this is a valid point. The representative from Homeland Security will take this back to the table. Sandy asked about an issue with the dry casks, as Entergy will be adding more to this storage area, will this be analyzed as to where they should go or not go for re-use of the property? Fred explained they have only had 1 week to work on this but he is sure that the concrete pad has been designed and located in a place that Entergy thought was optimal. It is common that the size of the ISFSI area is increased. He stated that they will ask Entergy their plans for emptying the fuel pools as to whether they expect to have the ISFSI location expanded. Are their thoughts to making a second location? This will be important to know for the decommissioning. Sandy asked about the public's participation. Fred answered that they will identify the decision-makers and stakeholders. He noted that there are 2 steps with the NRC: the PSDAR – which is the decommissioning plan and there will be a public comment period and when the Lessons Termination Plan is issued the public is invited to comment. Tom Congdon stated that Sandy Galef was referring to the public involvement with the re-use report. Tom asked to point out that this will be the factual base that the Task Force will be able to use to develop our recommendations and strategies. This report will be updated continually. The public can comment and provide input at any time.

Catherine Borgia stated that one of the things that we will want in this report - that without a Federal solution every nuclear plant will have the problem of where to store the spent fuel. If we want to reclaim some of this property sooner rather than later for economic re-development we will need to make sure that those decisions aren't only made on energy and obviously there are environmental impacts to be thought of but strategic thinking on how the property will be used is needed sooner rather than later. We need some oversight though on exactly what we want to see happen on that property. Jon Gordon stated that we believe this report will provide the factual information we need to make assessments and come up with a strategic plan as a Task Force. David English added that the big thing is obviously what can we extract from the existing site and use as quickly as possible. Before we can do that, we have to know what is there. We will be passing information to NYSERDA. It would be

great to parcel off some of the 240 acres for re-use of the property. Right now, we do not know if it can be done.

Senator Murphy asked Jon Gordon – if they had 5 people/companies that came in for the RFP – who is paying for this, is there a separate pot? Is NYSERDA paying for this? Is it the Community Fund? John responded that it comes out of the 18A assessment funds on utility bills that pay for general –Senator Murphy said – so it is on the rate-payers. John stated that ultimately it is paid for by the rate-payers but it is not coming out of monies that NYSERDA uses for energy efficiency renewables but it is on the bill assessment. Senator Murphy noted that our consumers are paying for the RFP. Tom Congdon noted that the 18A funds are actually appropriated funds, in the budget, which is passed by the legislator and adopted by the Governor. Those are distinct from clean-energy programs that NYSERDA runs. The 18A funds also fund the Department of Public Service. These are assessments on all the regulated utilities in the State.

Supervisor Puglisi asked if there will be preliminary reports. David English noted that it is hard to say if they would have a preliminary report after 1 or 2 months because at this point the data hasn't been collected to draw conclusions. Monthly reports will be given to Jon (NYSERDA) regarding the progress. Jon Gordon stated they would keep the Task Force fully apprised on the progress. Linda asked if the consultant would be able to attend a local Task Force meeting. Jon responded this would need to be discussed. The Supervisor asked for a schedule from the consultant and Mr. Gordon said he would get that to her once it is completed.

It was asked since Entergy has filed a plan for decommissioning would it hold back or hinder the work of the consultant? Fred P. responded that they are looking at decommissioning independent of who owns Indian Point. Data requests have been submitted to Entergy.

John Sipos was asked to give a more detailed overview of the decommissioning process. John stated that he wanted to provide some additional information about radiological decommissioning and spent fuel management. Although the federal government authorized the construction of the first IP reactor in 1956, it didn't issue regulations regarding decommissioning nuclear reactors until 30 years later in 1988. John noted that getting radiological decommissioning right is critical to achieving the re-use of this site. The Federal decommission program starts out with the process of disconnecting the reactors from the grid and taking them off-line, defueling them, removing residual radiation from the site and ultimately having the federal government release the site for other uses and that ends the federal government's authority over the site under the atomic energy act. John continued that radiological decommissioning is a federal program. The NRC has stated that it is the responsibility of the corporations that own, operate and receive revenues from nuclear power plants to ensure the comprehensive decommissioning of power plant sites. It is not the responsibility of States and communities that host these facilities to pay for radiological decommissioning. Given this corporate responsibility the federal agency has issued financial assurance regulations that require each nuclear power plant operator to set aside money to fund that decommissioning and to place that money in a nuclear decommissioning trust fund. The minimum amount that is required to be in this fund is based on the power output of the reactor. While the federal government anticipates that the actual physical dismantling activities will take place in 10 years or less. The federal government defers to the schedule selected by the companies who may prefer to take a longer period (up to 60 years). The post-shutdown decommissioning activities report is written by the plant owner and includes a description of the

