



February 5, 2026

VIA EMAIL

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

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

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, the transcript of the Indian Point Decommissioning Oversight Board's December 11, 2025 meeting. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Kaczmarek".

Tom Kaczmarek
Executive Director
Indian Point Decommissioning Oversight Board

1 12/11/2025 - Indian Point Decommissioning Oversight Board

2 STATE OF NEW YORK

3 PUBLIC SERVICE COMMISSION

4 MATTER 21-01188 - In the Matter of the Indian Point
5 Decommissioning Oversight Board.

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8 DATE: DECEMBER 11, 2025 at 6 p.m.

9 LOCATION: WebEx

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15 Reported by Wesley Gillebaard

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2 (The hearing commenced at 6:00 p.m.)

3 CHAIR CONGDON: Okay. I'd like to call the
4 meeting to order. Welcome, everyone. I'm Tom
5 Congdon. I'm the Executive Deputy of the New York
6 State Department of Public Service and the Chair of
7 the Indian Point Decommissioning Oversight Board.
8 Before we get started tonight, I wanted to
9 acknowledge our host, Superintendent Mike Tromblee,
10 to provide a brief welcome.

11 MR. TROMBLEE: Thank you, Tom. Appreciate
12 that. So good evening, everyone. On behalf of the
13 entire Hendrick Hudson Central School District, and
14 joined by our board of education president, Amelia
15 Silverman, and trustee, Allison Hooban, I'd like to
16 welcome you to the Indian Point Decommissioning
17 Oversight Board meeting being held here at beautiful
18 Buchanan Verplanck Elementary School. I would like
19 to extend my sincere gratitude to the district
20 personnel who arranged for the logistics for tonight,
21 our dedicated custodians, our technology staff led by
22 Ms. Vineetha Joy, who's, I think, backstage right
23 now, our principal of this -- of this building, Dr.
24 Cynthia Kramer, my administrative colleague and
25 district clerk, Carmen Koch (phonetic).

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2 This building belongs to our children, and
3 it is my hope that by hosting our meeting here today,
4 it will serve as a powerful reminder and constant
5 reminder of the community we are here to serve. We
6 would be honored to, and I would request that we host
7 this meeting in the future, so hopefully make a
8 good -- a good impression every time that this Board
9 convenes.

10 The mission of the Hendrick Hudson Central
11 School District is to ensure students are engaged,
12 passionate learners who achieve their maximum
13 potential and contribute back to our society. That
14 is our moral and ethical mandate.

15 When New York State established the
16 Oversight Board, its mission was to protect the
17 financial, environmental, and physical interest of
18 communities affected by decommissioning. Last
19 meeting, we reviewed some of the accomplishments that
20 this Board has engaged in since it's been convened.
21 And while there have been some impactful outcomes
22 completed, tonight I must speak to the stark
23 collision between that framework and our district's
24 mandate to protect the interests of this community's
25 children.

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2 Our school district is not faced with a
3 theoretical problem. It is faced with an immediate
4 financial crisis driven by a catastrophic systemic
5 paradox. The shutdown of Indian Point resulted in
6 the loss of nearly one-third of our school district's
7 annual operating budget, a financial hit that no
8 school district is built to withstand. This is not a
9 speaking point. It is something I want every adult
10 present here this evening to process and not forget.

11 In the 2019/2020 school year, our payment
12 in lieu of taxes agreement provided by the property
13 that Indian Point accounted for was worth \$24 million
14 dollars, representing 31 percent of our budget to
15 support children. This year, that number has dropped
16 to \$3 million dollars, representing less than four
17 percent of our budget. As you process that, think of
18 any type of business that can withstand that
19 financial impact. Temporary support the District has
20 received, for which we are deeply appreciative, is
21 neither sufficient nor sustainable.

22 I do want to again extend my sincere thanks
23 to Senator Harckham and Assemblywoman Levenberg for
24 their sustained, supportive partnership and for
25 securing additional aid. Indeed, this very room that

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2 we are seated in this evening was restored from a
3 dilapidated state years ago, thanks to funds
4 advocated for by Senator Harckham.

5 We also welcome Damian Garcia, a regional
6 director from U.S. Senator Kirsten Gillibrand's
7 office, whose presence underscores the necessity of a
8 coordinated federal response. However, even these
9 targeted specific acts of aid do not address the long
10 term consequences of our district hosting over 1.7
11 million kilograms of spent nuclear fuel stored on tax
12 exempt land that cannot be repurposed for economic
13 development. This financial instability is
14 compounded by the increasing needs of our students.

