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Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

September 1, 2022

VIA EMAIL

Hon. Michelle L. Phillips
Secretary to the Commission
3 Empire State Plaza
Albany, NY 12223-1350

Re: Matter No. 21-01188 – In the Matter of the Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board.

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, the July 27, 2022 Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board Meeting Transcript. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

Tom Kaczmarek
Executive Director
Indian Point Closure Task Force
Indian Point Decommissioning Oversight Board

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2 STATE OF NEW YORK

3 DEPARTMENT OF PUBLIC SERVICE

4

5 21-01188 - In the Matter of the Indian Point Closure
6 Task Force and Indian Point Decommissioning Oversight
7 Board.

8 PUBLIC MEETING

9 DATE: July 27, 2022

10 TIME: 6:02 p.m. to 9:09 p.m.

11 VENUE: Cortlandt Town Hall and ZOOM

12 1 Heady Street

13 Cortlandt, New York

14 BEFORE: A.L.J. ANTHONY BELSITO

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19 Reported by Katie Williams

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2 APPEARANCES:
3 ALYSE PETERSON, NYSERDA
4 BILL SMITH, V.P. UTILITY WORKERS UNION OF AMERICA
5 BRIDGET FRYMIRE, D.P.S
6 CATHERINE BORGIA, WESTCHESTER BOARD OF LEGISLATORS
7 CLIFF CHAPIN, NYS RESIDENT INSPECTOR
8 COLIN SMITH, WESTCHESTER BOARD OF LEGISLATORS
9 DAVID LOCHBAUM, NUCLEAR ENGINEER (RET)
10 JEFF GUYNUP, D.O.L.
11 JENNIFER WACHA, DIV. OF HOMELAND SECURITY
12 JOHN SHERIDAN, ENBRIDGE HUDSON SCHOOL DISTRICT
13 JOSEPH HOCHREITER, HENDRICK HUDSON SCHOOL
14 KELLY TURTURRO, D.E.C.
15
16 LOU PICANI, PRESIDENT TEAMSTERS LOCAL 456
17 MARK PATTISON, D.O.S.
18
19 PETER HARCKHAM, SENATOR
20 RICH BECKER, TOWN OF CORTLANDT SUPERVISOR
21 RICH BURRONI, HDI/HOLTEC
22 RICHARD WEBSTER, RIVERKEEPER
23 RYAN COYNE, D.P.S.
24 SANDY GALEF, ASSEMBLYWOMAN
SCOTT PALLADINO, DEPT. OF TAX & FINANCE
SUSAN SPEAR, WESTCHESTER COUNTY
THERESA KNICKERBOCKER, VILLAGE OF BUCHANAN MAYOR
TOM CAREY, PRESIDENT WESTCHESTER-PUTNAM CENTRAL LABOR
TOM CONGDON, D.P.S.
TOM KACZMAREK, D.P.S.
TOM SCAGLIONE, EMPIRE STATE DEVELOPMENT
ANTHONY HILL, NYPA
PUBLIC:
ALICE SLATER
COURTNEY WILLIAMS
DAN GALINKO
ELLEN WEININGER
MANNA JO GREENE
MARGO SCHEPART
RICK DISENTA
SALLY JANE GELLERT
SUSANNAH GLIDDEN
VINCENT ALBANESE

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2 (The meeting commenced at 6:02 p.m.)

3 THE REPORTER: We're on the record.

4 CHAIR CONGDON: Just a few logistical
5 points I'd like to make for our in-person panelists.
6 It's very important that you speak into the mic.
7 This is a hybrid meeting with Zoom participants and
8 the folks participating via Zoom will only hear us if
9 we're speaking into our mic. So please remember to
10 use the mic.

11 Tonight's meeting will cover some
12 business with some updates from Holtec on
13 decommissioning activities and from State agencies on
14 some oversight activities. But the majority of our
15 time tonight is going to be spent with the public
16 forum.

17 The public participants who pre-
18 registered with questions by the Stated deadline will
19 be given the first priority for the public forum
20 session. We did receive other questions and we are
21 committed to answering those.

22 If we have time tonight, we'll answer
23 them here. If we run out of time, we've documented
24 all of those questions and we'll be providing written
25 responses.

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2 For those of you participating in the
3 public forum, when it's your turn to speak, staff
4 will unmute the participants when it's your turn.
5 Next slide. I'd like to quickly do a roll call for
6 the attendance of the members. I'll just start at
7 the top with Senator Pete Harckham.

8 BOARD MEMBER HARCKHAM: Here.

9 CHAIR CONGDON: Assemblywoman Galef.

10 BOARD MEMBER GALEF: Here.

11 CHAIR CONGDON: Ryan Coyne from
12 Department of Public Service.

13 MR. COYNE: Here.

14 CHAIR CONGDON: Tom Kaczmarek from
15 D.P.S.

16 BOARD MEMBER KACZMAREK: Here.

17 CHAIR CONGDON: Kelly Turturro, D.E.C.

18 BOARD MEMBER TURTURRO: Here.

19 CHAIR CONGDON: Jeff Guynup from
20 Department of Labor.

21 BOARD MEMBER GUYNUP: Here.

22 CHAIR CONGDON: Mark Pattison,
23 Department of State I believe is virtual.

24 BOARD MEMBER PATTISON: Here.

25 CHAIR CONGDON: Scott Palladino,

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2 Department of Taxation & Finance. Possibly virtual,

3 possibly not. Jennifer Wacha from DHSES.

4 BOARD MEMBER WACHA: Here.

5 CHAIR CONGDON: Tom Scaglione from

6 E.S.D.

7 BOARD MEMBER SCAGLIONE: I'm here

8 virtual.

9 CHAIR CONGDON: Tony Hill from NYPA.

10 BOARD MEMBER HILL: It's Anthony,

11 here.

12 CHAIR CONGDON: Hi, Anthony. Thank

13 you. Alyse Peterson from NYSERDA in the room?

14 BOARD MEMBER PETERSON: Here.

15 CHAIR CONGDON: Hi, Alyse. Our labor

16 representative is Lou Picani. He's not here. Is he

17 virtual? Lou? No? Bill Smith?

18 BOARD MEMBER SMITH: Here.

19 CHAIR CONGDON: Tom Carey.

20 BOARD MEMBER CAREY: I'm here virtual.

21 CHAIR CONGDON: Hi, Tom.

22 BOARD MEMBER CAREY: Hi, Tom.

23 CHAIR CONGDON: Turning THEN to our

24 local representative, Supervisor Becker.

25 BOARD MEMBER BECKER: Here.

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2 CHAIR CONGDON: Mayor Knickerbocker.

3 BOARD MEMBER KNICKERBOCKER: Present,
4 I want to be different.

5 CHAIR CONGDON: Susan Spear.

6 BOARD MEMBER SPEAR: Here.

7 CHAIR CONGDON: Catherine Borgia. She
8 may be virtual. May be coming --

9 BOARD MEMBER BORGIA: Here.

10 CHAIR CONGDON: Okay.

11 BOARD MEMBER BORGIA: Here.

12 CHAIR CONGDON: Hi Catherine. Glad
13 you -- glad you could join on -- on virtual. Thank
14 you. Colin Smith. I know Joe Hochreiter will be in
15 person, but about 15 minutes late so we'll -- we'll
16 see him soon. And now turn to our technical expert
17 Dave Lochbaum.

18 MR. LOCHBAUM: Here.

19 CHAIR CONGDON: Really pleased Dave
20 was able to join us in person. Welcome. And Richard
21 Webster from Riverkeeper.

22 MR. WEBSTER: Oh, yes, present.

23 CHAIR CONGDON: Hello. So that shows
24 we have a quorum. We'll move on. Next slide,
25 please. As I mentioned our agenda tonight, we will

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2 be receiving some updates from our State agencies
3 involved in oversight activities as well as from
4 Holtec to discuss what has been going on at the site
5 since our last meeting and what is expected between
6 now and -- and in our September meeting and then
7 we'll turn it into the public forum.

8 Next slide, please. Just a reminder
9 to the public for following all of the activities of
10 the Decommissioning Oversight Board, we strongly
11 recommend that you subscribe to our service list. We
12 have a website, we've improved the website based on
13 feedback from the community.

14 The -- the -- the website can bring
15 you to a document library. And in that document
16 library, which looks like what you see on the screen
17 here, there is a button to subscribe to the service
18 list.

19 The service list will generate
20 automatic emails to you whenever there's a new
21 document posted in the document library, and it will
22 also send you an email notifying you of meetings. So
23 we strongly recommend using this tool.

24 Next, and also just a reminder to
25 everyone working at the plant. We want to hear from

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2 you if you see anything that is of concern. We have
3 a whistleblower tip line, both via our website,
4 email, and phone. And I want to just publicize this,
5 again, for employees at the site. We appreciate your
6 work, and we want to keep you safe and the public
7 safe. Thank you.

8 Next. So now I want to turn it over
9 to Ryan Coyne, our Assistant Counsel to provide some
10 updates, Ryan.

11 MR. COYNE: Thank you, Tom. If you
12 move to the next slide, please. So I think as most
13 members of the Board know, Indian Point is one of the
14 few sites in the country that has this type of
15 continuous real-time radiation monitoring system set
16 up.

17 That data is fed to both county and
18 State officials, and we monitor it and if you can
19 just move to the next slide, please. That's a map of
20 where the -- where the monitors are located with some
21 of the most recent data that we've received from
22 those monitors. And to date, there have been no
23 readings that have caused any concern and we will
24 continue to -- to monitor that data going forward.

25 Next slide, please. Just a brief

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2 update on oversight activities that have occurred
3 since the last D.O.B meeting. I think the most
4 significant development is the hiring of Cliff
5 Chapin, who is now our New York State Resident
6 Inspector at the Indian Point site.

7 I think Mr. Chapin has been on the job
8 for about two weeks now. He has a permanent day-to-
9 day presence on the site. He's going to be
10 monitoring decommissioning activities. I think, are
11 we going to introduce Mr. Chapin at some point?

12 CHAIR CONGDON: Yes, if you can come
13 up and say a few words into the mic.

14 MR. CHAPIN: Can you hear me? Okay.
15 I guess just a little background on my career.
16 Majority of my career was in commercial nuclear
17 power. That included 19 years as a senior reactor
18 operator.

19 In 2016, I came over to Indian Point
20 and while I was there, I worked at both training
21 management and work management. And I left with the
22 first wave of employees in May of 2020 following the
23 shutdown of the first reactor.

24 Over the last couple of years, I've
25 worked as a supervisor in waste to energy. And when

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2 this opportunity came up earlier in the year, I felt
3 it was a opportunity for me to more broadly use my
4 background and experience and I'm honored to have
5 been selected. Thank you.

6 MR. COYNE: Terrific. Thanks, Cliff,
7 and we are thrilled to have him on Board. We know he
8 is going to be a real asset to the both the D.O.B.
9 and the D.O.B.'s constituent agencies' oversight work
10 in the coming years. So thank you.

11 Other oversight activities. Holtec
12 continues to comply with their reporting requirements
13 under the Joint Proposal. There have been no
14 concerning reports with respect to the temperature of
15 the fuel pool or effluent safety data as of this
16 date, move to the next slide.

17 As far as the financial reporting, one
18 development since the most recent D.O.B. meeting. We
19 have -- State regulators have met with Holtec
20 leadership and specifically their investment and
21 finance team to perform our biannual review of the
22 status of the decommissioning trust funds. The J.P.
23 requirements are continuing to be complied with and
24 everything seems to be on track there.

25 Next slide, please. Federal

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2 engagements. The D.O.B. and its constituent agencies
3 continue to engage with the federal government on --
4 on Indian Point Oversight matters. There are
5 currently pending several license amendments requests
6 and exemptions from Holtec. I think Mr. Burroni is
7 going to discuss those in a little bit.

8 For each of these applications, the
9 D.O.B. reviews the contents and determines whether
10 there's any concerns from a State perspective with
11 what Holtec is proposing to do. And if comments are
12 necessary following that review to either Holtec, or
13 the N.R.C., or both, they will be made. So the State
14 review of those license amendment requests is
15 ongoing.

16 Next slide, please. And then finally,
17 on the federal side, the United States Department of
18 Energy is at the site this week. They are there as
19 part of an ongoing effort that they have undertaken
20 to assess transportation infrastructure at all of the
21 country's nuclear sites.

22 The idea is to determine what
23 resources are available to eventually transfer both
24 the spent fuel casks and the greater than Class C
25 waste to a -- an interim or permanent reposit --

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2 excuse me, repository whenever that day comes.

3 They've so far been at I think
4 something like 18 or 20 of the country's sites,
5 including Oyster Creek and Pilgrim. And they're
6 currently doing that review at Indian Point.

7 Some members of the D.O.B are going to
8 meet with them tomorrow morning to discuss what
9 they've found this week. And then when that review
10 is complete, we anticipate inviting them to a future
11 D.O.B. meeting to present to the full Board and the
12 public as well.

13 With that, I think I turn it over to
14 Kelly Turturro and the D.E.C. update.

15 BOARD MEMBER TURTURRO: Good evening.
16 Thank you, Ryan. So just an update on D.E.C.
17 oversight activities under our administrative order
18 of consent. We continue to work with Holtec to
19 finalize both the citizen participation plan and
20 scoping work plan. We've recently gotten revised
21 drafts from Holtec, and our team is reviewing those
22 drafts. We hope to be finalized soon on -- on those
23 two documents.

24 Next slide, please. And then in terms
25 of our governing jurisdiction, the Department of

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2 Environmental Conservation is governing jurisdiction
3 in terms of permits. There are two SPDES permits in
4 place at the facility.

5 One covers the main facility, and as
6 I've reported in past meetings, D.E.C. is undertaking
7 a technical review of that permit to determine
8 whether a modification is necessary for the permit.
9 That review is ongoing.

10 Secondly, there is an additional SPDES
11 permit that covers stormwater discharges from a
12 transformer's secondary containment system at the
13 plant. We are renewing that permit. And the permit
14 renewal public notice will be in the Department's
15 Environmental Notice Bulletin, likely next week but
16 definitely within the next couple of weeks.

17 So what that will do is provide the
18 public an opportunity to comment on the permit
19 renewal there, but I do want everybody to know that
20 there are no changes to that permit. It will be the
21 same permit as has existed for many years.

22 Holtec also has a major oil storage
23 facility license. What this basically gov -- governs
24 is petroleum storage at the site. We are working
25 with Holtec to make sure that the Department is

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2 monitoring the closure of these tanks as Holtec works
3 to close the tanks at the facility.

4 Next slide, please. And then,
5 finally, with regard to dust mitigation. We continue
6 to work with Westchester County and the Village of
7 Buchanan to ensure that the appropriate State
8 regulations are incorporated into the village's
9 demolition permit for the demolition of the facility.
10 Thank you, Tom.

11 CHAIR CONGDON: Thank you, Kelly. Any
12 questions for either Ryan or Kelly, Sandy?

13 BOARD MEMBER GALEF: All right. I
14 have two questions. First of all, the tips, the
15 whistleblower, how many have been called in at this
16 point? Do we have any idea?

17 CHAIR CONGDON: I believe zero. Tom?

18 BOARD MEMBER KACZMAREK: Zero.

19 BOARD MEMBER GALEF: Zero.

20 CHAIR CONGDON: Yeah, zero.

21 BOARD MEMBER GALEF: Okay. Maybe we
22 need to advertise it more.

23 CHAIR CONGDON: We advertise it at
24 every meeting.

25 BOARD MEMBER GALEF: Anyway. Okay.

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2 Second thing is I think you indicated, Ryan Coyne
3 indicated that they were under budget but on time,
4 could you tell us what monies they have spent to date
5 and why you say they're under budget? Because we
6 don't have any fiscal accounting here that I know of
7 and it is, you know, our money so.

8 MR. COYNE: Yes, understood. I don't
9 -- if I suggested that I was representing that they
10 were under budget then that was when I was not being
11 clear. What I meant to say was that they are in
12 compliance with all of their reporting requirements
13 and they're in compliance with the minimum trust fund
14 balance obligations that are specified in the Joint
15 Proposal.

16 Those are the two criteria that we,
17 you know, determined were satisfied through the June
18 financial reporting meeting.

19 BOARD MEMBER GALEF: Can we get an
20 accounting at the next, I guess, we don't have an
21 accounting right now, right?

22 MR. COYNE: So we have -- there's two
23 check-ins over the course of the year on the status
24 of the decommissioning trust funds. The one that we
25 just passed, is the March filing with the N.R.C.

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2 which specifies the balances of the Decommissioning
3 Trust Funds as of December 31st of the preceding
4 year.

5 So that filing was made that was the
6 filing it was discussed at the June meeting Holtec
7 leadership. Also under the J.P., the State has a
8 second biannual check-in that is less of a formal
9 accounting, but is nevertheless an opportunity for
10 agency staff, and specifically, D.P.S.'s Office of
11 Audits Accounting and Finance to discuss just overall
12 investment strategy and help with the fund with
13 Holtec's investment team.

14 On top of that, at the monthly
15 meetings, the -- which the State representatives have
16 attended each of the monthly meetings since the
17 process began. Holtec gives an interim update on the
18 -- the money that has been spent on the previous
19 month and money that's been spent cumulatively.

20 So we have a window into that
21 spending. What we can say from that is that it is--
22 and Rich Burroni, I think, could speak to this more
23 specifically, they are close to the projections that
24 they made to the N.R.C. at the outset in the
25 P.S.D.A.R.

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2 Whether it's exactly under budget, I -
3 - I don't know off the top of my head, but they are
4 close to the projections that they provided to the
5 N.R.C. back in 2019-2020.

6 BOARD MEMBER GALEF: Just as a follow
7 up as the member here. I think I need to know the --
8 the numbers from some report somewhere. So if we can
9 have a consistent, you know, each time, I mean, if
10 there's a change, whatever -- whatever reports have
11 come out, if we could just have that and I think the
12 public should have it actually because it is our
13 money. And so I think we should be able to track it.
14 So that's my suggestion.

15 CHAIR CONGDON: I think that's a fine
16 suggestion. And we can provide the -- I think
17 they're public reports to the N.R.C. and we can
18 provide those numbers at future meetings.

19 BOARD MEMBER GALEF: Okay. And what
20 is the current -- the current balance? Because I
21 think it was 2.3 billion and I think a lot of it's in
22 the trust fund is -- is you don't have an amount.

23 CHAIR CONGDON: We don't have the
24 number --

25 BOARD MEMBER GALEF: Okay so --

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2 CHAIR CONGDON: -- at the top of our
3 head. Rich may be able to speak that in terms of --

4 BOARD MEMBER GALEF: Okay. All right.
5 Just curious.

6 CHAIR CONGDON: Senator Harckham?

7 BOARD MEMBER HARCKHAM: Thank you.
8 Yeah. Good question. I -- I agree with Assembly
9 member Galef that -- that this is an Oversight Board,
10 and it is in large part about the finances. So I --
11 I certainly agree with -- with Sandy that, so at
12 every month -- every meeting we should have, even if
13 it's bottom line, then if there are major deviations,
14 we can have conversation about it. But I -- I think
15 -- I think that's an important thing.

16 A question I have. I don't know
17 whether it was last meeting or the meeting before, we
18 had a robust discussion about a waiver request on the
19 emergency management plan. And Ryan, you mentioned a
20 request to waive cyber security plan requirements.

21 Can you give us some detail? Is that
22 just a technical thing or, you know, just seems with
23 what's going on in the world, we want to have as
24 stringent cyber security measures as possible.

25 So could you give us a little more

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2 detail as to what that bullet was in your
3 presentation?

4 MR. COYNE: Certainly, Senator, yes.
5 So and I'm probably not the best person to speak to
6 the -- the technical aspects of the application. It
7 is one of the license amendment requests that Holtec
8 has filed for.

9 There is some time before we
10 anticipate the N.R.C. is going to take any action on
11 it and I -- what I know is that the staff of the
12 D.O.B.'s constituent agencies are reviewing it to
13 determine whether we need to make any statements to
14 the N.R.C. about whether we think it's appropriate or
15 not.

16 As to the specifics of the request
17 that they've made, I think I would have to defer to
18 either Mr. Burroni or perhaps somebody else, a
19 different staff.

20 BOARD MEMBER HARCKHAM: Is -- is it
21 possible that Rich could address this when he does
22 his presentation?

23 CHAIR CONGDON: Right. And now, Dave
24 Lochbaum can also speak to some of the technical
25 requests.

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2 BOARD MEMBER HARCKHAM: Great, thank
3 you.

4 MR. LOCHBAUM: Particularly, the
5 cybersecurity state, this is Dave Lochbaum,
6 particularly the cybersecurity aspect, property plant
7 safety, there are some plants that a hacker could get
8 in and affect safety equipment or the power
9 distribution to the plant.

10 Indian Point's current configuration
11 is that neither one of those pathways even if it were
12 present, couldn't lead to early release of radiation.
13 So the cybersecurity rules that were developed after
14 09/11 to protect against radiological release really
15 don't apply to a plant that's currently shut down in
16 the configuration like Indian Point.

17 So I assume that's N.R.C. has approved
18 other exemption requests for cybersecurity for those
19 reasons. And they're looking to make sure that that
20 is the case at the Indian Point before they thumbs up
21 or thumbs down the request.

22 BOARD MEMBER HARCKHAM: Thanks.

23 CHAIR CONGDON: In other words, just
24 to be crystal clear, for non-technical guys, the
25 decommissioning underway at -- at the plant because

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2 it's no longer operating. It's now cut off and not
3 connected at all to any networks that could invite a
4 cyber-attack.

