

1 3-17-2022 - Indian Point Closure et al - 21-01188

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 STATEMENT MEETING

9 DATE: March 17, 2022

10 TIME: 6:07 p.m. to 9:34 p.m.

11 VENUE: WebEx

12 BEFORE: TOM CONGDON

13 Task Force and Oversight Board Chair

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18 Reported by Anthony McClain

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2 APPEARANCES:

3 PANELISTS:

4 ALYSE PETERSON
5 ARPIT MEHTA
6 BRIDGET FRYMIRE
7 CATHERINE BORGIA
8 DAN FULLER
9 DIANE BURMAN
10 DAVID LOCHBAUM
11 EMIN BROWN ANDERSON
12 JEFF GUYNUP
13 JENNIFER WACHA
14 JOE LEARY
15 JOHN SIPOS
16 JOSEPH HOCHREITER
17 KELLY TURTURRO
18 KEVIN SPEICHER
19 LOUIS PICANI
20 MARI INOIVE
21 MARK PATTISON
22 MICHAEL MORRIS
23 SENATOR PETE HARCKHAM
24 RICHARD BECKER
25 RICHARD BURRONI
RICHARD KUPREWICZ
RICHARD WEBSTER
SANDRA GALEF
SANGEETHA KAILAS
SCOTT PALLADINO
SURESH THOMAS
SUSAN SPEAR
THERESA KNICKERBOCKER
THOMAS CAREY
THOMAS SCAGLIONE
VINCENT RAVASCHIERE
WILLIAM SMITH

ATTENDEES:

AMY ROSMARIN
ANDREW KEIBERT
ANDREW KORMAN
ANN HOANG
BERNARD VAUGH

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2 CATHERINE SKOPIC
3 CHRISTOPHER VARGO
4 COURTNEY WILLIAMS
5 DAN BARDELL
6 DAN GALINKO
7 DANA GOYER
8 DEVON MOORE
9 EDWARD J. BERRY
10 ELLEN WEININGER
11 EMMANUEL ALEXIS
12 GALA PISHA
13 GEORGE LATIMER
14 HARRIET BARISH
15 JACQUELYN DRECHSLER
16 JAN BOVDORI
17 JOANN POLMATEER
18 JOE DELMAR
19 JOHN DINOM
20 JON BOUDORT
21 JOY RUSSELL
22 KARL STARZEBECKER
23 KATHLEEN RYON
24 KEVIN WISELY
25 KSENIA ADOMOV
LISA ANDERSON
LISA HOCHMON
MANDI MOROZ
MANNA JO GREENE
MARILY ELIE
MATT SALTON
MICHEL LEE
N.Y. BAKKER
NANCY VANN
NEIL SHEEHAN
PATRICK BLAKE
PETER LOUGHRON
RYAN COYNE
SAMANTHA QUINN
SUNITHA MALIECKAU
SUSAN LEIFER
SUSAN VAN DOLSEN
SUZANNAH GLIDEN
SYMRA BROMDON
TINA VOL BONGER
TITO DAVILA

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WASFIA HOQUE
Z.L. CRUZ

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2 (The meeting commenced at 6:07 p.m.)

3 CHAIR CONGDON: Tom, you may be on
4 mute.

5 MR. CAREY: Okay.

6 CHAIR CONGDON: Good evening,
7 everyone.

8 MR. CAREY: Sorry about that.

9 CHAIR CONGDON: Good evening. Hi, Tom
10 Carey, welcome.

11 MR. CAREY: How is everybody. Sorry
12 about that.

13 CHAIR CONGDON: No -- no, don't
14 apologize. I'm just getting started. So welcome,
15 everyone. I'm calling to order, the joint meeting of
16 the Indian Point Closure Task Force and the
17 Decommissioning Oversight Board. I'm Tom Congdon
18 with the Department of Public Service and the chair
19 of the Task Force and the Oversight Board.

20 Very briefly, for today's meeting, I
21 want to go through some logistics. All attendee
22 lines are muted upon entry. Public statements will
23 be accepted at the end of the meeting. Participants
24 who pre-registered to speak given first priority,
25 other statements accepted as time allows.

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2 The chat will be reviewed following
3 the meeting, and we will endeavor to answer all the
4 questions in the chat through our written Q&A that we
5 post on our website. If you have sound issues,
6 select options next to unmute. For the best audio
7 experience select call me. And if you have issues
8 joining please call 1-800-342-3330.

9 Next slide. In the interest of time,
10 I'm going to do a roll call, but I'm going to skip
11 all of the State agency representatives who are
12 listed here. So I'll start with Senator Pete
13 Harckham.

14 SENATOR HARCKHAM: Here.

15 CHAIR CONGDON: Assemblywoman Galef?
16 Supervisor Becker?

17 SUPERVISOR BECKER: Here.

18 CHAIR CONGDON: Mayor Knickerbocker?
19 Susan Spear from Westchester County?

20 MS. SPEAR: Here.

21 CHAIR CONGDON: Catherine Borgia?

22 MS. BORGIA: Here.

23 CHAIR CONGDON: Colin Smith? Joe
24 Hochreiter?

25 MR. HOCHREITER: Here.

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2 CHAIR CONGDON: Our Labor
3 Representative is Bill Smith?

4 MR. SMITH: Here.

5 CHAIR CONGDON: Tom Carey?

6 MR. CAREY: Here.

7 CHAIR CONGDON: Louis Picani? All
8 right, so Louis is on with Tom Kaczmarek, and I think
9 he's having some technical difficulties. I am going
10 to turn to our environmental and technical experts
11 Dave Lochbaum. Are you with us?

12 MR. LOCHBAUM: Yes, I am.

13 CHAIR CONGDON: And Richard Webster
14 from Riverkeeper?

15 MR. WEBSTER: All right.

16 CHAIR CONGDON: So Tom Kaczmarek, if
17 you can just try to get in touch with Rich Webster.
18 I see Mayor Knickerbocker has joined us.

19 MAYOR KNICKERBOCKER: Yes, I have.

20 CHAIR CONGDON: Thank you.

21 MAYOR KNICKERBOCKER: Thank you.

22 CHAIR CONGDON: Okay, next slide,
23 please. We have a very packed agenda tonight. We
24 have -- again, in the interest of time and -- and in
25 response to some community feedback we are not going

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2 to have presentations tonight on our Task Force
3 business. I sent a letter to the Task Force members
4 this week that provides an update on the cessation
5 fund and on the community benefit fund. Both work
6 streams are on track and the funds are flowing. So I
7 think it's all good news there.

8 I would ask the Task Force members to
9 look at that update. If you have any questions or
10 feedback, let Tom Kaczmarek know. Under our statute
11 for the Task Force, we do have to file an annual
12 report providing updates to the legislature. So Tom
13 Kaczmarek will be using the updates that you all have
14 in your inbox to contribute to that report.

15 If you have any questions again, let
16 Tom know. That report will be filed for public
17 comment on April 30th. For tonight's agenda, beyond
18 the Task Force where we've got a lot of
19 Decommissioning Oversight Board presentation for you
20 tonight. I'm going to start with Tom Kaczmarek with
21 some administrative updates.

22 I'm going to turn to Richard Webster
23 and Dave Lochbaum on work they've been doing to
24 improve community engagement. Joe Hochreiter has a
25 few updates from the school monitoring working group.

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2 Then we'll turn to a discussion on pipeline safety.

3 We're really pleased to have a guest speaker tonight,
4 Rick Kuprewicz recommended by several folks in the
5 community as well as our local elected officials.

6 Rick has done a lot of work in our
7 region pertaining to the pipelines that run in close
8 proximity to Indian Point. He's a national expert on
9 these issues and we look forward to hearing from him.
10 Also hearing from Rich Burroni and our own D.P.S.
11 pipeline safety staff for that discussion.

12 Then we'll turn to Rich Burroni for
13 updates from Holtec on decommissioning. We'll also
14 hear from a few of our agency representatives on some
15 oversight activities that they've been doing. Then
16 we'll turn to the public statement portion of the
17 meeting.

18 We have a number of preregistered
19 speakers for that section; more than we've had in the
20 last couple of meetings. So I do want to try to work
21 our way through this agenda as quickly and
22 efficiently as we can without obviously, missing
23 important details. But if everyone can please keep
24 that in mind that we want to reserve at least 45
25 minutes to an hour at the end of our presentations to

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2 hear from the public.

3 Next slide, please. I know Tom
4 Kaczmarek is busy right now working to get some
5 additional folks on the call. But I'll ask Tom, are
6 you prepared to give this portion of the
7 presentation, or would you like me to handle it?

8 MR. KACZMAREK: I am currently helping
9 Mr. Webster join. If you want to get started, I -- I
10 can -- I can do that.

11 CHAIR CONGDON: Yeah. No -- no, I'm
12 happy to take it. Next slide, please. So since our
13 -- our -- our first couple of meetings, we've heard
14 from a number of folks from the community, and from
15 elected officials, from D.O.B. members directly with
16 a lot of feedback on our processes and we welcome
17 that feedback. And we've tried to incorporate as
18 many of those recommendations as possible in a number
19 of administrative improvements.

20 So first, to have more clarity around
21 our meetings. We set the schedule for the entire
22 year including additional meetings. As you know, our
23 bylaws require a minimum of 3 meetings a year, we've
24 upped that to 5 this year, at least. We obviously
25 have some working group meetings that take place in

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2 between. A lot of oversight activity as well.

3 But these will be a minimum -- at the
4 minimum 5 of these formal D.O.B. meetings of the
5 group and here are the dates. We've also heard a lot
6 of good recommendations for guest speakers. We're
7 starting that tonight with Rick Kuprewicz from
8 Accufacts. And we will definitely entertain
9 recommendations for expert speakers on other topics
10 as well at future meetings.

11 With respect to community engagement,
12 we are working with our volunteer experts on our
13 D.O.B., Rich Webster and Dave Lochbaum who are both
14 working with community members to make sure that
15 they're soliciting their feedback and ideas for
16 agenda topics, discussion topics, answering questions
17 that the community members have in between meetings.

18 And they are going to present more on
19 that later on in the agenda. There's requests that
20 we post video recordings of our meetings in a more
21 timely way. We'll be doing that on the next business
22 day after our meetings. We also got a request to
23 improve our website.

24 Up until now -- up until today, we've
25 been using the Department of Public Service's

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2 website, which is really geared towards our
3 regulatory proceedings. It works very well for
4 managing a large volume of documents. But it's not,
5 I admit the most user-friendly interface.

6 And so we hear that, we're -- we
7 launched today a new website that's within the
8 Department of Public Service site, but that will have
9 more readily available information for users still
10 tied into our document management system, which is a
11 really good vehicle for the voluminous documents that
12 we have, including our Q&A's that we prepare between
13 meetings, all the correspondence that we've had with
14 Holtec and other documents.

15 So we encourage you to still work
16 within that system, but there's a better landing page
17 for you and hopefully, that will improve the user
18 experience. And lastly, here we have -- folks have
19 requested an email listserv of some kind to get
20 updates on meeting notices and the like. We have had
21 that already in place. It's a part of the D.P.S.
22 website.

23 We will have clarified instructions
24 for how people can utilize that function so that they
25 can take advantage of the automatic updates. What's

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2 nice about the function if you can go through, follow
3 the instructions and sign up is that anytime there's
4 a document posted into our system, you will be
5 notified of that so that you can go and look and see
6 what's been posted.

7 Next slide, please. To that end, this
8 is the button to click on our website. When you go
9 to subscribe to service list, and you enter your
10 information that will generate automatic emails to
11 you whenever there's an update to our docket.

12 Next slide, please. Also,
13 importantly, for us at the Department of Public
14 Service and for the Decommissioning Oversight Board,
15 Senator Harckham and Assemblywoman Galef had
16 recommended that the department consider hiring a
17 resident inspector. We fully agreed with that
18 recommendation, and we recommended that the Governor
19 include in her budget a line for us to make that
20 hire. We are in the process now of recruiting a
21 qualified candidate. You'll hear more about that
22 later on in the agenda.

23 Having a resident inspector, I would
24 just say, I think, will be enormously valuable, not
25 only to the Department of Public Service for purposes

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2 of ensuring compliance with the joint proposal
3 approved by the Public Service Commission, but it
4 will also be enormously valuable, I think, to the
5 Decommissioning Oversight Board as a whole to hear
6 regular updates on oversight activities.

7 Next slide, please. So with that, I'm
8 not sure if Richard Webster has been able to sign in
9 yet.

10 MR. WEBSTER: Yes, I have, Tom. I'm
11 here.

12 CHAIR CONGDON: Wonderful. Welcome,
13 Richard. So I want to turn it over to you at this
14 stage to discuss your efforts and deeds along with
15 all of us on the D.O.B. to improve community
16 engagement. So Richard, I'll hand it over to you.

17 MR. WEBSTER: Right. Okay. Well,
18 first of all, thank you, Tom. I -- I sympathize with
19 those who have trouble getting onto this WebEx
20 platform. So I just had a little trouble myself. So
21 that's one -- one thing that the community has
22 mentioned before, but we've tried to work with it and
23 eventually it's worked for me.

24 So basically, we've heard a number of
25 concerns from a number of people. I do want to thank

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2 the community for being so engaged. And you know,
3 this is helping us get the -- set the agenda really
4 for the -- the D.O.B., because you know, community
5 concerns really are driving the agenda here. And we
6 can't address everything, obviously, in -- in one
7 meeting.

8 But we want to make sure that we
9 capture the community's concerns and that we have a
10 plan for how to -- how to go through them. And so
11 you know, one concern that's been, I know, to the
12 forefront of many people's minds has been the AIM
13 pipeline. And to that end, we have speakers on the
14 agenda today, talking about the -- the AIM pipeline.
15 And I think, hopefully they'll be helpful.

16 But that is an issue that we hear a
17 lot about. We believe that we've been somewhat
18 responsive, we've been looking to ensure that the
19 activities on the decommissioning site don't impact
20 the pipeline, but I recognize that the community
21 members would like to see more and are working with
22 the federal government to try to get more.

23 The other issues that we've heard
24 about, obviously, the school has been a major concern
25 and particularly with parents with children at the

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2 school. We have been working, Dave in particular,
3 has done sterling work to try to improve monitoring
4 at the school, to make sure that we have monitoring
5 that works and that protects the kids. Dave, do you
6 want to say anything about that?

7 MR. LOCHBAUM: The only thing I'll add
8 to that is I looked at Three Mile Island and at the
9 experience in cleaning up from that accident in 1979.
10 And there were 3 separate community or citizen
11 radiation networks set up because there was loss of
12 confidence in both the company and the regulator.
13 And what I learned from that was people can believe
14 what they see easier than they can believe their ears
15 and what they're told.

16 So I think those networks helped the
17 community understand what was going on and what
18 wasn't going on. And I think it will also help
19 inform decisions about what to do about Indian Point.

20 MR. WEBSTER: Right, thanks. Yeah, we
21 -- we did manage to secure a little bit of funding
22 from the Indian Point Community Fund to go toward
23 monitoring, which I -- I hope will be helpful. And I
24 think in those 2 agenda points I'm going to say a
25 couple more.

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2 But I think I just want to say that
3 those 2 agenda points sort of set the tone which is -
4 - you know, we can address these issues -- we can
5 often mitigate these issues, but very often there
6 will be some gap between what the community would
7 like and what the regulators can do in -- in -- both
8 in terms of their legal remit and in terms of, you
9 know, what they beleive is a reasonable remit.

10 And so you know, we're looking to --
11 to close that gap as far as we can. But I want to be
12 realistic. And particularly on the radiological
13 safety side, the N.R.C. is extremely unresponsive as
14 you know. And so, you know, getting them to move is
15 -- is a lot of work. But I think that shedding some
16 transparency on the matter -- some sunlight on the
17 matter can help to get some voluntary commitments
18 from Holtec at times.

19 So the other issues that we've heard
20 about -- evacuation plans, who's responsible for
21 what. In other words, you know, if there's a problem
22 at the site, does Holtec have to -- have to address
23 it, or would it be addressed by local first
24 responders? If there's a problem with the pipeline
25 what does the pipeline have to do?

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2 And I acknowledge that's an area where
3 there's a lot of -- lack --there's a lack of clarity.
4 And -- and I think we could possibly spend some time
5 looking at who's required to do what in -- in first
6 response and informing community members about what
7 their first protocol is for any different kinds of
8 accidents.

9 Site cleanup is one I've heard quite a
10 bit about. People are concerned about the long-term
11 site cleanup, and I have to say, we -- Riverkeeper
12 we are too, we want to make sure it's done right.
13 But my understanding of that is that the first step
14 is a -- a site assessment, which will be done under
15 the supervision of D.E.C.

16 And then when site assessment is done,
17 then we'll move into the debate about exactly how
18 best to -- to clean the -- to clean the site up but I
19 think the D.E.C. reps will have something to say
20 about that.

21 CHAIR CONGDON: Actually, I think
22 later on in the agenda Kelly Turturro will talk about
23 the consent order and --

24 MR. WEBSTER: All right.

25 CHAIR CONGDON: -- steps on -- on that

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2 front. So that one is on the agenda for tonight.

3 MR. WEBSTER: Great, there you go.
4 Right. Perfect. So thanks, Tom. I should've -- I
5 should've known that, but. So we are looking at -- I
6 should say that generally, the site cleanup is -- is
7 -- is under the auspices of the D.E.C. and RCRA
8 because we got that settlement in the joint proposal,
9 which I think was a very good settlement. That's a
10 very strong element of the settlement. And so it's
11 good to have full State oversight.

12 But of course, that doesn't mean that
13 we, the community members, can rest on our laurels.
14 We want to make sure that the State does a good job.
15 And I'm sure with us watching, they will do a very
16 good job. Monitoring that we've done. So with
17 relevant to clean up, the other issue that we've
18 heard about is concerns about dust and particularly
19 questions about tenting.

20 Can we tent the site so that dust is
21 enclosed? And I think the answer there -- well,
22 we'll probably hear the answer from -- from D.E.C.
23 later. But as far as I know, the answer is that this
24 is a possibility. I mean, I've seen it done on other
25 sites, not for the whole site, but for -- for areas

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2 where there's specifically high levels of
3 contamination. But I doubt that that will be decided
4 for some time till the -- till the site assessment is
5 complete.

6 Spent fuel storage is another area of
7 community concern. As we know, there really is no
8 plan to take the fuel off site. What we have to do
9 is store it on the site. And it could be stored on
10 the site really for the foreseeable future. So it
11 does behoove us to store it as safely as possible.

12 And at the moment, there's some debate
13 about that. Community members have expressed
14 concerns about the -- both the safety of the casks
15 and the vulnerability to terrorism. For those of you
16 that have been on the river, you know that you can
17 actually get direct line of sight onto the casks from
18 the river. That is a con -- concern that I have.

19 And I'm not sure about whether you can
20 get direct line of sight from other vantages. But I
21 think I have talked with community members about the
22 idea of trying to cut off direct line of sight from
23 public areas so that we improve safety on the site.
24 Now, no doubt we'll be talking about that more in --
25 in later meetings.

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2 The other side of the casks is the
3 whole question of thickness versus thinness and
4 whether they -- how long they will last. As far as I
5 understand on this, you know, there's -- there's a
6 robust debate on thickness versus thinness perhaps we
7 shouldn't go into that. But -- but I -- but I -- the
8 bottom line is that the casks that Holtec is using,
9 which are characterized as the thin casks are
10 licensed by the N.R.C.

11 And so you know, unless they decide
12 for some reason not to use those, they're -- they're
13 able to use those. The -- the other side of the coin
14 which I think is more, perhaps is unaddressed today
15 at least, is what about aging? What I've heard from
16 N.R.C. is that these casks will -- there's no aging
17 management required for the first 20 years because
18 they're sure that they won't corrode or crack or
19 whatever, for the first 20 years.

20 That is debatable. I know there are
21 experts out there who claim that's not true. I -- I
22 question whether they can really model that very
23 effectively. But I think the more important thing
24 for me is that at the end of the 20 years, they have
25 told me that they don't know how they're going to do

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2 aging management. I don't know if that's correct or
3 not. But I'd certainly be very interested to hear
4 that. And I -- I think other community members would
5 be too.

6 And then the final issue that I have
7 on my list, and I have to say that I've tried to poll
8 a few community members. But if I didn't get to your
9 issue, please raise it later, because we'd be more
10 than happy to -- to add more issues to the list. So
11 the other issue I have on my list is the disposal of
12 the spent fuel pool water.

13 This isn't something that will be
14 coming up for a couple of years. But I have no doubt
15 it is something that we'll be having a robust debate
16 over. And so you know, what we've tried to do or
17 what I've suggested and what Tom's been responsive to
18 is the idea that let's try to work through the most
19 urgent concerns first.

20 And then when we have the most urgent
21 concerns which are substantive safety -- immediate
22 substantive safety issues under control, or at least
23 we feel like we've addressed them as best as we can,
24 then we can move on to other issues. So -- so a
25 couple of these things do fall into the -- the -- you

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2 know, on the agenda, but not needing to be dealt with
3 right away category.