15 Even as our enrollment has remained
16 relatively flat, the challenges faced by our learners
17 have grown substantially over the last decade. Our
18 district has seen a significant increase in the
19 complexity of the support that we are required to
20 provide. The population of students receiving free
21 or reduced price meals has grown to account for more
22 than a third of our entire student body.

23 Simultaneously, the portion of our students requiring
24 specialized services has also climbed, with our
25 special education population seeing a sharp increase

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2 in recent years. Finally, our English language
3 learner population has also increased significantly,
4 now representing a measurable portion of our
5 enrollment.

6 I share these data points not to point
7 fingers at our students, as they are the reason why
8 we exist, but rather to underscore the increasingly
9 complex need present in our classrooms. Our caring
10 and professional educators are dedicated to
11 supporting all students in our classrooms, helping
12 them feel welcome, engaging them in rigorous
13 learning, and helping them achieve their maximum
14 potential. As we rightfully ask more of our
15 educators to meet these growing demands, we must also
16 support them by enacting fair and responsible labor
17 contracts that recognize their tireless efforts.

18 This brings us to our present budget
19 dilemma for the 2026/2027 school year, for which we
20 are already preparing, and that year is unique
21 compared to previous years that the District has had
22 a seat at this table. We are in current contract
23 negotiations right now with three of our labor
24 unions. The District has been a responsible steward
25 of taxpayer dollars. We have worked collaboratively

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2 with our labor unions to offer agreements and
3 incentives to right-size our district as we weather
4 these revenue losses.

5 Furthermore, our supportive community has
6 recently passed budgets that utilize the maximum
7 allowable tax levy increase. Yet our financial
8 projections for next year show that to maintain our
9 current programs, over the next few years, we would
10 need to enact annual tax levy increases between five
11 percent and almost eight percent. As we increase
12 that -- would be -- an increase that would be borne
13 by our community members. The financial damage of
14 Indian Point closure, coupled with the State-mandated
15 two-percent tax cap, has rendered New York State's
16 school finance framework incapable of supporting the
17 Hendrick Hudson Central School District. It creates
18 a formula where responsible governance is impossible
19 and our children will suffer.

20 The District is fully committed to
21 providing our valued labor partners with fair
22 contractual increases. And when I do the math, even
23 as a social studies teacher, it appears impossible to
24 meet that mandate under current limitations. As we
25 enter into current negotiations with those three

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2 labor unions, even a modest 0.7 percent increase to
3 salaries under one of our labor union contracts
4 alone, an increase that would fall well below the
5 regional average, which would hinder our ability to
6 recruit and maintain the very best educators, would
7 require us to propose a tax levy that pierces the
8 two-percent tax cap. Under state law, this compels
9 us to seek a sixty percent supermajority vote for
10 budget approval.

11 I've sat at this table for over two years,
12 and when I've looked out over the crowds, I see
13 advocates and signs expressing concerns about a
14 plethora of topics, such as the impact on
15 environmental resources. And while this is a worthy
16 ideal to advocate for, I'm dumbfounded why this body
17 and other bodies that can make a difference are not
18 doing more to protect the most important resource we
19 have, our children. Our children are innocent. They
20 bear no responsibilities for the failures or economic
21 decisions made by adults. As their superintendent,
22 my wish for every child who walks through the doors
23 of Hendrick Hudson is to have them have a
24 transformative, enriching experience that positively
25 impacts them for the rest of their lives.

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2 That goal, the promise of a world class
3 future, is what I'm fighting to protect, and that's
4 why this welcome remark is so long. If we propose a
5 budget that meets the financial needs created by this
6 financial crisis, we risk rejection of that budget by
7 our voters. That failure is not merely a political
8 setback. It is a moral catastrophe that could see
9 the unthinkable outcomes such as school mergers that
10 face districts that don't have a financial future.
11 That is not meant to scare people. It is meant to
12 provide a stark reality that the shutdown of Indian
13 Point has caused.

14 My hometown school district at Westport,
15 New York, that I grew up in and that my grandmother
16 was a teacher in, no longer exists because it was
17 forced to merge due to financial impacts. So I speak
18 firsthand on what could be in store if we do not get
19 the help our children deserve. I will do everything
20 in my power and with all of my energy to provide for
21 our children, but I need more help -- help that does
22 not come from educators. They are already doing
23 their absolute best.