5 MR. LOCHBAUM: But there is -- there
6 is potential and access for things like human
7 resources, worker records. There's the potential for
8 access for a hacker to get into things like human
9 resources, the payroll and accounting and worker
10 radiation exposure records, but nothing that would
11 affect public safety at this point.

12 CHAIR CONGDON: Thanks, Dave.

13 BOARD MEMBER KACMAREK: Tom, just a
14 brief request we're receiving from those joining
15 virtually. Please introduce yourselves as you're
16 speaking as they're not always able to see the name
17 placards.

18 CHAIR CONGDON: Okay. Thanks, Tom.
19 This is Tom Congdon. Any other questions from D.O.B.
20 members? Okay. At this time, I'd like to invite
21 Rich Burroni to come to the table.

22 BOARD MEMBER CAREY: It's Tom Carey.
23 I just --.

24 CHAIR CONGDON: Tom Carey. Yeah.

25 BOARD MEMBER CAREY: (Unintelligible)

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2 CHAIR CONGDON: Tom, Tom, Tom Carey.

3 BOARD MEMBER CAREY: Cyberattack.

4 CHAIR CONGDON: Tom Carey, could you -
5 - could you start over on your question? You were
6 cutting in and out? Could you try again? Tom Carey,
7 we're having a difficult time hearing you. I think
8 you're trying to ask a question. Perhaps you can use
9 the chat.

10 Can I ask one of the technical folks
11 to give Tom a call and see if he can work it out
12 while we proceed. Thank you. So welcome, Rich
13 Burroni from Holtec. Appreciate your regular
14 appearances at the D.O.B. and your accessibility to
15 answer questions. We appreciate -- we appreciate
16 that very much. And Rich will be I think -- I think
17 it should work. Go ahead and speak in to test it
18 out. It's on.

19 MR. BURRONI: You got it.

20 CHAIR CONGDON: Yeah. So welcome,
21 Rich.

22 MR. BURRONI: Thank you very much.
23 Basically, the presentation I'll give is really what
24 we've -- the progress we've made since the last
25 meeting and where we project ourselves to be come the

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2 September meeting.

3 We'll focus on our dry fuel project,
4 which includes our independent spent fuel storage
5 installation or ISFSI pad. And then we'll talk about
6 where we stand with the fuel pool in both units and
7 the adaption of a hi-lift crane that we'll use in
8 Unit 3.

9 Then I'll go into vessel segmentation.
10 That's really our second critical path, right. And
11 the intent of fuel to pad and vessel segmentation is
12 to get all the major radionuclide components secured
13 so that we can then really work on the site as a
14 construction project. And that's really the
15 philosophy.

16 Then I'll get into some building
17 demolitions that we've done. N.S.C. inspections and
18 activities that we want to further discuss the
19 L.A.R.s, I can do that. And then we did have a
20 feeder line interruption, the 13 Whiskey 92, which is
21 a I'm sorry, 93, which is a feeder from the Buchanan
22 switchyard to Indian Point we've since resolved.

23 Alright, next slide, please. So just
24 to recap, the dry fuel project concludes with both
25 fuel -- from both spent fuel pools on the Independent

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2 Spent Fuel Storage Installation pads and the
3 Protected Area Fence and Monitoring Systems. We
4 project all that to be done by October of 2023.
5 Right and if you look at the joint proposal, I think
6 the date in there is December of 2023. So we're
7 trying to beat that date.

8 The ISFSI pad in the dry fuel project
9 like I said, is one of two critical pad activities
10 that we have going onsite. The existing pad and most
11 of you that come for a tour, so you've seen it. The
12 existing pad will hold 75 casks, the new pad will
13 hold 52 casks.

14 So since the last Oversight Board
15 meeting we've completed the concrete pour on the new
16 pad. We've continued with grading around the
17 existing and new pad. And we've continued with
18 preparations to support monitoring equipment.
19 There'll be a full security system there. Lighting,
20 whatever we need to make that our protected area.

21 And then projected through September
22 we'll complete the grading. We'll complete the
23 installation of the monitoring equipment and the
24 lighting stanchions and then we'll continue to work
25 on == there'll be three actual fences or three

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2 protected areas there.

3 There will be the Protected Area
4 Fence, the SOCA fence which is the security only
5 controlled area and the vehicle barrier. So you'll
6 have three of those barriers around the spent --
7 spent fuel casks at the end of the build.

8 Next slide. So this first photo just
9 shows the contouring around the pad. Also, you can
10 see the poles that are being installed for fencing,,
11 and lighting and the security equipment. Giordano
12 Contractors has the major work that they're doing
13 there in that facility.

14 Next slide. That's our completed pad.
15 What we have left to do is that you can see around
16 the perimeter of the pad, there's a space there,
17 we're putting drainage systems in and then we'll
18 level it off with gravel.

19 And then what we'll do -- what we'll
20 do is then grade that to be at the same elevation as
21 the existing pad. So if we have to go back and
22 forth, we can. We don't project that we have to do
23 that, but we'll have that ability. That's it on the
24 ISFSI pad.

25 For the Unit 2 fuel pool and the spent

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2 fuel pool building activities. Just to recap, 89 --
3 896 fuel assemblies need to be casked in Unit 2 and
4 that's going to require 28 casks.

5 In Unit 3, 1280 assemblies need to be
6 casked that will require 41 casks. For the Unit 2,
7 spent fuel pool offload campaign is scheduled to
8 start August 8th, a couple of weeks from now. And
9 the Unit 3, spent fuel pool offload campaign that's
10 scheduled to start in February of '23. And we'll
11 finish that up in October of '23.

12 So right now on Unit 2 we've completed
13 the rail repair -- rail repairs outside the spent
14 fuel building. The rail system which we used to
15 transport the HI-STORM out of the building, the grout
16 underneath the steel plates -- it degraded, it needed
17 repair since we put them in back in 2007, 2008
18 timeframe, the grout just needed to be resurfaced.
19 We did that, got that done.

20 We've completed our preventive
21 maintenance activities on -- on our fuel handling
22 machine, right. That handles the fuel within the
23 building, the cask-handling crane, which will move
24 actually the casks within the spent fuel pool
25 building and the vertical cask transport.

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2 We've also accepted delivery of the
3 new M.P.C.s and the HI-STORMS, those we'll -- those
4 will contain the fuel. And we've had the Readiness
5 Review Meetings for the defuel of the fuel pool.
6 We've had them for the last three or four months on a
7 weekly basis.

8 Basically, we've come up with a punch
9 list of activities that need to be done prior to de-
10 fuel and that's working out well so far. We have
11 also established the schedule.

12 So through September, we should start
13 the Unit 2 spent fuel pool. Like I said, in August
14 per the current schedule, 17 casks of Unit 2 fuel
15 will be on the existing pad and 11 will go on the new
16 pad and that's a projected finish again to February
17 of '23. By September we should have nine casks on
18 the existing pad.

19 Now, if we turn the page, you can see
20 where that's -- we call it the Cattle Chute for lack
21 of a better name. But you can see where we had to
22 repair the grout that was degraded over time. We
23 repaired that and then we put the steel plate in and
24 resurfaced the road. That was all set to go to for
25 the storm, for the HI-STORMS to be pulled out of the

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2 building.

3 Over to Unit 3, we continue to modify
4 the building because of the high-lift and it's -- in
5 its configuration and structure we need to modify the
6 ductwork within the building. We want to get this
7 right, reliable heating in there for the winter
8 months for the workers. There's some walkways that
9 have to be modified, and the backup spent fuel pool
10 cooling system has to be modified also.

11 Also, the Hi-Lift was manufactured by
12 Holtec at the Holtec facility in Pittsburgh. And it
13 was full load tested at 100 percent load and 125
14 percent full load. So it works very well.

15 What we need to do now through
16 September is we'll complete the modifications in the
17 building, but we still need to do a -- an additional
18 factory load test prior to its shipment at the Indian
19 Point.

20 Really what we're projecting, and this
21 is beyond September, we want to have the Hi-Lift
22 installed by Thanksgiving timeframe. And then we
23 want to go through some initial station acceptance
24 testing by Christmas.

25 And what that does is it affords us

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2 some time for training, to work out any other issues
3 that we need to work out prior to the February '23
4 timeframe that we'll be using the Hi-Lift structure.
5 So these pictures show the Hi-lift.

6 It's actually -- it's a one
7 dimensional lifts, it pivots over and then -- then
8 lowers the load. So top left shows it lifting a load
9 and bottom right shows it lowering the load. That's
10 all I have for fuel movement. Does anybody have any
11 questions on fuel? Yes, sir.

12 MR. WEBSTER: Yes, hi, Rich. My
13 questions, sir, these are questions I get asked a
14 lot. So I'm going to ask you the same questions,
15 right.

16 So -- so one is about high burnup
17 fuel. People are concerned that, you know, high
18 burnup has a greater thermal load and there had been
19 thought to need longer time in the spent fuel pool --

20 MR. BURRONI: Right.

21 MR. WEBSTER: -- and you're taking out
22 earlier than -- than had previously being done. So
23 can you explain a little bit how you do that?

24 MR. BURRONI: So when we look at the
25 fuel, right, well, we actually do fuel load studies

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2 for each cask. Holtec developed what's called a
3 Metamic insert, which allows us to cask higher burnup
4 fuel in a more timely fashion. So because of that
5 methodology, we're able to load fuel faster than we
6 could in previous years.

7 MR. WEBSTER: Can you -- what was the
8 -- what was the metallic insert? And can you explain
9 how it works?

10 MR. BURRONI: It's Metamic.

11 MR. WEBSTER: Metamic.

12 MR. BURRONI: It's a special metal
13 that was developed by Holtec.

14 MR. WEBSTER: Okay. What does it do?

15 MR. BURRONI: It absorbs heat faster,
16 right? It absorbs not faster, it absorbs more heat
17 than a regular steel -- steel configuration.

18 MR. WEBSTER: So it conducts the heat
19 away.

20 MR. BURRONI: Yeah.

21 MR. WEBSTER: Right. Okay. So the
22 second question I have is about damaged fuel.

23 MR. BURRONI: Damaged fuel.

24 MR. WEBSTER: Yeah, do you have much
25 damaged fuel in the -- in the spent fuel --

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2 MR. BURRONI: There are some damaged
3 fuel assemblies, but we got to be careful on how we
4 classify those. Sometimes damaged fuel might have
5 been because we didn't have a chance to do fuel
6 sipping, right. For some reason or --.

7 MR. WEBSTER: What does that mean?

8 MR. BURRONI: Well, when we sip the
9 fuel, we look for any degradation in the fuel itself
10 for any leaks. So there are some assemblies, we
11 weren't able to do that for one reason or another in
12 the past. There is one of the license amendment
13 requests that talks about casking damaged fuel with a
14 primary resource. So that's - that L.A.R. has been
15 submitted to the N.R.C. to review them.

16 MR. WEBSTER: Okay. So does that mean
17 for now you can't cask damaged fuel until -- until
18 you get an amendment?

19 MR. BURRONI: Right now, I can't cask
20 that fuel until I get approval from the N.R.C.

21 MR. WEBSTER: Okay. Can you just
22 briefly explain how -- how it's done? You know, if
23 you have damaged fuel, how do you do that versus the
24 normal fuel?

25 MR. BURRONI: Damaged fuel right could

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2 be a grid strap, could be a grid strap that's kind of
3 dislodged, right. It could be -- there's no question
4 that we can lift any of the fuel -- fuel assemblies,
5 we know we can do that because we've done that in the
6 past, right.

7 Again, so it could be a grid strap
8 that's maybe loose. Could be, again, for some reason
9 and another reason why we didn't sip the fuel to
10 begin with. I can go through some other -- I can get
11 -- get back to you with some other of the failures
12 that we are seeing but that's basically it.

13 MR. WEBSTER: Okay. I -- I'd
14 appreciate it. If you do it quick.

15 MR. BURRONI: Yeah, I'll do that.

16 MR. WEBSTER: The failures that you
17 see and the methodology you use but still cask it and
18 even with those failures, that will be great.

19 CHAIR CONGDON: Richard, one second.
20 This is Tom Congdon. Could you just get a sense for
21 like what percentage of the assemblies you're saying
22 that are --?

23 MR. BURRONI: I think there's 12
24 assemblies total.

25 CHAIR CONGDON: 12 total out of the --

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2 so percentage wise, that's?

3 MR. BURRONI: 12 out of the number
4 can't really -- out of a couple 1,000.

5 MR. WEBSTER: Right.

6 MR. BURRONI: It's not like it's 70,
7 80 to a 100 it's more like 12 or 13.

8 MR. WEBSTER: Thanks, Tom, for your
9 answers.

10 MR. BURRONI: You're welcome.

11 MR. WEBSTER: Thanks, Rich.

12 MR. BURRONI: Any other questions on
13 fuel? Okay. Vessel segmentation is really our
14 second critical path, right. We want to try to time
15 this to be completed by the October '23 timeframe.
16 It may go past that a little bit but that's kind of
17 our goal right now.

18 CHAIR CONGDON: Excuse me, Rich. Just
19 before you dive in, laypersons terms, try to explain
20 in the most basic terms what vessel segmentation is.

21 MR. BURRONI: Okay.

22 CHAIR CONGDON: For the general
23 audience.

24 MR. BURRONI: We're going to take
25 apart the reactor and we're going to actually cut it

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2 with a gantry, a saw configuration. That will start
3 with cutting up the internals, right, the core
4 barrel.

5 If anybody remembers baffled bolts and
6 battled plates, right. That was a huge issue a few
7 years ago. All that money we invested in getting
8 those prepared. We're now going to cut the -- the
9 internals of the vessel itself, right.

10 We'll also cut off the tops of the --
11 the vessel head itself, right. All of that gets cut.
12 It goes into specific canisters, right. And
13 depending on what level of radionuclide it is, it
14 could be like alpha waste, Bravo Charlie are greater
15 than class C, right, that'll determine what we do
16 with that. Those segmentations of components within
17 the reactor vessels itself.

18 So basically, it's just cutting up the
19 internals of the reactor and -- and the top parts
20 also. That's what it comes down.

21 BOARD MEMBER TURTURRO: And Rich,
22 that's -- that's you -- that's done underwater?

23 MR. BURRONI: That's all done
24 underwater.

25 BOARD MEMBER TURTURRO: With a very

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2 sharp saw because I did see it, when we went to
3 Vermont, we were able to see that on a monitor how
4 they were doing the vessel segmentation.

5 MR. BURRONI: Yeah.

6 BOARD MEMBER TURTURRO: It's very
7 interesting.

8 MR. BURRONI: So we have some
9 pictures, some preliminary pictures of the saw
10 structure that we're starting to install in Unit 3.
11 All right. So we'll get to those pictures. But just
12 to clarify, also, for the vessel itself, that may
13 have to be cut dry, right. Because we can only flood
14 -- so we can only flood the cavity, right. We flood
15 the cavity, which is where the vessel sits, right.

16 Eventually, we're going to have to
17 lift it, cut it dry. And we'll do that in stages.
18 It's a whole process on how we --.

19 MR. WEBSTER: Richard, will this
20 generate radioactive water when you --?

21 MR. BURRONI: I'm sorry.

22 MR. WEBSTER: Is the water that will
23 be residual that you use to flood up, will that
24 become radioactive?

25 MR. BURRONI: I can't hear him.

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2 CHAIR CONGDON: Will -- the question
3 from Richard Webster is will the water that you use
4 to flood the vessel become radioactive?

5 MR. BURRONI: Well, it's the same
6 water that we use now for that we have used for
7 refueling operations.

8 MR. WEBSTER: Okay.

9 MR. BURRONI: So it's going to be no
10 more radioactive than it is right now.

11 MR. WEBSTER: Right. Do you recycle
12 it after you -- after you -- after you flood up the
13 vessel to cut it out, you then recycle the water and
14 store it somewhere?

15 CHAIR CONGDON: Is the water -- is the
16 water once -- once you've used it for the underwater
17 segmentation work that you're -- that you're
18 performing after the flooding, what do you do with
19 that water that is now radioactive?

20 MR. BURRONI: And that's okay. So
21 it's -- it'll be processed just like we process water
22 now, right. We do not dump to the river, we
23 discharge to the river. And we discharge through a
24 series of filtering networks, a series of holding
25 tanks, and a series of monitoring operations, right,

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2 we do that now.

3 We've done that in the past, right.

4 Normal plant operation. We've done that normally.

5 And between the spent fuel pools, the -- and the
6 reactor cavity, which will get its water from the
7 refueling water storage tank, right. It will be no
8 different -- the discharge of that water to the
9 Hudson River will be no different than what we've
10 done years past.

11 And, you know, I have a slide, I guess
12 there's some questions later on Q&A. Right.

13 CHAIR CONGDON: Yes.

14 MR. BURRONI: And we'll go through the
15 details. I can go through the details of what we
16 discharged, what we're allowed to discharge, and our
17 requirements prior to discharge. We could do that
18 now?

19 CHAIR CONGDON: No, I think we've
20 saved that for later because I want to keep you on --
21 on the schedule. Thank you.

22 MR. BURRONI: Thank you.

23 CHAIR CONGDON: All right. So
24 Richard, that answer your questions?

25 MR. WEBSTER: Yeah. Thank you.

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2 MR. BURRONI: Okay. So where are we?

3 Unit 2, we had -- we had to develop a transport
4 system to -- to remove the big and heavy equipment
5 out of the containment building. We -- we removed
6 the steam generator, steam domes to the rad pen and
7 I'll explain to you why we did that.

8 We did that in Unit 2. We continued
9 removing additional cavity interferences and we
10 completed cutting the R.C.S. loops. So what we want
11 to do is isolate the reactor vessel itself.

12 So we'll cut the four hot plates,
13 we'll cut the four cold plates, we weld them and then
14 the -- then the vessel itself is isolated from the
15 rest of the reactor cooling system, right. And then
16 we remove the old equipment hatch, and we'll show you
17 that also.

18 So through the end of September, we'll
19 install cover plates in the reactor cavity, right, to
20 ensure that there's no leakage in the cavity itself.
21 We're going to prep the cavity for flood up, we're
22 going to actually apply a coating within the cavity
23 itself to ensure there's no leakage. That's on top
24 of the plates that we install and weld.

25 And then we're receiving -- we will

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2 receive and start installation of the gantry
3 structure and the reactor cap, and I'll show you
4 that, some pictures the following Unit 3's
5 description.

6 Next slide. So in Unit 3, we did
7 complete the transport system and we removed the
8 steam generator, steam domes from Unit 3 also. We
9 completed the segmentation team training.

10 So we actually have a team of
11 individuals that are going to do the cutting, they
12 were up in Canada, I want to say a month training on
13 the new saw technique actually a 72 inch, 60 inch,
14 and a 40 inch saw blade that's going to do the
15 cutting of the vessel itself. That tooling has been
16 shipped to or starting to get shipped to the site.
17 And in Unit 3, we completed the R.C.S. with gapping
18 or the -- the isolation of the vessel itself. And
19 then we started the gantry saw support structure
20 installation in the reactor cavity and I'll show you
21 pictures of it.

22 Through September we'll complete the
23 weld inspections of the R.C.S. plugs, right, so we
24 have to go through a formal weld inspection program,
25 right, we'll do that penetration testing and also do

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2 visuals. We'll complete the gantry source support
3 structure, we'll add support -- we'll install the
4 support platforms, I'll show you what that is.

5 And then we're actually going to flood
6 up the cavity and there's a high potential we'll
7 start segmentation activities prior to September 22 -
8 - September 22nd of next month. Which is the next
9 coming meeting.

10 So if we go to the next picture,
11 right, top -- top left, if you look beyond the steam
12 generating dome, you can see the enlargement we made
13 to the containment building itself. That was done
14 with the diamond wire cutting, water cool negative
15 pressure on the containment building.

16 So between that, we maintain very
17 little exposure to silica or dust in the -- in the
18 area. The reason why we had to make that hatch that
19 big was to remove the steam domes and we then remove
20 subsequent larger components from containment,
21 pressurizer, accumulator tanks, so on and so forth,
22 right.

23 So we put this rail system that went
24 up to and into the building, all right and then we --
25 it's called the gold pump, it's a -- it's a rig that

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2 that can transport heavy loads, right, that backs up
3 into the rail system itself and we transport the
4 steam generator domes into a rad pen, which is the
5 next picture.

6 This rad pen is where we're holding
7 those right now. We're doing some last minute checks
8 but that's -- they're all steamed clean. I mean,
9 it's P.W.R.s are about clean steam plants, right.

10 So these are the secondary side of
11 that steam function, right, these -- they'll be ready
12 for free release. In fact, the -- got to put a
13 schedule together but this metal will be cut up and
14 sold. It's not radioactive. Right, so what you see
15 there is one, two, three, it's actually eight there
16 now. Four from Unit 2, four for Unit 3.

17 Next slide, this shows the plugs that
18 we put in for the reactor vessel itself. All right.
19 This was not welded out yet in these pictures, but
20 they're totally welded out now. And we're doing the
21 -- the -- the inspections that are required.

22 Next slide. So this is the beginnings
23 of the gantry saw that I talked about, saw, S-A-W,
24 that I -- that I talked about in the previous, right,
25 it's a -- it's a robust structure that goes within

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2 the cavity itself. All right and then, as we build
3 it, we could see how we will cut the reactor up. But
4 when I talked about the coating, you could see the
5 steel plates on the bottom.