4 So you know, rest assured that we have
5 plenty of things to -- to raise and discuss at this
6 meeting, and we will continue to do so. Dave, if you
7 want to add anything to all of that?

8 MR. LOCHBAUM: Yeah, I just want to
9 add on to your comments about the -- the upcoming
10 handling of the spent fuel pool water. When that
11 issue was raised, I did do some research into how
12 other plants have dealt with that issue and I even
13 looked at Indian Point for the annual releases of
14 radioactive water to the river -- Hudson River
15 between 2005 and 2019.

16 It was an average of over 3 million
17 gallons per year during that period. But the -- dose
18 to the public from those releases was less than 0.04
19 percent of the federal limit. I also heard about and
20 did some research into Vermont Yankee Nuclear Plant
21 which transported over 2 million gallons of
22 radioactive contaminated water to Idaho where it was
23 buried.

24 And I wanted -- I looked at how the
25 N.R.C. looked at that, evaluated that, and ultimately

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2 authorized that hap -- to happen. Finally, I looked
3 again at Three Mile Island and how -- how they dealt
4 with over a million gallons of accident-generated
5 water following its 1979 accident. The community got
6 an injunction that did not allow them to discharge it
7 to the Susquehanna River.

8 So what they did was they processed
9 the water to remove as much radiation as possible,
10 and then evaporated it to the atmosphere. So anyway,
11 I'm just trying to better understand the context of
12 what -- how future decisions will be made. So
13 hopefully to inform those decisions based on what we
14 learned, lessons good and bad from the past.

15 CHAIR CONGDON: Thanks, Dave and --
16 and Richard. And -- and we'll hear more from Rich
17 Burroni later on in the agenda regarding the spent
18 fuel pool. We -- we heard that from some community
19 members directly and I wanted to make sure that he
20 covered it in his presentation to trigger a D.O.B.
21 discussion of that issue.

22 And I'm sure we will have more
23 discussions at future meetings as well. But this is
24 really helpful. The -- the engagement that you all
25 have with the community as well as the elected

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2 officials on our D.O.B. and -- and that we have
3 ourselves -- we value a lot and that informed the
4 agenda tonight, and it will inform agendas at future
5 meetings.

6 MR. WEBSTER: Tom, can I say -- can I
7 say --

8 CHAIR CONGDON: Yeah.

9 MR. WEBSTER: -- one thing? Sorry.
10 One community member asked about the Columbia study
11 and whether we participated in the Columbia study and
12 --

13 CHAIR CONGDON: Yeah.

14 MR. WEBSTER: -- I do want to say that
15 we have come -- we have -- we have participated in
16 that study, right.

17 CHAIR CONGDON: We are. And there's -
18 - there's an update from Joe Hochreiter coming up.
19 But I want to recognize a few additional folks who
20 signed in after we got started or who I missed
21 initially, I apologize. County Executive Latimer,
22 welcome. Sandy Galef -- Assembly member Galef, thank
23 you very much for being on. And Louis Picani.
24 Louis.

25 And Louis and I spoke just before the

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2 meeting tonight and -- and wanted to, as part of our
3 task force business which, I'm sorry I already
4 covered, but I want to come back to the task force
5 business. Louis had some issues that he wanted to
6 get on the table. So I'd like to turn to him now
7 unless Richard and Dave, do you have anything further
8 on community engagement? Or -- or is it okay for me
9 to turn back to task force business for a moment?

10 MR. WEBSTER: I think we are okay, I
11 know we had a lot of more detailed -- detailed
12 explanation that we could present here. But I assume
13 we will deal with that when we actually deal with the
14 topics raised.

15 CHAIR CONGDON: Yeah. Yeah, we do
16 have the topics on tonight's agenda. I want to make
17 -- at the end flag some issues for discussion that we
18 can prepare to present next time in May. And -- and
19 I would also, you know, continue to welcome
20 discussions, informal or otherwise between meetings
21 with members of the community if so engaged.

22 So Louis, are you -- are you on and is
23 your mic working? Do you want to give us an update
24 on some of the labor relations issues you've been
25 working on?

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2 MR. PICANI: Sure. Can you hear me?

3 CHAIR CONGDON: Yes, I hear you fine.

4 MR. PICANI: Okay. First of all, I
5 want to wish everybody a Happy St. Patrick's Day
6 today. And I want to start off actually by thanking
7 Governor Hochul and this task force with a grant that
8 we secured for the simulator. And it actually was
9 delivered last week. So we're in the process of
10 setting it up and start training some members that
11 were community people that were put out of -- out of
12 work due to the closure.

13 I have 2 letters I want to read and
14 I'm going to read them real fast for you because I
15 know time is short tonight. One is from myself,
16 addressed to the task force. It says, Dear board
17 members, I write in connection with my position as
18 President of Teamsters Local 456 and as a member of
19 the task force.

20 In 2019, I was asked by Entergy and
21 Holtec to offer my support for the sale of Indian
22 Point from Entergy to Holtec for purposes of
23 decommissioning the Indian Point Energy Center site.
24 On May 6th, 2020, I submitted a letter in support to
25 Secretary Phillips indicating that Holtec has

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2 publicly stated both verbally and in all existing
3 collective bargaining agreements and represented a
4 willingness to work with local labor unions to
5 provide -- to provide the necessary skills to safely
6 execute and complete decommissioning.

7 And I'll attach that when I submit
8 this form. While Local 456 offered a willingness to
9 assist with the transfer and its initial support for
10 Holtec, I cannot say that Local 456 has been extended
11 the same courtesy. From both a construction and
12 security standpoint Holtec has been evasive in
13 undermining of organized labor. Despite
14 representation to the contrary, Holtec has excluded
15 Local 456 from construction work that its members
16 have performed for decades.

17 The Building and Trades Council of
18 Westchester and Putnam are going to submit a letter
19 I'm going to read right after mine. This issue
20 directly impacts the Teamsters whose members have
21 been involved in performing work at IPEC for decades.
22 Now Holtec is excluding Teamsters from performing
23 construction work at the site for all decommissioning
24 work. This does not create harmony with the local
25 trades.

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2 Moreover, while the Teamsters were
3 told they would be included in a successor agreement
4 covering this work -- work, Holtec has reneged. In
5 addition, Local 456 has long represented nuclear --
6 nuclear security officers at Indian Point. Since
7 taking over, Local 456 has filed numerous grievances
8 concerning Holtec's breaching the collective
9 bargaining agreement, as well as retaliating against
10 members for engaging in protected concerted
11 activities.

12 In short, Local 456's optimistic views
13 of our relationship with Holtec have been shattered.
14 Rather than operating as a responsible corporate
15 citizen, offering benefits for stakeholders, Holtec
16 has operated unilaterally and without regard to its
17 initial promise to the State and community. We
18 appreciate everyone's consideration of the support
19 and issues and look forward to further discussion.

20 I now want to read a letter that's
21 going to be addressed to Honorable Kathy Hochul, the
22 Governor of the State of New York, as well as Kelly
23 Trice, President of -- of Holtec. I'm reading this
24 on behalf of President Edward Doyle, President of the
25 Building Trades Council of Westchester, Putnam

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2 Counties.

3 Dear Mr. Trice, I write on behalf of
4 the Building and Trade Council of Westchester, Putnam
5 Counties, in connection with Holtec Decommissioning
6 International L.L.C. Holtec, ongoing work at the
7 Indian Point Center site IPEC. I am concerned by the
8 stature of the decommissioning work at IPEC and the
9 exclusion of many of our affiliates from performing
10 the crafts work at IPEC.

11 In Holtec's represented to the State
12 of New York, you advised that the work would be
13 performed by Union Labor in harmony with local
14 trades, as has historically been done at IPEC. Based
15 on these representations, the Building Trades and
16 many of its affiliates publicly supported Holtec in
17 the license transfer process and issued letters of
18 support.

19 Holtec currently shows that the
20 company is no longer interested in seeking harmony
21 with the Building Trades. Despite your
22 representations to the State, Holtec is operating
23 with only certain building trades, disregarding well-
24 established craft lines that have been respected for
25 decades at the site.

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2 The Building Trades is aware that the
3 Teamsters insulators, asbestos workers, plumbers and
4 pipefitters, and sheet metal workers were some of the
5 crafts excluded. This is not the way our
6 organization works regardless of whatever national
7 labor agreement you claim is in effect.

8 And it also, is suspicious that Holtec
9 negotiated a second national labor agreement,
10 superseding the prior agreement and adding a new
11 trade while Holtec was on notice of the historical
12 craft lines at IPEC. No such notice of the second
13 agreement was provided to the Building Trades or any
14 of its affiliates.

15 The building -- Building Trades
16 implores Holtec to respect this historical craft
17 jurisdiction at the site. The Building and
18 Construction Trades Council of Westchester, Putnam
19 County has numerous signatory contractors at the
20 ready -- at ready and employ a local workforce who
21 are highly trained to compete at the worksite in a
22 safe and effective manner.

23 Our affiliates have worked at the site
24 for decades and we seek to continue to perform the
25 work as we always have. We appreciate your

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2 consideration of these important issues and look
3 forward to further discussions. In addition to Mr.
4 Doyle's signature, he also draws attention to all the
5 other Building Trades affiliates that co-signed this
6 letter.

7 I will forward it over to you. Also,
8 it's cc'd to County Executive Latimer, Senator
9 Harckham, Assemblywoman Galef, Cathy Moore, the
10 chair, and Colin Smith for the county. So this will
11 be going -- being forward to Peter Moore. I
12 apologize I couldn't get it out to you earlier. But
13 as you see, I had a little difficulty with my
14 computer skills.

15 CHAIR CONGDON: Louis, look, I -- I --
16 I appreciate -- I appreciate it. And I -- I want to
17 say that, you know, as a -- on behalf of the Task
18 Force, it was certainly our hope and -- and desire to
19 see that the -- the local trades and -- and -- and
20 your -- your members and -- and -- and all the
21 employees that were already at Indian Point would --
22 would be given the opportunity to continue during
23 decommissioning to the maximum extent possible.

24 We've discussed the local concerns a
25 few times at previous meetings. We have facilitated

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2 some discussions, you know, between you guys and --
3 and Holtec. But clearly more communication is
4 warranted. And I think if it's all right with you,
5 I'd like to try to follow up after this meeting,
6 early next week even, to coordinate and facilitate
7 further discussions between you all and -- and
8 Holtec.

9 I'd like to include our Department of
10 Labor in that as well. Is that all right, Louis?

11 MR. PICANI: I think that's a great
12 idea that we all start, you know, communicate with
13 them to let them know that this is not what everybody
14 signed up for. And actually, there's no trust there
15 anymore. I appreciate all the help, Tom, I really
16 do. Thank you.

17 CHAIR CONGDON: Sorry, go ahead,
18 Louis.

19 MR. PICANI: We -- the trust -- we
20 trust you. I just want to make that clear that it
21 was the way Holtec presented themselves and -- and
22 guaranteed that we would be at the table the next go
23 round and entered into a second agreement without
24 having anybody involved.

25 CHAIR CONGDON: Louis, if there's one

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2 thing that the Task Force and the Decommissioning
3 Oversight Board can do, it is to facilitate and
4 improve communications. And we'll -- we'll be happy
5 to play that role. And I hope it will be successful.

6 MR. PICANI: Thank you.

7 CHAIR CONGDON: If we could now turn
8 to the pipeline safety portion of the discussion.
9 This has and I'm sure will remain a very high
10 priority for the Decommissioning Oversight Board.
11 The members of the community have expressed a lot of
12 questions and concerns about the co-location of the
13 pipeline with Indian Point for many years now.

14 I think through those discussions
15 we've helped to improve the safety of the situation.
16 But I will acknowledge that we're always looking for
17 further opportunities to improve. That means more
18 opportunities for communication and improved
19 protocols among Holtec and Enbridge. It means more
20 work between the State and the federal oversight
21 agencies, and importantly, strong communications from
22 all of those parties to the public at large.

23 So with that, I -- I'd like to start
24 the discussion tonight by asking the Chief of our
25 Pipeline Safety and Reliability Section of the

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2 Department to give a very brief update on agency
3 actions. And then we'd like to turn it over to Rick
4 Kuprewicz, who is President of Accufacts, and I
5 introduced earlier in the -- in the meeting, someone
6 who has worked with local governments on pipeline
7 safety -- safety issues.

8 We have spoken numerous times and we
9 greatly value his expertise and look forward to
10 hearing from him. And then following Rick's
11 presentation I've asked Rich Burrioni, from Holtec to
12 talk about recent activities from Holtec's
13 perspective. And then I'd like to open it up to the
14 D.O.B. for a discussion with all 3 panelists.

15 So with that, let me turn it to Kevin
16 Speicher, our Chief of Pipeline Safety and
17 Reliability. Next slide, please.

18 MR. SPEICHER: Hi, thanks Tom. Hi,
19 I'm Kevin Speicher. As Tom said, I'm the chief of
20 pipeline safety at the department. I just want to go
21 through a couple bullets. I don't want to take too
22 much time so that Rick could start. So on -- on
23 December 16th, comments on the decommissioning plan
24 for fire protection.

25 So New York -- New York State agencies

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2 reviewed Holtec -- Holtec's Indian Point Fire
3 Protection Program in December of '21. Following the
4 review, the New York -- New York State reinforces
5 that the safe decommissioning of Indian Point depends
6 on the safe operation of the natural gas pipelines
7 intersecting the site and vice versa.

8 New York State also requested further
9 information from Holtec on risk assessment and
10 mitigation plans for gas pipeline incidents on site.
11 D.P.S.'s February 25th, '22 letter to Holtec in
12 regards to and referencing the heavy load pipeline
13 crossings, weight limits, and protocols.

14 The New York State joint agreement
15 with Holtec requires Holtec to notify Enbridge and
16 the Department of Public Service 5 days in advance of
17 any heavy load crossings over the pipelines. On
18 February 25th of this year, the Department sent a
19 letter to Holtec notifying them of the load limits of
20 the -- of the pipelines calculated by Enbridge.

21 Holtec has placed the steel air bridge
22 over the pipeline crossing at Indian Point site to
23 alleviate loads over the pipeline. Enbridge has
24 analyzed the steel air -- air bridge and has no
25 concerns for typical daily loads.

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2 In the event that there will be
3 crossings of greater than -- greater than the
4 capacity of the steel air bridge, Holtec will notify
5 Enbridge and D.P.S. For the future Enbridge is
6 designing a permanent concrete structure for long
7 term duration of the site.

8 On March 15th, '22 quarterly meeting
9 with Holtec and Enbridge and -- we had a call between
10 Holtec, Enbridge, and D.P.S. where we discussed the
11 status of Enbridge's upcoming integrity work at the
12 Indian Point site. So that's going to be detailed
13 later tonight. The status of the upcoming drills and
14 training for emergency responders with the Indian
15 Point Energy Center and discuss Enbridge's analysis
16 of the steel air bridge and notification protocols
17 for heavy load crossings.

18 Pipeline integrity work. So there is
19 some work expected this year. This work was
20 previously noted in the June '21 Decommissioning
21 Oversight Board meeting. It was originally scheduled
22 to take place in '21, but it was moved to '22. In
23 April of '22, Enbridge will begin work on the east
24 side of the Hudson within the Indian Point site to
25 tie its 26-inch pipeline into the 24-inch pipeline.

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2 This is to accommodate pipeline integrity work.

3 Both pipelines will be depressurized
4 while this work is going on. And the D.P.S. staff
5 will be there. They will be performing frequent,
6 regular, and unannounced inspections. We typically
7 do all of our inspections unannounced. We want to
8 see people in there and how they normally perform
9 their work. So those will be surprise visits.

10 Holtec participate -- so Enbridge is
11 coordinating a drill -- a training drill and exercise
12 for first responders nearby to the -- IPEC,
13 Peekskill, Montrose, Verplanck and Buchanan Fire
14 Departments. This drill is expected to take place in
15 May or June of -- of '22. The Indian Point fire
16 brigade will be participating in the drill. The
17 scenario has not yet been announced.

18 So there's -- and that is we would be
19 -- we would want that to be as -- as unannounced as
20 possible. So we want to see, you know, how people
21 respond in real life situations, so that's it, Tom.
22 Thank you.

23 CHAIR CONGDON: Thank you, Kevin. The
24 emergency drill that you're referencing is required
25 under the federal regulations, correct?

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2 MR. SPEICHER: Yeah, they are required
3 to interface with the local fire departments,
4 correct, yes.

5 CHAIR CONGDON: Thank you. At this
6 time, I'd like to turn it over to Rick Kuprewicz.
7 Next slide, please. I've already introduced Rick,
8 president of Accufacts, well-respected expert, and
9 really grateful, Rick, for you agreeing to speak with
10 us tonight. I'll turn it over to you. Rick, you
11 might be on mute.

12 MR. KUPREWICZ: Oh, there we are. Oh,
13 is it working now?

14 CHAIR CONGDON: It is, we hear you.

15 MR. KUPREWICZ: Okay. I'm bad with
16 technology.

17 CHAIR CONGDON: Okay.

18 MR. KUPREWICZ: Sometimes it's the
19 operator, keep that point in mind. Anyway, a brief
20 history, I've been involved in the Indian Point site
21 with the various pipelines from 2014 to 2020. A lot
22 of people may be aware, you know, the Indian Point
23 with the transmission pipelines is rather unique in
24 that you have 2 transmission pipelines to the north
25 of the facility and one transmission pipeline to the

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2 south. They're all fairly high-pressured
3 transmission and large diameter pipelines.

4 The involvement here ended up with an
5 N.R.C. inspector general investigation of various
6 statements made. And in early 2020, they came up
7 with a very scathing report that required immediate
8 response from N.R.C. And bottom line is we're moving
9 forward.

10 Next slide, please. Let me just take
11 a second to get people to understand. You don't have
12 to hit a transmission pipeline to cause it to
13 rupture. And everybody's objective -- and I think we
14 all agree to this but, agreeing and getting there are
15 2 different animals.

16 On the right-of-way, you can have
17 abnormal service loading that can cause the pipeline
18 to either crack or stress. It doesn't necessarily
19 fail at that time. It may fail at a later date. Off
20 the pipeline right-of-way there can be unusual
21 decommissioning activities that could put a stress on
22 the buried pipelines even though that activity is off
23 the pipeline right away.

24 And so it's important that Holtec and
25 Enbridge kind of communicate what the various

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2 activities are, and be sure that Enbridge understands
3 what's going on, because it's their pipelines.
4 They're going to come after Holtec if it ruptures.
5 But guess what, it's not going to help anybody if we
6 rush.

7 So it's important that Holtec keep
8 Enbridge in the loop at the proper level. Enbridge
9 understands that, you know, we're responsible for the
10 pipeline and if you're doing activity, we need to
11 evaluate it, because it's our pipeline. That's a
12 federal requirement, and you can argue about it in
13 court, but that's the way it is.

14 The good news is the engineering
15 science on these various pipelines, whether they'd be
16 surface loading that is causing the pipeline, or
17 unusual activity off the pipeline right-of-way. An
18 extreme would probably be like blasting. I don't
19 even know if that's in this. You know, I don't know
20 what -- what the plans are in detail.

21 But you know, even if there were
22 blasting there's ways to evaluate; that science for
23 pipelines has been well-established. And the good
24 news is Enbridge get this, all right, they know. So
25 as a pipeline operator, you need to keep Enbridge in

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2 the loop and let them evaluate what's going on. All
3 right.

4 So the good news is the science is
5 well-established. Enbridge as a gas transmission
6 operator understands this, somewhere in their
7 organization, they'll have people who can deal with
8 this. It's getting those people involved that's
9 important. Next slide, please.

10 So the key problem here on this
11 particular decommissioning effort is Holtec's
12 managing the decommissioning effort, they've got an
13 incentive to do certain things. Enbridge is managing
14 -- managing the pipelines. They have a maximum
15 incentive to ensure the pipelines don't rupture.

16 So the key objectives are the same,
17 but the 2 parties may or may not be communicating in
18 a manner that makes the decision makers within the
19 pipeline company understand or accept. So it's
20 important that the communications between Holtec and
21 Enbridge have at least single point contacts
22 designated within each company. That any of those
23 contacts are done in a written like emails or letters
24 an advance notice, that allows Enbridge to evaluate
25 that properly.

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2 Don't accept verbal. And there needs
3 to be in play some way that whatever is going on in
4 the field is being verified, that if Enbridge and
5 Holtec agree to do certain things, some person in the
6 field isn't deciding to do it differently, right. So
7 that's a simple concept, but when you get a lot of
8 this -- this is a complex project.

9 So I understand the apprehension by
10 some in -- in the public and that's -- that's
11 completely understandable. What's important to avoid
12 is, especially in the Holtec decommissioning efforts,
13 is overconfidence and what I'll call stupidity. All
14 the risk assessments in the world are going to go out
15 the window if you've got a guy who takes upon himself
16 in the field to do something that he hasn't gotten
17 approval to do.