decommissioning activities, as well as their schedule, cost and environmental impact. This report can be filed before the facility shuts down but within 2 years following the shut-down of the facility. Radiological decommissioning is different from managing spent fuel. The federal government also regulates the management of the spent fuel which resides in the spent fuel pools or the dry storage casks. This must remain secure from accidents and sabotage, remains in a sub-critical state and is stored in a manner that does not pose a risk to workers, residents and the environment. Jon noted that IP has 3 nuclear power reactors and 3 spent fuel pools. There is also a dry cask storage facility and a concrete storage building for steam generators.

John noted that at the last meeting Mayor Knickerbocker and Supervisor Puglisi asked about the partial and early release scenario. The NRC does allow for the possibility of a release of a portion of a regulated site from NRC jurisdiction – where a portion of the site is removed from the remainder of the site and that would terminate the federal jurisdiction over that portion. Last year the NRC used this early release authority at the Zion, IL site. It is important to note that the IP site has one of the smallest footprints of any nuclear site in the USA. It is hard to predict how this scenario would go. John spoke about the 3 decommissioning trust funds for the Indian Point site. As of 2015 there is approximately 1.6 billion dollars on deposit for the decommissioning. Although decommissioning is a federal program, state agencies such as the DEC and Department of Health, may monitor the decommissioning and perform confirmatory testing at the end of the process. John spoke regarding the decommissioning update where the NRC staff has proposed changing existing regulations for decommissioning, financial assurance, spent fuel management, security and emergency planning and evacuation for facilities that cease generating electricity. Also, in June, New York submitted comments opposing the NRC staff proposals and there has been no decision yet by the NRC but perhaps by the end of 2017. Also in June the NRC staff held a meeting with various Entergy facilities in MI, VT, MA and NY as a result of the announcements of the closure of those facilities. The NRC staff appears to seek an integrated schedule to review the upcoming submissions concerning the 7 Entergy plants in the northeast part of the USA. In conclusion and update of the VT/Yankee site was given. There are two aspects to what is going on at the VT/Yankee – there is a federal proceeding before the NRC which concerns a proposal by Entergy and Northstar- where they submitted an application to amend the existing VT/Yankee operating license and authorize the transfer of VY from Entergy to Northstar. Under the proposal Entergy would no longer have responsibilities for the VY site and Northstar would decommission the site going forward. NRC staff has not expressed a position on this proposal. The State of VT has filed a petition opposing the proposed license amendment. The NRC is reviewing the contentions. There is also a State proceeding concerning this proposed transfer from Entergy to Northstar and this is pending before the VT Public Utilities Commission. Northstar is a LLC. As of today, there is no decision yet.

John concluded that federal decommissioning might seem tedious and detail oriented to some but the details are important because they provide a pathway to the release of the site for reuse and it depends on a thorough and comprehensive radiological decommissioning and monitoring.

Tom Congdon reiterated that we will hear a lot more about decommissioning and ways in which we can get involved, participate in what we think the company should pursue but it is so important for us to be strategic and to understand the process.

Supervisor Puglisi asked if Mr. Sipos could elaborate about a portion of the land that could be released- would the NRC make that determination. Mr. Sipos explained that as part of the radiological nuclear

decommissioning program which is overseen by the NRC, there is a regulation that sets out a pathway and a portion of a site in IL that was released about 18 months ago. Mayor Knickerbocker has spoken about a portion of the IP property that was of interest to Buchanan. Senator Murphy asked that when the ruling from the Federal and the State comes down could they please let the Task Force know. Mr. Congdon said they would let them know right away.

Sandy Galef stated that Entergy has 1.6 billion in the decommissioning fund (as of 2015) and what could happen is that they could skim some of that off for spent fuel? John Sipos did not want to speculate on what Entergy may want to do or what the NRC will allow. He stated that it is a situation that has been seen in other facilities in the country in the past few years. Sandy asked if we know how much money will be needed for the decommissioning process to get done properly. John Sipos answered that Entergy has not yet filed its PSDAR so at this point it would not be prudent to speculate. Tom Congdon asked that based on the NRC regulations, what is the time frame that Entergy has to file that report. John explained that Entergy could file it tomorrow or in 2023 for unit 3 and 2022 for Unit 2 or at any point in between.