6 If you go to the picture on the right,
7 that white plate is a piece of steel that we put down
8 on the bottom of the cavity and then underneath that
9 and then up the walls, we're spraying this coating on
10 to ensure that we have a no leakage out of the cavity
11 itself.

12 So next slide. So the reason why we
13 cut the domes, right, is it will make it just about
14 level with what we call the -- what was called the
15 bio shield. So from that bio shield wall, we'll
16 actually make platforms and that -- those platforms
17 will support two cranes, right, and those cranes will
18 assist on taking out, well as we cut the component --
19 as we cut the -- the vessel within the cavity. We
20 will put those pieces in containers.

21 So those cranes will assist on
22 removing the containers, as it container. We'll put
23 it on the goal hopper eventually bring it to a rad
24 pen and I'm going to show you those pictures coming
25 on. But that's -- that's basically the reason why we

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2 cut the dome up was to provide us with a working
3 platform for the workers to manipulate the saw
4 itself.

5 We'll have a control station along the
6 platforms and then to also be able to remove the
7 containers out of the reactor pen. That's all I have
8 for segmentation unless anybody had another question.

9 MR. LOCHBAUM: First, I want to thank
10 you for the tour.

11 CHAIR CONGDON: Dave, can you just -

12 MR. LOCHBAUM: I want to first of all,
13 I appreciate the tour that you gave me this evening
14 and I apologize again for showing up late.

15 MR. BURRONI: That's okay.

16 MR. LOCHBAUM: But several other
17 plants instead of doing vessel segmentation, like San
18 Onofre for Unit 1 and Trojan ship the entire reactor
19 vessel off, what is the advantages of vessel
20 segmentation?

21 MR. BURRONI: I don't think we can, in
22 the case of Unit 2 and 3. Stick the -- those maybe
23 and maybe the size is just too big.

24 MR. LOCHBAUM: So that's an advantage.

25 MR. BURRONI: Advantage. Potentially,

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2 you know, we're looking at Unit One and potentially
3 in Unit One, there is a possibility to ship it out
4 whole. But we haven't gotten there yet. We haven't
5 gotten that far.

6 MR. LOCHBAUM: Thank you.

7 MR. BURRONI: You're welcome.

8 Any other questions on segmentation?
9 I don't want to sound like we're going too fast.
10 We're good.

11 CHAIR CONGDON: Good. Thank you.

12 MR. BURRONI: Next slide, is really
13 what we're working on for building demolition. If
14 you remember the site on the years ago, right, we had
15 these huge oil tanks that were actually used for
16 Units 1 and 2, secondary -- secondary heating of the
17 plant.

18 We were able to take those tanks down,
19 in addition to the pump house that was in between the
20 two tanks. So that's all been removed. We're
21 working on levelizing all of that property.

22 We also took down three basic metal
23 enclosures. And what that's going to allow us to do
24 is provide us with an area where we can store Alpha
25 and Bravo Charlie waste containers until we can ship

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2 them off site. That's the intent.

3 Projected through September the
4 condensate storage tank, we're looking at that that
5 has to come down eventually for the ISFSI pad that I
6 was talking about before.

7 If we get to that before it's
8 September, I'm not sure yet. That job has to go out
9 to bid. The same thing with the Energy Education
10 Centre theatre, we're looking at that also. We may
11 have to -- we may have to take that down also.

12 But those jobs are kind of up for bid.
13 So I don't know if we're going to get those done by
14 September. Really, we want to start focusing really
15 on Unit 2's fuel and making sure that we have no
16 issues there.

17 CHAIR CONGDON: I'm sorry. Could you
18 just repeat what is the C.S.T.?

19 MR. BURRONI: Condensate storage tank,
20 no longer used. All right building demo this is what
21 I --.

22 CHAIR CONGDON: Excuse me, Rich, Mayor
23 Knickerbocker has a question.

24 MS. KNICKERBOCKER: I just had a
25 quick question the energy education theatre is that

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2 where the -- the --

3 MR. BURRONI: The glass building.

4 MS. KNICKERBOCKER: -- the react but

5 is that where the -- the other react the control

6 panels like to teach the --?

7 MR. BURRONI: Years ago Edison use the

8 building as a -- as a -- as an education center for

9 people to come in.

10 MS. KNICKERBOCKER: Okay.

11 MR. BURRONI: The back end of it

12 right, is a -- is concrete, but underneath because

13 they use almost as an Amphitheatre. But underneath

14 that was a theatre, right. So that appears to be in

15 the way of the vehicle barrier fence that we have to

16 put in. So we're looking at do we really need to

17 take that down? Can we change the vehicle barrier

18 fence?

19 Eventually the building will come

20 down. We just don't know if we need to do that right

21 now.

22 MS. KNICKERBOCKER: All right. Thank

23 you. I just wanted to clarify.

24 MR. BURRONI: Okay, my pleasure. All

25 right. So top -- top left. That's the remnants of

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2 the tanks being taken down. But really what I wanted
3 to show you was bottom right. That was the small
4 pump house building, it was cement. So there's a lot
5 of methods on how to take down a cement building.
6 Right, we've talked about tenting. We've talked
7 about diamond wire cutting but I've talked to a lot
8 of construction folks.

9 And classically, what we do is we wet
10 down the cement to minimize any dust generation. We
11 watched the whole thing and we really the wetting
12 down of the cement really worked fine. So that's a
13 method that we'll use in the future that we'll
14 consider in the future. As we're go through our
15 building -- our demo permit process.

16 Next slide is really the -- is really
17 the -- the metal buildings we took down. At the end
18 of the day, it's really where our rad pen will be
19 where we will store the Class A and class Bravo
20 Charlie waste containers moving forward. Anything
21 else on building demo?

22 MR. WEBSTER: Quick question. Just to
23 clarify.

24 CHAIR CONGDON: Just -- Just State
25 your name.

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2 MR. WEBSTER: Richard Webster, quick
3 question. I'm not -- I'm not understanding there's
4 talk of a building permit -- a demo permit coming up.
5 So do you have a demo permit, you need -- what - what
6 -- what demo do you need -- what -- what demo
7 activities need a permit?

8 MR. BURRONI: Any building that comes
9 down, we go to the village. Right. And we get the
10 demo. Did I answer your question?

11 MR. WEBSTER: Yeah, I'm still confused
12 because I thought Ms. Turturro was saying that the
13 demo permit under consideration.

14 MR. BURRONI: The demo permit -- the
15 demo permit comes through the village.

16 CHAIR CONGDON: Yeah. Maybe Kelly, we
17 can explain a little further. there are D.E.C. regs
18 that, that -- that that deal with dust and any kind
19 of site application, any kind of construction type
20 activity, and the village is incorporating the D.E.C.
21 regs as part of their village permit on building
22 demolition. So maybe Kelly could expand on that.

23 BOARD MEMBER TURTURRO: Thank you,
24 Tom. This is Kelly Turturro. I think though what
25 Richard might be asking is, why was the pump house

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2 demolished without a demo permit in place? Is that
3 what you're asking?

4 MR. WEBSTER: Well, right. I guess
5 I'm -- I'm not quite understanding the situation with
6 permitting. Is this a demo permit doesn't have the
7 D.E.C. requirements?

8 BOARD MEMBER TURTURRO: Okay, I
9 understand your question now. Thank you. The D.E.C.
10 does not have jurisdiction over demolition of
11 buildings, that is within the Village's jurisdiction.
12 So the village would have issued a permit for that
13 activity.

14 CHAIR CONGDON: I think, Richard, what
15 we're now doing right, in advance of the larger demo
16 projects, is we are preemptively requiring Holtec --
17 we the village is requiring Holtec to comply with the
18 D.E.C. regs that -- that the D.E.C. does not itself
19 require a permit for, but could enforce the terms of,
20 should there be a dust problem, right?

21 So the D.E.C. regs control that no
22 dust can leave the site and create a nuisance type
23 activity. Right. So if -- if there were a problem,
24 the D.E.C. can come and do some type of enforcement.
25 What we're saying in a sort of preemptive way,

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2 working with the village, in their permitting
3 jurisdiction for demolition, is that as a condition
4 for obtaining the village demo permit, the company
5 has to agree that they're complying with the D.E.C.
6 regs.

7 So it's -- it's a sort of preemptive
8 move that under normal circumstances wouldn't require
9 a D.E.C. permit, we're folding those regs and those
10 requirements for, dust controlling mitigation into
11 the village demo permit. Kelly did I capture that.
12 Don't want to like misstate the D.E.C. jurisdiction.

13 BOARD MEMBER TURTURRO: That's right.
14 Thank you for clarifying that, Tom.

15 MR. WEBSTER: Okay, so if I'm -- if
16 I'm understanding right then the demo -- the village
17 demo permits in the future will be improved from the
18 current level.

19 CHAIR CONGDON: In that they would
20 incorporate right and up until this day, the type of
21 demolition that they've been doing, are of the oil
22 tank, metal buildings variety, that, you know,
23 haven't been the things that are of most concern from
24 a dust standpoint. So we're ahead of doing anything
25 on the thick concrete wall type structures.

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2 MR. WEBSTER: All right, thank you.

3 MR. HOCHREITER: Can I?

4 CHAIR CONGDON: Yes, supervisor. I'm
5 sorry, Superintendent.

6 MR. HOCHREITER Thank you. Right.

7 And that's a question I have, because that has been
8 the number one question we've been fielding from
9 parents about tenting, about demolition, so on and so
10 forth. So I just want to get it straight. I know,
11 Rich, you're not sure whether you're going to tent
12 yet. That's a decision that hasn't been made. It
13 appears tenting is not part of the D.E.C.
14 requirements that the village may adopt as part of
15 its permitting process. Is that correct?

16 BOARD MEMBER TURTURRO: That's
17 correct. D.E.C. regulations don't have any specific
18 requirements on tenting. The requirements that we're
19 talking about, are generally these public nuisance
20 standards that Tom mentioned. That that would be
21 layered into the village demolition permit, but
22 nothing specific on tenting, no.

23 BOARD MEMBER BECKER: So if we were to
24 agree that tenting is another mitigation layer, that
25 would reside, I'm sorry, that would reside with the

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2 village to make that determination as to whether the
3 village, whomever makes that decision, wants to
4 require that as part of permitting and if a permit is
5 not given to Holtec, that function doesn't take place
6 at that time.

7 BOARD MEMBER TURTURRO: I would let
8 Teresa answer that question on behalf of the village.
9 But it wouldn't be something that D.E.C. could
10 require.

11 BOARD MEMBER BECKER: Okay.

12 BOARD MEMBER KNICKERBOCKER: To answer
13 your question, our building inspector, our building
14 Department is the one who would be issuing the demo
15 permits. And so there's been permits that have been
16 issued but like -- like Tom had said, you know,
17 they're just regular metal buildings or you know,
18 just simple buildings for demo.

19 So going forward, we're going to talk
20 to the D.E.C. about incorporating their requirements
21 or what their rules are and then going forward, we
22 have to -- we have to figure out a few things.

23 CHAIR CONGDON: So just, I think to
24 put a just a clarifying point on all of this, the
25 D.E.C. regs put the -- put the requirement on the

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2 site owner, to ensure that dust doesn't become a
3 problem and we cite the mitigation measure they use
4 to accomplish that is up to them.

5 But if the mitigation measure isn't
6 working and it was built into the permit, there's an
7 enforceability element here that we now can utilize.
8 Is that a fair --

9 BOARD MEMBER TURTURRO: That's
10 correct.

11 CHAIR CONGDON: -- characterization?
12 So it's not that there's a mitigation measure that
13 gets required as a permit condition. The issue is
14 simply that they can't do any kind of activity that
15 creates a dust problem.

16 So they have to develop the right
17 mitigation strategies to avoid the problem. And the
18 permit says that, if there is a problem, you can
19 enforce the permit. Okay. Thank you.

20 And, you know, we will also be as the
21 State even though it's not our permit, you know, we
22 have eyes on the ground now with Cliff Chapin having
23 started as the resident inspector can be monitoring
24 all this kind of activity. Cliff will be
25 knowledgeable about the permits issued at the local

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2 level. Should he see something that requires the
3 village's attention, he can -- he can do that and
4 play that role, okay?

5 MR. BURRONI: Sounds good.

6 CHAIR CONGDON: I'm sure you're really
7 pleased to hear all of us. But Rich, I mean, I think
8 it's just, you know the expectations, right?

9 MR. BURRONI: Absolutely, you know,
10 there cannot be a dust problem, I'm sorry.

11 CHAIR CONGDON: You know, the
12 expectations are there that there can't be any dust
13 leaving which means that you've got to develop the
14 right mitigation strategies to avoid that problem.
15 And we're going to have built-in conditions to ensure
16 that that is enforceable, and we'll have eyes on the
17 ground to follow that through.

18 MR. BURRONI: You know, we'll -- we
19 will depend on the expertise of the contractor on how
20 to mitigate dust, right, we can hose down a building,
21 we can do diamond wire cutting like we've
22 demonstrated, right, and all of that will be part of
23 the process and the plan.

24 MR CONGDON: We're running just a
25 little bit over. But I want to let you finish if

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2 you've got another slide or two if we could wrap, up
3 and I think we want to do some more questions before
4 the forum.

5 MR. BURRONI: We will discuss L.A.R.s
6 and exceptions. I don't know if we want to discuss
7 it any further.

8 CHAIR CONGDON: Well, actually, Tom
9 Carey was on, he was trying to ask a question
10 earlier, actually related to the cyber request.

11 MR. BURRONI: Yeah.

12 CHAIR CONGDON: So Tom's, let me just
13 pull it up, his question for Rich Burroni. Sorry.
14 Wouldn't there still be a cybersecurity concern
15 regarding valve manipulation on valves for both spent
16 fuel storage pools and the gas lines? Obviously, the
17 gas lines are not part of your license amendment
18 request. But we can talk about that with Enbridge
19 when they're at the table, but -- but there is a
20 question on the -- on the valves for the spent fuel
21 pools.

22 MR. BURRONI: Yeah. But simply there
23 is no critical digital asset. Right, that's tied to
24 the internet for decommissioning purposes. And
25 that's really the basis behind why we do not need the

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2 cyber requirements any longer from a decommissioning
3 perspective.

4 What we will do is this, right, let's
5 say, a fuel transfer crane that's in the Unit 2 spent
6 fuel pool does have a digital component to it, right.
7 And sometimes we have to hook up a computer or a
8 thumb drive, right, to get that digital aspect
9 working.

10 We have procedures in place and an IT
11 Department in place, right? That will verify that
12 the component that's tying into the asset, right,
13 will be clean. And it takes hours, sometimes it
14 comes sometimes it takes days to make sure that the
15 laptop has no viruses on it, or the thumb drive we'll
16 use to update a program has no virus on it, we'll
17 continue to do that, right.

18 But from a decommissioning
19 perspective, there's really no critical digital
20 assets tied to the internet, right. And therefore as
21 a result, we don't need those cybersecurity, that's
22 kind of the basics of what it is.

23 CHAIR CONGDON: Thank you. Tom also
24 had a -- Tom Carey also had another question. Back
25 on the segmentation, what craft is involved with

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2 cutting of the vessel and are they E.P.R.O.,
3 certified riggers. Any certificates at all?

4 MR. BURRONI: I'd have to check, I
5 have to get back you. Most of you probably assume is
6 going to the iron workers. But I'd have to check and
7 get back to you and make sure.

8 CHAIR CONGDON: Okay. Thank you.

9 BOARD MEMBER SMITH: Mr. Congdon.

10 CHAIR CONGDON: Yes.

11 BOARD MEMBER SMITH: I had a quick
12 question for Mr. Burroni. Colin Smith, sorry, how
13 are you doing, sir.

14 CHAIR CONGDON: How are you doing.

15 BOARD MEMBER SMITH: Just to touch
16 back on the cybersecurity question. You said there's
17 no critical digital asset that's tied to the
18 internet. Just so I understand what that means. So
19 none of the -- none of the systems, nothing that's
20 operating any of the critical machinery, equipment,
21 systems, anything of that nature.

22 None of that has it -- has an internet
23 component, that would be of any concern with respect
24 to cybersecurity is at all like we're talking
25 everything is self-contained, just to -- could you

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2 flesh that out just a little bit more for me.

3 MR. BURRONI: Let -- let's say we had
4 a -- we had -- we had a safety injection system that
5 was totally operable while the plant was operating.
6 I don't need that safety injection system. There's
7 no fuel in the reactor. Right.

8 So if there was a digital component
9 associated with that, I don't need to maintain the
10 cybersecurity rule for that component. It's no
11 longer in service, it's no longer used. So that's
12 the whole basis behind the L.A.R. That help?

13 BOARD MEMBER SMITH: That's helps,
14 yes. Thank you.

15 MR. BURRONI: Thank you.

16 CHAIR CONGDON: Rich, do you want to
17 just give a quick update on that fault condition and
18 then --?

19 MR. BURRONI: Yeah, 13 Whiskey 93,
20 that's just a Con Ed designation for a 13.8 KV feeder
21 to Unit 3 from the Con Ed switchyard. We use that
22 for in-house power. A couple of weeks ago, a failure
23 was observed to be a short condition. So the cable
24 short 13 Whiskey 92, which normally feeds Unit 2 is
25 then modified through switching on site to supply

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2 both units. We -- we excavated the cable, repaired
3 the short and just put the -- just put the cable back
4 in service.

5 CHAIR CONGDON: What contingencies
6 were in place during the time of the repair?

7 MR. BURRONI: Contingencies in place,
8 while we -- while when we excavated the cable, it was
9 all by hand. Right. So that's a must.

10 CHAIR CONGDON: I mean, the power
11 contingencies or power contingencies.

12 MR. BURRONI: The power contingency we
13 have contingency diesels at both units that are --
14 that are up on and up full, they're ready to go. We
15 have a pending diesels they're ready to go. We had
16 diesel backup power in case it was needed.

17 Mr. CONGDON: Any questions on the
18 phone for repair?

19 BOARD MEMBER GALEF: Different topic.

20 CHAIR CONGDON: Okay. Go ahead.

21 BOARD MEMBER GALEF: Okay. I just
22 wanted --

23 CHAIR CONGDON: State your name,
24 please.

25 MS. GALER: Sandy Galef, I just

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2 wondered if you could tell us any progress between
3 Holtec and Enbridge about your emergency planning.

4 MR. BURRONI: Holtec and who I'm
5 sorry, Sandy?

6 BOARD MEMBER GALEF: And Enbridge

7 MR. BURRONI: Enbridge?

8 BOARD MEMBER GALEF: Uh-huh.

9 MR. BURRONI: Yeah. John Sheridan and
10 I have a good working relationship. We talk often,
11 there is a quarterly meeting that we have, I think
12 with New York State, right. And we go through any
13 issues that one of the three of us may have. John
14 and I came up with an M.O.U. on crossing the 26 and
15 30, inch gas line.

16 We're also working on through his
17 engineering staff, a subterranean type of air bridge
18 that it's in the -- in the infant stages of being
19 developed, but it's somewhere we want to go because
20 we're going to be using that road for a long time.
21 And that's the overland road that we put the air
22 bridge on. So I would say our relationship with
23 Enbridge is fine.

24 MS. GALER: Can you just explain a
25 little bit further, what you just said subterranean?

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2 MR. BURRONI: Yeah. So over the
3 drive, it's called it's the road that goes from the
4 main entrance, right to the generation support
5 building. Right? And over that road, trucks are all
6 over it, as well as passenger cars. Right.

7 So the concern was the 26- and 30-inch
8 lines will be subjected to heavy loads, right and
9 then we'll have an issue. So what we did was we
10 mimicked an air bridge, which was steel plates, that
11 we put over the lines. And it was one inch plates on
12 the ground bridged over with a two inch plate. Right.

13 And what that does is allow heavy
14 loads, I think up to 367,000 pounds, to go over the
15 air bridge without any issues with the gas line.
16 What we'd like to do eventually, is do away with the
17 gate -- with the steel plates, right and go
18 subterranean, just go underneath the ground and
19 probably do some type of air bridge there. So my
20 engineering staff is working with John's, it's really
21 infant stages, we looked at a price.

22 My boss is willing to go for that.

23 And I can't tell you when that's going to happen.

24 But I can tell you that we're looking at it and we
25 really want to get it done.

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2 BOARD MEMBER GALEF: Right. Because
3 the bridge I think you did in February March didn't
4 you?

5 CHAIR CONGDON: Earlier.

6 BOARD MEMBER GALEF: I mean, I saw it.

7 CHAIR CONGDON: We discussed, yeah.

8 BOARD MEMBER GALEF: Right.

9 MR. BURRONI: That's the same bridge.

10 BOARD MEMBER GALEF: That's the same
11 bridge.

12 MR. BURRONI: Same bridge. So we want
13 to enhance it. We, instead of going over steel
14 plates all the time, if we can enhance it and go
15 subterranean it might be a better way.

16 BOARD MEMBER GALEF: Okay, so you can
17 get on with that real soon.

18 MR. BURRONI: Yeah.

19 BOARD MEMBER GALEF: Can you tell us.

20 SUPERVISOR BECKER: So it's a tunnel
21 that you're creating?

22 MR. BURRONI: Yeah, I mean, you know,
23 I don't know the details yet. I know the engineers
24 are just about talking about it. But I think it's
25 important for us. And we have the backing by Holtec

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2 Senior Management, which I was happy about.