18 It's important that everybody
19 understands and respect the pipelines. I'm not
20 trying to instill fear here, but you need to
21 understand a pipeline rupture of any one of these
22 pipelines is going to kill a lot of people and do a
23 lot of damage. And I have no desire to see first
24 responders be sacrificed. All right?

25 So you need to understand the roles

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2 and responsibilities of first responders. But if you
3 really think first responders can take control of a
4 pipeline rupture, that's doing injustice to the first
5 responders. The best thing is to have the pipeline
6 operator in this loop, approving the decisions,
7 verifying that they're actually turning in the field,
8 that they're scientifically evaluated, they
9 understand it, and they say yes, and then somebody
10 doesn't run amok.

11 I believe the parties can get there
12 because the science is well established, it's not
13 new, it's not rocket science. But the key player
14 here is Enbridge whether they like it or not, but I
15 believe you can get there. And I'm encouraged by
16 what I see going on here. And you need to
17 communicate some of that to the -- to the public.
18 And that's fair. Anyway, that's it for me.

19 CHAIR CONGDON: Thank you very much,
20 Rick. And really appreciate this presentation, this
21 information. And I want to get to a discussion, but
22 before we get there, I want to give Rich Burroni a
23 few minutes to go over from Holtec's operations their
24 perspectives, including some summaries of -- of
25 communications and protocols that I believe are

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2 consistent with what you just laid out. So I'm going
3 to turn it over to Rich now.

4 MR. BURRONI: Hey, good evening
5 everybody. I appreciate the -- the ability or the --
6 get the time here to provide the status of our
7 decommissioning efforts, as well as addressing
8 questions by both the State representatives and --
9 and our community leaders. So let's talk about the
10 gas line for a minute. And the next slide, please.

11 I'll tell you we're lockstep with what
12 Mr. Kuprewicz just said. We come from a culture
13 where we've generated 6,000 megawatts thermal on a
14 daily basis. We know and we respect the energy,
15 right? And we do respect it highly and we have taken
16 mitigating the actions to limit the potential of an
17 event here at Indian Point.

18 So regarding the 26 and 30-inch lines,
19 we've installed stainless steel plates and an above-
20 ground air bridge, and we could show you pictures at
21 the end. But that was based on the past transport of
22 one of the heaviest loads on the roadway in question.

23 So years ago, main transformer spares,
24 we transported we -- we bridged these lines and that
25 worked out well then. And then we reinstated that

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2 same design at the present time. Enbridge has
3 confirmed that this configuration is satisfactory.
4 And the current design is good for 5 times the weight
5 of any of our heaviest loads without impacting the
6 gas lines.

7 And upon our request, we've asked
8 Enbridge to come to the field and -- and check the
9 field installation of the steel -- the steel plates
10 and the bridge configuration and they're satisfactory
11 with the results. The draft proposal also requires
12 Holtec to inform Enbridge 5 days prior to crossing
13 the pipelines with heavy loads.

14 But as a daily routine, there is
15 commercial traffic crossing the air bridge
16 configuration. So with the present configuration
17 approved by Enbridge, the 5-day notification period
18 has been met. And we're going to formalize that
19 between the State and Holtec with the designated
20 points of contact memorializing this in writing.

21 And if the transportation of any
22 vehicle exceeds our current heaviest loads, then we
23 will contact Enbridge in accordance with the 5-day
24 prior requirement that's listed in the joint
25 proposal. Since this road is going to be used

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2 throughout the decommissioning process and
3 potentially beyond, Enbridge has informed us that
4 they are looking at a potential subsurface
5 configuration change to protect the line, basically a
6 subsurface air bridge technique.

7 We'll work with them as much as we
8 can. I have civil engineers that are anxious to work
9 with them. And so more to follow there. But -- and
10 I know there was always a concern about how we
11 transport spent fuel. And I can assure you that the
12 spent fuel transport from either one of our spent
13 fuel pool buildings does not cross any of the gas
14 lines from the spent fuel pool buildings to the ISFSI
15 pad.

16 Our engineering staff here
17 communicates on an as-needed basis with engineering
18 staff engineers, and the same holds true for
19 management staff at my level. So we have established
20 committed points of contact and those are in writing.
21 And if there's a way we can avoid crossing the
22 pipeline, we do so in order to -- to provide us with
23 some margin. So we are working on the ISFSI pad
24 north of the pipeline and we can -- and it requires a
25 lot of cement.

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2 So what we've used as our north entry
3 gate to allow the cement trucks to enter the site for
4 the ISFSI pad work. Right, so we'll continue to look
5 at avenues just to provide us some margin. There are
6 quarterly scheduled meetings with Enbridge, New York
7 State representatives, and Holtec where -- where we
8 do discuss activities and if there's any issues or
9 concerns they are addressed there as well. And the
10 most recent meeting was this past Tuesday on the
11 15th.

12 Next slide. Building demolition
13 activities within the protected area occur north of
14 the pipelines. Additional demolition activities will
15 take place further south as well. In all cases,
16 right, we will contact Enbridge 5 days in advance as
17 to when these activities are to occur. In addition,
18 we are required to get a building permit from the
19 Village of Buchanan.

20 Now, the joint proposal also requires
21 us to have the control room operators have a direct
22 line access to Enbridge and this is in place in each
23 of the control rooms. As previously discussed, the
24 fire protection plan for IPEC was developed and
25 submitted to the New York State Division of Homeland

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2 Security and Emergency Services.

3 We submitted that plan in September.
4 Request for additional information was received in --
5 in December of '21, and then we responded back in
6 February -- this year. We do have our procedures and
7 have instructed the control room operators to contact
8 the Verplanck fire Department in case of a fire along
9 with contacting Enbridge. And Verplanck will respond
10 and assume command and control or incident command.
11 And then the function, I guess, I want to make this
12 clear. The function of our fire brigade and our fire
13 protection systems is to protect the site facilities
14 and the systems required to ensure cooling functions
15 are maintained.

16 Our biggest issue here is to maintain
17 spent fuel pool cooling, right, and that we need the
18 fire brigade to ensure it. Enbridge, like we said
19 before, is committed to provide training to the four
20 local fire departments and the fire brigade on site,
21 that's going to happen in the May-June timeframe.

22 If we can go to the next slide, we'll
23 show you the -- the air bridge here. So the -- we
24 have a series of steel plates, the 1-inch steel
25 plates go -- they don't go across, but they run

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2 parallel to the pipelines themselves. We verified
3 pipeline location through ground penetrating radar.

4 And then across that we put a 2-inch
5 steel plate, which is tack-welded in place. And
6 that's for both the 26-inch line and the 30-inch
7 line. So our commercial loads, our heavy loads will
8 go across that. And in the meantime, all general
9 traffic will go to a parallel path on the left-hand
10 side.

11 So I mean, it was, if I listened to
12 what Mr. Kuprewicz said, I think we have locked
13 stock. Locked stock in within and as far as
14 protecting the gas line, and most importantly,
15 respecting it. We're used to high energy systems
16 here on site. We under -- understand the concept of
17 high energy. And we're taking all those precautions
18 just to -- to ensure that there's no issues. That's
19 all I have, Tom.

20 CHAIR CONGDON: Thank you, Rich. I
21 want to turn it over in a second to any D.O.B. member
22 that has a question. But, you know, I'll take the
23 liberty of asking the first one to Rick Kuprewicz
24 based on what you just heard from Rich Burroni, and
25 what you heard earlier from our Chief of Gas Safety,

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2 how are we doing?

3 MR. KUPREWICZ: I think you guys are
4 trying to get there. And that's a positive. So I
5 don't want to -- I don't want to over embellish it.
6 I've used air bridges myself in operating pipelines,
7 you just got to be sure that you've done the
8 engineering analysis. And if you've got Enbridge in
9 that loop, Enbridge will be able to do that. They've
10 got people who get this. So it sounds like you're on
11 the right track.

12 I -- I would just caution you, while
13 you're meeting formally, you know, every so many
14 months, you want a communication line where if
15 something's going wrong day to day, somebody picks up
16 the phone and gets the other side and gets their
17 attention so that you can quickly resolve that. So
18 that someone in the field isn't inadvertently -- he's
19 in a rush, and so he cuts corners and gets -- guess
20 what, Holtec doesn't want to be in that situation,
21 nor does Enbridge.

22 So you need to kind of have a way to,
23 not only formally, but informally that's established.
24 And that's what -- that's what I get back to that one
25 on one. So I think you're moving forward. And you

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2 need to communicate this to the public in certain
3 ways. And there'll be part of the public who won't
4 accept all this. And -- and all you can do is try to
5 do the best you can. All right. So far, it looks
6 encouraging.

7 CHAIR CONGDON: Thanks. Thank you for
8 that. I -- I'll point out, I mentioned earlier that
9 we're going to have a Resident Inspector who will be
10 on site. That will be another check on this. You
11 know, there are protocols that are put in place here
12 that we have helped to facilitate. There's more work
13 to be done to get it formalized and in writing.

14 But we're encouraged as well as the
15 regulator that that Enbridge has been responsive to
16 recent information requests. We kind of go through
17 the tick list, Rick that you provided, that went
18 through all the key ingredients of the risk
19 assessment to know exactly where the pipeline is, to
20 you know, understand the max-load potential on the
21 pipe.

22 And we are able to obtain all of that
23 from Enbridge, pass it through to Holtec, and
24 continue to facilitate these discussions. You know,
25 so I --.

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2 MR. KUPREWICZ: I think some of the
3 public doesn't see all the details that you, I, and
4 other players have interacted. And so they're
5 actually going to be suspicious, and they should be.
6 I mean, that until you can get that across to them.
7 Again, you may not eliminate all of them, but the
8 vast majority because all they think about is a
9 pipeline rupture is bad thing, and that's true.

10 So I think we're on the same
11 wavelength here. And I want to be supportive of that
12 effort.

13 CHAIR CONGDON: I want to turn it over
14 to other D.O.B. members, if there are any questions?

15 MR. WEBSTER: Yeah. I have a quick
16 question.

17 CHAIR CONGDON: Yeah. Richard.

18 MR. WEBSTER: For both -- for both Mr.
19 Burroni and Mr. Kuprewicz, which is, I heard that Mr.
20 Kuprewicz, I think that the off -- activities outside
21 the right of way could lead to stress and ultimately
22 fractures and leaks. But I didn't hear -- I don't
23 think I heard anything from Mr. Burroni about control
24 of activities outside the right of way. Have I --
25 did I miss something?

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2 MR. BURRONI: I'll just respond to
3 that. All of our work activities on site are
4 controlled through the work control process. That
5 process hasn't changed since the beginning of
6 operation at Indian Point. So any work that would be
7 near the pipeline, we'd have a plan and plan it. It
8 would go through a risk assess process, and then we'd
9 make the necessary communications if possible.

10 But right now, there's absolutely no
11 work being done in the vicinity of the pipelines
12 themselves. Absolutely not. But we have work
13 processes in place that would control that.

14 MR. KUPREWICZ: And I'd add that there
15 are certain off-the-right-of-way activities, that
16 might be a problem. But they're kind of unusual,
17 like if you're doing major blasting, I don't think
18 he's doing that. But I don't know that. But that
19 would be just one threat that you want to be sure
20 that's not occurring, or that Enbridge gets involved
21 in.

22 So I don't want to leave the
23 impression that all activities off the right of way
24 are a threat. That's not true. That's not fair to
25 Holtec. And it's not fair to Enbridge, but they are

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2 specialized. And so common sense will tell you, if
3 you're doing blasting anywhere near a right of way,
4 you want to be talking to people.

5 MR. BURRONI: Absolutely. And in any
6 blasting we would do, would have to be approved by a
7 permit from the village so we wouldn't even attempt
8 that at this point.

9 CHAIR CONGDON: Well, and furthermore,
10 our J.P. requires 5 days' notice of Enbridge of any
11 activities that are of that kind of nature, that
12 would be outside of the right of way. And through
13 our written protocols that we are still formalizing,
14 we would expect the requirement on Enbridge to
15 respond affirmatively that they understand the
16 activity and understand the pipe, you know,
17 understand the risks of the pipeline and sign off on
18 it.

19 Or if they believe that that activity
20 presents a risk to the pipeline that is not
21 mitigated, that further discussions would obviously
22 be required until everybody is comfortable that it
23 can be done safely.

24 MR. BURRONI: Absolutely.

25 ASSEMBLYWOMAN GALEF: Sandy Galef.

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2 CHAIR CONGDON: Yes, Sandy.

3 ASSEMBLYWOMAN GALEF: I have a couple
4 -- couple of questions. First of all, I want to say
5 to Rich Burroni that the Local 456 is absolutely
6 unacceptable. You have to deal with that right away
7 and report back to us. The other is Rich Kuprewicz
8 talked about the written notices, as opposed to
9 verbal.

10 And I don't know whether I've heard
11 anything between, you know, what was going on with
12 written notices from, you know, Holtec to Enbridge,
13 or have just all been verbal. So that's one.
14 Another question is, should -- and this really came
15 from the community. Should the pipeline site be
16 identified some way? I know there is clearing.

17 But should they be identified? Have
18 they been identified in other places where there are
19 pipelines? And maybe they're identified now, I just
20 didn't really see that. And the other thing, I just
21 want you to know that I went to the pharmacist today,
22 people are asking for potassium iodine.

23 So, you know, there's a lot of concern
24 out there and the concern, may be Russia, and cyber-
25 attacks, and everything else that's going on, and

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2 maybe you can explain what happened with the Colonial
3 Pipeline cyber-attack and, you know, give us some
4 information on that. So I guess, I have 3 questions.

5 MR. BURRONI: I'll answer the second
6 one. There is written communication between Holtec
7 and Enbridge with regards to engineering activities
8 that are going on. Plus we've established in writing
9 who the points of contacts are between each of the
10 companies. I feel like --.

11 ASSEMBLYWOMAN GALEF: Totally, you --
12 everything has been written? So if somebody asked
13 you for any -- any information, you would have it all
14 in writing?

15 MR. BURRONI: That's correct.

16 ASSEMBLYWOMAN GALEF: Yeah. Okay.

17 CHAIR CONGDON: And Sandy, for
18 avoidance of doubt, you know, from the regulator's
19 standpoint on the J.P., we have, in writing formally
20 requested that, again, for avoidance of doubt that
21 all the communications related to the 5-day notice
22 requirements under our joint proposal be in writing
23 to those designated points of contact.

24 ASSEMBLYWOMAN GALEF: Okay. Thank
25 you.

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2 MR. BURRONI: As far as demarcation
3 of the gas lines throughout the site, I think we've
4 shown that to the tour groups, how the 2 gas lines
5 progress through the site. In fact, we even showed
6 where the 42-inch line is at the southern tip of the
7 property. So I -- I think we have adequate
8 designation of the pipelines that go through the
9 site.

10 If you're talking about outside the
11 site proper, I would have to turn that over to
12 Enbridge. As well -- as far as the cyber-attack, I'm
13 sorry, I don't -- I don't know the answer to that
14 question.

15 ASSEMBLYWOMAN GALEF: Maybe, Rich, do
16 you know about that?

17 MR. KUPREWICZ: In that area I can't
18 really comment about. But it's a fair question. I'm
19 not trying to be secretive. I'm trying to be fair to
20 both -- all parties. I'm not sure we're worried
21 about cyber-attack, and I'm -- I'm not trying to be
22 dismissive. It's not a risk of concern regarding
23 this site.

24 It doesn't mean it's not going to
25 happen. It's just that there are other checks and

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2 balances. Nobody relies -- you shouldn't be relying
3 on computers to be your last line of protection.
4 Does that make sense? Especially a gas transmission
5 pipeline. Now, as soon as I say that guess what?

6 ASSEMBLYWOMAN GALEF: Thanks.

7 CHAIR CONGDON: I just want to --
8 also, I was -- I was corrected by my colleague,
9 Bridget Frymire that for any kind of heavy duty
10 activity like dredging, or blasting, or other
11 activities, the D.P.S. requires 10 days, not 5 days'
12 notice so thank you, Bridget, for that correction.

13 I want to turn it over to Senator
14 Harckham, he had his hand up as well.

15 SENATOR HARCKHAM: Thank you, Tom. A
16 number of us on the D.O.B. worked with our federal
17 partners, to get the federal oversight agency of the
18 pipeline to agree to an independent safety review of
19 the pipeline. Does -- can somebody comment on what
20 the timing of that is, and when we expect that report
21 back?

22 CHAIR CONGDON: I don't think anyone
23 on this call knows exactly what their timing is for
24 completion. However, I will say that PHMSA has
25 indicated to us that they're at a stage of sort of

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2 peer review. And so that indicates and suggests that
3 they're -- they're making progress, and hopefully it
4 will be in the near future.

5 SENATOR HARCKHAM: Can somebody reach
6 out to them and see if we can get an E.T.A. on that?

7 CHAIR CONGDON: Yes.

8 SENATOR HARCKHAM: Thank you.

9 MS. BORGIA: This is Catherine Borgia.
10 Could I just ask a follow- up question about what
11 happened with working with the local unions? I don't
12 really understand why those promises weren't kept,
13 especially considering how our local workers know the
14 plant the best.

15 MR. BURRONI: I think the best way for
16 me to answer that is for our President, Kelly Trice
17 to address it with Mr. Picani. But I will tell you
18 one thing. There are 2 sides to every story. I want
19 to leave it at that for now.

20 MR. PICANI: And I agree with 2 sides
21 to every story and anytime that he wants to discuss
22 it and yourself. Both sides could talk in front of
23 this board or however you want to speak about it.

24 CHAIR CONGDON: Absolutely. I may as
25 well note here that I did get pinged from a few

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2 D.O.B. members following Louis' comments. Senator
3 Harckham, Assemblywoman Galef, and also from a member
4 of the audience, Geri Shapiro, wanting to do follow-
5 up discussions on that, Rich and Louis. So as I
6 said, when Louis read the letters into the record, I
7 think that it probably merits as a separate meeting,
8 and we will be happy to facilitate that and have
9 discussions with all the parties interested.

10 MR. BURRONI: Understood.

11 CHAIR CONGDON: Dave Lochbaum, you
12 have your hand up on a pipeline question?

13 MR. LOCHBAUM: I have a question for
14 Rick Kuprewicz. The community has raised concerns
15 about the nearby pipelines operating during
16 decommissioning. What conditions or situation in
17 your opinion would warrant shut down of a pipeline as
18 a precautionary measure?

19 MR. KUPREWICZ: At this stage of the
20 game, I don't think there's any condition that merits
21 the shutdown of the pipeline. You may want to lower
22 the pressure a little bit. In my almost 50 years of
23 pipeline involvement, including operations and
24 maintenance, I've been guided by one important
25 principle, don't create -- make a decision based on

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2 the illusion of safety.

3 I want to be careful. It's easy for
4 the public to think, well, I don't have pressure on
5 this, therefore, the line is not going to fail, and
6 it's okay. Well, that's true. While you don't have
7 pressure on it, the problem is, that doesn't
8 necessarily protect the pipeline, if it gets damaged
9 while it's not in pressure, and then when you put it
10 back into operation and start raising the pressure,
11 it may choose to fail or wait a while to do that.

12 So I'd rather focus in on doing the
13 activities that are preventive in their nature, that
14 do not risk the pipeline, rather than go to the leap
15 of saying take the pressure off. Now there will be
16 situations, where they may have to do that. And you
17 mentioned about they might want to do that for a tie
18 in.

19 But I would suggest, put your emphasis
20 on prevention and doing the right things, getting the
21 right people into the science, and accepting that.
22 And it won't really matter what pressure you're
23 operating at because the pipeline is still safe.

24 MR. LOCHBAUM: If I understand you
25 right, then you're saying shutting down a pipe may

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2 just change the timing of the rupture, not prevent
3 the rupture.

4 MR. KUPREWICZ: You're putting it in
5 English. Thank you. That's correct.

6 MR. LOCHBAUM: Okay. Thank you.

7 MR. KUPREWICZ: You're delaying it,
8 and it may set you up for a really big failure.

9 MR. LOCHBAUM: Thank you.

10 CHAIR CONGDON: I have a question
11 maybe for both Rich, both Rich's. I know, you know,
12 Rich Burroni, you're still several years away from
13 getting to the point of dismantling the domes, but
14 those are, you know, the large structures that are on
15 the Indian Point site that are probably causing some
16 of the greatest concerns in the community. Maybe you
17 can share just generally how far away they are from
18 the pipeline right-of-way to inform my question for
19 Mr. Kuprewicz, which would be, you know, the heavy
20 concrete structure of these domes.

21 When those are being dismantled, if
22 there were some kind of accident during the -- the --
23 the dismantling that caused some kind of collapse of
24 a facility of that kind of magnitude, is that the
25 kind of event that would create some kind of force

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2 from the distance to the right-of-way that Rich will
3 explain that you think should be of concern.

4 And obviously, I think, you know,
5 that's going to probably speak to the importance of
6 the safe dismantling. But -- so first question to
7 Burroni, how far away? Next question to Mr.
8 Kuprewicz, what do we have to be concerned of when it
9 comes to the dismantling these large structures?