24 If the budget presented by the Board of
25 Education is voted down by the community because we

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2 must seek tax revenue from our community members to
3 replace the revenue lost from Indian Point, and in
4 the absence of other assistance, the District will be
5 forced to adopt a contingent budget, a budget
6 constrained only to the expenditures absolutely
7 required by law.

8 I want to be clear. In the budget
9 development process looking towards next year, I am
10 not in a position to offer what specific line items I
11 would cut at this time to offer a budget that meets
12 our student needs. However, if we do enter into a
13 contingent budget, meaning our budget is voted down,
14 the law compels us to consider the elimination of
15 programs.

16 The consequence of this would be immediate
17 and systematic dismantling our educational mission.
18 The District would have to make immediate and drastic
19 cuts to nearly all nonmandated programs. And to put
20 it plainly, here is what would be on the cutting room
21 floor: Eliminating all sports programs for students;
22 eliminating clubs, academic competitions, and student
23 enrichment opportunities; dramatically reducing
24 the -- and eliminating access to the arts, music, and
25 technology; and specialized science courses that

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2 prepare students for college and careers. We would
3 also have to consider closing our buildings to
4 community groups and local nonprofits, impacting
5 organizations that rely on our facilities.

6 Our students, those students in this very
7 elementary school and across our district, would have
8 the unique distinction of attending schools in our
9 region that can no longer provide the world-class
10 education they deserve. They would be denied
11 opportunities that help them achieve their future
12 goals, build meaningful social networks, help them
13 develop collaboration skills, and lead to post-
14 secondary success and employment opportunities. The
15 long-term consequences of these impossible choices
16 fall squarely on them, our children. That is the
17 legacy that adults who decided to close Indian Point,
18 without having a clear plan to support our students,
19 will have left.

20 We spend hours during our DOB meetings
21 projecting out what the Indian Point site
22 decommissioning will look like into the 2040s, but I
23 have not seen a shred of evidence that shows how the
24 children impacted by the shutdown will be supported
25 into the 2040s. It is almost as if the policymakers

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2 have thought, and continue to think, that the school
3 district will simply figure it out. And I remind
4 people of that mindset that we as educators are not
5 equipped, nor do we have the staff available that
6 some other entities represented in this room have
7 with powerful lobbyists and massive legal teams, to
8 figure out the problems facing their organizations
9 can employ to get their agendas passed.

10 It is my understanding that the Indian
11 Point closure task force, a group preceding this
12 decommissioning oversight board, did not even have
13 the school district at the table when deciding to
14 close the plant. And so while I recognize that this
15 oversight board cannot unilaterally grant these
16 requests, the District must place them formally on
17 the record for the consideration from our state and
18 federal partners and any other adult who forced this
19 decision upon our children or who can help solve
20 these problems. We need the system to be fixed so
21 that we can fulfill our moral and legal mandate to
22 our students.

23 To the State of New York, I urge the
24 extension and increase of the cessation mitigation
25 fund and the provision of additional targeted state

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2 aid to stabilize our foundation as our pilot revenues
3 rapidly diminish. There is money in the cessation
4 mitigation fund. If we don't want to spend it, why
5 are we collecting it from the people of New York
6 State?

7 To the federal government, we require more
8 help to address the burden of nuclear waste storage,
9 including support of and for the current and future
10 bills such as the REACT Act and the renewed and
11 enforced Stranded Act. Based on a 15 dollar per
12 kilogram rate, our community could be receiving \$26.6
13 million dollars annually at impact aid. We need
14 lawmakers to know this number and have it at the
15 forefront of their mind when making decisions.

16 I urge this oversight board to voice its
17 influence and to recommend all relevant
18 jurisdictional bodies that these financial interests
19 of the community and its children be protected
20 immediately fulfilling the core mission of this
21 Board.

22 My remarks tonight, though long,
23 demonstrate the core mission since the plant shut
24 down. I ask each member of this Board to reflect
25 upon the evidence presented tonight and ask, are we

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2 continuing to fulfill the mission of this Board to
3 protect the financial interests of affected
4 communities? The bylaws of this Board provide that
5 it has the power to call for voting stances, yet this
6 body has not voted on anything since its inception.
7 If my pleas are ignored this budget season, seventy
8 percent of our community who do not have children in
9 our schools, but who do worry about their taxes and
10 property values, could become a far more vocal
11 constituency on this issue, but it should not come to
12 that. Our community should not pit one portion of
13 homeowners against our students. The safety and
14 education of our children cannot be contingent on
15 responses, but at best attempt to avoid
16 accountability.