3 CHAIR CONGDON: Okay. We are a bit
4 over and I'd like to get to the public forum portion;
5 last call for questions. Rich's presentation. Thank
6 you, Rich. You can stay at the table, please.

7 MR. BURRONI: Great.

8 CHAIR CONGDON: For the next portion
9 of the meeting and I'd like to invite John Sheridan
10 from Enbridge to join us at the table please. And
11 Bridget Frymire from the Department of Public Service
12 welcome. Thank you, thank you. Welcome.

13 I'd also like to introduce Tony
14 Belsito. Tony is an Administrative Law Judge at the
15 Department of Public Service. And Tony is going to
16 be moderating the public forum for us this evening.

17 Next slide, Tom. We received a lot of
18 good questions from the public in advance of
19 tonight's meeting. We were then able to organize
20 those questions into topic areas. We, you know,
21 there were a number of folks who had asked the same
22 or very similar questions and so we're packaging
23 those together.

24 We'll call up all of the individuals
25 who submitted those questions, so that each of them

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2 will have an opportunity to ask a follow up or
3 clarifying question if necessary.

4 The pre-submitted questions are going
5 to be read aloud by Tony. And the guest panelist
6 will then respond. And then as I said, the moderator
7 will then afford questioners and an opportunity to
8 reply. In order for all the individuals to get the
9 opportunity to have their questions heard, the
10 moderator may ask that some of the discussions be
11 paused so we can get to as many questions as possible
12 tonight. We're going to get to as many of the
13 questions as we can on the pre-submitted questions,
14 first.

15 We did continue to receive questions
16 through the weekend and into this week, we track
17 those we have them if there is time and we'll get to
18 them. If not, we commit to answering those questions
19 in writing, as we've done in previous meetings.

20 Next slide, these are the general
21 topic areas for tonight's forum and in the order in
22 which we will be taking them. And with that, I'd
23 like to ask Tony, to take the mic and start the
24 public forum.

25 A.L.J.BELSITO: All right. Thank you

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2 very much, Tom. And I'm just going to go ahead and
3 start reading questions. Once we get through each
4 question or each topic area, I will call the folks
5 who asked those questions, either to the mic in
6 person or we'll unmute you virtually and if you have
7 any follow up questions or, you know, if your
8 question wasn't answered to your satisfaction, we'd
9 love to hear that as well.

10 All right. The first question is, I
11 would like to make a recommendation for a
12 presentation on nuclear harvesting, to submit samples
13 for autopsy to assess the effects of exposure to
14 radiation on reactor components, structural
15 materials, and other related materials for
16 embrittlement, and other impacts of ageing, and long
17 term exposure to radiation. I might suggest the
18 September, 2022 meeting.

19 CHAIR CONGDON: So okay, this is Tom
20 Condon. I'll take the first shot at that. We are
21 open to agenda items and expert presentations for
22 future meetings. I can't commit to the timing. But
23 this is an -- this is an area that we would certainly
24 consider for a future meetings. With that, I'd also
25 like to ask Dave Lochbaum. If you'd like to say a

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2 few things on this on this topic.

3 MR. LOCHBAUM: Yeah, this is David
4 Lochbaum. I have looked at that issue and in fact
5 was working with a group on intervening on Peach
6 Bottom's license renewal, trying to get more formal
7 harvesting. Harvesting has been done at some plants,
8 Zion plant in Illinois, it was being decommissioned.

9 Some cables were extracted for the
10 purposes of determining what the ageing was and was
11 not. Other plants in Spain have also had concrete
12 and other materials taken away to see how neutron
13 embrittlement or radiation embrittlement affected
14 them, in addition to just normal rusting and other
15 mechanisms. There's a wealth of information out there
16 that could lend itself to a presentation at some
17 future date if the need arose.

18 CHAIR CONGDON: Thank you, Dave.

19 MR. BURRONI: I'd like to add one
20 thing, we are having EPRI come in, which is the
21 Electric Power Research Institute, they will be on
22 site, I think within a month, they want to take
23 what's called a bolt sample, it's really a metal
24 sample of the unit to pressurize, right. And for
25 that same reason, they want to look at the effects of

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2 radiation on depressurizing.

3 We're all -- we're also working with
4 Westinghouse. They come and kind of go, sometimes
5 they want components. Sometimes they don't, we have
6 to nail them down. But there are people that are
7 coming to us asking for these type of harvesting and
8 we'll cooperate as much as possible.

9 CHAIR CONGDON: Thank you, Rich.

10 A.L.J.BELSITO: Thank you. The next
11 question under the administrative topic is when will
12 a permanent appointment of a community representative
13 who resides in the local community be made?

14 CHAIR CONGDON: Again, this is Tom
15 Congdon. I'm the chair of the Decommissioning
16 Oversight Board. We've had some discussions about
17 this in previous meetings. We understand the
18 interest within the community to have more
19 representation on the D.O.B. There are -- are a
20 number of -- of folks I think in in the community
21 have been active on these issues for a long time.
22 There are a number of different perspectives, I think
23 it would be difficult to just choose one community
24 member for the -- for the Board.

25 But we are totally in favor of greater

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2 public participation in our meetings. And what we've
3 done to try to improve on that, when we started this
4 at the last meeting is -- is we've started a policy
5 of -- of inviting guest speakers who can come give a
6 presentation from the community perspective on a
7 given topic, and then have back and forth with D.O.B.
8 members and our experts.

9 I thought that worked well. At the
10 last meeting, we had Courtney Williams, we really
11 appreciated her presentation and the long dialogue
12 that we had with her. And I thought that was a good
13 discussion. And we look forward to inviting other
14 members of the community to do something similar at
15 future meetings.

16 Today's meeting is another policy
17 shift that we've taken, which is to have a longer
18 public forum dedicated to having a back and forth
19 with community members rather than a straight one
20 directional public Statements that are read into the
21 record that we then taken and try to respond to in
22 writing.

23 So I feel that I think I can speak for
24 the D.O.B. that we want to be responsive to the
25 community questions and ideas. We've gotten a lot of

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2 great ideas from the community to improve our
3 processes. And I think we've adopted something like
4 95 percent of the ideas that have been submitted to
5 us, improving the website, improving the process of
6 the meetings, and we really greatly appreciate the
7 level of feedback and the level of participation that
8 we get.

9 And again, you know, we're going --
10 we're going to be doing some outreach for the
11 September meeting, find the next community guest
12 speaker. And, you know, we'll do more of these
13 public forums as well in the future.

14 A.L.J. BELSITO: All right. There is
15 one more question related to administrative, and then
16 I'll call the individuals who ask these questions up
17 to see if there is any follow up. What accounts for
18 the delay in the appointment of a consistent Enbridge
19 representative to the D.O.B. and well -- when will
20 that be rectified?

21 CHAIR CONGDON: So primarily this, the
22 Decommissioning Oversight Board, we are dedicating a
23 lot of our time on the agendas to the Holtec
24 activities. Obviously, there's been regular concerns
25 expressed about the co-location of the pipeline.

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2 We've had a guest expert speaker on
3 pipeline, Dr. Kuprewicz. Enbridge has appeared
4 before, we've had PHMSA appear to deal with the
5 pipeline issues. And I'm sure we will be inviting
6 Enbridge -- Enbridge's here tonight. Thank you for
7 your participation.

8 But -- but I don't think that it's
9 necessary to have Enbridge at every single meeting.
10 I think we -- we meet in terms of our oversight
11 activities, Rich mentioned before that there are
12 quarterly meetings that we are doing under the J.P.
13 with the State, Enbridge and Holtec are, you know, in
14 regular communications, even outside of those
15 quarterly meetings, but the State is convening at
16 least on a quarterly basis.

17 And our -- we are present with our
18 gas, safety staff and our nuclear team at those
19 meetings to ensure that all issues are being
20 discussed and, you know, all activities planned and
21 contemplated, you know, by Holtec are understood by
22 Enbridge. So that should there be any issues of
23 concern that require mitigation or, you know, a delay
24 in something that, you know, could potentially could
25 impact the pipeline. That communication is -- is

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2 ongoing.

3 So that's happening. So I know that
4 that's not something that is visible to the public
5 who tune in for these meetings, but that's ongoing on
6 a quarterly basis. And as -- as needed, I think, you
7 know, a couple of times a year, we will definitely be
8 inviting Enbridge and PHMSA to future meetings of the
9 D.O.B.

10 A.L.J. BELSITO: All right. Thank
11 you. This is the hardest part of my job is trying to
12 pronounce names correctly. So please correct me when
13 I mess them up. But I will remind folks that for the
14 follow-up questions, we ask that you stay on the
15 topic related to the question that you asked because
16 we will be -- we do have a lot of topics to cover and
17 for folks who do -- did answer -- excuse me, for
18 folks who did ask several questions, you will have an
19 opportunity to follow up with those other questions
20 as well. But first virtually we will call Susannah
21 Glidden.

22 MS. GLIDDEN: (unintelligible).

23 A.L.J. BELSITO: I'm sorry, I can't
24 hear you, Susannah.

25 MS. GLIDDEN: (unintelligible).

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2 A.L.J. BELSITO: I believe so. Yes.

3 Susannah, if you're on and if you have any follow-up
4 questions, please talk.

5 MS. GLIDDEN: No, I don't. I don't
6 have any follow up on these.

7 A.L.J. BELSITO: Excellent. Thank
8 you. All right. And then Ellen Weininger.

9 MS. GLIDDEN: Perhaps it's a good idea
10 to tell us that at the bottom of the screen, we have
11 to click on unmuting ourselves and video.

12 MS. WEININGER: Thank you. I hope you
13 can hear me now.

14 MS. GLIDDEN: Yes.

15 MS. WEININGER: Thank you. So I do
16 have follow up and thank you again for ask -- asking
17 my questions, asking these questions and for
18 providing an opportunity to -- to have follow up.

19 I, with regard to the question about
20 the community representative, I'm trying to
21 understand why a community representative is not a
22 permanent non-rotating position and why such an
23 inferior status is given to community members who
24 live in the immediate area and who bear the -- the
25 greatest risk from all these operations at the site.

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2 I don't see any other position on the
3 D.O.B. that's a rotating position within each of
4 these agencies and entities, union, all these various
5 representatives, and yet the community representation
6 is relegated to this much lower status. And yet,
7 they bear the greatest risk.

8 And the other part is essentially,
9 it's discriminatory against a community that is a
10 frontline community, that is the most, one of the
11 most environmentally overburdened in -- in New York
12 State. And that's also been cited, you know, as a
13 disadvantaged community, as part of the scoping plan
14 from the Climate Action Council. So New York State's
15 climate law is seeking to address environmental
16 injustice and here we are.

17 That's the part that I -- that is so
18 puzzling is, why rotate, why not have a permanent
19 representative as everyone else on the -- on the --
20 on the D.O.B.? And in terms of -- well, I'll let you
21 follow up with that, and then I have a quick follow
22 up on the other question.

23 CHAIR CONGDON: Sure. Look, I -- I --
24 I appreciate the question and I -- and I understand
25 the concern. I, you know, when we -- when we formed

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2 this body, it -- it is unique in -- in the nation, in
3 that the relevant State agencies that have some State
4 level oversight jurisdiction are being pulled
5 together in a manner where we can coordinate our
6 activities.

7 We can conduct our meetings in public
8 so that we can share our oversight activities and
9 observations with the members of the public and
10 directly hear from you, the concerns that have
11 actually, and frankly helped us through the various
12 meetings that we've already had. We take the
13 feedback seriously.

14 And -- and it has made a difference in
15 the kind of oversight that the State is doing. On
16 the oversight board, in addition to the State
17 agencies with jurisdiction, we have every level of --
18 of elected officials in New York State represented
19 here, from the village mayor to the town supervisor,
20 to the two county legislators, to the county
21 executive's office, the State assembly, and the State
22 senate.

23 We have the school district
24 represented and, you know, all of these folks are --
25 are elected by you. And you are the community

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2 members that have elected these officials to
3 represent your interests. I think they do an
4 excellent job on the D.O.B. in doing so.

5 And -- and it makes it easy for us to
6 identify representatives of the community because
7 you've elected them. For the -- for -- for there to
8 be another community representative on the board when
9 there are so many diverse points of view within the
10 community, I think it would be very difficult for us
11 to just pick one.

12 And so what we're trying to do in
13 fairness, and for equity purposes is to allow for
14 multiple voices to be heard on a regular basis
15 through this guest speaker type of protocol that
16 we've established as well as having more public forum
17 opportunities like this, where we can hear from a
18 number of -- a larger number of you.

19 So that's the approach we've taken and
20 -- and I -- I -- I appreciate that there might be
21 difference in opinion about the best approach. This
22 is the way we've chosen to organize ourselves.

23 A.L.J. BELSITO: And Ms. Weininger, if
24 you have a brief follow up, another brief follow up,
25 I'll let you go ahead, but we do have other questions

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2 to get to.

3 MS. WEININGER: Right. I want to get
4 to my next follow up on the next question and thank
5 you for your response. But my position has been
6 stated and remains the same. A responsible person
7 can represent the entire community.

8 In terms of the -- the other question,
9 what accounts for the delay in the appointment of a
10 consistent Enbridge representative to D.O.B., I think
11 that goes hand in hand with onsite supervision. So
12 I'll try to, you know, piece it together in the same
13 fashion.

14 PHMSA has a guidance -- operations and
15 maintenance enforcement for pipeline right of ways.
16 And requiring supervision, onsite supervision, not
17 quarterly meetings and not, you know, phone calls,
18 but onsite supervision. And it's always very
19 disconcerting to see everything that's actually going
20 on at this site and --

21 A.L.J. BELSITO: Ms. Weininger, if you
22 could get to the question, please.

23 MS. WEININGER: So the question is,
24 PHMSA has guidance on this, and it seems, you know,
25 has guidance on onsite supervision and consistent

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2 with onsite supervision is representation that is
3 integral to the D.O.B., which does not meet every
4 week or every month, but does meet every few months.
5 So it's sort of dovetails.

6 So I'm just trying to tie the two
7 together because of the PHMSA guidance around the
8 pipeline operator and the pipeline rights of way.

9 A.L.J. BELSITO: Okay. I still
10 haven't heard a question. I'm sorry if I'm
11 misunderstanding you.

12 MS. WEININGER: Yeah. I'm -- I'm
13 trying to understand given the PHMSA operations and
14 maintenance enforcement guidance on pipeline right of
15 ways and the need for onsite supervision and that
16 also being aligned with consistent representation
17 with the D.O.B. because the D.O.B. meets periodically
18 whether it's quarterly.

19 A.L.J. BELSITO: Yeah. I'm sorry. So
20 is the question --

21 MS. WEININGER: I'm telling you
22 together that there is guidance around supervision
23 and onsite supervision by the pipeline operator. And
24 I see this as an alignment with what is happening.
25 We're having a discussion right here about an air

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2 bridge as an example, it so happens Enbridge is here,
3 but that --

4 A.L.J. BELSITO: Ms. Weininger, you're
5 starting to go far afield, I think, again.

6 MS. WEININGER: Again --.

7 A.L.J. BELSITO: What is the question?
8 Whether Enbridge should have a representative on the
9 D.O.B. and whether that complies with recommendations
10 from PHMSA?

11 MS. WEININGER: I'm saying that that
12 guidance seems to, you know, align with the need for
13 that kind of appointment.

14 A.L.J. BELSITO: Okay.

15 MS. WEININGER: And we have -- we have
16 no other precedent for a nuclear facility and the co-
17 location of pipelines, but we do have guidance
18 regarding onsite supervision for activities and
19 operations around right of ways for pipelines.

20 A.L.J. BELSITO: Okay. I appreciate
21 that statement. We're going to move on to the next
22 follow-up question. In person, I believe we have
23 Manna Jo Greene, who also ask an administrative
24 question. If -- if we have you listed incorrectly
25 and you don't have a follow-up question at this

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2 point, that's fine as well.

3 MS. GREENE: I don't have a follow-up
4 question. I'm not real clear about what Holtec is
5 doing to actually designating material for nuclear
6 autopsy. I think it's going to take a whole
7 presentation to sort this out. Thank you.

8 A.L.J. BELSITO: Okay. Thank you.

9 CHAIR CONGDON: Thank you.

10 A.L.J. BELSITO: All right. The next
11 topic we have is workforce.

12 MS. SCHEPART: No, wait. I'm Margo
13 Schepart, and I'm an in-person who had a follow-up
14 question.

15 A.L.J. BELSITO: Okay. Related to
16 administration.

17 MS. SCHEPART: Yeah.

18 A.L.J. BELSITO: So --

19 MS. SCHEPART: Yeah.

20 A.L.J. BELSITO: So --

21 MS. SCHEPART: Yes.

22 A.L.J. BELSITO: Go ahead.

23 MS. SCHEPART: With regard to the
24 community representative, I appreciate, you know, the
25 difficulty of like who to choose. But basically, in

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2 terms of the community, everyone here is appointed,
3 has -- it's part of their job. It's part of their
4 public service.

5 The people in the community who have
6 been watch dogging, you know, the nuclear activities,
7 et cetera, have been doing it without pay, you know,
8 because of their own concern and had -- have acquired
9 a humongous amount of knowledge over 30 years.

10 So there is like an amazing resource
11 out there. An institutional memory, even though it's
12 not an institution, it's sort of like, and if there
13 is an institutional memory among the activists and
14 other people who -- who have been going to these
15 meetings for 20 and 30 years.

16 But anyway, it's -- it really boils
17 down to, in terms of there -- everybody does not
18 think the same. In terms of the community, you have
19 people who are concerned or people who have concerns
20 and -- and a basis for their concerns because of
21 information that they have. And then, I guess, you
22 have people who don't have concerns --

23 A.L.J. BELSITO: But miss, did you
24 have a question?

25 MS. SCHEPART: So my -- my question is

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2 like -- like if -- can we have a slot, if we can't
3 have a person, if we can't have a person appointed,
4 can we have a slot so that, in addition to the
5 presentation in the guest speaker, et cetera, we have
6 a kind of a community slot at -- at -- at every
7 meeting to just sort of say, okay, we don't have a
8 community representative sitting at the table, but
9 now, here is our community slot for the, you know,
10 community concern of the -- of the day, or the week,
11 or whatever.

12 CHAIR CONGDON: Well, what our plan is
13 -- is for the community guest speaker to be the
14 community slot in addition to the regular public
15 statement portion of the meetings. You know, we --
16 we have roughly three hours for these meetings.

17 It's really critically important, I
18 think for there to be presentations like we've heard
19 earlier today, where we are sort of level-setting
20 what the activities are on site, allowing the
21 agencies to -- to discuss that with other elected
22 officials representing community, discuss the types
23 of activities and oversight activities that are
24 happening, that have happened, that are happening,
25 discuss, you know, the -- the license amendments,

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2 where we are with comments, et cetera.

3 Those are -- those -- those are sort
4 of business functions of -- of this body that I don't
5 want to lose. And we're going to need time to
6 discuss those. We want to do that in public. And --
7 and so we, yes, we want the guest speakers. We want
8 expert speakers to come, but that's not to the
9 exclusion of the community guest speaker.

10 We will likely have outside experts,
11 you know, a number of you have -- have recommended,
12 you know, to -- to bring in outside experts to make
13 presentations for discussion. We're going to --
14 we're going to continue to do that as well.

15 So I -- I think what -- I think we're
16 in agreement that -- that there's going to be, you
17 know, a regular community guest speaker that's going
18 to have an ability to -- to ask questions, interact
19 with the D.O.B. In addition, at each of those
20 meetings going forward, there's still that public
21 statement portion of the meeting.

22 And -- and during those public
23 statement portions of the meeting, I know those
24 aren't ideal for everyone, because it's not a back
25 and forth, but we want to try to get to as many folks

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2 as possible. So we -- so we're trying to balance all
3 of this. We're trying to hear from the --.

4 MS. SCHEPART: The public statement
5 portion of the meeting, it's not really -- it doesn't
6 have the same weight as something being part of the
7 agenda or -- or like a major concern that's kind of
8 ongoing from the community.

9 CHAIR CONGDON: Right. Understood.
10 So -- so -- but what -- what -- what that can do
11 though, is to the extent that issues weren't raised
12 by the community guest speaker or that weren't on the
13 agenda, you know, as a number of you have been doing,
14 to voice ideas for areas you'd like to have discussed
15 in the future meeting. We want to hear that.

16 Other questions that we will answer,
17 you know, if we don't have time tonight, we'll answer
18 them in writing. But I want to just do sort of
19 process check with Tony, because we're half an hour
20 into the public forum. We're only through one topic
21 area. We really want to get to as much as we can.

22 And the -- the -- the way Tony is
23 setting this up is that on the topic area for the
24 question, we identified the individuals who asked
25 that question or similar questions to be called up

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2 for the clarifications and follow ups. And so he
3 will name the -- the -- the individuals that we found
4 in the question submissions so that we can try to
5 keep it organized and get to as many of the
6 questions.

7 MS. SCHEPART: I get it. I was just
8 the first person on the list when that question comes
9 out.

10 CHAIR CONGDON: Got it. Thank you.

11 MS. SCHEPART: Thank you.

12 CHAIR CONGDON: Okay. Thank you very,
13 very much.

14 A.L.J. BELSITO: All right. The next
15 topic is workforce. And the first question is, I
16 would like to better understand what attempts Holtec
17 is making to ensure labor peace at Indian Point.