10 MR. BURRONI: Right. So currently,
11 we're looking at a 10 to 11 years from now, when we
12 start taking down the containment buildings
13 themselves. What we've had success with, albeit in a
14 smaller scale, is a diamond wire cutting on the
15 cement blocks. And then from the diamond wire
16 cutting, we generate a block and then the block is
17 removed by crane.

18 So our thoughts are right now is that
19 we can use that engineering methodology to take the
20 domes down. Again, it's essentially 11 years from
21 now, there's a lot more planning that has to be done.
22 But right now, that's what it looks like.

23 In addition, I'll have to verify this,
24 but I think the unit 3 dome is about 600 feet from
25 the 26-inch line, which is currently depressurized to

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2 50 pounds. And it will remain depressurized to 50
3 pounds as a backup spare, from what I understand to
4 the 42-inch line. In addition, Enbridge does have a
5 preventive maintenance program that they talked to me
6 about where they'll put a device through the pipe
7 just to verify pipe thickness, insulation breakdowns.

8 So they do have a maintenance program
9 that verifies the integrity of the pipe itself.

10 CHAIR CONGDON: Okay. Mr. Kuprewicz?

11 MR. KUPREWICZ: I say, yeah, I think
12 one of the usual activities would be like if you were
13 taking apart a large structure, and it fell, you
14 know, and hit the ground, you know that generates
15 forces similar to like a dynamite explosion. But
16 distance is the factor there.

17 And -- and I would say, you know, if
18 you're going to cut them up and lift them up, that's
19 fine. But if you were -- I was thinking you might
20 have like a repeated impact force busting them up,
21 that might be an option. That would be one of those
22 unusual activities where you're hitting the ground
23 with a lot of force.

24 But you know, you let Enbridge know,
25 saying this is what I'm doing and, and they'll say,

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2 well, you're this many feet away. It's this type of
3 soil. This is the force you're using. And our
4 calculations are well-established, they're science.
5 They'll say, you know, 600 feet is not going to be a
6 problem. But that's what Enbridge needs to decide
7 and know about.

8 So I think when you get to that
9 activity, you know, it's good, if you're just going
10 to cut them up and lift them out, that's a good
11 thing. But if you do have to have the option of
12 breaking them up with force, you can still do that.
13 I don't want to create this uncertainty or panic in
14 people, that that's a major risk of concern. It's
15 just a risk that's unusual that you want to be sure
16 that it's evaluated.

17 And the science the individuals use
18 will say, yeah, we get this and that's not a problem.
19 All right. Or there is a problem and do it
20 differently. But those are -- those are unusual in
21 their nature, like you say, it's 10 or 11 years away.
22 Well, the downside with that, some people will
23 forget, so. But I think you can manage though, and
24 it's a well-established science, right?

25 MR. BURRONI: I don't think the board

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2 will allow us to forget.

3 CHAIR CONGDON: No.

4 MR. KUPREWICZ: Not you guys. But you
5 got to be sure that the contact at Enbridge is the
6 right person.

7 CHAIR CONGDON: Well, all throughout,
8 you know, we're going to be meeting and and we are in
9 a unique position at the Department of Public
10 Service, because we have a little bit of that
11 jurisdiction as the federal --

12 MR. KUPREWICZ: Right.

13 CHAIR CONGDON: -- delegated oversight
14 entity that we can make sure that Enbridge stays at
15 the table. They've been at the table. But you know,
16 we will -- we will make sure that they stay at the
17 table, continue providing timely answers to Holtec's
18 questions, reviewing the notifications and
19 responding. So we take that, seriously.

20 I want to -- we're running on time
21 here. But I want to emphasize something that Kevin
22 Speicher, our chief said. Because last time there
23 was some pipeline integrity work in the community, it
24 caught a lot of people by surprise. And Mayor
25 Knickerbocker, if you're on, I'm -- I'm sure Enbridge

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2 has been in touch with the village regarding the work
3 that they plan to do in the coming weeks. But I want
4 to emphasize that that work will be happening.

5 So to the extent that it's visible to
6 any members of the community, that they know that it
7 is on a depressurized line, and it's pipeline
8 integrity work similar to what they did in the fall.
9 But Mayor Knickerbocker, do you have anything else to
10 report on that front?

11 MAYOR KNICKERBOCKER: No, I just want
12 to say that when Enbridge does do any -- any upgrades
13 or maintenance on their pipelines, they do -- they
14 are in contact with the Village of Buchanan.

15 CHAIR CONGDON: Great. Well, Rick
16 Kuprewicz, thank you so much for being with us. And
17 thank you for taking our calls along the way. I hope
18 you'll remain available to both the State as well as
19 community members who hold you in very high regard
20 and appreciate very much the information that you
21 provide to them and to us.

22 MR. KUPREWICZ: I think you're on the
23 right track. Just keep it up. And work on that
24 communication and contact. And it's easy to lose the
25 trust if you don't stay consistent and ethical. So

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2 be careful there. All right. And good luck to you
3 guys. I'll let you go.

4 CHAIR CONGDON: Thank you very much.

5 MR. KUPREWICZ: Thank you. Okay.

6 CHAIR CONGDON: So I followed the
7 slide presentations and unfortunately, missed a slide
8 that I wanted to do for Joe Hochreiter wanting to
9 give a quick update on the school monitoring working
10 group. You don't have to go back, whoever's running
11 the slideshow here, because I don't think Joe had any
12 slides.

13 But Joe Hochreiter, do you want to
14 give an update on the school monitoring working group
15 and know that when I turn it back over to Rich
16 Burroni, as part of his presentation, he's going to
17 touch on the -- the work Columbia is doing as well
18 and is also going to be talk -- talking about dust
19 control which I know was on your mind for the last
20 part of the discussion.

21 But if you want to just give a quick
22 update on the meeting that the school working group
23 had, I'd appreciate it.

24 MR. HOCHREITER: Yeah. Thank you.

25 And thanks everyone for joining us. Thank you to the

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2 task force for allowing us to have a specific school
3 working group. We know that our community has raised
4 many concerns and is very anxious about these
5 processes, as we all are, particularly with regards
6 to one of our elementary schools being in close
7 proximity.

8 So it was a few months ago that one of
9 our district residents who was also a Columbia
10 University professor reached out to me and some of
11 the members of our committee and proposed aligning
12 the work of the task force with a graduate-level
13 class that he teaches at Columbia University. And
14 the the task is a capstone experience for the
15 students in the master's program, to work on site
16 with Holtec and in the -- basically in the
17 neighborhood to do some tests and collect some data.

18 But basically, their -- their -- the
19 ultimate goal is to help us as a task force, and
20 particularly the district, identify potential uses
21 for that \$500,000 fund that the district was awarded
22 to monitor decommissioning activity. So real quick,
23 I'll just give you a breakdown of what they're doing.

24 So students in this spring 2022 class,
25 it's a Master's of Science and Sustainability

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2 Science. They're going to provide a master -- a
3 strategic master plan to the community and the
4 district to make sure that we have monitoring of
5 environmental quality related to health outcomes at
6 the Buchanan-Verplanck Elementary School, the school
7 that is in close proximity to the site.

8 The students working in the class are
9 going to provide a risk assessment, they're going to
10 conduct preliminary soil sampling, air and water
11 sampling on the school grounds to create a baseline
12 for us. And as well as a comparative analysis and
13 assessment so that we can have some recommendations
14 for equipment purchases, data analysis purchases and
15 different tools, equipment, and materials that we can
16 use for our -- to make sure that our staff, our
17 students and our families feel safe.

18 So I know that was -- it was well-
19 received, when the school district received a half a
20 million dollars. We still would like more, and we'll
21 continue to advocate for more but in terms of
22 building a master plan to keep our school community
23 safe, and our staff, and our students and parents
24 comfortable. This is a really exciting endeavor.

25 And I do have some follow-up as Tom

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2 mentioned, but I'll wait for the other presentation.
3 But this is very exciting work. And if you see -- if
4 you see some strangers on school property, they're
5 working on behalf of the task force. And we're going
6 to make some data driven decisions with that
7 \$500,000. And I think it's important that we do
8 that.

9 CHAIR CONGDON: Thanks, Joe. I think
10 the school -- the Columbia students' recommendations
11 are going to be really helpful as we think about the
12 best strategies here and want to thank Dave Lochbaum
13 for providing a great deal of information to the
14 students and also thank Rich Burroni because Holtec
15 has been really engaged with the school, with the
16 class in providing a great deal of information from
17 Holtec.

18 And with that, I want to turn it over
19 to Rich for the next part of the agenda here, which
20 is a broad update of decommissioning activities. We
21 wrote to Rich a few weeks ago, asked him to cover a
22 number of topics. And I believe his presentation
23 will be responsive to that request. And with that,
24 I'll turn it over to Rich. Thank you.

25 MR. BURRONI: Thanks, Tom. So if we

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2 go to the next slide, really the next couple of --
3 well here is the agenda. We'll talk about our spent
4 fuel storage activities. We'll give a Hi-Lift or
5 Davit crane update, we'll talk about vessel
6 segmentation. And then the N.R.C. inspections and
7 activities right through -- from October right
8 through today.

9 You asked about the Oyster Creek
10 N.R.C. enforcement action, I could briefly talk about
11 that. Talk about some building demolition
12 activities. The State Pollutant Discharge
13 Elimination System, SPDES, that's actually the
14 discharges to the river. We'll go through that.
15 We'll go through the C.D.I., H.D.I. transition, some
16 community relations and then the monitoring project
17 at the B.V. School like Joe just said. So next
18 slide.

19 Four casks for spent fuel were loaded
20 and transferred from the unit 2 spent fuel pool to
21 the independent spent fuel installation. So it's the
22 ISFSI pad. That happened in the fall of '21. We
23 finished up in early November. The four casks
24 resulted in a total of 24 that will be required to be
25 loaded and transferred to the ISFSI pad through the

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2 end of 2021.

3 And that was per the January 2017
4 agreement between New York State, Riverkeeper, and
5 Entergy. So prior to the 24 casks there were already
6 34 casks on the pads. So right now we have a total
7 of 58 HI-STORMs on the pad itself.

8 To store all the fuel from both pools,
9 an additional 69 casks are required. 28 from Unit 2
10 and 41 from Unit 3. So I -- I apologize now to the
11 previous tour groups in the November-December
12 timeframe. We've had to increase our cask count by 1
13 each in each -- from each fuel pool just based on the
14 heat load of the fuel that we're offloading, so we
15 had to increase it by 1 from each spent fuel pool.

16 So in total, from all 3 spent fuel
17 pools, it will result in a 127 casks to be stored on
18 our ISFSI pads, and this number is increased by 2,
19 like I just said. We will start our spent fuel pool
20 offload campaign in August of this year. And I
21 apologize for the typo here, but Unit 3 we'll start
22 our offload in February of '23.

23 And at the end of the day, right, by
24 October of 2023 we'll be fuel on pad protected. And
25 I can get into some detail on that. But this is

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2 considered one of our critical paths. Next slide.
3 So here's a picture of our existing pad. What you
4 see in the vehicle cask transporter, which is bottom
5 left.

6 That was the fourth cask that we
7 loaded, the vehicle cask transporter brought it down
8 to the unit 2 spent fuel pool and has since been
9 loaded. So right now, on our existing pad, there
10 were 58 casks. If you can see the 5 smaller casks
11 about 2 or 3 rows in, that's a unit 1 fuel. Next
12 slide.

13 So currently, to support the cask
14 movement of spent fuel, we are doing fuel
15 inspections, all right, we have to inspect the 896
16 fuel assemblies at Unit 2 and an additional 1280
17 assemblies at Unit 3. We should complete all of our
18 inspections within the next 3 weeks. Then to -- to
19 accommodate the storage of all the casks, an
20 additional ISFSI pad must be built.

21 So the existing pad has 75 casks, and
22 the new expansion pad will hold an additional 52.
23 And then the final concrete pour for the pad is
24 scheduled for the spring. The new pad construction
25 requires a retaining wall on the north side of the

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2 installation. The forms and the rebar required are
3 currently being worked on. We're going to con --
4 we're going to pour that concrete next -- on the
5 22nd, I think, it's next Wednesday. Next slide,
6 please.

7 So this just shows our operators
8 extracting fuel from one of the fuel racks. We will
9 transport it to a space within the spent fuel pool
10 where we have some space. And you can see on that
11 picture, on the right, if you go to the left-hand
12 side there's cameras and lights that do a visual
13 inspection of the fuel.

14 So we'll look -- you can see the grid
15 straps, you could see any imperfections in the fuel,
16 right and that's a requirement before we cask any
17 fuel. Next slide. This is the ISFSI pad. So what
18 you see on the right is what's called the mud mat.
19 Actually, that would give in a seismic event. Right,
20 that's about 3 feet of concrete there.

21 On top of that pad will be additional
22 rebar, an additional 3 feet of concrete, which will
23 bring it up to the same level as the existing pad.
24 And then on the right-hand picture is the retaining
25 wall I just talked about. That's needed for, well,

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2 some safeguards, equipment that needs to be
3 installed. I can't go any further with that. But
4 that pour will occur next week. Next slide.

5 So that's it with regards to where we
6 are with the fuel and where we are with the ISFSI
7 pads. So I know there's a lot of interest in the
8 Davit Crane. Just to recap this for a minute there.
9 First to meet the 10/23 fuel on pad protected
10 timeframe, we need this crane. Needs to be installed
11 in the unit 3 spent fuel pool building.

12 The application for the installation
13 of the crane that was originally submitted by Entergy
14 Nuclear by way of a license amendment request on
15 March 24th of 2020. A series of strenuous reviews
16 and requests for additional information by the N.R.C.
17 That was 4 in total. It was a pretty -- a rigorous
18 review cycle by the N.R.C., which Holtec answered all
19 questions for the information needed.

20 That resulted in the response to the
21 L.A.R. The N.R.C. did issue a safety evaluation
22 report on February 25th of this year, and that's
23 allowing the installation of the Hi-Lift crane. The
24 construction is in progress. Holtec does have a
25 facility in Pittsburgh. And our factory acceptance

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2 test is scheduled for May 16th.

3 The -- we've had discussions today as
4 a matter of fact, with the N.R.C. They want to
5 observe some of the factory acceptance testing, as
6 well as the testing on site. So they will be there
7 with us as we do the installation and testing of the
8 Hi-Lift crane. Next slide.

9 Right. The other critical path is
10 really our vessel segmentation. To date we are
11 progressing. We've progressed with the removal of
12 insulation, piping, and reactor support components
13 that are not internal to the reactor coolant system,
14 or the reactor at either unit. So the insulation, if
15 it was asbestos, we took it down in accordance with
16 the State regulations. We boxed that all and we
17 shipped it. Exist -- the existing equipment hatches,
18 they're really not -- they weren't big enough to
19 facilitate the removal of larger pieces of equipment
20 or the dimensions of waste transfer casks and
21 therefore they had to be enlarged.

22 So this is where we used the water-
23 cooled diamond-embedded wire and that was used to
24 perform the cutting of the concrete. The rebar and
25 the steel liner, and if you came on any of the tours,

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2 we showed everybody what that looked like.

3 So when you looked at the combination
4 of the water-cooled system, in addition, we maintain
5 -- we did maintain a negative pressure in the
6 containment buildings and that basically preventing
7 any -- prevented any dust or silt that that would be
8 released to the atmosphere. But we are preparing the
9 reactor cavities to accommodate flooding, where
10 segmentation work will occur on the reactor internals
11 and all of it's going to be performed underwater. I
12 know that was a question.

13 A series of sawblades will be used to
14 demo the internals and the reactors themselves. I
15 think it's a 42-inch, a 60-inch, and a 72 inches
16 sawblade will be used to do the segmentation and
17 there's a picture that will follow.

18 We did some factory test -- factory
19 acceptance testing of the blades and their support
20 structures, that's in progress. And to date we've
21 had satisfactory results with that. We've actually
22 cut coupons, or what we call coupons or metal pieces,
23 the same thickness of the vessels themselves.

24 And then we have to send a group up
25 for training just so they can know how to operate the

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2 machine itself. So right now, cavity flood-up and
3 cutting is scheduled to start in late August or early
4 September this year for unit 3. Unit 2 will follow
5 in March of 2023. And then greater than Class C
6 waste will be removed and stored by October 25th.

7 So that again, that's the critical
8 path right there. Once that's done -- once that is
9 done, vessel segmentation efforts will continue after
10 2023 for approximately 10 months with the cavity
11 drained and the container buildings intact. So as
12 you can see, this was the cut up of Unit 3, I
13 believe. It doesn't make a difference, they're both
14 the same.

15 But the diamond wire cutting actually
16 cut, I believe, it was 31 blocks in total. It was
17 able to cut through both the cement, the rebar, and
18 the 3/4 inch steel liner that was internal to the
19 containment building. Relatively no issues other
20 than it was cold and sometimes the water system had
21 to be re-circulated.

22 And at the end of the day, when we cut
23 out the equipment hatch, we wound up with a roll up
24 door that will -- that will -- that we'll use to
25 secure the containment buildings and that's the same

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2 right now for both units 2 and 3. That's what they
3 look like. Next slide.

4 On the left is typical work that we're
5 doing inside the cavity to prepare it for flood-up.
6 We're just taking it apart, some of the lighting and
7 some of the structure inside. And then on the left,
8 you could see a typical sawblade that we'll be using.
9 That was one of the test rigs they had up in Canada.
10 That's where the system is being installed, I'm
11 sorry, being developed and tested. That's a pretty
12 big saw blade. Next slide.

13 So in parallel to all of that, we're
14 preparing the containment building itself as part of
15 the segmentation process. So on the -- on the left
16 is a steam generator. The insulation has been
17 stripped. The top pipe coming off is the steam pipe
18 that used to feed the turbines and the bottom pipe
19 that -- that bends into the generator, that was the
20 feed water line.

21 So we've taken apart all of these
22 pipes and removing all of the insulation, and the
23 picture on the right is the removed steam line that
24 used to feed the turbine and that's from 31 that is
25 the 31 steam generator, I'm sorry. Next slide.

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2 This is just an animation of what it's
3 going to look like. Both of those rigs or both of
4 those structures will go into the cavity. We'll
5 manipulate the internals of the reactor vessel itself
6 through these -- through these gantry cranes, and
7 we'll do the segmentation there. It's a pretty
8 intense process.

9 And right now we're on track to get --
10 to get it done. Like I say -- like I said by the
11 dates that I showed before but again the critical
12 date for us is to be fuel on pad protected and get
13 all the greater than Class C waste into the ISFSI
14 area by October of '23. Next slide.

15 Tom, you have asked about N.R.C.
16 inspections and recent activities. So we did submit
17 an exemption request and in accordance with 10CFR 20
18 Appendix G, Low Level Rad Waste, our shipments to go
19 to Texas, right. So initially, it was allowed to
20 have a 20-day time period. We asked for an exemption
21 to 45 days. It's basically an industry standard. We
22 submitted that exemption request to the N.R.C. in
23 November of '21 and received approval this past
24 February.

25 So we talked about the L.A.R., the

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2 Licensing Amendment Request for the Hi-Lift crane.
3 The S.E.R. the Safety Evaluation Report for the Hi-
4 Lift was received from the N.R.C. in February. The
5 post shutdown activities report, there were R.A.I.s
6 initiated by the N.R.C. We replied to those in
7 February.

8 No other R.A.I.s to date. The PDEP is
9 the Post Decommissioning Emergency Plan. That L.A.R.
10 was submitted to the N.R.C. in February along with an
11 exemption request for some of the emergency plan
12 activities. We predict on the N.R.C. schedule has
13 the PDEP approved by January of '23.

14 And then last but not the least, we
15 submitted an exemption request. We also submitted an
16 exemption request by early next week to allow us to
17 cask damaged fuel that may contain a primary
18 secondary source. So we're working on that with the
19 engineers in Camden, as well as our reg assurance
20 people in both Camden and Indian Point. That's it on
21 the reg assurance piece. If I'm talking too fast,
22 Tom just let me know.

23 CHAIR CONGDON: No, I -- I appreciate
24 you going fast. It is dense material, but -- and I
25 want to get to the Q&A.

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2 MR. BURRONI: Okay.

3 CHAIR CONGDON: So -- so that's --
4 that's -- that's fine. You're going on pace.

5 MR. BURRONI: So I know there was
6 questions on the N.R.C. enforcement action in Oyster
7 Creek, right. So on December 22nd, the N.R.C. issued
8 a confirmatory order resulting from an N.R.C. Office
9 of Investigation -- Office of Investigation. So that
10 investigation was opened March 13th, 2020, and it was
11 concluded March 11th of 2021.

12 The investigation was to determine if
13 a member of the Oyster Creek Security Department
14 deliberately failed to perform firearms maintenance
15 activities and falsified records related to those
16 activities. Based upon their review, the N.R.C.
17 determined that, based upon the evidence, the
18 security armorer deliberately failed to perform
19 certain required firearms maintenance activities for
20 the calendar year 2019.