Catherine Borgia asked who has custody of the spent fuel rods and who has responsibility for the oversight? She thinks that Entergy will still own the spent fuel rods even if Northstar does the decommissioning. John Sipos answered that he would not want to speculate as to whether Entergy will reach an agreement with Northstar for IP and if they did so what the contours of that agreement would be. Catherine stated that it seems that a private entity could have ownership over the spent fuel rods. John explained that it is difficult to know what a contract might look like. Tom Congdon added that if assuming there is no contract under the NRC regulations it is Entergy that has the responsibility. The NRC will not own the spent fuel rods. John stated that ultimately the spent fuel is supposed to go to a national depository, owned and operated by the Department of Energy. The NRC will still be responsible for the oversight of the fuel rods; it is their regulatory responsibility. David English added that the utility does not own the fuel they only have a license for the fuel. The ultimate owner of the fuel is the Department of Energy. The final disposition of the spent fuel is a federal government issue. The federal government authorized the enrichment of the fuel, construction of the facilities, authorized their operation and it is the federal government that is responsible for the long term storage of the spent fuel. Fred P added that if you have a property that you are decommissioning one strategy might be the early release of non-impacted project for re-use. If you have a property that has met the clean-up goals, the owner can subdivide and release the subdivided parcels and not have to wait until decommissioning is fully completed.

Tom Congdon noted that one of the charges is to develop an annual report due in April. Zach Knaub was asked to speak on this outline. Zach Knaub stated that in the 2017/2018 budget the Governor and Legislature agreed on legislation that established this task force into law. Part of that legislation charged the task force with issuing an annual report due for public comment by April 30, 2018 and continuing thereafter for a number of years through 2024. It establishes a number of items that need to be addressed in the report. It is a summary of a lot of things including the progress of the task force to date, the reuse study (required, under the law), anticipated impacts (economic, environmental, etc.), workforce (re-training) and labor issues, regulatory compliance, the community fund for community benefits and the environment, support and guidance programs and planned activities (potential re-use of the plant). This will be put out for public comment. This will be submitted to the Governor and both houses of the legislature. Zach noted that tremendous progress has been made especially in the hiring

of the re-use consultant and areas of reaching out to organized and non-union labor and making great steps for a smooth transition for when the plant shuts down.

Tom Congdon introduced Jenean Eichenholz from Power Through Cortlandt (an active community organization that developed after the announcement of the closure of IP.)

Jenean stated that she is a Cortlandt resident with 3 children in the Hendrick Hudson School District and a Board Member on Power Through Cortlandt. She noted that she wanted to give a picture of who we are as individuals and how they have come together. Power Through Cortlandt is a group of concerned parents that started as a group of parents from PTA advocacy to deal with the issues that will be facing our schools. After the first meeting it was realized it was a community wide issue, not just a school issue. It will affect all the residents, all generations and income levels and all neighborhoods in the town will be affected by this. Power Through was formed to be a source of information for the community and to be a voice of the community. Although, the Town of Cortlandt is a large suburb of New York City it has the feel of a small town. It is the kind of community where you run into your friends at the grocery store and post office. You develop friendships with the parents that you see on the soccer field every weekend, you can go into a coffee shop and they have your drink ready without having to order it. We rally around our community in need. We celebrate our successes and joyful occasions together as well. We have summer concerts, block parties, an amazing Family Fun Day, having fun together. Jenean noted she wanted to tell this all because to some who do not have a familiarity with our town – we are not just Cortlandt - where the IP plant is closing. Here we are a family, friends, and neighbors. Many residents grew up here and chose to stay here, raise families and live their lives here. This is a country that is highly mobile where people move and change their locations all the time but here in our community, people will stay. Power Through Cortlandt has tried to speak to as many residents as possible, wanting to find out what their biggest concerns were. Some of the most important issues were:

- Home values and how they will be affected once the plant closes especially if we lose residents in the form of employees that will be transferred to other locations. What will happen to the rest of our home values if a large number of houses are put on the market all at once?
- The impact on our local businesses. What will happen to the businesses if there is a mass exodus of residents once the plant is closed? We want the businesses to survive and flourish.
- How will our town bring in needed revenue once the plant closes? We know potential uses are being studied. We look forward to hearing more on that report as it becomes available.
- Environmental impact – we have learned about the decommissioning process and what we can expect. The idea of storing spent nuclear fuel rods for decades in close proximity to our homes and schools is of great concern. We need to have proper funding and oversight guaranteed to protect our town and the entire area.
- Taxes – in Cortlandt we are fortunate to have a relatively low tax rate compared to Westchester County in general. This allows us to attract young families starting out, who might not afford to live in this Country. It allows us to provide a place for seniors on a fixed income. We know the taxes will rise given the situation and the loss of revenue; however, we need to be sure that our taxes won't become so high so fast that families and individuals are forced to leave because they can no longer afford to stay. We need to consider measures that can be taken to protect those that cannot afford significantly higher taxes perhaps in the form of credit statements or

other assistance. There will be people in this town that will need this help. We need to know that we can raise enough money to keep our governments, fire departments, library and schools running without the loss of services or staff. The Hendrick Hudson SD will have the biggest hit losing 1/3 of the annual budget. The NYS legislature has allowed us to establish a fund for a rainy day (this is going to be a very rainy day). We have not been able to vote on this fund until this coming May. We are limited to raise the taxes due to the 2% tax-cap. We need to work around this to allow the schools to raise the funds that will be needed to continue to provide the excellent education that the children deserve. We will need your help in order to get any kind of measure passed through the legislature.

- Finally, we have to get a correct valuation of the land at IP and on the spent rods and make sure the proper taxes are coming in.

Jenean continued stating that Power Through Cortlandt has plans to continue to inform our community and welcome any community member that wants to be involved. We will identify local citizens who can work with each of you hand in hand to further your work and help you reach your goals. Public meetings of our own will be held to share the information from the task forces. Jeanne asked to address their role in this process which is of concern to the residents. We need to be sure that our voices won't be lost in this process. Everyone at the table is present in their official capacity and we appreciate our elected officials who dedicate their time to our community. We are grateful to the professionals in our midst representing their unions and all the NYS officials that have traveled to our town who are helping to plan for our future; however, it is vital that our residents be part of this process to plan for the future that is ours. We have asked to be named as formal members of the task force to sit at this table and participate in the literal discussion; to be able to ask questions and to share our concerns publicly. We will continue to renew our request and make sure our voices are heard. As you all do your jobs and provide us with the information and assistance that we need to make solid plans you will start to step back and we will begin to step forward. Our roles will become more significant and our choices will be made by you and by us and we will all start to feel the economic impact. We will witness first-hand the safety precautions being taken at the site and holding those in charge accountable. We expect to be part of DL English's work as they develop the framework beyond just the decommissioning process but further. We need to be part of their team as well as working together with them before the report is completed. We need access to the information contained in that report so we can share that with the residents so they can stay informed. They have every right to know what is going on. In closure, we are parents, children, educators, business professionals, first-responders. We are involved citizens who love our town and care deeply about what happens to it. We are strong people who will be here long after the task force no longer exists and when the plant is closed. We will still call Cortlandt our home. We deserve to be at the forefront of this group to make sure our future remains brighter than ever.

Supervisor Puglisi thanked Jenean and stated that from the beginning she has asked for Power Through Cortlandt to be part of the New York State Task Force. We are all here fighting for this community to continue to grow and Jeanene reflected this feeling to everyone.

Tom Congdon added that with the meetings he has had with Power Through Cortlandt he has found the group to be incredibly passionate and really informed and we have a lot to gain through continued dialogue. He added that they appreciate all that they are doing. Jenean noted that they have a website (powerthroughcortlandt.org) and are on Face book and can be contacted. Each board member has

identified an area in which they want to stay focused and she can put anyone in touch with these board members.

Lou Picani spoke that Jenean did a great job; as Teamsters he offered their assistance to the group to help form a partnership.

Tom Congdon asked for any further discussion:

Superintendent Hochreiter spoke regarding the school district financially – is moving along rapidly but quietly and that is not on purpose it is just a lot of behind the scenes work. They are working with Dan Fuller and members of the finance team to get into very specific legislation particularly around the cessation fund. The school district is looking at financial models so they can have a much better idea of expectations for the community regarding any sort of tax increase. He noted that their work continues and although it might not be as public at a meeting but it is happening.