18 MR. BURRONI: All right. So I'll take
19 that. So right now, there is seven different unions
20 that are working together in at Indian Point.
21 Approximately, 260 head count comes and goes plus or
22 minus five in any one given week.

23 We actually had two other unions on
24 site when we were building the ISFSI pad. Those
25 would be the ladders and -- and the cement, right.

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2 All physical work is performed by a union rep.

3 That's not a change. All work is performed either by

4 agreement with the U.W.U.A. contract with the

5 G.P.P.M.A., which is the General President's

6 Agreement or the National Labor Agreement.

7 Representatives of the unions and the

8 contractors, that's both Champion and Giordano, we

9 meet once per month. Right. And my -- my

10 Decommissioning Director, Frank Spagnole and I'll go

11 to the meeting first and we'll ask if there is any

12 issues. Right.

13 And then, pending what they say to us,

14 we will leave the meeting and then they talk amongst

15 themselves. Right. So from -- from my perspective,

16 I think we're doing pretty well with union peace

17 onsite. That's how I would answer that question.

18 A.L.J. BELSITO: All right. Next

19 question. How will you ensure you retain employees

20 for an institutional memory and experience for

21 safety?

22 MR. BURRONI: That's a good question.

23 So we developed a phase one organization when Entergy

24 transferred the license over to Holtec. At that

25 time, there were like 312 people. Right now, we're

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2 down to about 260. Again, all the operators were ex-
3 Entergy employees at the operating plant. So that's
4 been retained.

5 Most of the upper management people,
6 with res -- maybe one or two people are former
7 Entergy people. And we plan on staying there through
8 the duration. Newcomers that do come in, they do get
9 trained in -- in -- on -- on the site itself, right.
10 It's a big site.

11 They need to understand certain things
12 through operations department, through our
13 maintenance department. So we talk to them, they get
14 trained, right. I mean, critical positions are and
15 will be maintained with experienced individuals.

16 A.L.J. BELSITO: Thank you.

17 CHAIR CONGDON: Yes, sir.

18 MR. HARCKHAM: Hi everyone, Pete
19 Harckham here. Rich, just a -- a quick follow up on
20 the -- the labor issue. We've had several
21 conversations. We had a little incident a couple
22 months ago that I think was really more of a
23 communication issue about who is on site, who is
24 getting called. And I think at -- at -- through
25 those discussions, there was a commitment just for

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2 more outreach and dialogue.

3 Are you and your team reaching out to
4 the trades, even those who may not be on site on --
5 on a regular basis, but have -- have been in the past
6 and are -- are kind of part of the Indian Point
7 history, or are you continuing that dialogue?

8 MR. BURRONI: Senator, I'll have to
9 follow up with you on that. I -- I think our
10 dialogue with -- with the union is pretty good, but
11 yeah, I agree. Maybe we need to enhance that and --
12 and -- and I'll work on that. I'll give you that
13 commitment.

14 MR. HARCKHAM: All right. Thanks.
15 Happy to work with you on that.

16 MR. BURRONI: Yeah. No problem.

17 A.L.J. BELSITO: Thank you. And then
18 for the folks who submitted questions related to
19 workforce, if you have any follow-up questions, this
20 is your chance. Vincent Albanese.

21 MR. KACZMAREK: We are not seeing Mr.
22 Albanese in the attendance list, presently.

23 A.L.J. BELSITO: Okay. And then in
24 person, Sally Jane Geller. All right. I don't see
25 any hands. So we'll move on to the next topic,

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2 school monitoring. And the first question there is,
3 where is the final version of the Columbia
4 environmental study?

5 CHAIR CONGDON: So I'll take that.
6 We're in touch with Professor Hollander who ran the
7 clinic with the students to develop that study. They
8 received some peer review feedback, and they are
9 trying to incorporate that at -- at the end of the
10 semester with some vacations, et cetera, I think
11 there were some delays. But we've certainly
12 expressed an interest in getting the final version of
13 that. And when we do we will put it up on our
14 website.

15 A.L.J. BELSITO: Next question. When
16 will the monitoring plan for the schools be
17 completed, and when will there be a community
18 presentation about it? And why was the Hendrick --
19 Hendrick Hudson School District not discussed? Why
20 has the Hendrick Hudson School District not discussed
21 the recommendations for school monitoring with the
22 public?

23 CHAIR CONGDON: I can start and then
24 I'll turn it over to Joe Hochreiter. So there is a
25 subgroup of -- of the D.O.B. that is the school

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2 monitoring working group. We have met and, you know,
3 discussed the report recommendations that were
4 presented at our last D.O.B. meeting.

5 We continue to discuss an approach
6 that we'd recommend and discuss at a future D.O.B.
7 meeting, that we'd recommend for the school district
8 to consider. I -- I think that, you know, if -- if
9 folks watched the presentation from the previous
10 meeting, saw it online, they essentially had three
11 options for recommendations, sort of a, you know,
12 sort of the -- they characterized them and -- and in
13 terms of how expensive they were, kind of a -- a, you
14 know, kind of least expensive, moderate and -- and
15 higher expensive option.

16 I think, you know, they were
17 recommending the middle option. I think that the
18 early discussions we've had as a school monitoring
19 working group are looking at enhancing that middle
20 option to pull some of the things from the -- the
21 more expensive option in. But we'll finalize that,
22 have a discussion at our September meeting where we
23 can go over kind of what the -- what the recommended
24 plan of action is, and then I'll turn over to Joe.

25 MR. HOCHREITER: Yeah. And in

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2 addition, David Lochbaum, who is sitting to Tom's
3 left, a couple folks down, has agreed to continue his
4 relationship consulting with district officials. So
5 he met with us in mid-April and met with us for a
6 couple hours and put together, I think a little north
7 of a 70 slide presentation to walk some of our
8 district staff through some of the issues that we
9 would confront and what some of the research says and
10 -- and what some of the best practices are.

11 David has agreed to continue in that
12 ad hoc capacity, and he will -- he will do that
13 after, as Tom said, the school monitoring group meets
14 and after our fall D.O.B. meeting as well. And then
15 we anticipate that we'll roll out those
16 recommendations and receive some community input
17 later in the fall. Thank you.

18 CHAIR CONGDON: Yes, sir. David
19 Lochbaum.

20 MR. LOCHBAUM: My name is David
21 Lochbaum. Just to add to that, one of the things
22 we're also trying to do is, I'm also on the Board of
23 Advisors for the C10, the citizen group around
24 Seabrook Nuclear Plant, New Hampshire, which has 18
25 continuous monitors around that plant.

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2 One of the things we're trying to do -
3 - one of the questions that came up from the school
4 board and -- and from the Capstone group is who
5 maintains that system. And so we're trying to set up
6 a meeting between the C10 folks that run their system
7 and the -- and the working group that Tom mentioned
8 to -- to make sure that whatever equipment is
9 purchased or whatever system's developed can actually
10 be used and -- and maintained and repaired and
11 calibrated so on.

12 So we're trying to answer some of
13 those questions to inform the decision about what is
14 purchased, and how it's used, and -- and so -- and
15 who does it. So that's, there is work in progress.
16 It's not -- it's not dropped, and not fallen through
17 the cracks.

18 CHAIR CONGDON: Thank you.

19 A.L.J. BELSITO: Thank you. The last
20 question related to school monitoring is, we need
21 dust shields around work areas to protect surrounding
22 community, especially nearby schools. How will you
23 ensure this?

24 MS. TURTURRO: So this is Kelly
25 Turturro from D.E.C. I'll take that question. As

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2 we've talked about before, there are layers of
3 various government regulations, federal, State, and
4 local regulations in place to limit the production
5 and migration of dust during the decommissioning of
6 the facility. The State will continue to promote
7 tested and effective methods of dust mitigation.

8 And as we've said before, we're
9 actively working with both Westchester County and the
10 Village of Buchanan to coordinate the oversight over
11 dust mitigation through the -- the demolition
12 process. And I just want to reiterate what Tom said
13 earlier as well, now that there is a New York State
14 Resident Inspector, that -- that person will be on
15 hand to observe real conditions in -- in real time.

16 A.L.J. BELSITO: Thank you. Again,
17 I'm going to call the folks up, virtually first and
18 then in person. I'll just remind folks that if you
19 have a follow-up question, please ask it. Because
20 we're trying to get to everyone's questions and get
21 as much information exchanged here tonight, I asked
22 that you hold your statements and your opinions to
23 the extent they're -- they're not foundation for the
24 question. And just ask any follow-up questions.

25 Courtney Williams, virtually. Ms.

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2 Williams, are you on, and do you have any follow-up
3 questions? Now, just, you might have to unmute
4 yourself on -- on your end. If you're speaking, we
5 can't hear you.

6 MS. WILLIAMS: Who are you trying to
7 reach?

8 A.L.J. BELSITO: Courtney Williams.
9 All right. We'll move on.

10 MS. WILLIAMS: Oh, yes, sorry. When I
11 joined as a panelist, it kind of kicks me out and I
12 have --.

13 CHAIR CONGDON: That's Courtney.

14 A.L.J. BELSITO: Yeah. We heard you
15 for a minute. Courtney, if you could try again.

16 A.L.J. BELSITO: Are there directions
17 that I can give her.

18 MS. WILLIAMS: I'm here. I thought
19 you said going to move on to Ellen, so I stopped
20 speaking.

21 A.L.J. BELSITO: Go ahead, Ms.
22 William. I'm sorry.

23 MS. WILLIAMS: I guess my question --
24 my question is -- okay. Can you hear me?

25 A.L.J. BELSITO: You're breaking up.

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2 MR. KACZMAREK: I would recommend we
3 move on to the next panelist. Courtney, we'll begin
4 to chat with you. It sounds like it, you may be
5 having audio issues on your end.

6 CHAIR CONGDON: Is it possible for
7 Courtney to chat? Courtney, if you'd like to submit
8 a chat question, I -- I'll be happy to read it in.

9 MS. WILLIAMS: Am I being heard.

10 A.L.J. BELSITO: Your audio is not
11 working, but if you can submit a chat question, if
12 not, we'll try to -- we'll get the audio working for
13 you.

14 MS. WILLIAMS: Okay.

15 A.L.J. BELSITO: At this point, we'll
16 move on.

17 MS. WILLIAMS: I'm sorry.

18 A.L.J. BELSITO: That's okay.

19 MS. WILLIAMS: All right. I'll put it
20 in the chat maybe. Sorry.

21 A.L.J. BELSITO: Okay.

22 CHAIR CONGDON: Thank you.

23 A.L.J. BELSITO: We'll move on to
24 Ellen Weininger. Do you have a follow-up question
25 related to school monitoring?

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2 MS. WEININGER: I -- I would like to
3 defer to Courtney Williams on this. I know she has a
4 follow up and I'm eager to see the presentation for
5 the school community and for the updated
6 recommendations for the monitoring.

7 A.L.J. BELSITO: Okay.

8 MS. WEININGER: So I'll defer to
9 Courtney further. Thank you.

10 A.L.J. BELSITO: Thank you. In person
11 we'll move to Dan Galinko. Mr. Galinko.

12 MR. GALINKO: Thank you. Nice to see
13 you all in person. I guess two basic questions. The
14 first based on the earlier discussion, you talked
15 about demolition permitting, and so what does the
16 enforcement actually look like to the extent that
17 there is a finding or nuisance violation or whatever
18 they're based on?

19 MS. TURTURRO: So I can speak from the
20 -- the Department of Environmental Conservation
21 perspective. Sorry, I can't talk directly to you. I
22 apologize that my back is to you. This is Kelly
23 Turturro from D.E.C. So what happens from the State
24 perspective is if we determine that there is a
25 violation of Department of Environmental Conservation

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2 Regulations or the Environmental Conservation Law, we
3 will take an enforcement action against the violator.

4 So what that looks like initially
5 typically is the offer of what we call an order on
6 consent. So that is a document that lays out the
7 violations, requires a penalty, and also requires
8 remediation of those violations.

9 If the violator does not choose to
10 settle violations with us, then, we have to go
11 through an administrative enforcement hearing process
12 with them. So the department is required to put
13 evidence forward. The respondent has an opportunity
14 to challenge that evidence. Ultimately, an
15 Administrative Law Judge will make a recommendation
16 and the commissioner will -- will actually issue a
17 decision.

18 That process, as you can imagine, can
19 take some time. So to get to the real point, our --
20 our team, our -- our staff working with D.P.S.,
21 working with the communities, and -- and -- and in
22 speaking with Holtec will be present to ensure that
23 if there is an issue, we are addressing it before we
24 have to get to this enforcement process.

25 You know, it's important that we're

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2 flagging these things and we're addressing them
3 immediately. And while we might have to go to
4 enforcement, because there is a violation and -- and
5 we need to collect a penalty and have some type of
6 remedial schedule, it's important that we're
7 addressing it quickly.

8 CHAIR CONGDON: If I may just add a
9 point. What's unique about this, Dan, is that
10 typically, this reg at D.E.C. is utilized after the
11 fact. The violator may not even be aware of this
12 reg. But they may have been doing some type of
13 activity that was generating dust, and creating a
14 problem for their community, D.E.C. gets complaints.
15 And this reg allows them to do something about those
16 complaints.

17 In this instance, what is unique is
18 that we're informing Holtec of these regs, and the
19 village is telling Holtec -- Holtec we're in -- we're
20 requiring you to comply with these regs as a
21 condition of receiving our demo permit.

22 What has transpired after informing
23 Holtec of this plan by the village is that there have
24 been meetings between Holtec and the D.E.C. to
25 understand the reg and understand the potential, you

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2 know, penalties that could follow from violating
3 them.

4 And so there is -- it's unique in that
5 we're doing all of this preemptively and it's also
6 very unique that we have a State person on site.
7 Normally, business activity that could potentially
8 violate this reg doesn't have an onsite presence of a
9 State, you know, enforcement entity, but we do.

10 MR. GALINKO: Yeah. I -- I guess what
11 I would want to hear is that to the extent and active
12 -- it's not the base plan that's going to create an
13 emission or a safety issue, but 4,000 feet to the
14 school means that to the extent that there is an
15 accident or something going on, you know, there needs
16 -- what I want hear is there is a cease and desist
17 ability within D.E.C. or otherwise to stop an
18 activity to the extent it's creating harm in the
19 community.

20 CHAIR CONGDON: And -- and what I
21 think -- what I think you heard from Kelly, and --
22 and I'll ask Rich to confirm is that because they've
23 been notified in advance of these regs in the
24 requirements, we're on site, we see a problem.
25 They're -- it's going to be visible, and they're

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2 going to acknowledge the problem, and be able to
3 change course on the activity that they're working on
4 that is creating a problem that could result in
5 enforcement action.

6 So it's -- it's -- that's what's
7 unique in this relationship is that there is a built
8 in awareness ahead of it. There is an expectation
9 that's been set. We're on site, there can be a
10 communication. And if there is a problem, I am sure
11 that Holtec is going to agree that it needs to be
12 remedied on in real time. Rich, you want to confirm?

13 MR. BURRONI: I agree.

14 MR. GALINKO: Great. And then I
15 guess, just the other point, maybe a bit of
16 editorializing, but we had a base plan for monitoring
17 in place. Obviously, Columbia came through and has
18 some recommendations for some enhanced monitoring. I
19 sort of shudder to think, you know, absent, you know,
20 our town supervisor being able to put together this
21 study with Columbia and Capstone project.

22 Would we not have been in a place to
23 be having this enhanced monitoring in place for some
24 of the compounds and real time monitoring that was
25 not in existence before?

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2 CHAIR CONGDON: I -- I guess, I'm
3 sorry. What's the question?

4 MR. GALINKO: So -- so I guess it --
5 it feels like I -- I hope we're not looking a little
6 sort of flat footed absent having had this Columbia
7 study come together with the, you know, happenstance
8 that we have a Columbia professor in our community
9 and the town supervisor is able to get a study put
10 together.

11 So you know, I'm thankful that it came
12 together, but you know, we're starting the school,
13 you know, year very shortly. There is demolition
14 activities going on and, you know, I just want to --

15 CHAIR CONGDON: Oh, you want to see
16 that the --

17 MR. GALINKO: -- I just want to see
18 the current activity.

19 CHAIR CONGDON: -- you want to get the
20 plan in place?

21 MR. GALINKO: Yes.

22 CHAIR CONGDON: Post haste. I -- I
23 agree. And I think the school agrees that we want to
24 get it in place as soon as possible.

25 MR. GALINKO: Yeah.

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2 CHAIR CONGDON: So we're -- we're
3 actively working towards you getting it.

4 MR. GALINKO: Thank you.

5 A.L.J. BELSITO: And then Sally Jane
6 Gellert, in person? No. All right. Move on to the
7 next topic.

8 CHAIR CONGDON: Oh, excuse me, Tony.
9 I'm sorry. But Courtney Williams was unable to ask
10 her question, but I -- I do have it, so I'll just
11 read it in.

12 A.L.J. BELSITO: Okay.

13 CHAIR CONGDON: Thank you, Courtney,
14 for sending it via chat. Her follow up is, if the
15 district will commit to a date for public meetings
16 about school monitoring, and why was something this
17 crucial left to students and those for whom this
18 isn't the top priority. Demolition is happening now,
19 yet we are still waiting for this report.

20 A.L.J. BELSITO: Okay.

21 CHAIR CONGDON: Well, I guess I'll
22 start with the school monitoring working group was
23 already working on this. So it wasn't as though we
24 were relying on or waiting for this excellent
25 resource from Columbia to come along.

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2 We established the school monitoring
3 working group, I think at our first -- after our
4 first meeting with the D.O.B. and we've met -- we've
5 made presentations to the full D.O.B. and the plan
6 all along as we identified \$500,000 out of the
7 Entergy fund for the school was to use this school
8 monitoring working group with the assistance of Dave
9 Lochbaum and other experts from State agencies to
10 advise the school district on how best to use that
11 500,000.

12 So all that was underway before the
13 school came along. And I think when the school came
14 along with this proposal, it would've been crazy for
15 us to say no, and we really appreciate Supervisor
16 Becker and -- and Superintendent Hogrider for
17 facilitating that with Professor Hollander.

18 And the other question, I guess, is
19 for Joe, will the school -- will the -- will the
20 district commit to a date for public meetings about
21 school monitoring?

22 MR. HOCHREITER: Yeah. We -- we will,
23 when we receive the recommendations and as I said
24 earlier, we'll consult with Mr. Lochbaum, have him
25 come back and meet with our board to help evaluate

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2 what those recommendations are and school working
3 group, and I'm sure we'll have additional
4 recommendations beyond just what Columbia University
5 students did.

6 So when we unveil the -- the plan and
7 start to consult with our school community, we want
8 to make sure we have all of the recommendations put
9 forward so we can receive input and feedback in
10 totality rather than piecemeal.

11 CHAIR CONGDON: And just as chair of
12 the D.O.B., I'll commit to a presentation from the
13 school monitoring working group at the September
14 meeting.

15 A.L.J. BELSITO: Okay. All right.
16 Thank you. Next is spent fuel management. The first
17 question is, why is breakneck speed of transferring
18 rods to storage being allowed rather than normal
19 slower procedure?

20 MR. BURRONI: Want me to take that
21 one?

22 CHAIR CONGDON: Yeah. Thank you,
23 Rich. Go ahead.

24 MR. BURRONI: So if you look at reg
25 guide 1.184, it's a -- it's a N.R.C. regulation that

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2 talks about -- it's a reg guide. I'm sorry. That
3 talks about decommissioning nuclear power plants.
4 And it gives you three options. You go to SAFSTOR,
5 right. There is a 60-year option, right. You can go
6 to in -- ENTOMB, which really was backing up cement
7 truck and pouring containment and nobody's doing
8 that, right. Or you can go to prompt DECON.

9 And Holtec and many other companies
10 that do decommission employ the decon concept. And
11 what this does is allows us to bring back taxable use
12 of the land 40 to 45 years sooner than safe -- than
13 the safe limit.

14 And also, if you look at the joint
15 proposal, Entergy, Holtec and New York State and the
16 A.G. office, right, everybody agreed that we would
17 get the plan back to reusable land use within a 12 to
18 15 year period. So that's the methodology we'll
19 follow.

20 CHAIR CONGDON: Bridget Frymire from
21 the D.P.S., do you want to add to that?

22 MS. FRYMIRE: Yes, I do. Thanks, Tom.
23 The schedule that Holtec is proposing to move spent
24 nuclear fuel from their unit two and unit three spent
25 fuel pools to dry cask storage -- storage on the ISFSI

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2 is consistent with current industry standards. They
3 are not proposing to work at - breakneck speed.

4 The safest place for this fuel is in
5 the dry casks. So there is a reason to move as
6 expeditiously as possible without compromising
7 safety. This topic is in the N.R.C.'s jurisdiction,
8 and they have offered to present on spent fuel
9 management at a future Decommissioning Oversight
10 Board meeting and as has been stated numerous times
11 now, at this -- at this meeting, we now have a State
12 inspector on site at Indian Point.

13 He will be monitoring the offloading
14 of fuel from the spent fuel pools to dry cask storage
15 and any safety concerns or issues will be immediately
16 raised to the licensee, to the State, and to the
17 N.R.C.

18 A.L.J. BELSITO: Thank you. The next
19 question, what examination are you prepared to do for
20 the suitability of the casks that will be used to
21 store irradiated fuel once it's removed from the fuel
22 pool? Holtec is notorious for producing thin
23 inadequate casks that leak while Germany and Sweden
24 are using far superior and safer concrete casks to
25 contain leaks and escape -- escaping radiation.