21 That the armorer deliberately
22 falsified records related to these activities, and
23 that these falsified records were submitted to the
24 N.R.C. in response to an April 10th, 2020 information
25 request. I believe this armorer also performed the

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2 same violation as a member of Exelon when Exelon
3 owned Oyster Creek.

4 The security implications from this
5 investigation confirmatory order are basically
6 violations of 10 C.F.R. 50.50 50.5. Deliberate
7 misconduct and 10 C.F.R. 50.9. Deliberately
8 submitting false or incorrect or inaccurate
9 information.

10 So what did we do from a Holtec
11 perspective? The employee involved in the incident
12 was terminated unfavorably. Holtec implemented the
13 position of a Fleet Security Director. In fact, he
14 was my security manager here at Indian Point. He's
15 now been appointed as the Security Director for the
16 entire fleet but still provide additional oversight
17 to the security programs for all H.D.I. activities.

18 Our H.D.I. President communicated via
19 mail, email, the importance of integrity and the
20 implications of falsifying records and providing
21 false information, i.e. you will be terminated, and
22 periodically send out also reminders on -- on
23 adherence to 10 C.F.R. 55 -- 50.5 and 10 C.F.R. 50.9.
24 The security -- the security department will provide
25 specific training concerning integrity and

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2 compliance.

3 I think one of the bigger things too
4 is the Holtec fleet security implemented a peer
5 review signature on weapons maintenance documents.
6 So in other words, there's two signatures now, versus
7 the one and that removes single point vulnerability.

8 And last but not least, our reg
9 assurance folks in Oyster and through -- or through
10 cooperation with the reg assurance folks in Camden,
11 they're performing a root-cause evaluation, and I'm
12 sure additional corrective actions from that will
13 occur, and then we'll implement them across the
14 company. So that was the Oyster Creek issue. Next
15 slide.

16 Building demolition. And I know
17 there's some questions on this. So our activities
18 are in progress, right. There are a number of tanks
19 that we require also in accordance with the
20 buildings. So removal of systems and components
21 internal to buildings are typically the precursor to
22 some building demolition.

23 So our schedules are being developed,
24 and all demolition activities will require a formal
25 permit from the Village of Buchanan. So like I said

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2 previously, current projection for the containment
3 building is approximately 10 to 11 years from now.

4 You know, there -- there are a number
5 of engineering techniques that we can use for
6 building demo, right. And these will be reviewed as
7 plans are developed. We really like this diamond
8 wire cutting and has demonstrated that the silicon
9 dust generated can be contained from metal buildings
10 where we were using mechanical shears, that's with
11 little to no dust generation outside of the immediate
12 construction area.

13 And a majority of our structures are
14 -- there are metals, metal structures. And so before
15 we even take those down, we'll go through a -- we'll
16 go through a facility, we'll go through a structure,
17 make sure all the asbestos is removed, we control
18 that asbestos in accordance with regulations. And
19 then we'll demo the building.

20 So and then we've had open discussions
21 with some of our local building contractors. So we
22 can also wet buildings down while dismantling. And
23 so I guess the only point here is -- is there's
24 multiple engineered technologies that we can use to
25 demo buildings. We'll look at them all, including

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2 tenting. All right. But I just don't want to be
3 married to one thing at this point in time.

4 And I will say that, again, this
5 diamond wire cutting that's demonstrated to be pretty
6 effective. So if we go to the next slide. I know
7 this -- this hurts Tom Carey a little bit but. This
8 was a fab shop we had in there for years. And we did
9 some dismantling of that, in fact we took it down,
10 went through the insulation and the asbestos, removed
11 all of it and removed it. Just basically with --
12 with the shears off of a crane. Right now it's a
13 flat spot. Next slide.

14 This was an old -- a Unit 3 Protected
15 Area access facility that we would use during outages
16 when we would bring in a whole lot of people. And
17 again, you could see, we took that down and that's
18 been demoed. What's coming up, I don't have
19 pictures. But what's coming up in the next 3 to 4
20 weeks is when you come into the property, the first
21 thing you see are oil tanks, those oil tanks will be
22 taken down, as well as work across the street in the
23 old Con Edison gas turbine facility.

24 So those permits have been just
25 submitted today to the Village of Buchanan so we're

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2 looking to get those authorized and start work soon.
3 Again, those are all metal structures for the most
4 part, we'll use a lot of the metal shear techniques
5 that we've used with these 2 facilities here. Next
6 slide.

7 All right. So from a -- I should have
8 -- I should have labeled this slide a different, so I
9 apologize to the team here. Right. But from a
10 discharge to the river perspective, let's call it
11 that, right. So the D.E.C. on October 22nd, 2021,
12 the New York State D.E.C. received an application to
13 renew the SPDES permit for IPEC from Holtec.

14 This was required to be submitted 180
15 days prior to the expiration. Date of the current
16 SPDES permit and that was April, and that expires
17 April 30th. So we met the 120-day requirement. At
18 the same time, we also requested transfer of the
19 permit to go from Entergy to Holtec and that was
20 granted February 22nd.

21 Based on its review, the New York
22 State D.E.C. has informed us that the renewal
23 application was timely and sufficient. Therefore, in
24 accordance with the State Administrative Procedures
25 Act, the current permit will remain in effect beyond

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2 its current expiration date until the Department
3 issues a decision on the renewal application.

4 The New York State D.E.C. will
5 undertake a full technical review of the SPDES permit
6 during its review of the renewal application to
7 determine the need to incorporate new permanent
8 requirements under the Federal Clean Water Act and
9 applicable State regulations. That's the State
10 piece.

11 So from a water discharge perspective,
12 there's also an N.R.C. piece, and that's the
13 controlled release of effluents within specified
14 limits has been established, part of a normal nuclear
15 facility's operation and the N.R.C.'s regulations and
16 licensing reviews for the facility take into account
17 such releases as part of the N.R.C. safety
18 environmental determinations.

19 We have processed waste and
20 unprocessed waste and that's been discharged to the
21 river in accordance with both State and federal
22 requirements since the units have been in service
23 since 1962. The unprocessed wastewater does not
24 require any filtering since it's clean water.
25 However, we do continuously monitor it.

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2 So it included at one time steam
3 generator -- steam generator blowdown. So without
4 the obviously reactors in service that's gone. But
5 there is a Unit 1 sphere foundation sump, that's just
6 a natural spring under the Unit 1 sphere, right, that
7 is relatively clean water. We monitor that and that
8 gets discharged through.

9 Process waste will currently be from
10 water in the spent fuel pools and the reactor water -
11 - and the reactor water storage tanks, the R.W.S.T.s
12 Processed waste is also generated by the North
13 Curtain drain system, which is due to past operating
14 history of the Unit 1 spent fuel pool and that does
15 contain cesium. Next slide.

16 So it's important to note that all
17 water in the spent fuel pools and R.C.S. and R.W.S.T.
18 are one and the same. Effectively, they communicated
19 during the refueling outages in the past. The water
20 in the spent fuel pools is constantly circulated and
21 filtered. Its clarity allows for the offload of fuel
22 without obstruction.

23 No water from the processed waste
24 streams are directly discharged to the river. I
25 mean, that they -- I think that's a very important

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2 point. We just don't dump water into the river.
3 Rather this water is filtered, housed in collection
4 tanks circulated, we analyze it and then it's
5 discharged.

6 I included a simplified diagram, and I
7 can go over that real quick. Total number of gallons
8 between the two R.W.S.T.s and the spent fuel pools is
9 about 1.3 million gallons. This water will not be
10 discharged until all fuel is casked and segmentation
11 efforts are complete. So again, that goes out to
12 '23, potentially, 19 to 2024.

13 Please note that during the years of
14 operation, it's typical total gallons discharged to
15 the river, both processed and unprocessed, averaged
16 around 55 million gallons. We have about 1.3 million
17 gallons left here. But there is a variable here
18 admittedly, right, the present is a variable. Past,
19 present, and future with the north curtain drain in
20 the sphere foundation, so they're weather dependent,
21 right.

22 So if we have a lot of rain, a lot of
23 snow, you'll see those numbers go up. The SPDES
24 permit requires the monitoring of boron, lithium, oil
25 and grease and total suspended solids. The principal

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2 radionuclides that are monitored include tritium,
3 iodine, cobalt, cesium, strontium, nickel, manganese,
4 iron, silver and antimony. Our liquid discharges of
5 radionuclides do not exceed 1/10 of 1 percent, the
6 allowable N.R.C. and E.P.A. limits.

7 We are required to submit an N.R.C.
8 annual radiological environmental operating report
9 with the results of the Radiological Environmental
10 Monitoring Program and the radioactive effluents
11 released for every year, both of which are publicly
12 available, and I would encourage people to read it.
13 Next slide.

14 Tom, again, these are all topics that
15 you wanted me to discuss. It's a simplified diagram.
16 In this circle would be the process waste, will be
17 the waste from -- no longer the R.W.S.T. -- R.C.S.
18 but the R.W.S.T. and spent fuel pool. You can see it
19 goes into the waste hold-up tank, goes into a
20 collection tank, we filter it, we process the waste,
21 there is a post filter into two uses waste distillate
22 tanks.

23 Again, they're monitored there. It
24 goes through a rad monitor. The rad monitor then
25 discharges the water to the discharge canal. Very

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2 simplified diagram. The only intent here is to show
3 that there is no direct discharge, or I saw the
4 words, dump into the river. It's just not -- it just
5 does not happen.

6 Okay. Next slide. All right. I know
7 there was some interest in the C.D.I. to H.D.I.
8 transition. That started with executive level
9 change, the executive level changes at H.D.I. In
10 December 2021, H.D.I. exercised its determination for
11 convenience right - convenience rights, it's under
12 the Decommissioning General contractor agreement with
13 C.D.I. Effective January 19th.

14 MR. BURRONI: Holtec performs all
15 activities previously performed by C.D.I. at all of
16 our sites, including managing and performing
17 decommissioning and spent fuel management activities.
18 I'll just state here that nobody at Indian Point lost
19 their jobs, just the names on the check, basically.
20 Decommissioning resources and technical capabilities
21 remained intact.

22 There were no personnel change --
23 there were no personnel changes on site as a result
24 of the transition. The migration of resources from
25 C.D.I. to H.D.I. is not expected to impact project

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2 costs, or decommissioning schedules at any of the
3 Holtec sites.

4 Further, Decommissioning Trust Fund
5 financial assurances remain unaffected by this
6 transition, another key point. H.D.I. is the
7 licensee. It remains primarily accountable for
8 regulatory licensing and compliance, the outcome of
9 site investigations, responses to N.R.C. requests for
10 information, et cetera.

11 This change presents an opportunity to
12 streamline and enhance H.D.I.'s organization. Next
13 slide, public outreach. We're getting to the end.
14 So at our last oversight board meeting, I did ask if
15 anyone wants to tour our site to please let me know
16 and -- and we'll accommodate accordingly.

17 Pretty happy to see that we had about
18 10 tours including a congressional delegation,
19 community advocates, various New York State
20 Department reps, local politicians like Senator
21 Harckham and Assemblywoman Galef as well as Mayor
22 Knickerbocker, the local fire and E.M.S.
23 representatives, local union leaders and college
24 students as well as Mr. Congdon himself.

25 All told, we accommodated about 75

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2 people and myself and my team here, we really
3 appreciate the interest in our the decommissioning
4 efforts. And again, I'll repeat, if anyone wants to
5 tour -- tour the plant or have a discussion, please
6 feel free to contact me where we're open and we -- we
7 attempt to be as transparent as -- as possible.

8 So to this end on January 14th, Dr.
9 Becker asked if we would work with a group of
10 Columbia grad students who are working on their
11 particular monitoring scheme for the B.V. school. We
12 have fully endorsed the request.

13 I have a dedicated group of folks,
14 about four guys working with the students to come up
15 with the monitoring plan. We've already agreed to
16 provide information from 2 of the Reuter Stokes
17 monitors. We think we have a good idea of the
18 instrumentation needed to accomplish the task.

19 The Reuter Stokes, it's going to have
20 to be a digital conversion, and so we're working out
21 those details now. More to follow, but we are more
22 than happy to work with Professor Hollander and his
23 students, and professional monitoring equipment is
24 shown on next slide. So if we go to the next slide.

25 There's an air monitor that we

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2 typically have used, that would be sort of a grab
3 sample type of device you'd have to send out the --
4 the filter paper to -- to get read. The device on
5 the right looks like it could be a real-time air
6 monitoring device that we've used previously also.

7 We will -- we will -- will give these
8 instruments to the B.V. school, and we'll work with
9 the students as far as in how we would employ them
10 and -- and -- and come up with the plan and such.
11 Thanks, Tom, for the opportunity to give you all this
12 information. I appreciate it. And that's all I have
13 pending questions.

14 CHAIR CONGDON: Great. Thank you very
15 much. You -- you covered all the items I asked you
16 to cover. Really appreciate it. On the -- on the
17 school, Columbia University students' work, I hope
18 many of them are watching. We really appreciate the
19 enthusiasm. A super smart group really encouraged
20 that, and Professor Hollander was who -- who
21 approached us with a proposal, lives in the
22 community, has kids who will go through the school
23 system.

24 And we really look forward to hearing
25 their presentation when the work is completed. That

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2 will be, you know, just to be clear, a really
3 important sort of input into sort of D.O.B. -- the
4 D.O.B. work and the -- and the school monitoring
5 working group. We have our agency experts who will
6 review the class's findings and -- and
7 recommendations and take it into account.

8 And, you know, just to be clear, we'll
9 be subjecting that to, you know, rigorous expert, you
10 know, review including from Dave and -- and others on
11 the D.O.B. And -- and I hope that it will result in
12 great ideas for how to do the best possible
13 monitoring for the school system.

14 I want to -- we are running short on
15 time and I -- and I -- I want to get to -- allow time
16 for, you know, all the people who registered to speak
17 during -- during the -- the last section of the
18 agenda. But I know that there are questions for Rich
19 before we get to the agency oversight.

20 And I'll just give a warning to
21 everyone that I -- I think we're going to go over
22 time. I hope the D.O.B. members can -- can stay on,
23 we'll probably -- at this rate right now, we'll
24 probably go until 9:30, just as a time check.

25 But with that, I want to open it up to

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2 the D.O.B. members who may have questions for Rich on
3 what we just heard. Joe Hochreiter. I know you have
4 some questions on dust, so why don't I start with
5 you.

6 MR. HOCHREITER: Yeah. Thank you very
7 much. Rich, thanks for both updates. I want to go
8 back to the -- the first update, set of updates you
9 gave. I believe I heard you correctly saying we're
10 about 10 or 11 years away from dismantling the domes,
11 correct?

12 MR. BURRONI: Correct.

13 MR. HOCHREITER: All right. And what
14 I'm hearing from a -- a number of families and -- and
15 many different venues is around the potential of --
16 of radioactive dust or particles to be released in
17 the air when dismantling happens of those domes.

18 I -- I know we're quite a bit away,
19 but what we are hearing is -- is the concept of
20 tenting as a -- as a mitigate -- mitigation
21 strategy. Is that something that's on the table? Is
22 that something that -- that you folks will discuss
23 knowing that we still have some runway in front of
24 us?

25 But for our families at home and --

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2 and, you know, the folks who are communicating
3 regularly with us, and vis-a-vis the work with
4 Columbia University to -- to what degree might
5 tenting be an opportunity to mitigate some -- some of
6 the concerns we're hearing.

7 MR. BURRONI: It's a possibility, Joe.
8 But like I said in the slides, there are other
9 engineered techniques that -- that mitigate or -- or
10 limit the dust generation that we'll also look at.
11 Tenting the entire dome building, we'd have to look
12 at that.

13 The diamond wire cutting where the --
14 the diamond wire cutting methodology we're using now,
15 right? With the -- with the water-cooled system that
16 it uses, recapturing the dust and silicate. So
17 that's -- that's kind of something that we're kind of
18 looking at.

19 In addition, as we're cutting these
20 blocks, we're finding out that they're actually good
21 for free release. In other words, we can use all of
22 that concrete as part of the backfill somewhere, but
23 they're not contaminated on the outside and very
24 little contamination on the inside lining, right?

25 But I -- I'm not going to discount

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2 tenting, but I -- I'm not a construction guy per se,
3 we -- I would go to the experts on that. We'll look
4 at tenting, but the tenting en -- the tenting envir -
5 - entire containment dome, we'd have to look at it.
6 I'm not going to rule it out, but I just think
7 there's other engineering technologies we can use to
8 mitigate dust generation.

9 MR. HOCHREITER: All right. And --
10 and Tom, if I could just follow up and maybe bring
11 Dave Lochbaum into that conversation. So Dave,
12 you've -- you've been in a series of -- of
13 discussions with us here in this forum, but also our
14 -- our school working group.

15 As a -- as a non-expert myself, and
16 perhaps our families watching what -- what do you
17 advise this group focus on in terms of some of those
18 mitigation strategies?

19 MR. LOCHBAUM: Well, I think the --
20 the key to success is similar to what Rich Kuprewicz
21 outlined for pipeline safety. You need to evaluate
22 the hazard and develop a formal plan to manage the
23 risks associated with that hazard.

24 Coupled with a follow-up plan to make
25 sure you follow your plan. If you either develop a

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2 bad plan or if you fail to follow a good plan, you
3 can end up in a bad place. I think developing a solid
4 plan and following through to make sure it's done is
5 -- is the key to success, whether it's dust control
6 or pipeline safety.

7 I think -- I recently learned that the
8 LaCrosse plant, nuclear plant in Wisconsin was doing
9 some concrete demolition inside containment. And one
10 of the monitoring wells outside detected tritium over
11 the E.P.A. drinking limit. That led them to discover
12 there was a vent path that had not been fully
13 captured.

14 So they corrected that. I think what
15 it showed was that there's a layer of protective
16 measures that all have to fail if another -- for the
17 public to be harmed. In this case, the monitoring
18 well detected a problem that allowed that problem to
19 be solved before it was exploited into larger
20 consequences.

21 So I think there's a -- a number of
22 things that together manage that risk, or if it's
23 done properly, so that you don't have the outcomes.
24 As Rich Burrioni said to you, tenting is an option,
25 but it's not the only one.

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2 I also looked at a number of other
3 plants that went through decommissioning or even an
4 ISFSI at the G.E. Morris plant in Illinois. And they
5 used tenting as one of the options, but it wasn't the
6 only one. It's -- it's kind of like, you don't -- if
7 a hammer is the only tool you have you use it all the
8 time, but there are other tools in the toolkit. You
9 try to use the one that's best suited for the
10 application at hand.

11 MR. HOCHREITER: And -- and just, one
12 last follow up. I know we need to move on but -- but
13 Rich, for those families that I'm in regular
14 communication with that, that are concerned about
15 this whether it's -- it's -- whatever the mitigation
16 strategy is going to be.

17 Can you ballpark for me that if we're
18 10 or 11 years out from -- from the physical
19 demolition or dismantling of the domes? Around what
20 point does the organization start talking about what
21 the dust mitigation strategy will be, so that we're -
22 - so that we're not, you know, we're not stressed out
23 longer than we need to be. Or, you know, what --
24 what is that -- what is that timeline for when the
25 organization and -- and the community will start to

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2 have that conversation?

3 MR. BURRONI: That's a good question.
4 But right now, I would -- I -- I'd have to get back
5 to you on that. I don't want guess at an answer.
6 Our focus is on the two critical paths that I talked
7 about. And it would be -- it wouldn't be fair to you
8 or myself if I gave you that question. I will tell
9 you with confidence, right, that we want to get
10 through our critical path.

11 MR. HOCHREITER: Okay.

12 MR. BURRONI: And then once we get
13 through that, then we'll come up with it, but -- but,
14 you know what, Joe, I'll look at that and I'll get
15 back to some of the folks here and we'll -- we'll try
16 to get you an answer.

17 MR. HOCHREITER: Appreciate that.
18 Thank you.

19 CHAIR CONGDON: I want to also just
20 highlight that, you know, there's a lot of activity
21 that could generate dust, and -- and we're all
22 concerned about the containment structures. And
23 that's far off. But there's daily activity that can
24 generate dust and want to just flag and encourage
25 Holtec to do all of the right mitigation measures on

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2 day--to-day activities as well and talk with the
3 village.

4 I want to talk with the village some
5 more after this with respect to the permits that it
6 grants and -- and, you know, the local requirements.
7 And then last just it's an observation for the group.
8 I think another value of having a resident inspector
9 will really be if they're onsite on a regular basis
10 to see it when it happens.

11 To Dave's point, I think there are
12 protocols. There are mitigation measures that will
13 be in place. But they're only as good as, you know,
14 they are monitored and followed. And so if we've got
15 someone there that actually sees a problem, they can
16 bring it to the attention of Holtec. And I know
17 Holtec would want to address that as well.

18 And -- and so we can be ahead of
19 things before anything leaves the site. I see a
20 bunch of hands. I want to turn it to Senator
21 Harckham.

22 MR. HARCKHAM: Thank you very much,
23 Tom. Rich, thanks for the presentation and the tour.
24 One of the things you said early in the presentation,
25 caught my ear, would like some more detail on it.

