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

February 3, 2023

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 February 2, 2023 Indian Point Decommissioning Oversight Board meeting presentation. 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



# Indian Point Decommissioning Oversight Board

Joint Meeting

# Indian Point Closure Task Force and Decommissioning Oversight Board

February 2, 2023 | 6:00 PM  
Cortlandt Town Hall | Zoom

# Agenda

- Welcome
- Radiation Monitoring and Control
- School and Community Monitoring
- Spent Fuel Pool Water Removal Methods
  - Community Guest Speaker: Michel Lee
  - Options Analysis: Dave Lochbaum
  - Regulatory Framework: Kelly Turturro
- Public Statements
- Enbridge Pipeline Update
- Holtec Operational Update
- Additional Public Statements
- Next Steps and Adjourn



# Membership

## State Representatives

- Mike Mastroianni, Assistant Secretary for Education
- Jeshica Patel, Office of the Governor
- Senator Peter Harckham
- Assemblywoman Dana Levenberg
- Tom Congdon, Department of Public Service
- John Sipos, Department of Public Service
- Tom Kaczmarek, Department of Public Service
- Kelly Turturro, Department of Environmental Conservation
- Rachel Adler, Department of Labor
- Mark Pattison, Department of State
- Mark Massaroni, Department of Taxation and Finance
- Jennifer Wacha, Division of Homeland Security and Emergency Services
- Tom Scaglione, Empire State Development
- Joe Leary, New York Power Authority
- Alyse Peterson, New York State Energy Research and Development Authority

## Environmental and Technical Experts *(DOB only)*

- David Lochbaum, Nuclear Engineer (ret.)
- Richard Webster, Riverkeeper

## Local Representatives

- Rich Becker, Supervisor, Town of Cortlandt
- Theresa Knickerbocker, Mayor, Village of Buchanan
- Susan Spear, Deputy Commissioner of Emergency Services, Westchester County
- Catherine Borgia, Westchester Co. Board of Legislators
- Colin Smith, Westchester Co. Board of Legislators
- Joseph Hochreiter, Superintendent, Hendrick Hudson School District

## Labor Representatives

- Lou Picani, President, Teamsters Local 456
- Bill Smith, Vice President, Utility Workers Union of America Local 1-2
- Thomas Carey, President, Westchester Putnam Central Labor Council



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# Meeting Logistics

- In-person panelists: **use mic when speaking.**
- Keep mics **muted** unless speaking.
- Staff will unmute public participants when it is your turn to speak during the public statement period.
- Zoom participants: please reserve the “Chat” feature for reporting technical issues (e.g., audio visual issues). Only questions captured in “Q&A” field will be saved and reviewed.



# Radiation Monitoring and Control



**Dave Lochbaum**  
**Independent Technical Expert**



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# School and Community Monitoring



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# Monitoring Working Group Background

- The School Monitoring Working Group (Working Group) was established at the first meeting of the DOB in June 2021.
- Goals:
  - Develop a better understanding of potential environmental and health risks that decommissioning could present to Buchanan-Verplanck Elementary School;
  - Assess monitoring best practices; and
  - Issue recommendations to the Hendrick Hudson School District.
- Working Group has met regularly to discuss and learn about monitoring protocols.



# Existing Monitoring and Safeguards

- All demolition work is subject to:
  - Local demolition permits requiring dust mitigation;
  - State environmental regulations;
  - Strict workforce safety standards:
    - Testing for presence of asbestos, lead, other contaminants before structures taken down;
    - Contaminants trigger specific disposal, monitoring, and worker safety standards
    - Workforce safety standards serve as first and most accurate line of detection for school and community.
  - On-site NYS inspector monitoring work.



# Existing Monitoring and Safeguards

- Network of radiological monitors:
  - On-site;
  - On workers; and
  - 16 around the site perimeter, including two near the BV school.
- On-site dust control measures and off-site dust complaint reporting and investigation procedures are required through Village demolition permits.
  - Fugitive demolition dust must not leave site.
- Identical/Comparable measures are in place to prevent hazards to workers and the public that are used at seven other nuclear plants during decommissioning activities.



# Technical Advice from Experts

- On-site continuous air monitors in immediate vicinity of demolition activity offer the most timely and beneficial information to protect the community:
  - Provide early warning and near real-time results.
- Monitoring beyond fence line may not be as useful:
  - Greater potential for interference from background readings.
  - More difficult to determine source.
  - Account for long-range transport of pollutants to the monitors.



# Heavy Demolition

- What is it?: The demolition of concrete buildings with thick walls, specifically the spent fuel pool buildings, turbine buildings, and domes
- Timing: Late 2023 at the earliest, after:
  - All spent fuel transferred to dry cask storage and
  - Vessel segmentation within the containment domes under water and under negative pressure is complete.