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2 Please let us know how you are dealing with the
3 storage cask issue.

4 MR. BURRONI: Would you like me answer
5 that?

6 A.L.J. BELSITO: If you were prepared
7 to answer it, that would be great.

8 MR. BURRONI: Okay. So there there's
9 multiple parts to the question, so I'll go with the
10 first one. Examination method. So there is an aging
11 management program that Holtec does have. It's after
12 20 years service life of the cask. For us, it kicks
13 in in 2028. Oyster Creek will be doing their first
14 aging management procedure, we'll be down there with
15 the -- with the people at Oyster Creek monitoring
16 their progress and aging management. And then we'll
17 bring that up to Indian Point. That -- that's the
18 first part of the question.

19 The second part of the question, and -
20 - and I mean this with all due respect, our casks are
21 not thin-walled. I'm not sure where that term comes
22 from, but when I look at the casks, the 27 inches of
23 steel and concrete are on the outer perimeter. The
24 canister lid and the over pack lid are another 18
25 inches, all right, of steel and concrete.

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2 So I kind of disagree with the fact
3 that we're calling these thin-walled casks and -- and
4 I -- I don't think that's just the -- the right
5 moniker to put on it. Furthermore, Ms. Slater, if
6 you could tell me where any of these casks that
7 Holtec produced are leaking. I appreciate that.

8 And so what I'll do with that
9 information is I'll take it back to our Camden office
10 and -- and really get the -- the information down and
11 -- and find out what we could do from a corrective
12 action standpoint at Indian Point, but I'm not aware
13 of any casks that Holtec manufactures around the
14 world that are leaking, I could be wrong, right. But
15 I'd like to have that information and I'll bring it
16 back to Camden and then we'll straighten that out.

17 Please let us know how you are dealing
18 with storage cask issue. I -- I guess that's how I
19 would answer that question. And I've gone through
20 some of the -- the -- the casking of fuel in the
21 previous slide so. That's where I would stay with
22 that.

23 CHAIR CONGDON: Could I -- could I
24 just ask Dave Lochbaum to speak on this from an
25 independent technical expert standpoint?

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2 MR. LOCHBAUM: Yeah. I would agree
3 with Rich. The -- the cask, whatever -- whatever
4 labels applied to them are robust. They're --
5 they're designed for like 18-foot drops on a steel
6 spike, they are designed to withstand 2000 degree
7 fires for several hours and so on.

8 And one of the adverse consequences
9 they use in the casks that are used in -- in Europe
10 is that you have to use many, many more of them
11 because they can't store as much spent fuel. So if
12 you're worried about dropping it during a movement or
13 there -- it just many more things that can go wrong
14 when you're using 40% more casks onsite and transport
15 offsite. So there's no free lunch.

16 The -- the casks in Europe have some
17 consequences. The casks in the United States have
18 consequences. There's pros and cons. Neither one of
19 them is inherently evil. Neither version is
20 inherently safe, but both of them can go wrong if you
21 mishandle them.

22 And I think Rich and his program is
23 there to try to minimize the things that can go wrong
24 with the aging management and other mechanisms. So I
25 -- I have no problems whatsoever with the cask that

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2 are being used at Indian Point in that regard.

3 CHAIR CONGDON: I think we have a
4 D.O.B. member who is -- who is participating
5 virtually, County Legislator Borgia, who has a
6 question, I'd like to give her an opportunity to ask
7 a follow up here.

8 BOARD MEMBER BORGIA: Thank you. Yes,
9 I am very relieved to hear about the aging management
10 program at the cask, because I feel like I've been
11 asking this question for a really long time, almost
12 before decommissioning about how do you know when a
13 cask is deteriorating. So I'm just hoping you can
14 give us a little bit more detail about that, what
15 that program is. What do you look for to see their
16 cask is performing adequately after the 20 years, and
17 how frequently does that happen once -- once a -- a
18 cask is in the aging management.

19 CHAIR CONGDON: Rich, you want to take
20 that?

21 MR. BURRONI: So she's asking about
22 the aging management program. Is that what she is
23 asking?

24 CHAIR CONGDON: I -- I heard the
25 question is you -- you have the aging management

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2 program. What do you look for?

3 MR. BURRONI: That's a good question,
4 right.

5 CHAIR CONGDON: Right.

6 MR. BURRONI: So really, we'll take --
7 we need to take the experience from Oyster Creek,
8 right, to see exactly what we'll be looking for, but
9 we'll -- we'll absolutely use probes to go within the
10 tank, probably in the vent ports, right, to look for
11 any breaches in the M.P.C.

12 That's what I'm thinking right now
13 until I get some of the details from Oyster Creek.
14 We can solidify that procedure here for Indian Point.
15 Just let me clarify the -- the 2028 timeframe.

16 Our first cask at Indian point was
17 2008, right. So it's a 20 year life cycle for ageing
18 management. That's why our -- that's why we're due
19 in 2028. Oyster Creek casked fuel prior to that, and
20 I think within the next year or so is when they'll
21 kick in and do their investigations. So like I said,
22 we'll be down there seeing what they're doing and
23 mimic that.

24 BOARD MEMBER BORGIA: Yeah. No, no, I
25 under -- I understand that, and I appreciate that.

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2 And one of the reasons why the dry cask store --
3 storage has always been -- I've always had this
4 question. I've represented the area for, you know,
5 almost 20 years now. So the question is, I guess,
6 once that starts, understanding that you don't have
7 all the technical details about what gets look for.
8 But once that starts, once that cask is 20 years and
9 older, is it -- it's examined once at 20 years, it's
10 examined every year after 20 years, what's the --
11 what's the schedule?

12 MR. BURRONI: I'd have to get back
13 again on that.

14 MS. BORGIA: Okay. Thank you.

15 CHAIR CONGDON: Thank you, Rich.

16 MR. WEBSTER: Just a quick follow-up
17 on aging management.

18 CHAIR CONGDON: Richard Webster.

19 MR. WEBSTER: Richard Webster. Yeah.
20 Sorry. So my question is, is the -- you may not be
21 able to answer this now but is the goal of the aging
22 management process to prevent through-wall leaks,
23 first question. Second question. If you have a
24 through-wall leak of the M.P.C., what's the
25 consequence?

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2 MR. BURRONI: The -- the goal is to
3 ensure the integrity of the M.P.C., right. That
4 would be the goal for any aging management. I mean,
5 we'd have to analyze on a case by case basis. If
6 there is a breach of the M.P.C. To date, I'm not
7 aware of any if that happened, but I can follow up --
8 follow up with you and -- and verify that.

9 MR. WEBSTER: That'd be great.

10 Thanks, Rich.

11 CHAIR CONGDON: I -- I think he didn't
12 answer your follow up. If there was a leak, what is
13 the consequence?

14 MR. BURRONI: Consequence would
15 probably be based on the age of the fuel that's in
16 the canister, right. We would -- I -- I -- we would
17 have the ability to, I think at that time, transfer
18 the M.P.C. to a HI STAR and maybe we process it
19 through somehow or reload it. I mean, I have to
20 look. I don't have an answer to that.

21 MR. WEBSTER: Right. That's the
22 question that -- that I get asked a lot and it's one
23 that I'm not able to fully answer.

24 MR. BURRONI: Understood.

25 MR. WEBSTER: Because you know, the

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2 cask is pressurized with helium, right?

3 MR. BURRONI: Right.

4 MR. WEBSTER: So to make sure the fuel
5 doesn't catch fire. My next question is can you get
6 enough air, oxygen in there for the fuel to catch
7 fire?

8 MR. BURRONI: Repeat that?

9 MR. WEBSTER: Could -- can you get
10 enough oxygen in there for the fuel to catch fire
11 with a through-wall leak?

12 MR. BURRONI: Can the fuel catch fire?

13 CHAIR CONGDON: If there is a through-
14 wall leak, could oxygen enter the cask sufficient to
15 create a fire situation?

16 MR. BURRONI: I -- I'd have to get
17 back to it. It's something that I'd have to get back
18 to you.

19 CHAIR CONGDON: Dave, did you want to
20 have follow up?

21 MR. LOCHBAUM: Yeah. I looked at that
22 a few times and talked to a number of people. The --
23 because as you mentioned earlier, that damage fuel
24 can't go into a cask unless it's protected for the
25 damage. If there was a leak, very little or no

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2 radioactivity would get out.

3 The fact that there is still heat
4 being generated inside the cask would tend to cause a
5 differential pressure that would keep oxygen from
6 getting in until the pressure is equalized. And when
7 the pressure's equalized, there is not a catalyst to
8 drive oxygen inside.

9 So you -- you'd have lots of time,
10 measured in years, to -- to really deal with the
11 problem. It wouldn't -- it wouldn't be thirty
12 minutes from losing Buchanan or anything like that.

13 MR. BURRONI: Yeah. So I'll talk to
14 the Camden office. I'll get back to you on that.

15 A.L.J. BELSITO: All right. The next
16 question on spent fuel management is will you commit
17 to separating the casks hardened onsite storage or
18 HOSS?

19 MR. BURRONI: Okay. So -- so I looked
20 into that and the hardened onsite storage I read two
21 articles, one from the Nuclear Information and
22 Resource Service, and one from the Alliance from
23 Nuclear Accountability. And I -- I would say we're
24 fairly consistent with those recommendations. So
25 from a space perspective, we do have heat transfer

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2 calculus, which are part of the safety analysis for
3 the casks themselves.

4 And that determined the pitch or the
5 distance between the cask, right. And each cask, as
6 it sits on the pad has a 240 square feet of open air
7 around it, which meets the heat transfer calculus.
8 Also, the H.O.S.S. recommends a radiate -- radiated
9 fuel must be stored as safely as possible, as close
10 to the site of generation as possible. I'd say we
11 meet that.

12 H.O.S.S. facilities must not be
13 regarded as permanent waste solution. That's why you
14 have an M.P.C. The M.P.C. is designed, right, to go
15 into a HI-STAR for transport to an interim facility
16 or a permanent facility. So facility missed that
17 real time radiation and heat monitoring. I'll check
18 into the heat monitoring piece. However, we do have
19 real time radiation monitoring at the pad itself.

20 The overall objective of H.O.S.S.
21 should be that the amount of releases projected and
22 even a terrorist attack should be low enough that the
23 storage system should be unattractive as a terrorist
24 target. We've had impact tests on the canisters
25 themselves without a breach to the M.P.C.

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2 And then placement of individual
3 canisters that makes detection difficult from outside
4 the site boundary. I'd say there's no issue north,
5 east and south. I've discussed this with Richard.
6 At the end of the day, I project or -- or I've talked
7 to my management already to -- to consider a sort of
8 camouflage netting around the canister so that
9 observation from the river will be minimized.

10 Can't put a -- can't put a berm there
11 just because of the topography of the -- of the area
12 around the ISFSI pad, especially after we build the
13 vehicle barrier fence. So I think our best bet at
14 least to -- to -- to comply to that last
15 recommendation would be some type of camouflaging.

16 A.L.J. BELSITO: Thank you. Ms.
17 Frymire, would you like to add anything?

18 MS. FRYMIRE: Yes. Just something
19 real quick. Thank you. This is Bridget Frymire with
20 the Department of Public Service. So the -- the
21 concepts promoted by hardened onsite storage are core
22 areas of focus for the Decommissioning Oversight
23 Board. Safety and security of the spent nuclear fuel
24 at the Indian Point site are of paramount importance.

25 And this topic was discussed at the

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2 last Decommissioning Oversight Board. And since
3 then, as Rich stated, we've continued to explore
4 additional safety measures and we do welcome
5 additional community feedback on this subject. And
6 as stated earlier, time is going to be dedicated at a
7 future meeting to discuss in depth, the requirements
8 related to spent fuel management, cask design, and
9 onsite spent fuel storage.

10 And I believe during this meeting
11 alone, a few additional topic areas have come up that
12 I think would be really important and helpful to
13 address at that -- during that discussion as well so
14 I'm keeping tabs for that.

15 A.L.J. BELSITO: Thank you. And the
16 last question in this topic, how will a drone attack
17 on the storage casks be prevented, a cyber -- a
18 cybersecurity attack?

19 MR. BURRONI: I spoke to the State
20 police specifically about this issue. Their position
21 is that there is no citizen-owned drone that could
22 carry the payload that would have an effect if it
23 were to shoot a missile at one of the casks.

24 Also talked to my security department
25 and they're all in agreement with the State Police,

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2 right. So there is no civilian drone that could
3 carry a payload big enough to penetrate the -- at
4 least the M.P.C., if -- if not the -- the entire
5 canister so.

6 Cyber attack, I think we've already
7 discussed that. I won't be discussing it any
8 further. Like I said, anything that would have any
9 effect on equipment that that's needed, we would make
10 sure the I.T. department, does a thorough scrub on
11 it, right, to make sure that there is no effect to
12 the algorithms in the critical -- in -- in a digital
13 accident.

14 A.L.J. BELSITO: Mr. Lochbaum, do you
15 have anything you wanted to add?

16 MR. LOCHBAUM: No, thank you.

17 A.L.J. BELSITO: All right. So we'll
18 go with follow-up questions. We'll start with
19 virtual, Susannah Glidden.

20 MS. GLIDDEN: Yes, yes. Do you hear
21 me now?

22 A.L.J. BELSITO: Yes.

23 MS. GLIDDEN: Yes. I just wanted to
24 say since I don't think Alice was able to be here --
25 Slater, that what she was meaning to say were the

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2 thin walled canisters with the gouge down them from
3 the loading process, not the casks. And on this
4 subject of damage three things, please, just follow-
5 up questions.

6 Will there be a hot cell permanently
7 on site for emergencies like a leak or a damaged rod,
8 a -- or are there plans for at least an over pack,
9 which is ventilated for cooling and transport into
10 which a leaking canister can be placed. The Holtec
11 cask is ventilated. If there is leaking, a radiation
12 monitor in the ventilation system is triggered.

13 How much of a leak would it take to
14 trigger the monitor, at what exact amount? And just
15 one more thing, a pressure monitor, as we understand
16 it, indicates if a leak is happening and yet, to our
17 knowledge, there are not any installed. Why is that?
18 Thank you.

19 MR. BURRONI: I'll have to follow up
20 on those questions.

21 MS. GLIDDEN: Please while you're at
22 it too, Mr. Burroni, we are also concerned with one
23 more issue. You -- the Holtec states that there is
24 no likelihood of a canister leak for 20 years, that
25 their canisters can last for 24 years. There are

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2 robotic crawlers, which can measure the thickness of
3 a canister.

4 How often will Holtec do this? Be --
5 and -- and on how many canisters? We've heard that
6 Holtec states they're all the same. That one or two
7 of them every five years is sufficient. But the
8 welding as has been pointed out is never exactly the
9 same. And each one, we feel should be inspected and
10 regularly, if there is a problem with the cask, they
11 can pull out the canister and put it in a new cask
12 and make sure the welds are in place. Thank you.
13 Those are our serious questions. We'd appreciate
14 your -- your education and answers on. Thank you.

15 A.L.J. BELSITO: Thank you.

16 MR. BURRONI: We'll put all the
17 questions together and I'll answer.

18 CHAIR CONGDON: Okay. We will -- we
19 will get answers from Holtec in writing and post them
20 on the website. Thank you.

21 MR. BURRONI: I will say that the weld
22 on the M.P.C. lid is a machine weld. It's not a weld
23 that's done by hand. So it's consistent and it's
24 consistently inspected and passed. So --

25 CHAIR CONGDON: Speak into the mic.

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2 MR. BURRONI: -- that the weld on the
3 M.P.C. it's done -- it's done robotically. It's not
4 done by hand. Right. So there's consistency in the
5 weld application itself and after it's tested. So --
6 we -- and we also pressure test canisters also, prior
7 to putting them on the pad so that that works out for
8 us also, but we'll get the list of questions, and I
9 will answer.

10 CHAIR CONGDON: Dave Lochbaum?

11 MR. LOCHBAUM: This is Dave Lochbaum.
12 I'd like to address -- one of these questions was the
13 question about the pressure monitoring inside the
14 cell that would potentially indicate a leak. I did
15 look into that many years ago, because I had the same
16 issue and it seemed like that'd be a good way to
17 check on the integrity of a canister. And what I
18 learned was that if you put a penetration into the
19 pressure cell you're providing a pathway for leakage.

20 So you're actually increasing the
21 chances of -- so it's -- there's no free lunch again,
22 you -- you pay for that convenience with the
23 increased chances of a failure.

24 MR. BURRONI: You're -- you're going
25 to sacrifice something by doing some else.

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2 A.L.J. BELSITO: Thank you. Do we
3 have Alice Slater?

4 Mr. CONGDON: No.

5 A.L.J. BELSITO: Okay. Then the third
6 person is Sally Jane Gellert. No? Okay.

7 MR CONGDON: Excuse me, Tony?

8 A.L.J. BELSITO: Yes.

9 CHAIR CONGDON: Before we move to the
10 next topic, I -- I want to do a time check. It's 8 -
11 - almost 08:20. We have Enbridge here. Our -- our
12 plan originally was to tick through the topic areas
13 and pipelines were slated to be last. I'm starting
14 to get concerned that we're bumping up against 9 -- 9
15 o'clock at the end of the meeting and -- and it would
16 be a shame not to get to the pipeline questions while
17 Enbridge is actually here.

18 So I'd recommend that we skip a few
19 slides get to the pipeline questions. And assuming
20 we get through those with Enbridge present, we can go
21 back to the regular schedule. Is that all right with
22 everyone?

23 A.L.J. BELSITO: All right, thanks.

24 The first pipeline question is when will proper
25 locating and marking of the Algonquin gas

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2 transmission pipeline right of way at the Indian
3 Point site commence and be completed? And what
4 accounts for the delay of this critical process
5 especially during heavy loading, deconstruction, and
6 excavation activities?

7 MR. SHERIDAN: This is John Sheridan.

8 CHAIR CONGDON: You've got to speak
9 into the --

10 A.L.J. BELSITO: Get closer to the
11 mic.

12 CHAIR CONGDON: -- mic, please. Yeah.

13 MR. SHERIDAN: John Sheridan, Enbridge
14 Algonquin Gas Transmission Company. It -- there have
15 always been Algonquin pipeline markers at the I.P.
16 crossings. Locating in-line marking for vehicle
17 crossings is normal practice thus is not in the lane
18 for vehicle crossing activities. Algonquin has fully
19 cooperated with Indian Point, Holtec, Rich Burroni
20 and his team, to gather crossing activities, their
21 requirements for those activities with oversight from
22 the New York D.P.S. gas safety division.

23 A.L.J. BELSITO: Thank you. Next
24 question, what are the dates thus far of Enbridge --
25 Enbridge's on-site supervision of various

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2 decommissioning activities on and near the pipeline
3 right of ways as required by PHMSA Operations and
4 Maintenance Enforcement Guidance Part 192, subparts
5 (L) and (M). Please be specific. If there has been
6 no onsite supervision by Enbridge, please explain.

7 MR. SHERIDAN: John Sheridan, with
8 Enbridge Algonquin. The extent of involvement and
9 interaction with Algonquin's pipeline at Indian Point
10 consists of heavy vehicular crossing activities.
11 Algonquin has performed load crossing analysis as is
12 consistent with normal operating procedure.
13 Algonquin has met with Holtec personnel on site, and
14 they've taken all precautions for the road crossings
15 to Algonquin's satisfaction.

16 On-site supervision of heavy vehicular
17 load crossings is not normal. Installation of steel
18 plates at the crossing location in addition to load
19 crossing analysis are sufficient for crossings
20 identified at this location. On-site supervision is
21 a common practice when excavation takes place at or
22 near the pipeline right of way. No excavation or
23 ground disturbance activities have been identified at
24 this location that conflict with Algonquin's
25 analysis.

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2 CHAIR CONGDON: Can I ask a follow-up
3 question there? There was a fault on a different
4 feeder months ago. You know, Rich mentioned that
5 they fixed a fault in the last few weeks. There was
6 another one and that feeder runs closer to the
7 pipeline. It doesn't? That feeder -- that -- that
8 excavation didn't happen closer to the pipeline?

9 MR. BURRONI: Yeah, yeah, you're
10 right. However, part of the M.O.U. that we have is
11 when we -- if we were to excavate anything close to
12 the pipeline --

13 CHAIR CONGDON: Uh-huh.

14 MR. BURRONI: -- right, we contact
15 Enbridge, and they'll verify it. Yeah, so there --
16 you're right, the one that we had.

17 CHAIR CONGDON: So with that --

18 MR. BURRONI: Enbridge was --

19 CHAIR CONGDON: -- excavation --

20 MR. BURRONI: -- contacted and they
21 did observe that.

22 CHAIR CONGDON: Okay.

23 MR. BURRONI: Right --

24 CHAIR CONGDON: Thank you.

25 MR. BURRONI: -- all right.

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2 A.L.J. BELSITO: All set?

3 CHAIR CONGDON: Yeah.

4 A.L.J. BELSITO: Has the -- the co-
5 located Indian Point Nuclear facility and Algonquin
6 Gas transmission pipelines been included in Governor
7 Hochul's newly formed joint security operations
8 center, and please explain your response.