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2 You said that you applied for an exemption request,
3 something regarding emergency planning.

4 If you could tell us what that is you
5 applied for an exemption for and why you applied for
6 the exemption?

7 MR. BURRONI: So we first applied for
8 the post decommissioning emergency plan, right.
9 That's the -- that's the L.A.R. that we -- we submit.
10 And with -- along with that comes an exemption
11 request. So there's certain things in the emergency
12 plan that are no longer needed once we get past the -
13 - what's called the zirc fire mitigation, right.

14 So there's a number of issues that --
15 number of e-plan activities that I can get you a list
16 of, right, that's in the exemption request that are
17 no longer needed because we're past the zirc fire
18 window. That's basically what it is.

19 MR. HARCKHAM: Yeah, let's -- let's do
20 this offline, because the time is short. But I know
21 the community gets very concerned whenever we talk
22 about emergency planning regarding the plant. So if
23 you say there's a method to the madness, you know,
24 let's talk about it offline. That'd be great.

25 MR. BURRONI: Absolutely.

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2 MR. HARCKHAM: Thank you.

3 CHAIR CONGDON: And I'll -- I'll also
4 say, you know, Senator, this is one of the things
5 we've definitely heard from the community as an issue
6 of concern. And you know, there is only a few hours
7 for this meeting. I didn't get it on this agenda. I
8 think at the May meeting we should dive deep on
9 emergency plans and emergency preparedness, and
10 that's something I've committed to doing to some of
11 the community members I've spoken with.

12 So we'll have that discussion at our
13 D.O.B. meetings as well. So I'm sure there's work
14 and discussions that we can do between meetings, but
15 that would be a good topic for May.

16 MR. HARCKHAM: Great idea.

17 MR. BURRONI: Just let me add. This
18 is a routine submittal that all decommissioning
19 plants go through. It's not something that we made
20 up at Indian Point.

21 CHAIR CONGDON: Kelly Turturro, I see a
22 hand up.

23 MS. TURTURRO: Thank you, Tom. And
24 thank you Rich for your presentation. I'll keep my
25 questions brief. You had mentioned that the

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2 discharge of radionuclides do not exceed 1/10th of 1
3 percent of the N.R.C. limits.

4 MR. BURRONI: That's correct.

5 MS. TURTURRO: Is that standard a
6 Holtec standard that you have put into place? And if
7 so, could you -- could you also explain for the board
8 what the N.R.C. standard is?

9 MR. BURRONI: The N.R.C. standard is
10 25 millirem if I -- if I got that correct. If that's
11 -- the 1/10th of 1 percent has been with us since
12 NYPA days at Con Edison. So it's always been that
13 standard that we've used, nothing Holtec came up
14 with. I'd have to look at what the actual N.R.C.
15 liquid limits are, but I -- I think it's 25 millirem
16 we're well -- well below that.

17 MS. TURTURRO: Okay. I guess my
18 question is, is it an internal standard that you've
19 put in place to ensure that you're below the N.R.C.
20 standards?

21 MR. BURRONI: That's a good question,
22 because I asked my environmental personnel. It's
23 just something we've always achieved. Let's put it
24 that way.

25 CHAIR CONGDON: With respect to those

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2 historic discharges and always achieved, you know,
3 one thing Dave Lochbaum is really good at is going
4 through the N.R.C. databases and pulling out the
5 reports.

6 And so Kelly, I want to suggest that
7 D.E.C. work with Dave who can pull a lot of the
8 historic monitoring reports for you all, and you can
9 -- you can see that. I hope you don't mind Dave, my
10 volunteering you for that. But I think it would be
11 useful to the D.E.C.

12 MR. LOCHBAUM: I'd be glad to help.

13 MS. TURTURRO: Great. Thank you, Tom.
14 Thank you, Dave. Thank you, Rich.

15 CHAIR CONGDON: You're welcome.

16 MS. TURTURRO: That's all for me, Tom.

17 CHAIR CONGDON: Thank you. Sandy
18 Galef. I think I see a hand up.

19 MS. GALEF: I do. I just wanted to
20 talk a little bit about page 22 and the transition
21 from the comprehensive decommissioning.

22 MR. KACZMAEK: Sandy, if you can hear
23 us, you -- you -- you -- you froze.

24 MS. GALEF: I froze?

25 MR. KACZMAEK: Oh my gosh. Tom?

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2 MS. GALEF: Oh, am I back again? Am I
3 back? I froze?

4 MS. TURTURRO: We can hear you, Sandy.

5 MS. GALEF: Oh, okay. All right. I
6 just wanted to talk about the Comprehensive
7 Decommissioning International. I -- we had thought
8 that Holtec claimed that the expertise for
9 decommissioning was going to come from the C.D.I.
10 And now it looks like you've separated from the
11 C.D.I.

12 Could you tell me what you -- what you
13 had gained from them by participating with them on --
14 on the nature of their expertise, and how you're
15 going to replace that expertise since you haven't
16 decommissioned, you're just in the startups of all
17 these?

18 MR. BURRONI: The C.D.I. folks onsite
19 were basically former Entergy folks. So those
20 Entergy folks just transferred over to H.D.I. So we
21 didn't lose any expertise. In fact, most of our guys
22 here are 30 years, 25 years. So none of the
23 expertise was lost when we transferred -- when the
24 company consolidated and went from C.D.I. to H.D.I.

25 MS. GALEF: But you did --.

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2 MR. BURRONI: So they perform the same
3 function as they did before.

4 MS. GALEF: Okay. But Entergy wasn't
5 in the decommissioning business?

6 MR. BURRONI: Correct.

7 MS. GALEF: So I -- I thought you were
8 --

9 MR. BURRONI: Correct, but --.

10 MS. GALEF: -- I thought you told the
11 community that, you know, you've got this
12 international group that's trying to help you and
13 what you're saying to me right now is it was just
14 Entergy employees.

15 MR. BURRONI: So right now, the
16 critical path activities are pool to pad, right? So
17 we've done that since 2004. We have general
18 contractors putting in the ISFSI pad, right? So
19 that's not our expertise. We have that going.

20 We've brought in additional people for
21 vessel segmentation to complement our staff. This
22 was really a consolidation effort that was made at --
23 at levels above me. Sandy, I -- I can get you
24 additional detail if you want, but this was just
25 really a -- a -- what's the word I'm looking for.

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2 Really, I -- just a combination of
3 folks. I know it doesn't really answer your
4 question.

5 MS. GALEF: No. Because I think -- I
6 think this goes down to -- to trust, what you say and
7 what you do. So can you please get back to the
8 community on this?

9 MR. BURRONI: Well, what's the impact
10 to the community?

11 MS. GALEF: Well, the impact is, I
12 think for many people in the community, we see a new
13 company come in that does -- hasn't decommissioned
14 anywhere. And we're really glad that they hired you
15 and the Entergy people because you know something
16 about the plant, but -- but there was not expertise.

17 So you know, what we felt you had done
18 is reached out to an international company that's
19 going to help you with this. And now I'm finding out
20 the previous finding out that that doesn't -- that
21 hasn't happened. And it kind of, you know, the
22 problem is, there have been other instances where I
23 don't think Holtec has been up front.

24 And so, you know, we want you to tell
25 -- tell what's going on. And so I think there needs

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2 to be a little bit better description of what an
3 international, you know, what that was all about, or
4 is that just kind of a façade. That's just my view,
5 it may not be others.

6 MR. BURRONI: I understand. However,
7 we are taking a fleet approach to this, right. So
8 when you say we don't have decommissioning
9 experience, that's not true. We've decommissioned.
10 We're in the process of decommissioning Pilgrim,
11 we're well ahead of decommissioning efforts at Oyster
12 Creek, right? And we're into an international
13 company.

14 So we've taken that experience also.
15 And that's helped us here at Indian Point. So it's a
16 fleet approach that we're taking really. Everybody
17 went on mute.

18 CHAIR CONGDON: Apologies. I've got a
19 quick question for Dave Lochbaum. I've heard some
20 concerns from some members of the community. We --
21 we met with Manna Jo Green from Clearwater, for
22 example, talked about the speed with which the fuel
23 is being moved out of the spent fuel pools into dry
24 cask.

25 And -- and Rich gave an update on

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2 this, you know, on -- on the -- the schedule there.
3 Question for Dave about the speed with which the fuel
4 is being moved out of the pool, is it presenting any
5 safety or -- or hazards in your view, in terms of the
6 speed with which the fuel is being moved out of pools
7 into dry cask?

8 MR. LOCHBAUM: My -- my preference
9 would be to have it go faster -- as fast as possible
10 because I think the -- the safety of the spent fuel
11 is much better in dry cask than it is in the pool.
12 To be clear though, there are some changes needed at
13 Unit 3, with the crane that is being upgraded, that
14 has to happen first because that -- that's needed to
15 support that movement.

16 So I -- I would like to see the -- the
17 fuel on the pad as quick as we can. I don't want to
18 rush it. So I think it's going at -- as fast as
19 practical pace right now.

20 CHAIR CONGDON: Rich, I don't know if
21 you want to add anything to that?

22 MR. BURRONI: Yeah, I'll add. Yeah,
23 that's -- yeah. So Holtec has developed what's
24 called the Metamic insert which the fuel goes into
25 what's called the M.P.C. That Metamic insert allows

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2 us to -- to store a hotter fuel from a temperature
3 perspective.

4 Each cask has a temperature limit. I
5 think of 40 kW, right. So once we -- that -- and
6 that's why we had to add a couple of casks like I
7 said upfront, because we had to shuffle some fuel
8 around to -- fuel around to make sure we met the kW
9 limits of all the casks and casks required.

10 But yeah, so like -- like Dave said,
11 we want to get the fuel on the pad as soon as
12 possible. But the design of the cask itself allows
13 us to do that.

14 CHAIR CONGDON: Okay. I think there's
15 one more question from Richard Webster. Richard?

16 MR. WEBSTER: Yeah, thanks, Tom. I
17 want -- just -- I actually have two questions. One,
18 I kind of share Sandy's perspective on the whole
19 C.D.I. thing. I mean at the time we were told C.D.I.
20 is pretty important, and SNC Lavalin's bringing
21 important experience to the joint venture.

22 And now we're being told that doesn't
23 really matter, you know, that they're just guys who
24 already had decommissioning experience. All the guys
25 who already worked for Entergy who didn't have any

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2 decommissioning experience. And, you know, the claim
3 that there's a -- a fleet approach doesn't really
4 give me much comfort, because if you don't have
5 experience in -- at any site then having you trying
6 decommissioning four sites at the same time is not
7 made any easier.

8 The second thing I'm slightly puzzled
9 about is my understanding is the Clean Water Act and
10 the SPDES permit doesn't cover radioactive discharges
11 whether radioactivity is regulated by the N.R.C. So
12 I don't quite understand. I mean, is that right?

13 And if -- if so, I don't quite
14 understand where the whole SPDES permit thing comes
15 in if the concern is -- is discharged as a
16 radionuclide that are regulated by the N.R.C.

17 MR. BURRONI: Right. So the SPDES
18 permit allows us to discharge to the river, correct?
19 Correct?

20 MR. WEBSTER: It allows you to
21 discharge pollutants to the river, yeah. But it
22 means it's regulated by -- the radionuclides
23 regulated by the N.R.C. is not a pollutant.

24 MR. BURRONI: Absolutely. So we have
25 N.R.C. limits that we have to meet to when we

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2 discharge to the river. The SPDES permit allows us
3 to discharge.

4 CHAIR CONGDON: And Rich, I think
5 Kelly, may touch on this a little more in the next
6 portion of the agenda.

7 MR. BURRONI: Okay.

8 CHAIR CONGDON: But it's -- it's an
9 important distinction that, you know, I think, needs
10 to be aired out here.

11 MR. BURRONI: Absolutely. I mean,
12 Rich is right. I mean, the N.R.C. regulates total
13 millirem we could discharge to the river, right? And
14 we're well below those values, right? The State
15 regulates what we could discharge to the river
16 through the SPDES.

17 So we have to be in compliance to both
18 of those regulatory requirements.

19 MR. WEBSTER: Right. I didn't find
20 the sentence. Let's -- let's go offline and -- and
21 look up the N.R.C. limit because I -- I -- I kind of
22 doubt it's a millirem requirement. That's the
23 cleanup requirement, I think. But it's -- it's
24 probably a Curie requirement, but we'll see.

25 MR. BURRONI: N.R.C. requirements is

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2 25 millirems.

3 CHAIR CONGDON: Dave Lochbaum, is
4 there anything to add to this discussion, or shall we
5 move on to the agency oversight?

6 MR. LOCHBAUM: It -- it is -- there's
7 actually both. So both -- both Richard and Rich are
8 right. There's a limit as well as a millirem limit
9 for the -- because it depends on somebody whether
10 they drink -- eat contaminated fish or whatever. So
11 it's -- there's a limit on the Curie limit on how
12 much radionuclides go out. And then there's a
13 millirem limit on how all those different pathways
14 combined to affect somebody living offsite. So it's
15 --

16 MR. BURRONI: Both are right.

17 MR. LOCHBAUM: -- both is right.

18 MR. BURRONI: I agree.

19 CHAIR CONGDON: Thank you for the
20 clarification. The last call for questions on the --
21 the Holtec presentation. Okay. I want to move on
22 now to agency oversight activities. I'll ask the
23 presenters to please try to speak fast, so we can get
24 to the public statement portion of the meeting.

25 First up is John Sipos, the General

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2 Counsel to D.O.B. and -- and Deputy counsel to D.P.S.
3 John Sipos?

4 MR. SIPOS: There I go. I hope you
5 folks can hear me. I should be off mute. So I'll
6 skip -- I'm going to get to this quickly. This is
7 speaking about the tip line system and as previously
8 discussed at earlier public meetings.

9 The Department of Public Service
10 established a tip line system last year. There are
11 different access portals for tips. They are
12 identified on this page, and the -- Department of --
13 Department of Public Service Office of Investigations
14 and Enforcement monitors this system on a regular
15 basis.

16 To date we have not received any
17 actionable tips. We will certainly continue to
18 monitor the system on a regular basis going forward.
19 And I think that's, you know, a quick overview. I'm
20 going to turn things over now to our colleague,
21 Bridget Frymire, who is a utility supervisor here at
22 D.P.S. Thank you. Bridget?

23 MS. FRYMIRE: Thank you and next
24 slide, please. Thanks. Radiological monitoring
25 continues for the community surrounding the Indian

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2 Point site. The existing Reuter Stokes monitors
3 provide updates every 15 seconds with monitoring
4 information available at the site, the surrounding
5 counties, and at the State.

6 This monitoring program will continue
7 until all spent fuel has been transferred to dry cask
8 storage. Next slide, please. This slide shows a
9 recent view of Reuter Stokes readings. Next slide,
10 please. D.P.S. staff have made multiple visits to
11 the site since October.

12 While onsite staff had observed
13 decommissioning activities such as nuclear spent fuel
14 inspection, ISFSI construction work and the
15 enlargement of the equipment hatches through the
16 containment domes of Unit 2 and Unit 3 in preparation
17 for reactor vessel segmentation work.

18 Further, staff has met in person with
19 site supervision to ask questions and raise concerns
20 and discuss upcoming decommissioning work.
21 Consistent with the joint proposal, Holtec has
22 provided staff with daily summaries of all
23 meteorological effluent safety data along with spent
24 fuel temperatures.

25 There -- there have been no safety

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2 concerns to date. With regard to the hiring of a
3 State inspector for the Indian Point site, the
4 Department of Public Service has received interest
5 from many qualified candidates. We are now in the
6 phase of interviewing candidates and are on track to
7 have someone in place in the next few months. Thank
8 you. Let's see here.

9 Okay. Can we go back one slide, just
10 because I think Senator Harckham mentioned something
11 here and I wanted to touch on. Okay, great. Rich
12 mentioned that they had made two submittals
13 concerning the emergency preparedness plan at the
14 Indian Point site. New York State and the impacted
15 counties are aware of those submittals, and we have
16 begun our reviews on the Indian Point permanently
17 defueled emergency plan submittals.

18 On the federal side, the N.R.C. review
19 is expected to be complete on that in January of
20 2023. So that's the timeframe that we're looking at
21 right now for that. And I just want to note that as
22 of now there have been no changes to emergency
23 response plans or changes at the Indian Point site.

24 Offsite response is per established
25 emergency preparedness procedures and that -- that

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2 has been in place while the reactors were
3 operational, both internally and externally with the
4 surrounding counties and New York State, a
5 coordinated response, exercises, and drills continue.

6 Next slide, please. Excellent.
7 Representatives from State agencies have been present
8 at all Holtec monthly project meetings. Holtec
9 reports that the project continues to be on schedule
10 and under budget. As Rich mentioned, the major
11 decommissioning activities plans for this year are
12 the Unit 3 reactor vessel segmentation and spent
13 fuels -- spent fuel transfers from pools to dry cask
14 storage.

15 Next slide, please. As Rich stated,
16 Holtec fulfilled the requirements of the 2017
17 settlement agreement in November 2021, that's shown
18 on this slide. Next slide, please. With regard to
19 federal engagement, New York State has been actively
20 engaged for years with the N.R.C. decommissioning
21 rulemaking.

22 The proposed rule which is currently
23 out for public comment will make many changes to the
24 N.R.C. regulations involving decommissioning. The
25 comment end date is May 17th, 2022. Past comments

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2 from the State on this topic include March 2016
3 comments on the advance notice of proposed
4 rulemaking, and 2017 comments on the regulatory
5 basis.

6 The Federal Department of Energy is
7 working to develop a consent-based siting process to
8 identify sites to consolidate and temporarily store
9 spent nuclear fuel. NYSERDA provided comments on
10 this initiative this month, March, 2022. NYSERDA
11 also filed comments on the N.R.C.'s systematic
12 assessment for how the agency addresses environmental
13 justice in its programs, policies, and activities.

14 All of the State comments mentioned in
15 this slide are available to the public. Now, I will
16 turn the presentation over to Kelly Turturro,
17 Regional Director at the Department of Environmental
18 Conservation.

19 CHAIR CONGDON: Thank you, Bridget.
20 And before -- sorry to interrupt the flow. But Tom
21 Kaczmarek, can you be sure that we put all of the
22 past comments on the federal activity that Bridget
23 just alluded to, that we put that on the
24 Decommissioning Oversight Board webpage, please?

25 MR. KACZMAREK: Absolutely.

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2 CHAIR CONGDON: Thank you. I'm sorry,
3 Kelly, go ahead.

4 MS. TURTURRO: Thank you, Tom. I -- I
5 wanted to go through some of these on the D.E.C.
6 Holtec administrative consent order guidelines and --
7 and requirements under that order. First, the -- the
8 Citizen Participation Plan.

9 This plan ensures public involvement
10 in the review of work plans and remedial action plans
11 going forward. D.E.C. and Holtec have shared some
12 drafts and comments back and forth. And currently a
13 revised draft is under review by D.E.C. staff.

14 Similarly, the scoping work plan which
15 outlines the overall program of remedial
16 investigation, D.E.C. and Holtec have gone back and
17 forth with review and comments and an updated revised
18 scoping work plan is also currently under review by
19 New York State D.E.C.

20 With regard to the Citizen
21 Participation Plan, I -- I wanted to make sure that
22 the public was aware that this document will be in
23 place for the public review prior to any
24 investigative work plans being approved. Once these
25 documents -- both the Citizen Participation Plan and

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2 Scoping Work Plan are approved by D.E.C., they will
3 be made available on a D.E.C. website in addition to
4 the Indian Point Decommissioning Oversight Board
5 website that was created and -- and shared earlier in
6 the presentation. Next slide, please.

7 I also wanted to give an update on the
8 facility comments that are governed by New York State
9 D.E.C. jurisdiction. First the SPDES permit as Rich
10 presented before, that SPDES permit -- that existing
11 SPDES permit expires on April 30th, 2022.

12 However, as Rich mentioned, a timely
13 renewal application under our regulations was
14 submitted to the department. And therefore, the
15 facility even after April 30th, 2022 will -- will
16 continue to have coverage under the existing SPDES
17 permit.

18 Which means that the effluent limits
19 that are contained in the SPDES permit, the -- the --
20 the facility is required to meet those effluent
21 limits going forward. In the interim, New York State
22 D.E.C. will continue reviewing the permit application
23 and determine if a permit -- permit modification is
24 necessary.

25 The Air State facility permit --

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2 D.E.C. recently issued an Air State facility permit
3 to Holtec, March 10th, 2022. This was for a new
4 boiler that will provide heat and hot water to the
5 facility. Holtec wanted to -- to install this new
6 boiler and put -- in place of two older boilers in
7 order to increase efficiency.

8 I hope I hit on all the -- the
9 discussions that were taking place. I know that Rich
10 -- Richard asked a question about D.E.C.
11 jurisdiction, and -- and I would agree with -- with
12 Rich's latter response which was any non-radiological
13 discharges from the facility are within New York
14 State D.E.C. jurisdiction and would be covered under
15 the -- the SPDES permit.