Mayor Knickerbocker stated that the Village of Buchanan is working as a team here with everyone. They are going to be starting the Buchanan 20/21 which will address specific Village problems after Entergy is closed. When residents ask if taxes will be going up, she explains there are so many balls in the air at this point and so many things that are happening: the NYS Task Force and resources of the State, she has been in contact with the Mayor in Zion and they have been working on legislation...there is funding that is available. It is money that the nuclear power plants have well more than the ratepayers have been paying into. They are looking to do, for all the power plants in the country, to get money for the storage of the spent fuel rods. The Mayor stated that we have to realize this – we are going to be storing this fuel for a while. Congress is starting to talk about Yucca Mountain again. In reality it has been over 30 years that they have worked on Yucca Mountain so if you think this is going to be resolved in the next year or so, it is not happening. She noted that she is disappointed with the Federal government that they have spent billions of dollars with no resolution. It is a problem throughout the entire country. They are looking at using this money (billions of dollars) so if we must become a storage facility, although we do not want to it to be, we should be compensated. It is an ongoing process. We are looking into ways to mitigate the tax effect once Entergy is closed. Tom Congdon added that it is important for this Task Force to stay focused on what recommendations they can make to our Federal government, as well.

Senator Murphy stated that he thinks we should have done this re-use analysis before we made the decision to close it so we have a better understanding on where we might go. We are playing defense instead of offense. The consultants have an enormous task ahead of them. He asked about the \$15 million dollars in the community fund: (Tom Congdon stated that in the settlement with Entergy there is a commitment by Entergy to pay \$15 million for community benefit and environmental projects.) Senator Murphy asked how does the community access this money and when is it available, is it available now? He noted there is a waterline that is leaking rapidly that goes through local communities that need \$1 million dollars to fix it; otherwise it will be a hit to some local municipalities. How do these Supervisor's and Mayor's access this money for their community?

Zack Knaub said this is a fair topic for the task force to take up; how to distribute this money and talk about the potential and appropriate uses. It is an important topic to address. In terms of timing, the settlement agreement calls for the establishment of the \$15 million funds to be released by the agreement of the State and Entergy. In terms of the waterline it is something that can be looked at.

There are funds available in the \$ 2.5 million (no interest loans) specifically for emergencies like this. He would encourage everyone to look at the emergency funds and then later it can be determined whether this would be an appropriate use of the community benefit fund. He added that if he understands this issue correctly, this water is primarily used by Entergy. It will need to be closely examined. Terrence Murphy asked if the municipality would have to pay the money back for the emergency repair (these are major leaks). Supervisor Puglisi noted that this is a Northern Westchester Joint Water Works project. Entergy is the major user of the water and we are meeting with them on this issue. Entergy has to address this issue through this fund or their surplus fund. Senator Murphy added that we can't wait until the next meeting to try and fix a broken watermain that is leaking half a million gallons of water per day. Supervisor asked if we have to wait until 2021 to use the criteria of the \$15 million dollars in the settlement between Riverkeeper, NYS and Entergy for our needs. Mayor Knickerbocker stated that it is her understanding that money is not available until Entergy ceases operation.

Zack Knaub noted that the Task Force could address, now the criteria for the use of the money. We don't have to wait to establish the criteria or ideas for the use. Those are things that are welcomed from the task force and from the community.

Sandy Galef stated that what you are trying to do is to get more rate-ables here and jobs. We have to know what may be available – economic development or whatever -. If a company will only come in if you put a sewer line here – that is important – but we do not know that now.

John Testa noted that he had heard that some of the \$15 million has been earmarked for Riverkeeper, is that true? Tom Congdon answered that this was not true. Riverkeeper is not anticipating receiving any funds. There is language in the settlement that priority will be given for certain types of environmental benefit projects but there is also language for community betterment projects. Tom asked to stress that this task force is a great venue to talk collectively about criteria and specific projects. The annual report can start to flesh out specifics. We want to be flexible and will be open to suggestions but this is the venue for these discussions. The DEC is on the task force to ensure that there is an environmental voice. One of the criteria to consider is to make sure we are using the funds strategically and are there other pots of State funds that can satisfy a project priority – it should be tapped first. We should also consider whether Entergy has other obligations beyond the \$15 million before we use the funds for projects that perhaps they might be in a position to pay for.

Senator Murphy asked that we should also consider what can be put in the budget because it just wasn't Entergy that decided to close down – it was NYS and the Governor that wanted to shut this down. It is extremely important that we get some sort of caveat in our State budget of \$158 billion dollars.

The next task force meeting will be held December 19, 2017.

For public comment: <http://www.dps.ny.gov>, click Indian Point Closure Task force, click Post Comments. The comments are read. Supervisor Puglisi thanked everyone for attending.

Minutes submitted by Judi Peterson