9 MS. WACHA: Good evening.

10 CHAIR CONGDON: Thank you.

11 MS. WACHA: My name is -- do you hear
12 me okay?

13 CHAIR CONGDON: Thank you, Jennifer,
14 go ahead. Yeah, go ahead, we hear you.

15 MS. WACHA: Thank you. Jennifer Wacha
16 representative for the Division of Homeland Security
17 and Emergency Services. And thank you for the
18 question. The Indian Point nuclear facility and the
19 Algonquin pipeline -- gas pipeline is privately owned
20 and responsible for ensuring that they are in
21 compliance with all State and federal security and
22 cybersecurity regulations.

23 The initial priority for the JSOC, or
24 the -- the joint security operations center will be
25 on securing county and municipal governments. As the

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2 JSOC work expands, it's our expectation that certain
3 public utilities and critical infrastructure will be
4 concluded as the -- as the program continues to grow.
5 Thank you.

6 A.L.J. BELSITO: Thank you.

7 CHAIR CONGDON: Thank you. And I -- I
8 would just add that, you know, I think there have
9 been a number of questions submitted in previous
10 meetings as well on cyber, and we'll look to have
11 perhaps a broader discussion at future D.O.B. meeting
12 on cyber issues.

13 A.L.J. BELSITO: Thank you. And it's
14 more of a suggestion than a question. We need to
15 purge the pipeline for safety.

16 MR. MEHTA: Hi, this is Arpit Mehta
17 from New York State D.P.S. the Pipeline Safety
18 section. As a result of its 2018 risk assessment,
19 New York State sent a letter to FERC requesting that
20 it consider temporarily ceasing gas operations near
21 Indian Point as a possible risk mitigation strategy
22 if decommissioning activities, you know, threaten the
23 integrity. However, this does not apply that New
24 York State recommends shutting down the gas pipeline
25 operations without cause.

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2 Further, since then, we've received
3 the N.R.C.'s 2020 expert evaluation team report,
4 which reviewed previous risk analyses that were done
5 on the pipeline at Indian Point. And then also we
6 await the Oak Ridge National Laboratories' analysis
7 report.

8 And then finally, we also acknowledge
9 that Richard Kuprewicz when he spoke to the
10 decommissioning oversight board he also noted that
11 removing the pressure from the pipeline does not
12 necessarily protect the pipeline from potential
13 damage and that could also result -- and does not
14 necessarily result in greater safety. Since
15 essentially the fault is still there, and then would
16 become apparent once the pipeline then returns to the
17 operations.

18 A.L.J. BELSITO: Thank you.

19 CHAIR CONGDON: I don't know if John
20 wants to add to that at all or Rich? Either --

21 MR. SHERIDAN: Tom, I don't think we
22 have any more comments on it.

23 CHAIR CONGDON: Okay. All right.

24 Thank you.

25 A.L.J. BELSITO: Thank you. When will

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2 the Oak Ridge risk assessment -- risk assessment be
3 completed? Does a risk assessment take into account
4 all the Indian Point nuclear facilities
5 infrastructure, nuclear waste, decommissioning
6 activities, co-located with the gas transmission
7 pipelines? Does the risk assessment address the
8 specific questions and points specified by Mr. Rick
9 Kuprewicz, president of Accufacts?

10 Mr. Kuprewicz says, has stated that a
11 truly independent safety analysis should be performed
12 subject to a reasonable open peer review and that
13 security claims should not be permitted to shelter
14 malfeasance in a scientific method involving
15 incomplete risk analysis for such a highly sensitive
16 infrastructure.

17 MR. MEHTA: This is Arpit Mehta from
18 D.P.S. Pipeline Safety section again. PHMSA does not
19 provide a timeline for completion of the Oak Ridge
20 risk assessment. We await those results and we'll
21 come -- we'll come prepared when the report is
22 released.

23 A.L.J. BELSITO: Excellent. Thank
24 you. And then for follow-up questions virtually
25 Ellen Weininger? It should be unmuted I think.

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2 MS. WEININGER: Yes. Yes, thank you.

3 Let me go back to a couple of things. One is just in
4 terms of the -- the points that Mr. Kuprewicz stated
5 that lowering the pressure indeed is not an adequate
6 measure. And in -- in fact, it would involve
7 shutting and purging the pipeline, because you know
8 we have other instances where just shutting the
9 pipeline, leaving the gas in place, does not assure
10 any safety or -- or protection.

11 So in that vein again, going back to
12 these markings, I understand that some of those
13 vehicle crossings that you describe have markings,
14 but we understand from site tours that on the -- on-
15 site at Indian Point that they do not appear to be
16 marking so that new workers who come across the
17 property to initiate work may have no knowledge of
18 the -- of the pipeline and its locations and can
19 initiate activities as -- as different aspects of the
20 work continues.

21 So that's where that question arose
22 from. And I know that that was the point that Mr.
23 Kuprewicz had identified and emphasized. So it seems
24 that perhaps there are some markings, but not a
25 complete identification and -- and marking. And

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2 could you please address that?

3 MR. SHERIDAN: John Sheridan with
4 Enbridge Algonquin. We will certainly go back and
5 verify that. But to my knowledge that the pipeline
6 markers out -- are out there. And they are
7 identified at the road crossing. And we'll certainly
8 come back to this to provide that response to Mr.
9 Chairman --

10 CHAIR CONGDON: Thank you.

11 MR. SHERIDAN: -- you know, clarify
12 that.

13 MS. WEININGER: Yeah, and I -- I would
14 also add that Mr. Kuprewicz did a request that the
15 plan -- properly implemented plan be independently
16 verified for effectiveness. And that as a result --
17 you know, and in -- indeed that a recommendation to
18 cease gas operations during the commissioning
19 activities that may threaten pipeline integrity,
20 while extreme would be appropriate.

21 So it would be helpful to understand
22 if there are verified plans by an independent, peer-
23 reviewed source. Can anyone answer that?

24 MR. SHERIDAN: This is John Sheridan
25 from Enbridge Algonquin. I'm not aware of any plan

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2 that you've just identified. We continue to work
3 with Holtec on communicating and coordinating
4 activity out there. And that's done with the
5 oversight of the New York D.P.S. gas safety division
6 unit and we continue that dialogue and to ensure that
7 the pipeline is safe. And we're working and
8 collaborating with Holtec on their activity as well.

9 MR. WEBSTER: Can I just jump in on
10 that one? You -- you said you have an M.O.U. Is
11 that public?

12 MR. BURRONI: Please repeat that, I'm
13 sorry.

14 CHAIR CONGDON: Is the M.O.U. public?
15 Have we posted that? Is it -- is there -- is there
16 an issue with posting?

17 MR. BURRONI: The M.O.U. --

18 CHAIR CONGDON: The M.O.U. between
19 Holtec and Enbridge that pertains to the pipeline.

20 MR. BURRONI: Oh, I see.

21 CHAIR CONGDON: Yeah.

22 MR. BURRONI: Okay.

23 MR. WEBSTER: Thank you. I think -- I
24 think more than me would like honestly a copy of it.
25 Everybody likes their copy in hand.

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2 CHAIR CONGDON: I mean, to the extent
3 there's anything critical infrastructure that needs
4 to be blacked out we can't, but we can post
5 otherwise, right?

6 MR. BURRONI: It's a joint M.O.U. so I
7 got to make sure that Enbridge and --

8 CHAIR CONGDON: Sure.

9 MR. BURRONI: -- concurs, okay.

10 CHAIR CONGDON: We'd asked you guys to
11 take a look at -- at how we can make that public.

12 MR. BURRONI: Richard, if you want to
13 see a copy just let me know.

14 MR. WEBSTER: Thank you.

15 A.L.J. BELSITO: Thank you. All
16 right. The next topic is exemption requests, license
17 amendment requests, and spent fuel pool water. The
18 question is how will public officials prevent N.R.C.
19 controversial exemptions and relaxations of
20 regulations rather than -- how will public officials
21 prevent N.R.C. exemptions and relaxations of
22 regulations rather than putting it on the public to
23 do?

24 MS. PETERSON: I'll take this one.

25 Alyse Peterson from NYSERDA. While we continue to

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2 encourage members of the public to file comments and
3 engage with federal representatives, New York State
4 does review all exemptions and license amendment
5 requests. We review those on their merits. We do
6 actively engage with N.R.C. based on those merits.
7 And we have submitted comments on a number of
8 exemption requests and license amendment requests
9 pertaining to Indian Point, as well as the
10 decommissioning rule making.

11 Many of those comments have been
12 posted to make it easy for you to view. Those are on
13 the D.O.B. website. So I encourage you to go to that
14 website and you know read -- read the comments in
15 detail.

16 A.L.J. BELSITO: Thank you. And that
17 was Susannah Glidden's question. Do we have her
18 virtually? She's unmuted so if you have any follow-
19 up questions, Ms. Glidden? All right.

20 MS. GLIDDEN: Sorry.

21 A.L.J. BELSITO: Let's --

22 MS. GLIDDEN: Sorry. You usually
23 finish the slide and then ask us and so I wasn't
24 quite ready. Sorry. Yes, it -- it -- it disturbed
25 us that you said to us that we have to do this, the

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2 public. And honestly, each of you, D.O.B. members,
3 that's why you're here helping represent us. You
4 can't ask us to do this, you've got to.

5 We want to know if the D.O.B. once you
6 get the review from the State that's what Tom -- you
7 told us last -- last meeting, the State agencies were
8 reviewing and considering these exemptions, including
9 NYSERDA. And that once you knew of their review, and
10 the findings, that you would come and bring those to
11 us, we want to know, it's two months later, what are
12 they, instead of telling us to read it on the
13 website.

14 And our big question is will the
15 D.O.B. write an opposition to the relaxation of the
16 interim insurance and the other two things that are
17 not in my mind, just immediately. There were three
18 exemptions and we're very opposed to any of them.
19 Thank you.

20 CHAIR CONGDON: Assemblywoman Galef?

21 BOARD MEMBER GALEF: Sandy Galef, I'm
22 certainly opposed to the exemptions. And just so you
23 know, there hasn't been a board decision to oppose
24 everything. But I know that I have sent a letter to
25 the N.R.C. opposing it and asking the public, but

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2 we're back to the public. But I think it's important
3 for the public to comment. And I'm glad NYSERDA has.
4 And so I would suggest everybody here in this
5 audience, except for the people that want the
6 exemptions to send a letter, and I think the date is
7 -- the final date is August 31st. So this is the
8 time to speak out on this.

9 MS. GLIDDEN: Thank you.

10 CHAIR CONGDON: Senator Harckham?

11 BOARD MEMBER HARCKHAM: Hey, there,
12 it's Pete Harckham. Susannah, we -- you know, we've
13 worked together for a long time and your -- you and
14 your colleagues have requested a number of letters
15 from us for PHMSA or NRC. We're always happy in our
16 office to reach out on your behalf. So you know,
17 this takes many different forms, state agencies,
18 Sandy, me, but like you know, we've had a good
19 collaboration, continue to work with you and other
20 members of the public and -- and you know it's a form
21 of holding us accountable, and we're happy where
22 appropriate to partner with you.

23 MS. GLIDDEN: Thank you, Peter. Thank
24 you very much. We're a little unclear please in
25 follow-up -- a follow-up question on this. Let's

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2 see. There's -- there -- the Holtec one, so
3 relaxation of federal Regs for emergency planning oh
4 my gosh, that's frightening. And the thing that
5 really, we need a clarification on is contents of
6 casks. Besides the insurance, what does that second
7 exemption for contents of casks refer to? What is
8 that about? Can you explain that?

9 CHAIR CONGDON: Rich, do you want to
10 explain that request?

11 MR. BURRONI: That's where we can cask
12 an assembly, a fuel assembly that's potentially
13 degraded and has a source for leakage.

14 CHAIR CONGDON: This is what you were
15 referring to before where you found twelve casks that
16 were --

17 MR. BURRONI: Yeah.

18 CHAIR CONGDON: -- damaged?

19 MR. BURRONI: That was -- that was --

20 CHAIR CONGDON: Under existing rules,
21 you're not allowed to put those in casks because you
22 found --

23 MR. BURRONI: Right.

24 CHAIR CONGDON: -- issues. And so you
25 -- you -- you -- you wanted to explain those issues

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2 to the N.R.C. and you've requested that they allow
3 you to cask those damaged assemblies?

4 MR. BURRONI: Correct.

5 CHAIR CONGDON: Susannah, does that
6 answer your question?

7 MS. GLIDDEN: Okay, thank you so much.

8 A.L.J. BELSITO: Thank you.

9 CHAIR CONGDON: And I -- I believe --
10 did I have another -- yes, Dave Lochbaum.

11 MR. LOCHBAUM: When this issue came up
12 earlier, I researched the exemption process for --
13 for decommissioning plants. In August of 1999, the
14 N.R.C. staff identified 43 regulations that don't
15 apply during decommissioning. In 2000, the N.R.C.
16 commissioner said we don't regulate by exemption.
17 Apparently, one of the exemptions is to that policy
18 of regulating by exemption.

19 They started a rulemaking in the late
20 '90s to fix the problems they knew about, and
21 abandoned it, or suspended it because of 9/11, which
22 I believe was more than 20 years ago, which was a
23 blink of an eye in the N.R.C. space. They restarted
24 the process in 2015 to change the regulations, and I
25 don't know why they put it on fast speed because now

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2 it wasn't seven years later, and they're -- they're
3 less than a year away from perhaps having a final
4 rule.

5 In the meantime, they're charging
6 Holtec money for change -- for reviewing at over \$300
7 an hour the license -- the exemption request. Holtec
8 is paying more for the N.R.C.'s review than their
9 annual fee if those -- if that regulations were done.
10 So the N.R.C.'s snail's pace is not doing the public
11 any good. It's not doing the community any good.
12 And it's not doing Holtec any good.

13 I don't know why they're doing it. So
14 when I found that out, I made that information
15 available to the N.R.C. Inspector General who looks
16 into N.R.C. wrongdoing, in April of this year. So
17 we'll see if the N.R.C. Inspector General will light
18 a fire or whatever it takes to get the N.R.C. to do
19 it. If it -- N.R.C. doesn't want to do its job,
20 there's McDonald's that is hiring. Perhaps we could
21 get a new slate of folks in there who will do the job
22 rather than just make the money.

23 MR. BURRONI: So -- so -- so -- and
24 with all due respect, right, the regulations as
25 written do not -- do not really support a defueled

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2 reactor, okay. So that's why we need to -- maybe
3 exemptions is the wrong word, right? And maybe
4 that's the negative connotation, right? But what
5 we're trying to do is just have rules in place that
6 are commensurate with a deregulated or I'm sorry,
7 with a defueled reactor.

8 That's the only thing we're doing,
9 right. And it's consistent with what every other
10 plant in this country has done with regards to
11 decommissioning. So -- and I question why we're so
12 far against some of the exemptions. And maybe we
13 just need to explain them better, right. But right
14 away, we come out -- and -- and -- and with all due
15 respect, really, right, right away, we come out with
16 negative connotation and -- and we don't want this,
17 and we don't want that, when maybe we just need to
18 further explain exactly what we're trying to do.

19 All right. So yeah, the biggest one
20 that's coming up is the post-decommissioning
21 emergency plan. But there's -- there's a science
22 behind that, that allows us to do that, all right?
23 And that's what all this is based on. It's based on
24 science, right, and fact. And -- and I understand
25 the emotion piece, and I hope I'm not getting

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2 emotional. But you know, that's not the intent here.

3 The intent is just to comply with
4 science in a deregulated environment, I'm sorry, a
5 decommissioned environment, not deregulated. And --
6 and that's the only intent. That is -- that's the
7 only intent, right? It saves money at the end of the
8 day, for us to further decommission the unit and not
9 really worry about the budget on a month to month
10 basis.

11 It cost us X amount of dollars, right,
12 to get a L.A.R. -- L.A.R. approved and it takes a
13 year. It's a year's time. And that doesn't include
14 request for additional information that the N.R.C.
15 will give us on every L.A.R. we -- we submit. I --
16 with all due respect to the community I -- I -- I
17 understand the position there. But my only point is
18 -- is these L.A.R.s and these exemption requests are
19 based on science, right?

20 And if you don't want to read the
21 science, that's okay. I get it, right. But let's
22 not automatically just say I'm against exemptions
23 when we really don't know the details. That --
24 that's my only point.

25 CHAIR CONGDON: And I'll say it on

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2 behalf of the State, that when we review those
3 requests, it's also based on science. And it's also
4 based --

5 MR. BURRONI: Absolutely.

6 CHAIR CONGDON: -- on the merits and
7 the comments that we file. Taking positions on your
8 requests are going to be based on what we believe are
9 arguments on the merits and -- and you know, we're
10 going to disagree from time to time on -- on --

11 MR. BURRONI: Absolutely.

12 CHAIR CONGDON: -- sort of how to
13 approach that. So you know we respect the
14 discussion, but will -- will likely respectfully --

15 MR. BURRONI: And this -- this --

16 CHAIR CONGDON: -- disagree sometime -
17 -

18 MR. BURRONI: -- this lady to my left?

19 CHAIR CONGDON: Yes.

20 MR. BURRONI: She has reviewed all the
21 exemptions, for the most part, we have a working
22 relationship, and we resolve the comments. And at
23 the end of the day, she'll tell me, listen, I don't
24 agree with this exemption.

25 CHAIR CONGDON: Right.

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2 MR. BURRONI: And that's okay.

3 CHAIR CONGDON: Yeah.

4 MR. BURRONI: The N.R.C. has the final
5 say --

6 CHAIR CONGDON: Correct.

7 MR. BURRONI: -- right? And we'll
8 take back the comments and we'll -- we'll make
9 adjustments as necessary.

10 CHAIR CONGDON: Right. I mean, what
11 you've requested versus, you know, what ultimately
12 N.R.C. lands on maybe something in the middle --

13 MR. BURRONI: Yeah, absolutely.

14 CHAIR CONGDON: -- right?

15 MR. BURRONI: So you know, the -- the
16 point I'm trying to make, we're not doing anything
17 different --

18 CHAIR CONGDON: Uh-huh.

19 MR. BURRONI: -- than any other plant
20 in this country we're not.

21 MR. WEBSTER: Tom, quick --

22 MR. BURRONI: And -- and Dave is
23 right, if we had rule making you wouldn't even know
24 any of this stuff that we're trying to get rectified.

25 MR. WEBSTER: Quick --

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2 CHAIR CONGDON: Richard Webster?

3 MR. WEBSTER: Quick question. Richard
4 here. Has the State taken a position on the
5 emergency planning exemption?

6 MS. PETERSON: That exemption is still
7 under review.

8 MR. WEBSTER: And what's the schedule
9 for your review to be completed?

10 MS. PETERSON: N.R.C.s review is
11 scheduled to be completed I believe next January. So
12 we would be seeking to complete our reviews sometime
13 in the fourth quarter, so in the fall.

14 MR. WEBSTER: But isn't the -- isn't
15 the comment period closing for the --?

16 MS. PETERSON: The -- yeah, the -- the
17 -- the State has -- is -- is afforded a State
18 consultation period that is in addition to the public
19 comment period.

20 MR. WEBSTER: Oh, okay. Thank you.

21 MR. COYNE: I just want to clarify
22 which I think we're talking about two related but
23 slightly distinct concepts. Mr. Lochbaum is talking
24 about the N.R.C.'s process for adopting a new set of
25 comprehensive regulations to address decommissioned

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2 power plants. What Mr. Burroni is talking about with
3 these license amendment requests, are amendments or
4 exemptions from the existing regulations.

5 So I think the -- the deadline that
6 Assemblywoman Galef referred to August 31st that is
7 the deadline for commenting on the N.R.C.'s broader
8 decommissioning rulemaking process. The timeline for
9 the State to comment on license amendment requests,
10 correct me if I'm wrong, Alyse, because this is your
11 area of expertise. But there is no firm deadline.
12 We can talk to the N.R.C. whenever we feel it's
13 necessary. Is that -- is that correct?

14 MS. PETERSON: Correct. We can engage
15 with -- with N.R.C. at any time and we do take
16 advantage of that opportunity regularly. You know,
17 N.R.C., as I think Rich mentioned, N.R.C. takes about
18 a year to process any given license amendment. And
19 you know our review schedule mirrors N.R.C.'s. We do
20 make sure that we do engage with N.R.C. and submit
21 any comments we may have in time for N.R.C. to -- to
22 deal with that in their decision making process.

23 MR. COYNE: Thank you, Alyse. And
24 again, this is Ryan Coyne. Just one other brief
25 point on that. With respect to the emergency

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2 planning license amendment that would apply to the
3 emergency plan that's in place, following all of the
4 spent fuel being placed onto the ISFSI pads. Is that
5 correct, Rich?

6 MR. BURRONI: One more time. It's
7 hard for me to hear you --

8 MR. COYNE: The -- sure, no, I -- I
9 understand. The -- the -- the emergency plan,
10 license amendment request --

11 MR. BURRONI: For the PDEP.

12 MR. COYNE: -- for the PDEP, that --
13 that applies to the procedures that would be in place
14 after all of the fuel is on the -- on the pad. Is
15 that correct?

16 MR. BURRONI: That's not true.

17 MR. COYNE: Okay.

18 MR. BURRONI: It would apply to post
19 zirc fire window when in -- in effect, right, all --
20 all post-certify window is effect August 1st. We
21 need to wait to employ the -- the post-
22 decommissioning emergency plan until February,
23 because we need -- the N.R.C. needs that time to
24 approve the exemption.