16 They -- they would be contain -- there
17 would be absolute limits contained in the SPDES
18 permit that would govern the -- the level of those
19 discharges. Any radiological discharges are under
20 the jurisdiction of the N.R.C. And that's all from
21 me. Thanks, Tom.

22 CHAIR CONGDON: Thank you very much.
23 I think I have one question from Richard Webster.
24 Richard? Was that an --?

25 MR. WEBSTER: That was me, but that

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2 was from before.

3 CHAIR CONGDON: Oh, okay. Okay.
4 Excellent. Any other questions or shall we move on
5 now to receiving public statements from -- from the
6 public? Okay. Hearing none, I'm going to turn it
7 over to Tom Kaczmarek. Thank you.

8 PUBLIC STATEMENTS Time: 2:29:21

9 MR. KACZMAREK: Thanks, Tom. To
10 provide a -- a fair opportunity to speak, all
11 registered participants will be given a 3-minute time
12 limit tonight. Your line will be unmuted when it is
13 your time to speak. I believe I have reached out to
14 all speakers now, you should know roughly the order
15 you'll be speaking in tonight.

16 If you pre-registered and are joining
17 us over the phone, remember to please raise your hand
18 by dialing star 3 on your phone. Speakers will be
19 cut off if they exceed this time limit. So please
20 pay attention to the timer that will be shown on your
21 screen.

22 Any members of the public who are not
23 able to speak this evening are welcome and encouraged
24 to use other public comment opportunities which we
25 will put on our screen at the end of today's meeting

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2 and will again be made available when these slides
3 are posted online tomorrow.

4 With that, our first speaker is Chris
5 Vargo. Chris, you are unmuted. Chris, can you hear
6 us? All right. We will -- we will try to reach out
7 to you again, Chris in a moment. For the sake of
8 time, let's move on to Dan Galinko. Can we unmute
9 Dan Galinko, please? Sangeetha can we unmute Dan
10 Galinko, please?

11 MS. KALIAS: Tom, I don't see a Dan
12 Galinko.

13 MR. KACZMAREK: He is on the list.
14 Can you just give other look?

15 MS. KALIAS: All right. One second.

16 MR. GALINKO: All right. I think I'm
17 on. Thank you.

18 MR. KACZMAREK: Hello. All right.

19 MR. GALINKO: Okay. I'm on. So
20 credit where credit is due tonight, I appreciate the
21 more business-like kind of a meeting. I did have
22 some questions answered that I've been waiting on for
23 over a year, so I appreciate that. I want to
24 emphasize to the board more broadly, that just
25 because something is legal, doesn't mean it's wise or

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2 even the right thing to do.

3 So I'm hoping that if the D.O.B.
4 identifies something that is legal, but inappropriate
5 or wrong, they're going to take the right action on
6 that. So I -- I don't want to hear as much about the
7 legalese, as what is the right thing to do. And I
8 think the water discharge is that exact thing.

9 So we've heard some back and forth on
10 what the permit allows or doesn't allow, but to the
11 extent that they're cesium or other things that are
12 being allowed into the river as the spent fuel pools
13 are emptied, I think the public needs to know about
14 it.

15 So I would like to hear what the plan
16 is to notify the public that that's going to happen
17 and when it's going to happen. So on the ride home
18 on the Hudson line today, there was at least a dozen
19 people fishing near Croton. And I think the public,
20 you know, the kayakers off in Croton, the triathletes
21 in New York City, everybody needs to know if this is
22 going to be happening and I -- I hope there's a
23 communication plan for when this is going to take
24 place.

25 And it has created a bit of a mess in

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2 Massachusetts, so I know we have some time, but I
3 hope it isn't put off for too long. I remain
4 disappointed that we're not getting a community
5 member representative on the D.O.B. You are asking
6 me to put my kids on the very front line of this
7 process and where this risk every single day that
8 something's not going to go wrong.

9 Three kids in four years sitting 4000
10 feet, that is real skin in the game. I couldn't have
11 said it better than Rick Kuprewicz three hours ago.
12 He said that it takes one arrogant idiot making
13 decisions in the field, and all your well-laid plans,
14 you know, go out the window and -- and it creates a
15 much different and more dangerous situation.

16 So it really only takes one thing
17 going wrong to -- to really change our perspective on
18 all of this. And while it's outside your mandate
19 there is a 42-inch pipeline, 400 feet from the
20 school. So -- so again, our -- our concern about the
21 school safety really remains.

22 I am pleased to hear you talk about
23 the tenting and dust mitigation measures, but again,
24 at 4000 feet, it's not just great engineering, but
25 great redundancy. So if something goes wrong, again,

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2 there's just no excuse for dust to leave the site and
3 hit the school.

4 So and on that topic as well, there
5 should be high quality air filtration equipment in
6 the school that's close there for that redundancy
7 purpose, and I'd like to hear your plans about that.
8 And again, maybe my last point is that I think real-
9 time environmental monitoring is going to cost a lot
10 more than 500k.

11 I've heard of that reference tonight,
12 but that's something that we're going to be focused
13 on, and, you know, again, we want that assurance for
14 the schools community. That's all I have tonight.
15 Thank you.

16 MR. KACZMAREK: Thank you, Dan. Next,
17 we have Jacqueline Drescher -- Dressler.

18 MS. DRESSLER: Hear me?

19 MR. KACZMAREK: Yes, we can.

20 MS. DRESSLER: Hi, there. Well, I'm
21 glad to have this opportunity to speak tonight. I --
22 I did want to say that I have some issues and
23 concerns, you know, this -- this company Holtec has
24 been involved in some violations. We know there's
25 been in the past, you know, kind of a little bit of a

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2 -- kind of criminal thing.

3 We know that they've done some things
4 that aren't quite right. And so what I'm concerned
5 about is also the idea of this storage and moving of
6 -- moving of radioactive waste. Right now,
7 decentralized interim storage is against the law.
8 So, you know, I'm wondering what their plan is
9 because something that's against the law can't be a
10 plan.

11 And so I just -- I have a question on
12 that. I have a question regarding ... that it. The
13 fact that there was a -- the fellow who is on
14 speaking about the labor unions about, you know, the
15 -- this kind of not honoring the agreements is very
16 concerning to the community at large, saying that
17 they had, you know, an international group helping
18 them to figure things out is very, kind of like lying
19 by omission.

20 Because that's not what they had. I'm
21 very concerned about the children. I'm really
22 concerned about the issues of the dust and the
23 traveling of radioactive particulate matter there in
24 the air. And I believe that really, that they would
25 be able to have the money with this great big fund to

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2 tent their buildings instead of tenting schools.

3 So that's just a few of the things
4 that I would like to say tonight. There's -- there --
5 - there -- there are many more issues. I'm concerned
6 about the fact that we may need to make berms and not
7 to be having, you know, to block the line of sight
8 from the Hudson River.

9 You know, we have issues to think
10 about, you know, with terrorist activities. There's
11 -- I've never felt that there has been any really
12 great big safety measures there and that's still
13 going to be an issue. So I do believe that's
14 something that needs to be planned for.

15 And I do believe that the waste really
16 needs to be kept on site. I will just say in closing
17 that moving waste across the country is putting
18 everyone in -- in harm's way. And then of course
19 that waste gets sent to places in Texas and in other
20 areas where the indigenous people are already
21 suffering drastically from mining waste, and we just
22 cannot allow the waste to be moved.

23 So that's all that I'd like to say
24 tonight. Thank you very much.

25 MR. KACZMAREK: Thank you so much.

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2 Next up, we have Courtney Williams. You are unmuted,
3 Courtney.

4 MS. WILLIAMS: Great. Thank you, Mr.
5 Kaczmarek. Hi, Courtney Williams from Peekskill. I
6 did want to say I was very happy to hear from Mr.
7 Burroni that he now knows how to contact Enbridge,
8 that there's a direct line in the control room, that
9 there are plates over the pipeline. All of that is
10 new since I visited the plant in December, and they
11 had no idea who their Enbridge counterparts were, how
12 to reach out to them, didn't feel it was necessary to
13 put plates down, et cetera, et cetera.

14 So I'm very glad that the feedback was
15 given. I hope that Holtec is not still assuming that
16 if the pipeline blows up, they're going to go out
17 there with fire hoses. I hope they now know that
18 that's also not going to be happening.

19 I was not happy to hear that those
20 plates over the pipeline are just tack welded. I'm
21 the daughter of a welder. Tack welding is -- is not
22 for bearing heavy loads like that. So I hope someone
23 is actually going to produce an engineering report
24 showing that that is the proper way to build such a
25 "air bridge".

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2 I did share some of my community's
3 concerns with Mr. Webster, but he didn't cover all of
4 them. I don't know how he picks which concerns
5 warrant coverage in this meeting. We want a
6 community member on the Decommissioning Oversight
7 Board, our elected officials do a lot. And our --
8 and a lot is asked of them.

9 We want a community member that is not
10 worried about fundraising, or any other concerns
11 other than our community. I shared that with Mr.
12 Webster, and I wanted to make sure it got shared at
13 this meeting. I also shared issues with Holtec's
14 survey of how to do evacuations. It seemed to be a
15 survey tailored to exclude the most vulnerable and
16 required an internet connection.

17 It was only in English, et cetera, et
18 cetera. Hopefully, Mr. Webster can pass those
19 concerns on. I was also concerned about the S.N.C.
20 Lavalin breakup. So the question is, which is the
21 lie? Was S.N.C. Lavalin bringing valuable experience
22 or S.N.C. Lavalin brings nothing and it's fine that
23 they're gone.

24 Does the loss of S.N.C. Lavalin change
25 that joint agreement that was so concerned about the

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2 finances and the financials of C.D.I.? Does that
3 change anything? It seems like the moment they got
4 the license, S.N.C. Lavalin took a hike. So what's
5 happening with that?

6 So I've put other questions in the
7 chat. I would ask regarding those questions, you all
8 posted 27 pages of single-spaced text to the docket
9 today. And given that I work full time and have two
10 kids, I didn't get to read it before this meeting.

11 So perhaps in the future, you could
12 post it in advance, so the public has time to
13 actually read it. And I would also ask that the Q&A
14 be made public, so I can see what my other community
15 members are asking and they can see what I'm asking.
16 I'm not sure why it's kept under this kind of
17 lockdown condition where we're not able to see the
18 same information and have our community all getting
19 the same information. Thank you.

20 MR. KACZMAREK: Thank you very much.
21 Next, we're actually, I believe we have Chris Vargo
22 again. Chris, let's give this another shot.

23 MR. VARGO: How are we doing, can you
24 hear me?

25 MR. KACZMAREK: Yes, we can.

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2 MR. VARGO: Oh, beautiful. My name is
3 Chris Vargo. I'm a lifelong resident of Verplanck,
4 New York. Like most -- my concerns are -- very good
5 meeting, a lot of good information, I'd like to read
6 a letter. My concerns are of the economic impact to
7 the area. I sent this letter to several politicians.

8 Why is the City of Oswego getting
9 millions of dollars of State grants as well as joint
10 tax revenue from the power plants while the
11 surrounding area of Indian Point nuclear power
12 facility receives no State money and now only
13 receiving \$3.2 million of federal money and has to be
14 matched by local taxpayers or the Hendrick Hudson
15 school district and local municipalities will never
16 regain the tax revenue loss from Indian Point.

17 There are still viable options. The
18 first is data centers. U.S. Chamber of Commerce,
19 United States says the typical data center brings
20 \$243 million of supply chain revenue in the area. It
21 is built in as well as high-tech workers which hire
22 or that will have the support of five service
23 workers.

24 A solar farm is also another viable
25 option. It could feed the high demand for

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2 electricity, for residents and businesses alike. And
3 according to the company, Why Go Solar, each acre of
4 land could bring 20 to \$40,000 in revenue. Another
5 option is energy storage facilities. According to
6 Global Newswire's most recent market study, the
7 industry is projected to grow to \$221.21 billion by
8 the year 2027.

9 All these industries complement one
10 another and after construction facilities --
11 facilities is completed impact on local towns will be
12 minimal unlike restaurants, that require added
13 infrastructure.

14 We should take advantage of the local
15 infrastructure in place and persuade local
16 governments to work with the local partners in the
17 county and the State such as Sustainable Westchester
18 and NYSERDA New York State Energy Research and
19 Development Activity.

20 I surely hope the governments around
21 Indian Point are looking at viable options to create
22 jobs and tax revenue that will change -- that will
23 not change the quiet residential area around Indian
24 Point. That's all. Just -- it was a good meeting
25 very good -- a lot of good information and good luck.

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2 Thank you. Good night.

3 MR. KACZMAREK: Thank you very much.

4 Next, we have Tina Volz Bongar. Tina, you're
5 unmuted.

6 MS. VOLZ BONGAR: Thank you. I am
7 going to first address Mr. Kuprewicz. He -- we met
8 with him twice before his presentation. And he
9 didn't include some important facts. And also, I
10 want to reiterate something that Courtney said,
11 because I believe that we gave these issues and these
12 mitigation, you know, the mitigation that can happen
13 to the pipeline to Richard Webster.

14 So I just want to make sure that
15 D.P.S. has the recommendations that Mr. Kuprewicz is
16 making to make the pipeline safer. Next, the risk
17 assessment. He didn't say what he -- he -- he didn't
18 acknowledge what he doesn't want acknowledged or
19 pointed to, which is the risk assessment, because it
20 gives everyone a false sense of security.

21 And it doesn't address the issues that
22 really need to be addressed. Next, he addressed some
23 of the risks from a pipeline expert when he testified
24 to the N.R.C. in March of 2020. So I guess what I
25 should do is I should upload that transcript to the

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2 docket, so D.P.S. can take a look at that.

3 MS. VOLZ BONGAR: Because I hear a lot
4 of opinions about what would happen with a pipeline
5 rupture but not a lot of facts. And I believe Rick
6 Kuprewicz is very good about pointing to the science.
7 So and I want to point out something that he said,
8 which is about the person who's working on the team,
9 who decides to do something else.

10 When Enbridge was building the
11 pipeline, they ignored the person from D.P.S., I
12 think, who was on site and said, stop, you lost a
13 piece of pipe in the Hudson River. And they went out
14 and they tore out a piece of wetland while they did
15 it, and they didn't even find the piece of pipe that
16 they had lost that they were looking for.

17 So I just want to point out that this
18 is what we're really dealing with. We're really
19 dealing with oversight. And I'm actually kind of
20 angered, I'm grateful and angry to hear that now
21 Enbridge has decided to train the first responders,
22 because the pipeline has been in operation since
23 2017.

24 And so it's not clear what, you know,
25 yes, they're going to be training Holtec employees

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2 too but they're going to be training first
3 responders. And that's something that we've been
4 asking our electeds. We've asked you, Tom Congdon,
5 you know, when is that going to happen? And that's
6 part of their agreement, for the operation of their
7 federal agreement, you know, the problem here is, is
8 no oversight and enforcement.

9 So I'm very, very concerned now, you
10 know, really. And -- and I'm really curious about
11 insurance and who's going to be responsible in the
12 end. I know, if an accident happens, I'm not going
13 to be around to say I told you so. But --.

14 MR. KACZMAREK: Just -- just a heads
15 up, we are at time.

16 MS. VOLZ BONGAR: Okay. I want some
17 documentation on this. And I guess I'll go back to
18 the elected officials and ask them the questions
19 again, about what's going to go on. Thank you very
20 much.

21 MR. KACZMAREK: Thank you. Next we
22 have Marilyn Elie. Sangeetha, can we unmute Marilyn?
23 All right. You're unmuted.

24 MS. ELIE: Okay. Thank you. I'm glad
25 you can hear me. I have one question that's been

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2 touched on before, but I'd like to be a little more
3 specific about it. I would -- Holtec's plan is to
4 ship spent fuel rods to New Mexico. And that does
5 require a change in the Atomic Energy Act, as it has
6 been mentioned.

7 If that law is not changed, they will
8 not be able to ship those spent fuel rods. And we
9 can talk about the morality of shipping it to a
10 community that does not want it, and we can talk
11 about many other things. But right now, I would just
12 like to ask, what is plan B, if this plan is to ship
13 things away, there is no away. What is plan B? I'd
14 also like to know how long they think this plan might
15 take and how long they expect spent fuel to be on
16 site either under plan A or an undeveloped plan B.

17 The second part of my question has to
18 deal with, I think with communication with the
19 public, let me put it that way. It's not enough for
20 us to be able to come to you and list these comments
21 and complaints and criticisms in some time. And say
22 thank you for holding the meeting.

23 What happens to these chat, the
24 questions in the chat, how will they be addressed,
25 when can we see the answers. I understand that you

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2 may not want to answer questions off the fly. But
3 when these questions are answered from the community,
4 they -- they need -- they deserve answers.

5 So Tom, what is the system for
6 answering the questions that people have raised in
7 the chat? How are you going to do that? And I'll
8 stop there.

9 MR. CONGDON: So we will include all
10 the questions from the chat in the next Q&A. And
11 I'll also say Courtney Williams' observation that
12 that it came late this time is fair and we'll do
13 better to get the Q&As posted well in advance of the
14 next meeting.

15 MR. KACZMAREK: Thank you very much.
16 Next we have Susan Van Dolsen.

17 MS. VAN DOLSEN: Hi, can you hear me?

18 MR. KACZMAREK: Yes, we can.

19 MS. VAN DOLSEN: Thank you very much
20 for letting me speak and first and, you know,
21 foremost is the need for a community representative.
22 Clearly, the person that was asked to convey our
23 messages, didn't cover everything that we had, you
24 know, discussed and -- and emailed and talked about.

25 So this -- this was actually part of

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2 the bill that was proposed at the State level, that
3 Sandy Galef and Pete Harckham introduced. And we
4 really feel it's a primary need. And I don't know
5 why this is -- there's a delay or there's no
6 response. The other thing that that everyone's
7 talked about, that I really am frustrated with is, we
8 can't see the chat. I mean, we're on Zoom all the
9 time. And we always can see what other people are
10 saying. It's a terrible format. It's not user
11 friendly.

12 So those were the first two things.
13 And I want to also ask you about a little more about
14 the cyber terrorism thing, because that kind of was
15 glossed over. And I know that the Governor created a
16 joint security operation center recently and is
17 coordinating all different agencies in the State
18 level.

19 We're -- yeah, -- we're in a very
20 vulnerable position. This has always been a horrible
21 site co -- co-locate -- put gas pipelines with a
22 nuclear facility. Now, there's a war. There's an
23 aggres -- an aggressive nation that is not
24 trustworthy. And we all can agree. And this was a
25 site that was on 9/11, considered one of the targets.

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2 And it's just not feeling comfortable.

3 I don't know who on this call could possibly feel
4 that there's a lot of sense of security,
5 coordination. It's been so long since we get any
6 answers. We have to keep asking our elected
7 officials over and over and over again, for, you
8 know, assurances about coordination between these
9 agencies.

10 So I just certainly hope somebody can
11 answer about what's going on cyber, protecting cyber,
12 from cyber-attacks, because gas pipelines like the
13 Colonial pipeline have been targeted, nuclear
14 facilities have been targeted. And so other people
15 have covered so many of other things that I was going
16 to say but that was something I just did not want the
17 night to go by without being mentioned.

18 So I believe that others have covered
19 pretty much everything else. And I just thank you
20 for the time, but don't feel good tonight about what
21 -- what I've heard, honestly. Thank you very much.

22 MR. KACZMAREK: Next, we have Suzannah
23 Glidden. Ms. Glidden is unmuted.

24 MR. GLIDDEN: Can you hear me?

25 MR. KACZMAREK: Yes, we can.

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2 MS. GLIDDEN: Yes. Can you hear me?

3 MR. KACZMAREK: Yes, we can.

4 MS. GLIDDEN: Again, WebEx settings
5 for chat of these meetings must allow participants to
6 see who else is attending from the public and their
7 comments and questions. And for the umpteenth time
8 requesting as we of the Hudson Valley want a fence
9 line community member appointed to the D.O.B. and
10 that it be Courtney Williams, PhD, a highly regarded
11 scientist with extensive knowledge of Indian Point
12 and the gas pipelines, and a parent of children in
13 the nearby school.

14 Richard Webster is not a fence line
15 community member. He represents Riverkeeper, which
16 is fine, but we must have fence line and E.J.
17 Community member, Courtney Williams, appointed to the
18 D.O.B. and without further delay, please. In spite
19 of the present Ukrainian disturbance that we pray
20 ends swiftly, we want the gas in the three Algonquin
21 pipelines at Indian Point shut down immediately.

22 Decommissioning involves excavation
23 and demolition near the pipelines and near the
24 inadequately protected and packed spent fuel rod
25 pools. Shutting the gas off prevents a possible

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2 catastrophe from a leak in any of them. Leaks that
3 frequently occur in gas pipelines, iron plates on top
4 of pipeline road crossings in no way prevents a
5 rupture, but would be serious projectiles in a
6 rupture, and deactivated reactors in no way reduces
7 the potential of a cataclysmic fuel pool explosion
8 should a rupture occur.