# Recommendations and Next Steps

The Working Group recommended that a request for proposals (RFP) be issued to procure environmental consulting services to develop a CAMP with primary focus on fence-line monitors. RFP was issued January 9, 2023 and is viewable at [www.dps.ny.gov/indianpoint](http://www.dps.ny.gov/indianpoint)

Target Completion	Action
March '23	Proposal Deadline
April '23	Proposal Selection
May '23	Initiation of contract
June '23	CAMP developed
December '23	CAMP operational



# Spent Fuel Pool Water Removal Methods



# Community Guest Speaker



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# Michel Lee and Dr. Cathey Falvo Community Guest Speakers



# Options Analysis



**Dave Lochbaum**  
**Independent Technical Expert**



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# Regulatory Framework

# Regulatory Framework

## The Clean Water Act (CWA)

- Establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.
- Implemented by United States Environmental Protection Agency (EPA).

## Delegation of Authority to States

- Allows state agencies to administer regulatory programs promulgated by EPA.
- Includes issuance and enforcement of permits.
- NY implements the CWA through the SPDES Program, which has been approved by EPA.



# Jurisdiction over Wastewater Discharges from Indian Point

## New York State

- Holtec operates pursuant to a NY SPDES Permit.
- SPDES permit governs non-radiological discharges from the facility.
- Current Status: The Indian Point SPDES Permit for Main Facility discharges expired on April 30, 2022. Holtec submitted a timely renewal application and facility continues to have coverage under the existing SPDES permit pursuant to the State Administrative Procedure Act.
- SPDES Permit Renewal Process:
  - NYSDEC will conduct a full technical review to determine if changes to the SPDES permit are necessary.
  - As part of this process, Holtec must submit to DEC comprehensive data, including identifying and characterizing the non-radiological waste stream.
  - DEC will review this information to determine appropriate effluent parameters and limits.
  - Once the application has been deemed complete, a draft SPDES permit will be noticed for public comment.



# Jurisdiction over Wastewater Discharges from Indian Point

## Federal

- Radiological discharges from the facility are under the auspices of NRC/EPA.
- Discharges must meet federal regulations, for example, 10 CFR 20, 40 CFR Part 190.



# Public Statements



# Public Statement Procedures

- Attendees who pre-registered to speak will be called on in order of when they registered.
- Please remember to unmute your own line when the moderator calls on you to make your comment for the record.



# Public Statement Procedures

- Your line will be unmuted when it is your turn to speak.
- Speakers will be limited to **3 minutes** to ensure everyone has a chance to deliver their statement.
- **Speakers will be cut off** at 3 minutes.



# Enbridge Pipeline Update



# John Sheridan and Marlon Browne Enbridge

# DPS Gas Pipeline Safety Report

## December 2022 Sink Hole Event

- Staff was on site shortly after alerted
- Staff confirmed site was secure
- Staff observed remedial actions and testing
- Staff found no condition warranting altered operation
- Staff continues discussions with operator as investigation continues



# DPS Gas Pipeline Safety Report

## Enbridge Exercise

- Enbridge currently working with Holtec, DPS, and state and local emergency responders to schedule emergency preparedness table top exercise.

## Federal Oak Ridge National Laboratory (ORNL) Study

- On December 16, 2022, PHMSA released [Updated Assessment](#) conducted by ORNL. PHMSA [presentation](#) outlines key findings. Both are available at [dps.ny.gov/indianpoint](https://dps.ny.gov/indianpoint).
- PHMSA accepting questions from public at [PHMSAPublicAffairs@dot.gov](mailto:PHMSAPublicAffairs@dot.gov).



# Holtec Operational Update



# Rich Burroni

## HDI



# Additional Public Statements



# Public Statement Procedures

- Attendees who pre-registered to speak will be called on in order of when they registered.
- Please remember to unmute your own line when the moderator calls on you to make your comment for the record.

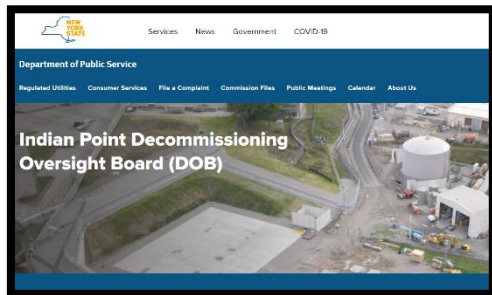


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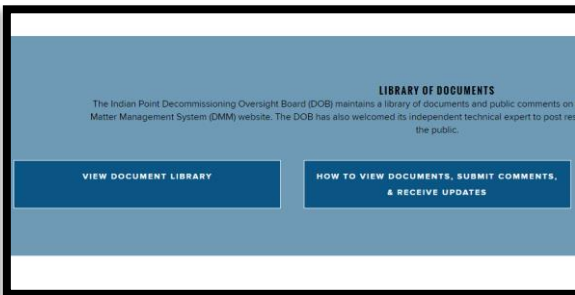
# Submit Comments