25 So if the N.R.C. was, let's say they

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2 could approve an exemption in six months, we can go
3 to that PDEP when's -- when's August 1st, Monday?
4 Monday, right but we're holding off, we have to hold
5 off. We don't have the license amendment to do that.
6 But it's not based on fuel on pad protected, it's
7 based on the zirc fire window.

8 MR. COYNE: Okay. All right. Thank
9 you for that clarification.

10 MR. LOCHBAUM: One -- one additional -
11 - This is Dave Lochbaum. One additional point on --
12 on the -- on the exemptions of potential
13 consequences, is it -- nobody has infinite resources.
14 So if you're -- if Holtec or anybody's following
15 cybersecurity requirements that aren't applicable to
16 decommissioning plant that's taking risk management
17 attention and resources away from things that could
18 be better applied where they actually do have a
19 safety nexus.

20 So it's diluting the focus, lessening
21 the safety barriers, and it's actually undermining
22 safety not -- so it's less relaxing, it's reducing
23 safety. If there's a science based reason for the --
24 for the change, and -- and I agree with many of the
25 requests, not all, but many of the requests. And

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2 that if the changes are made, then you're actually
3 again, sharpening the focus on areas that it should
4 be focused on, not wasting time and effort on areas
5 of no consequence.

6 MR. BURRONI: Exactly.

7 A.L.J. BELSITO: Excellent. Thank
8 you. Next topic is water discharge. We need to hold
9 tritiated water onsite without dumping into the
10 Hudson River that flows both ways and is used by
11 communities downstream and upstream for safety. Will
12 Holtec -- Holtec commit to this and will D.O.B.
13 advocate for this?

14 CHAIR CONGDON: Rich, you know,
15 earlier you mentioned that you wanted to get into
16 more detail about process --

17 MR. BURRONI: Yeah, how about -- how
18 about --

19 CHAIR CONGDON: -- so I think this is
20 --

21 MR. BURRONI: -- because we -- we can
22 --

23 CHAIR CONGDON: Yeah.

24 MR. BURRONI: -- combine this question
25 with the next one. And there was also a late add --

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2 late add about opposition to water being dumped. So
3 again, all -- all -- with all respect to the D.O.B.
4 and all respect to the community people behind me, I
5 -- I mean this sincerely, all right? We do not dump
6 to the river, right. People have been on tour, we've
7 explained in detail exactly what we do, right.

8 Any water that we discharge
9 methodically, and in a controlled fashion, to the
10 river is water that's been used through refueling
11 processes throughout the years, it's not a new water,
12 all right. That's number one. Number two. All
13 right, the water that we do discharge, and -- and
14 again, and I -- I -- I -- and really and sincerely
15 mean, I'm not trying to downplay anything -- you
16 don't downplay anything, but the water is filtered,
17 we housed them in the collection tanks, we circulate
18 it, we analyze it, right.

19 And from a radionuclide perspective,
20 right, we do not exceed 1/10 of 1 percent of the
21 allowable N.R.C. limits. Not 1/10 of 1 percent do we
22 exceed. We have the SPDES permit issued by the State
23 of New York, right? That's still active, right.
24 We've had that, right. And that monitors boron,
25 lithium, oil and grease and total suspended solids.

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2 Again, we do that in accordance with
3 State regulations, right. And at the end of the day,
4 we're required to submit to the N.R.C. an annual
5 radiological environmental operating report. And
6 that has the results of the -- of our REMP program,
7 and a radioactive affluent released report every
8 year. So again, this is an emotional topic and I --
9 and I understand.

10 And I understand the perception. But
11 it -- it's not like, you know, we explained this to
12 Richard on his tour. It's not like we have these
13 tanks, right, that have never seen the light of day
14 and we open the valve, we dump it to the river. We -
15 - we -- we just don't do that. We're not allowed to
16 do that. Personally, I tried to take this one step
17 further in that there is a -- and I -- there is a
18 report, right, State of the Hudson.

19 So I was concerned, not concerned, but
20 I was wondering if I went through this report, what
21 would it have regarding contaminants from Indian
22 Point and its effect on the Hudson. Short answer is,
23 and then I'll talk to Kelly about this we'll do some
24 further digging. But none of the radionuclides or
25 none of the things that we discharge to the river are

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2 noted as a concern in this report.

3 The report talks about P.C.B.s,
4 basically from the G.E. factories up north, I think
5 there were dioxins from herbicides, cadmium from a
6 battery manufacturing plant, and D.D.T. I guess the
7 U.S. military used that for controlling malaria and
8 typhoid -- typhus. Now -- and now I know I'm not an
9 expert, right. And I know there's other data out
10 there.

11 But I wanted to convince myself that,
12 you know, we were doing -- we -- we were not harming
13 the environment. And so if I read this report, and
14 I'll talk with Kelly more and I'll talk to Richard,
15 he's the expert for Riverkeeper. You know let's --
16 let's see if we could do something here that -- that
17 at least changes some of the perception, right?

18 We do not dump it to the river. And -
19 - and the fact -- I'm going to be honest with you. I
20 take offense to that word, because it's not what we
21 do and it's not what Holtec is about. And it's not
22 what all the plants in this country are about. Good,
23 bad or indifferent, we've had this process in place
24 since 1962.

25 Why it's a huge issue now, I -- I

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2 understand why some of the press that came down from
3 Upstate like - I mean Massachusetts, I understand
4 that totally different scenario than we have, right?
5 That's just fact, right. I'm -- I'm -- again, I go
6 back to the science. As an engineer, I go back to
7 science, right? And the science allows me to do
8 that. N.R.C. allows me to do it and the State allows
9 me to do it. So we're -- we're not here to
10 contaminate the Hudson River. We're not here to
11 contaminate.

12 CHAIR CONGDON: Rich, you mentioned
13 that over the years, you were required to analyze and
14 measure the radio -- radiological limits, et cetera.
15 And Dave Lochbaum has gone back through all the
16 records and looked at that data. Dave, do you want
17 to speak to this issue as well?

18 MR. LOCHBAUM: Yeah, I went back
19 through like 20 years' worth of the annual reports to
20 look and I think the highest value was 5 percent of
21 the federal limit. Millions of gallons had -- had
22 been discharged, not dumped into the Hudson River.
23 And also looked at the sampling of the Hudson River
24 to see if it's bio accumulating or if it's collecting
25 and it's -- it's -- it's detectable in some cases,

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2 but generally not.

3 The one exception that I'd point out
4 to the State -- not here but the Wolf Creek plant in
5 Kansas discharges its water to a manmade lake,
6 there's no recirculation. Since it's began operating
7 in 1985, it's now polluted that lake to over 20,000
8 picocuries per liter of tritium, because that has no
9 place to go. But the Hudson River is different.

10 I mean, it's going to dilute that
11 discharge, so -- because that present minimal harm.
12 So I wouldn't recommend that practice in Wolf Creek
13 in Kansas. But I don't see a problem with it at
14 Indian Point, because you're so far below the federal
15 limits.

16 CHAIR CONGDON: Richard -- Richard?

17 MR. WEBSTER: A quick --

18 CHAIR CONGDON: Yeah.

19 MR. WEBSTER: Just a quick
20 clarification. Is the -- is the federal limit the --
21 the E.P.A. drinking water limit that you're -- you're
22 talking about?

23 MR. LOCHBAUM: The limit I was talking
24 to there's -- there is an E.P.A. limit but there's --
25 the N.R.C. I forget the ... 10 C.F.R. 20, Appendix I

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2 has figured that has a limit on each radionuclide,
3 strontium, you know, the whole gamut. So it's -- and
4 then collectively you roll it up to see what the
5 maximum exposure to a person might be.

6 MR. WEBSTER: Can I say I think a way
7 to present this in a way that people can understand
8 would be to -- to add up the activity discharged you
9 know, in milligrams per liter, picocuries per liter
10 and compare that to the drinking water limit. If --
11 if -- if we're way below the drinking water limit,
12 even before we discharge into the Hudson, I think
13 that might inform some people's opinion.

14 MR. BURRONI: So you want to use
15 drinking water as a reference point. That's what
16 you're saying?

17 MR. WEBSTER: Yeah, if we -- if we --

18 CHAIR CONGDON: Drinking water limits?

19 MR. WEBSTER: The drinking water
20 limits, it's a 50,000 picocuries per liter limit, I
21 think. 20,000? Yeah, 20,000 limit. So I mean, I
22 think there's -- there's a lot of debate about
23 whether that's a protective standard. But if you're
24 -- if you're discharging you know, much below that,
25 then I think it will really show that there isn't a

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2 major issue, certainly drinking water.

3 MR. BURRONI: I'll follow up on that.

4 CHAIR CONGDON: I've already collected
5 that data for a small price. I can provide it for
6 free. I'll get that data out.

7 MR. WEBSTER: Right. Excellent.

8 CHAIR CONGDON: Assemblywoman Galef?

9 BOARD MEMBER GALEF: Sandy Galef.

10 Rich, you know there have been a lot of articles
11 about Plymouth which you own, and you know Cape Cod
12 Bay. Can you tell us what the difference is? I
13 mean, they're in an uproar about what's --

14 MR. BURRONI: Yeah.

15 MS. GALEF: -- what's happening.

16 MR. BURRONI: I understand.

17 BOARD MEMBER GALEF: And you kind of
18 mentioned that. Can you tell us what the State
19 regulations? Are they very different than what we
20 have? What -- what's the difference in the
21 situation?

22 MR. BURRONI: I -- I could only tell
23 you what I know about the -- the Pilgrim Station is
24 when Entergy was its owner, the -- the site vice
25 president at the time, made a commitment not to

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2 discharge to the bay. I don't know why he made that
3 commitment. He's no longer even with Entergy, right?
4 I -- I don't know why he made that commitment, right.
5 And -- and we never had made a commitment like that,
6 right.

7 So that's the reason. So now -- but -
8 - but to Dr. Singh's credit, right, obviously, we
9 want to go back to the bay and he's hiring a third
10 party consultant just to verify that what we
11 discharge -- what Pilgrim discharges to the bay is
12 acceptable in limits. So that's -- that's what
13 they're doing up there now.

14 BOARD MEMBER GALEF: Okay have --?

15 MR. BURRONI: I don't know why, I'm
16 sorry Assemblywoman Galef. I don't know why they
17 made that commitment to begin with. I -- I just
18 don't know why.

19 BOARD MEMBER GALEF: Let's go back a
20 second though with when Entergy owned Indian Point.
21 One are the reasons that they decided to sell and get
22 out of the business because they weren't making
23 money, but they were also going to have to redo the
24 plant in relationship to the Hudson River and putting
25 in a filtration system or whatever it was? So was

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2 that not related to this at all? Is that's a whole
3 different?

4 MS. TURTURRO: That --

5 CHAIR CONGDON: Kelly?

6 MS. TURTURRO: If I -- Kelly Turturro.
7 That was related to cooling water and -- and the
8 withdrawal of the Hudson River water for cooling
9 water for the plant. And as -- as the mayor just
10 noted there -- there were concerns about how that --
11 that -- how that intake was affecting species in the
12 Hudson River fish essentially.

13 BOARD MEMBER GALEF: Okay. So nothing
14 about radioactive waste?

15 MS. TURTURRO: No, that's not what the
16 SPDES permit was looking at. And if I -- just while
17 I have the floor if I could just speak to the second
18 question, which is will the D.O.B. advocate for this.
19 I just wanted to say on behalf of the D.O.B. we will
20 work through all the appropriate regulatory agencies
21 to make sure that the discharges from the plant meet
22 all applicable standards.

23 As I mentioned earlier, there is a New
24 York State D.E.C. SPDES permit in place. And that
25 governs the non-radiological discharges from the

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2 facility. Any of the radiological discharges from
3 the facility as David and Richard mentioned earlier,
4 are regulated under federal standards and regulated
5 by the N.R.C. Thank you.

6 CHAIR CONGDON: Thank you.

7 A.L.J. BELSITO: Excellent. Susannah
8 Glidden, did you have any follow up questions related
9 to water discharge? Susannah?

10 MS. GLIDDEN: Yes, please. I -- I
11 just have to say on behalf of friends who live in
12 Poughkeepsie City and Rhinebeck Village. I do want
13 to make a statement here that they -- and we do feel
14 there is no safe allowable limit of radiation as
15 N.R.C. falsely regulates. No amount of exposure to
16 radiation is safe.

17 So it's not about measuring the amount
18 and staying under quote detectable limits. It's
19 about what happens if we ingest it. And again, the
20 Hudson's a tidal basin flowing upstream and
21 downstream. But N.R.C. only acknowledges downstream.
22 There are seven communities upstream. And over a
23 hundred thousand people in those seven communities
24 who rely on the river for their drinking water.

25 So they remain concerned that these

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2 limits and you're staying under them is too much, too
3 high. And they don't want to see any more. We -- I
4 won't say dumping in the sense that you say it's
5 diluted and filtered and whatnot. But they don't
6 want anything going into the Hudson. So I must
7 represent them in saying what I've just said. Thank
8 you.

9 A.L.J. BELSITO: Thank you. The next
10 topic.

11 CHAIR CONGDON: Excuse me, Tony, I'm
12 sorry. I think we -- it's nine o'clock. And the
13 next topic is emergency preparedness. And this is a
14 topic area where we've received a lot of questions.
15 There's tremendous amount of interest. And we
16 unfortunately planned to have emergency preparedness
17 presentation at the last meeting.

18 And due to the technical glitches and
19 other reasons we ran over and didn't get to it. And
20 here we are at nine o'clock and not getting to the
21 questions on emergency preparedness.

22 So this is what I'd like to propose,
23 because at the September meeting, we are planning
24 that presentation that -- that we had at the last
25 meeting. There was so many questions on this topic

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2 in the public forum that I'd like to propose -- I'm
3 doing this on the fly, I apologize, but I'd like to
4 propose that we add a public forum component to the
5 next meeting for -- directly for emergency
6 preparedness. So we have the presentation.

7 And then we have these questions that
8 have been submitted that people took time to prepare
9 and we -- we have the ability to have the back and
10 forth with -- with the public on those questions
11 following the presentation which might make a lot of
12 sense anyway. Is that acceptable to the members of
13 the D.O.B.?

14 And that way we can end the public
15 forum portion tonight. I really appreciate Rich and
16 John, you being here to answer the public's
17 questions. I'm sure, you know, we're going to be
18 calling on you again. And, you know, I appreciate,
19 you know, your -- your ongoing accessibility.

20 As I wrap up, I want to just remind
21 members of the public that there are other ways to
22 comment. We do receive and monitor the written
23 comments that gets submitted to our website. These
24 are the instructions and go to the next slide,
25 please. Again, I want to stress the importance of

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2 following up and subscribing to our service list.
3 Best way to get our -- our information and -- and
4 stay up-to-date.

5 Next slide. We have updated our
6 website and -- and continue to do so, so please use
7 it and next steps. There are a lot of good ideas
8 coming from the public and from D.O.B. members about
9 additional topics for us to discuss at future
10 meetings.

11 I want to just, you know, show the
12 public the -- the -- the topics that are being
13 planned. We just discussed the need for an emergency
14 preparedness and response presentation at the next
15 meeting. It's going to be our top priority. And
16 we'll add a public forum component to that.

17 We're going to continue to talk dust
18 control, site environmental clean up, spent fuel pool
19 water management, cask design management and site
20 hardening, already I thought the discussion, the back
21 and forth on that was good today, I appreciate it.

22 The questions and -- you know, we'll
23 continue discussing those topics, waste management,
24 shipping and managing risk of extraordinary events.
25 Supervisor Becker, you had some additional thoughts

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2 on topics --

3 BOARD MEMBER BECKER: Yeah, I just
4 want to -- I just want to get one thing. Is this on?
5 Can you hear me?

6 MR. CONGDON: Yeah.

7 MR. BECKER: But one topic that I
8 think that we need to have the D.O.B. start to follow
9 that's new. It -- was on news channel twelve. And
10 the -- the Mayor of Buchanan and I talked about it.
11 And it involves all the agencies in front of me. So
12 what a coincidence.

13 So that's Holtec and Enbridge as well
14 as NYSERDA particularly in D.E.C. and public service
15 in front of us that there are several proposals to
16 bring green electricity from Upstate New York down to
17 Queens.

18 One of the projects called Clean Path
19 originates all the way Upstate, goes a hundred and
20 seventy-five miles basically a really long extension
21 code under the Hudson River on its way to Queens, New
22 York.

23 Certainly -- I think everyone here is
24 going to be in favor of wind energy and solar energy.
25 But the problem is out of the nine hundred fifty

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2 towns in this State and the thousands of villages,
3 guess which village they decided to come out into
4 that -- that has a big mark on it. And -- and a
5 decommissioning -- decommissioned nuclear power plant
6 and an Enbridge gas pipeline. Let's bring a power
7 line through there.

8 And so they're looking at Lent's Cove.
9 Now, landing in Lent's Cove is not on the -- not --
10 on the Holtec property, it's north of it. But they
11 have to go south. And they're going to go down nine
12 or nine-A. They're going to go through the village
13 of Verplanck -- hamlet of Verplanck to the village of
14 Buchanan through the town of Cortlandt.

15 It's another complicating factor that
16 we just don't need now. And it's early enough in the
17 process that I think NYSERDA in particular because
18 this is an -- no exaggeration for the public.

19 An eleven-billion-dollar project
20 funded by New York State, eleven billion. So the
21 company that's doing this feels empowered, no pun
22 intended, to bring their electricity through this
23 village, and hamlet of Verplanck and town of
24 Cortlandt. And we just don't need anymore.

25 You know, we're dealing in all the

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2 concerns you hear about monitoring the co-existence
3 of Enbridge and Holtec. And they're working very
4 hard, and they have this M.O.U., and they're trying
5 to do well.

6 But the public has a lot of concerns.
7 To add a third layer of concern is just untenable.
8 And it's not thought out. There's got to be another
9 route of from Upstate New York to Queens. Not only
10 that there's no benefit to this community.

11 You would think that if you're going
12 to bring a power cable down through this community
13 that like the pipeline in which we have a
14 decommissioned plant which -- you know, that's not to
15 Holtec that's to Entergy which -- now we don't have
16 that -- that funding for the school system.

17 What's the benefit? I know the cost,
18 another burden to our community. But what's the
19 benefit? So I think this is something that the
20 D.O.B. has to start to entertain, to get on its
21 radar. It's early enough that perhaps an alternate
22 route can be developed for about a -- a more
23 thoughtful process of all the other processes that
24 are going on.

25 We've been so concerned and about

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2 keeping this process safe. And you know, I'm -- I'm
3 so grateful that Rich comes to all these meetings and
4 answers our questions. But we now have a third
5 entity. We just don't need it. And it's -- it's
6 right now it's on the -- at the early stage where
7 it's just lines on paper. And we got to move those
8 lines. Thank you.

9 CHAIR CONGDON: Thanks, Rich. I -- I
10 -- I'm biting my tongue just because we're out of
11 time. But I want to say that this -- this is a
12 project that was contracted for NYSERDA. It's --
13 it's intended to help meet the C.L.C.P.A. clean
14 energy standard requirements to bring -- bring
15 renewables into New York City.

16 Pretty critical climate infrastructure
17 but the route is still obviously in play. And that
18 will have to come to the Public Service Commission
19 for approval. The initiative itself, and the
20 contract, and the concept is already approved by the
21 commission. And the contract was selected by
22 NYSERDA.

23 But the route itself still needs to go
24 through all the siting and so that's why they're
25 going and -- and meeting with all the local

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2 communities that would be impacted. I'll have to
3 discuss with counsel in terms of the appropriateness
4 of our involvement with a presentation to the task
5 force or the D.O.B.

6 But I think it's fair game as a topic
7 for discussion. So let's talk about how to do that
8 at a future meeting.

9 MAYOR KNICKERBOCKER: And I -- I just
10 want to make a very quick comment because I know
11 we're out of time. So I'm in total agreement with
12 the supervisor, our board discussed that. It is not
13 a benefit for the community that let something you
14 just said, Tom, it's going to benefit New York City.

15 There is no benefit for our community.
16 So they need to figure this out. I mean, we have a
17 lot of critical infrastructure in our area and it's
18 not appropriate. But being a nice person that I am,
19 I did come with an alternative route for them. So
20 hopefully, they'll listen to that, I'm not saying
21 where but there is a simpler, more direct alternative
22 route for them. So --

23 CHAIR CONGDON: Okay. Thank you.

24 MAYOR KNICKERBOCKER: -- that's all
25 I'm going to say for tonight.

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2 CHAIR CONGDON: Thank you, very much.

3 And look, I think tonight's public forum was very
4 informative. I again want to thank the public for
5 the questions in advance. It allowed us to organize
6 those into the topic area.

7 We're going to continue with this and
8 -- and continue the public forum on emergency
9 preparedness at the next meeting. Next meeting is
10 September 22nd. Everyone will get notified and --
11 and will -- will request additional questions as
12 well. Thank you all very much.

13 (The meeting adjourned at 9:09 p.m.)

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1 7-27-2022 - Indian Point Closure et al - 21-01188

2 STATE OF NEW YORK

3 I, KATIE WILLIAMS, do hereby certify that the foregoing
4 was reported by me, in the cause, at the time and place,
5 as stated in the caption hereto, at Page 1 hereof; that
6 the foregoing typewritten transcription consisting of
7 pages 1 through 167, is a true record of all proceedings
8 had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 3rd day of August, 2022.

11

12

13 KATIE WILLIAMS, Reporter

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