9 Construction of Indian Point never
10 should have been approved near two fault lines and on
11 top of a gas pipeline with another added a few years
12 later and recently the massive AIM pipeline.
13 Approval of AIM was based on being able to shut off
14 the gas from the control room in Houston, Texas, in
15 three minutes should a rupture occur, but was found
16 to be a false claim. It would take a while to even
17 know a rupture had occurred and longer to shut off
18 the gas.

19 By which time, God forbid, we'd all be
20 blown to smithereens. Moreover, instead of stored
21 fuel casks, lined up like bowling pins, broadcasting
22 a target for terrorism, we want them protected the
23 real way, with a hardened surface and berms. Cutting
24 necessary costs mustn't be allowed.

25 We've lived with the untenable danger

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2 of co -- co-locating two extreme energies at Indian
3 Point for far too long. For the sake and safety of
4 the tri-state area and the entire eastern seaboard we
5 want the risk removed once and for all and with no
6 future gas or nuclear facility installed on the I.P.
7 site or nearby. Thank you.

8 MR. KACZMAREK: Thank you. Next, we
9 have Catherine Skopic.

10 MS. SKOPIC: Going to the pipeline.
11 And my question is this. Richard -- Richard
12 Kuprewicz pointed out again and again, that if you
13 assess the situation, if you make a plan, and then
14 communicate with each other, and follow that plan,
15 you're okay, and he mentioned it 2 or 3 times and
16 again, when someone else asked the question.

17 So and that there would be a point
18 person for both Enbridge and Holtec. My question is
19 this, first a statement that I have been in
20 situations where there's a line of command as it
21 were, or there's a line of how things should go,
22 who's first, second, and how the flow of
23 communication.

24 And more than once, I've seen in
25 situations I've been in, and seeing it in other

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2 situations, that somebody down the line, doesn't
3 follow the plan; either they think they know better,
4 or they think it's a better idea, whatever it is. So
5 my question is this, would it be possible to have an
6 independent person know each day's plan of work.

7 They know that day's plan of work,
8 they check with Enbridge, the Enbridge point person
9 and the Holtec support person. And this way, the
10 community knows what the plan of work is for that
11 day, because it could be shared with the community,
12 if for any reason people want to know. And it would
13 be a double check on that communication because
14 that's the only thing that Richard seemed to be
15 concerned about, that somebody in the field takes it
16 upon themselves to not follow the plan.

17 So if this is the one thing that we
18 can do, to double check, or guarantee, or something
19 close to a guarantee that there is not going to be an
20 accident -- an accident, could we please have an
21 independent person taking care of this and the
22 meeting started off by saying that there's going to
23 be money for an independent inspector.

24 So would it be possible for this to be
25 an added job for that person who can be hired. Let

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2 them know what the day's work is. Check with each
3 point person and check on the work. And if this is
4 the one thing that we could do, to make sure there
5 isn't going to be an accident, it's easy to do. And
6 it behooves us to be smart, to be wise, and to do it.
7 Thank you.

8 MR. KACZMAREK: Thank you. Next, we
9 have Dana Goyer. Dana, you're unmuted.

10 MS. GOYER: Hi, can you hear me?

11 MR. KACZMAREK: Yes, we can.

12 MS. GOYER: Okay. Thank you so much.

13 And thank you to all the fellow community members who
14 spoke today, you spoke so well, you spoke from your
15 heart. And you definitely put a lot on the table for
16 this group to consider and I hope each and every one
17 of them consider it. I will keep my comments brief.
18 And I may cry. I'm a parent, I'm a cancer survivor,
19 I'm 41 years old, my husband's a cancer survivor.
20 And my children live here with us and go to school in
21 this district.

22 Please think of your children if you
23 have any, each and every day when you do work on this
24 committee. If you spend one minute a day on this
25 committee on activities here, you put your children's

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2 pictures in your mind, and you think of them, and you
3 think of our children each and every day at our
4 respective schools. And you think about protecting
5 them.

6 Tenting should certainly not be
7 shrugged off like it was today. It is safety and it
8 can provide some security to us, who send our
9 children to the buildings. And we would feel better
10 about that, knowing that the tent is there
11 monitoring, when will it happen. It needs to happen
12 sooner rather than later.

13 I'm scared for my children, each and
14 every day, this world has become a terrible place.
15 The golden rule is not followed. And I hope that
16 each of you have on your conscience my children, the
17 children of the fellow members, of the families that
18 live here, Buchanan, Verplanck, Montrose, Crugers,
19 Cortlandt Manor. All of us because at the end of the
20 day if something happens, I don't want to hear you
21 say, should have done it. I don't want to hear you
22 say we missed that.

23 Protect our family, protect the people
24 who've lived here for generation after generation.
25 You have a serious job. And I expect each of you to

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2 hold a promise in your heart to protect our family.

3 Lastly, thank you, Sandy Galef, for calling out about

4 the lack of knowledge. And while Holtec, formerly

5 Entergy, certainly has done some decommissioning,

6 some of this is new for you.

7 But don't act as if it's a run-of-the-

8 mill project for you that you can just do blindly.

9 This is serious business. And I expect each of you

10 to take this seriously and take our safety and bring

11 our safety to the top of mind and have that be a

12 point of conversation each and every day when you

13 meet. Thank you so much for your time.

14 MR. KACZMAREK: Thank you. Next we

15 have Manna Jo Greene. Manna Jo, you're unmuted.

16 MS. GREENE: Can you --

17 MR. KACZMAREK: Yes, we can.

18 MS. GREENE: Can you hear me?

19 MR. KACZMAREK: Yes, we can hear you.

20 MS. GREENE: Okay. I want to start by

21 thanking the decommissioning oversight board. I

22 think in many ways, this is a model for the rest of

23 the country. I also want to share the concerns of

24 the unions for being misled and given Holtec's

25 history of malfeasance and, you know, outright lying.

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2 And, you know, not just in the United
3 States, in Canada, and other places around the world,
4 I'm afraid this is another example of why it is so
5 important that the Decommissioning Oversight Board
6 provide proactive oversight. We work very hard to
7 ensure a just transition and really want to see that
8 commitment restored.

9 I think the fact that Entergy workers
10 who were kept on is a good thing. But it needed to
11 be supplemented by experience. And it sounds like
12 that didn't really happen, decommissioning
13 experience, we certainly have site experience. The
14 other thing I'd commend is the idea of the resident
15 inspector.

16 And I agree with a previous caller,
17 that whether it's a 5-day notice, a 10-day notice or
18 a change in the field that the resident inspector be
19 notified and that everything be put in writing. And
20 then the other thing I heard mention of damaged fuel
21 being moved to casks, I'd like to know more about
22 that, that is of grave concern.

23 And I want to say something about
24 radioactive isotopes. There was a desal plant
25 proposed for Haverstraw. And in the pilot, they

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2 found radioactive isotopes on both sides of the
3 reverse osmosis membrane, three-and-a-half miles to
4 the southwest of Indian Point. I don't think either
5 the State or the N.R.C. are paying sufficient
6 attention to exposure to radioactivity in air, soil,
7 or water.

8 And one other thing and well, I'm just
9 going to say solar, and storage is the best reuse of
10 the facility. And I ask again, the D.O.B. members do
11 their due diligence, and any other comments will be
12 submitted in writing. Thank you.

13 THE REPORTER: Tom K. you are muted.

14 MR. KACZMAREK: Sorry about that.

15 Next, we have Michelle Lee. You are unmuted.

16 MS. LEE: Hi there. All right. I'm
17 going to try to be fast. Let me start with just
18 giving you a little bit about my background, you
19 know, when you -- when you hear about disasters, and
20 all these problems of big corporations, and the
21 company hires the big law firm to go and do an
22 investigation, they come out with a report.

23 Well, I was one of those attorneys
24 involved in those kinds of reports. So let me -- let
25 me tell you what struck me as a real red flag that

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2 arose as I was listening tonight to this -- to the
3 various presentations, I may jump around a bit.

4 But number one, the tip hotline has
5 got to be communicated to every single individual
6 working at that site, you know, the site with which
7 subcontractors and -- and people moving on and off,
8 different teams, you know, under different auspices.
9 There's no reason to expect that many of those
10 individuals would know, if there's, you know, if
11 there's a tip hotline, that has to -- there has to be
12 some mechanism to make sure that that is available,
13 the information is provided, because it is those
14 people -- that is those whistleblowers, the
15 subcontractors and so forth, who are the ones that
16 are going to more likely to call the tip line because
17 their entire career does not depend on the site
18 continuing, so that's number one.

19 Number two, having a point person,
20 boy, is that a bad idea, you need many point people.
21 I guess Catherine Skopic -- Skopic noted that in her
22 comment, I got to tell you, I don't -- I can't think
23 -- think of a single incident I ever was involved in
24 in reviewing, or any of the literature I've ever
25 reviewed, where there wasn't some sort of a snafu,

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2 including, by the way, Three Mile Island, where a
3 memo landed on somebody's desk, but his wife was ill.

4 So it just got piled up with other
5 papers and he never read it. That is exactly the
6 kind of real world dynamics that happen with
7 accidents. With respect to that the very evasive
8 response by Holtec's representative about the split
9 up with S.N.C. Lavalin. The issue there is that you
10 no longer have any company with accountability or
11 transparency with -- with real eyes on the -- what's
12 going on internally, in that company.

13 As the attorney general pointed out in
14 the intervenor papers, this is a multiple shell
15 company and it's a black box. And that's something
16 that you really have to take into consideration.
17 Thank you.

18 MR. KACZMAREK: Thank you. Next, do
19 we have Sanja Levchik on the line? Sanja, if you're
20 on the line, please raise your hand if you're on the
21 phone, you can dial star 3. All right. We will
22 return to Sanja. Linda Brunner, is Linda with us?
23 Okay. Next, we have Amy Rosmarin.

24 MS. ROSMARIN: Can you hear me -- can
25 you hear me now?

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2 MR. KACZMAREK: Yes, we can hear you.

3 MS. ROSMARIN: Okay. Great. So we,
4 the community activists want Courtney Williams on the
5 D.O.B. She is knowledgeable and we trust her. It's
6 we in the community, you know, we've been the ones
7 who've been focusing on safety for the past eight
8 years and educating our public officials about what's
9 going on.

10 We are the ones who brought in the
11 experts such as Paul Blanche who's work revealed all
12 the N.R.C. lies and Rick, who years ago said a 3-
13 minute shutdown was not possible. And he was
14 basically ignored. And so we want Courtney on the
15 D.O.B. And that's -- that's really important.

16 The next thing is, in addition to a -
17 a problem that might happen, you know, from a truck,
18 you know, on site going over, or some accident on
19 site, it's really easy to explode the pipeline if
20 somebody wants to. And you guys know all those
21 details, so I'm not going to go into that. And so
22 you need to shut the gas.

23 This is not -- there's -- there's --
24 there's a war going on. And it's a -- it's a target.
25 And, you know, it's like, what are you thinking that

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2 you would, you know, allow something like that to be
3 happening right now. And then the third thing I want
4 to mention -- to ask is the casks aren't going to go
5 anywhere.

6 And so can you please do -- get a plan
7 or tell us what the plan is, what's -- what's going
8 to happen to the casks to make them last longer,
9 since they're not really going to go anywhere. I am
10 -- I think that they're -- they're only okay for, I
11 don't know, 25, 30 years, something like that, could
12 be a little bit longer, a little bit less.

13 But what are you going to do to the
14 casks to make them last longer? Thank you.

15 MR. KACZMAREK: Thank you very much.
16 Next, we have Robert Thomas. Robert, are you with us
17 tonight? Okay. Next, we have Ellen Weininger.
18 Ellen, you are unmuted, yes.

19 MS. WEININGER: Yes. Good evening.
20 Thank you. So I -- I have a few comments. First, I
21 want to say that I found this meetings more
22 disturbing than any other meeting that has been held
23 by the D.O.B. thus far. First, the -- the recitation
24 almost like an abbreviated grocery list of the
25 community concerns, I found unacceptable.

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2 The union member letter was read out
3 loud, there have been several letters from the
4 community that was not read out loud. And you've
5 heard that community concerns were not represented by
6 Mr. Webster. And there was really no response to it,
7 it was just a laundry list. This is really
8 discriminatory not to have community representation
9 by a resident, a qualified resident from an
10 environmental justice community.

11 They are the eyes and ears on the
12 ground, and deserve representation, and deserve, and
13 have the right to be able to express their concerns
14 publicly, directly on this plat -- public platform
15 without being marginalized to the end of the meeting.
16 Secondly, we keep talking about emergency planning.
17 But there's conflicting information to the community.

18 It's not -- there are language issues
19 that have not been addressed, technology barriers
20 that have not been addressed. And we keep talking
21 about planning. But there's -- in formulating a plan
22 and there still is no plan and it's not even
23 implemented. So at this -- this is pretty much a
24 late date for that.

25 The other thing I want to ask is,

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2 where is Enbridge? Mr. -- I'm sorry, Burroni from
3 Holtec described how they use ground penetrating
4 radar to determine where the pipeline is, to know
5 where to put the steel plates. That's unacceptable.
6 That is not for Holtec to go around with their
7 equipment to do that, that is for Enbridge and
8 Enbridge's own website states that the pipelines are
9 identified by above ground markers.

10 The markers should never be used as a
11 reference for the exact location, and the depth of
12 pipelines and other underground utilities can change
13 over the years due to erosion and previous digging
14 projects or uneven surfaces and varying depths.

15 So it is essential that that Enbridge
16 be present at this D.O.B. to answer questions, they
17 should be locating and marking the pipeline rights of
18 way and they should be involved in this process. And
19 they should be involved in all planning and verifying
20 all of these plans that Holtec is putting forth and I
21 again, Mr. -- I know this is -- my time has run out,
22 but I just want to say that Mr. Kuprewicz's terms
23 that this was encouraging to me is not a glowing
24 comment for what's happening.

25 And I think that this whole process is

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2 literally flying blind without any real basis and
3 substantial evidence-based protocols and procedures.
4 Thank you.

5 MR. KACZMAREK: Thank you. Next, we
6 have Nancy Vann.

7 MS. VANN: Hi, can you hear me?

8 MR. KACZMAREK: Yes, we can.

9 MS. VANN: That's wonderful. I have a
10 couple of comments. First of all, I'm very sorry
11 that Rick Kuprewicz isn't still on the call. I don't
12 know if he heard the information from the guys, from
13 the unions about what Holtec had promised and what
14 they had not delivered. I think that's a very
15 important point.

16 I also would have asked him about the
17 fact that Holtec had really, very close accidents at
18 the San Onofre decommissioning site in California.
19 One of their crew members had almost dropped a
20 canister containing radioactive material. So I would
21 -- I would really like to have talked to him about
22 that.

23 But another question I have is about
24 the reduction of safety considerations. One of --
25 the guy from Holtec said that it's a routine --

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2 routine process that they reduce safety
3 considerations and processes when they are
4 decommissioning. That seems to me like it's really
5 regulation by exemption, they get these exemptions
6 regularly. But there's been no N.R.C. consideration
7 of whether these exemptions are -- are actually
8 worthwhile.

9 I live about two miles from Indian
10 Point. And I used to have a laughable Indian Point
11 evacuation bus stop across from my house where I was
12 supposed to stand and wait for somebody to come by
13 with a bus and help me evacuate if there was a
14 problem with Indian Point. But there's never been a
15 really good evacuation or any kind of emergency plan.

16 And asking for those plans to be
17 reduced is really -- and to say its routine that is
18 illegal. I mean, you can't -- you can't do
19 regulation by exception. And I'm very concerned
20 about that. So I hope that the Holtec representative
21 can speak to that.

22 And I'm sorry that Rick isn't here
23 because I'd like to point out to him that individuals
24 on the ground from Holtec have really had some very
25 close calls in the past and given their responses to

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2 the unions and their abrogation of those agreements,
3 I just don't trust them. I'm sorry. I just don't
4 trust them. Why should we?

5 THE REPORTER: Tom, you're on mute.

6 CHAIRMAN CONGDON: Thanks. Apologies
7 for that. So thank you, those were all the public
8 speakers we had tonight. Esmin, can we open up the
9 other slides please? Esmin, I'll see if I can help
10 out here if that's all right. So okay, so in case
11 you were not able to speak tonight, just a reminder,
12 there are several other ways to comment.

13 These options are all available on our
14 website. We will be posting this presentation again
15 tomorrow, which will also highlight these items. But
16 do remember as well that you can go to the new
17 website [dps.ny.gov\indianpoint](http://dps.ny.gov/indianpoint), which will also
18 provide information on how to comment and as well as
19 all the documents of the Decommissioning Oversight
20 Board.

21 Again, also a reminder specifically on
22 how to sign up for updates. If you want to receive
23 emails every time there is a document posted related
24 to the work of the Decommissioning Oversight Board,
25 please follow these steps. Again, you can go to the

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2 website, D.P.S. website, you can go to the
3 dpsny.gov\indianpoint, we'll also provide directions
4 for how to do so.

5 MR. BECKER: Tom, thank you, am I able
6 to speak just briefly?

7 CHAIRMAN CONGDON: Yes.

8 MR. BECKER: Well, thank you. I'm
9 supervisor, Dr. Rich Becker from the town of
10 Portland. And this was a very instructive meeting
11 for me tonight to listen in. Something I've been
12 actively involved with since the beginning of these
13 meetings. And I think, you know, there are 2 points
14 to the Indian Point Decommissioning Oversight Board.
15 Two -- 2 areas that we're required to carry out.

16 One of them is, safety of the
17 community. And the other is making sure that the
18 community is aware of what's going on and also
19 comfortable with the process of oversight. And, you
20 know, a few points need to be raised. One was, we
21 mentioned -- it was discussed earlier about the
22 students who are involved and whether students are --
23 are adequate for performing the function.

24 So I just want to clarify that a
25 little bit, you know, the State has allocated funds

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2 to the Hendrick Hudson School District to provide
3 monitoring during the decommissioning process. But
4 the question was raised, what should be monitored,
5 and how often, and where should it be monitored,
6 particularly in proximity to the D-V School District.

7 So to this point, I had identified a
8 neighbor, Jonathan Hollander, who happens to be a
9 professor at Columbia. And this happens to be his
10 area of expertise. And he happens to be training --
11 involved in a training program with graduate
12 students. So these are not like high school students
13 or college students.

14 These are folks who are -- have
15 expertise and are planning careers in environmental
16 sciences. And Professor Hollander is an expert in
17 environmental sciences. So he is going to help us
18 define what should be monitored, how frequently,
19 where, what equipment, and that's the scope of the
20 project.

21 And that is just really for
22 informational purposes, that will be handed over when
23 the report is completed to the Hendrick Hudson School
24 District. So they will have information in what to
25 do, when they go out for R.F.P.s to various companies

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2 to pro -- to provide this, these studies.

3 And so I think it's just a way of
4 involving the community directly since Mr. Hollander
5 has young children who will be attending these
6 schools and has a lot of interest in this, not only
7 in the field, but he has personal skin in the game,
8 as we say. The second comment that I wanted to make
9 is the -- the importance of having the independent
10 monitoring.

11 So I'm very glad that that's happened.
12 I think that's going to solve a lot of questions and
13 give people in the community confidence that there
14 are independent professionals who will be monitoring
15 the process outside the State and outside of Holtec.
16 So I think that's an important thing.

17 And then finally, you know, we need to
18 respond to the community. And there's really no
19 reason why Courtney Williams, who seems to be the
20 universal choice of the public to be on this
21 oversight board. We -- I believe that everyone here
22 would welcome her.

23 And so Courtney, if you're still here,
24 please reach out to me. And you and I and the Toms
25 will have a conversation. And we'll make sure that

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2 that happens because all of this is pointless unless
3 the community is convinced that their voices, and
4 their questions, and their concerns are being
5 addressed through the appropriate avenues.

6 So I'm sure we will welcome Courtney
7 to this panel. And that's it. Thank you for holding
8 this and the next one, we will hold in town hall. It
9 will be in May and everyone who's Zooming in or can
10 certainly participate in person, but we will also set
11 it up as a hybrid if we can so those who cannot
12 attend in person can still listen from home. And
13 that's all my comments. Thank you for allowing me to
14 speak.

15 CHAIR CONGDON: Well, thank you, Rich,
16 as you said, next meeting is May 19th. And we are
17 way past time, I really greatly appreciate all the
18 presenters today, the discussion of the D.O.B. and --
19 and -- and all of the comments we've received from
20 the public. We'll be taking those into account.

21 As I said, we'll be responding to the
22 questions we received tonight in our normal written
23 Q&A and have that posted well before the next
24 meeting. So with that, thank you all again and this
25 meeting is adjourned.

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2 THE REPORTER: Thank you.

3 (Off the record)

4 (The proceeding concluded at 9:34

5 p.m.)

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2 STATE OF NEW YORK

3 I, ANTHONY MCCLAIN, 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 24th day of March, 2022.

11

12

13 ANTHONY MCCLAIN, Reporter

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