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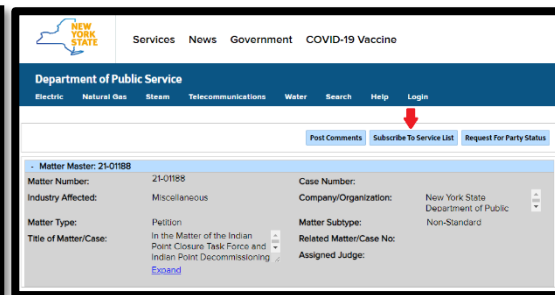
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Click [View Document Library](#)



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Click "Post Comments"

E-mail: Secretary to the Commission ([secretary@dps.ny.gov](mailto:secretary@dps.ny.gov))

Toll-Free Opinion Line: 1-800-335-2120 | Press "1" to leave comments

Mention matter #21-01188 "Indian Point Closure Task Force / Decommissioning Oversight Board"

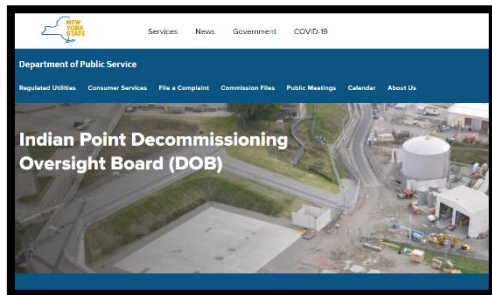
**Mail:**

Hon. Michelle Phillips, Secretary  
Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350



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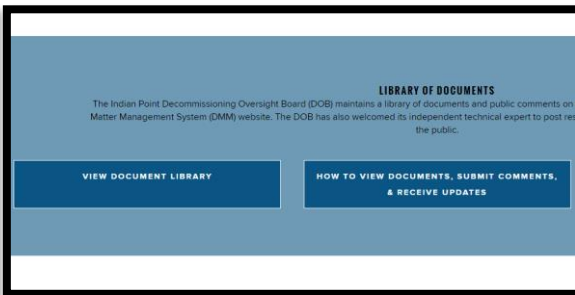
# Sign Up For Updates



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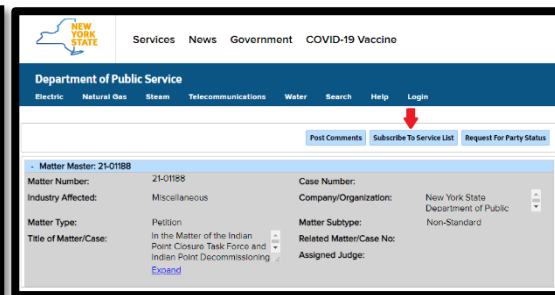
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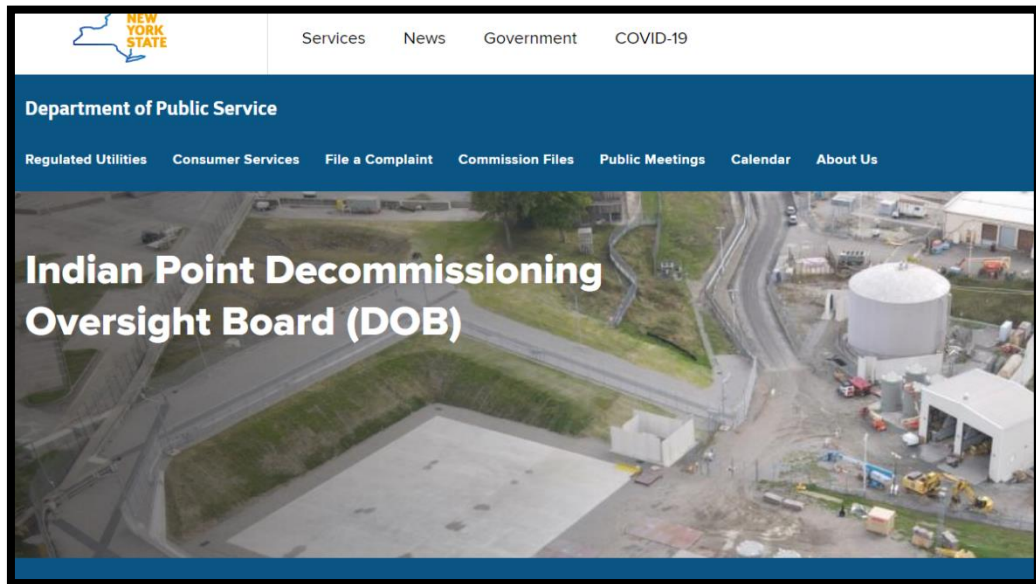


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# Visit the DOB Website

<http://www.dps.ny.gov/indianpoint>

- Decommissioning Updates
- Schedule of Meetings
- Meeting Materials
- Document Library
- Federal comment opportunities
- FAQs
- Independent Technical Expert Research



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**Next Meeting  
April 27, 2023**



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# Meeting Adjourned



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