17 Thank you for the opportunity to welcome
18 everybody this evening. And again, I want to welcome
19 the Board and all of its visitors, and I thank you
20 for modeling for our students how a democratic
21 republic engages and operates and demonstrates civil
22 discourse. So thank you for allowing me that time.

23 CHAIR CONGDON: Thank you, Superintendent.
24 And you know, we deeply respect the position you have
25 and the challenges that the school district has and

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2 wish to continue to work collaboratively with you to
3 help you through the solutions. I'd like to now move
4 on.

5 If you could please go to the next slide.

6 And Tom, if you could take us through the
7 roll call.

8 MR. KACZMAREK: Thank you. Yes, and I'll
9 move as quickly as possible. So please just quickly
10 indicate your presence as I call your name. Tom
11 Congdon?

12 CHAIR CONGDON: Here.

13 MR. KACZMAREK: John Sipos?

14 MR. SIPOS: Here.

15 MR. KACZMAREK: Senator Harckham?

16 MR. HARCKHAM: Here.

17 MR. KACZMAREK: Assemblywoman Levenberg?

18 MS. LEVENBERG: Here.

19 MR. KACZMAREK: Kelly Turturro?

20 MS. TURTURRO: Here.

21 MR. KACZMAREK: Cindy Costello?

22 MS. COSTELLO: Here.

23 MR. KACZMAREK: Elizabeth Dovell?

24 MS. DOVELL: Here.

25 MR. KACZMAREK: Mark Pattison?

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2 MR. PATTISON: Here.

3 MR. KACZMAREK: Linda Malave?

4 MS. MALAVE: Here.

5 MR. KACZMAREK: Jennifer Wacha?

6 MS. WACHA: Here.

7 MR. KACZMAREK: Elise Peterson?

8 MS. PETERSON: Here.

9 MR. KACZMAREK: Anthony Hill?

10 MR. HILL: Here.

11 MR. KACZMAREK: David Lochbaum?

12 MR. LOCHBAUM: Present.

13 MR. KACZMAREK: Richard Webster?

14 MR. WEBSTER: Here.

15 MR. KACZMAREK: Larissa Liebmann?

16 MS. LIEBMANN: Here.

17 MR. KACZMAREK: Mayor Knickerbocker?

18 MS. KNICKERBOCKER: Here.

19 MR. KACZMAREK: Supervisor Becker?

20 MR. BECKER: Here.

21 MR. KACZMAREK: Commissioner Spear?

22 MS. SPEAR: Here.

23 MR. KACZMAREK: Legislator Ulaj?

24 MS. ULAJ: Here.

25 MR. KACZMAREK: Superintendent Tromblee?

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2 MR. TROMBLEE: Present.

3 MR. KACZMAREK: Tom Carey?

4 MR. CAREY: (no audible response)

5 MR. KACZMAREK: And Rich Nasca?

6 MR. NASCA: Here.

7 MR. KACZMAREK: Any board members I missed?

8 All right. Thank you.

9 Some very basic logistics in general. Make
10 sure that your mic is muted if you are not speaking.
11 If you're online, please use the raise hand function
12 if you need to speak.

13 And with that, I think I'll pass it back
14 over to you, Tom.

15 CHAIR CONGDON: Thank you very much. And I
16 also want to acknowledge Richard Webster. This will
17 be your last DOB meeting as you announced your
18 retirement. Really happy with Riverkeeper for
19 nominating a replacement. Larissa has been terrific
20 engaging with the community and keeping us up to
21 speed on what's going on in the community and
22 questions folks have, so really appreciate the role
23 that Riverkeeper plays. And with that, I think
24 Senator Harckham and Assemblymember Dana Levenberg
25 have a couple of words they'd like to share as well.

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2 MR. HARCKHAM: Thank you very much, Tom.

3 And before I do, thank you, Superintendent Tromblee
4 for hosting us. We're thrilled to be here.

5 Richard, if you could come over here for a
6 moment. Before you jet off to Mumbai and to Bali, we
7 wanted to pause, just for twenty seconds, to thank
8 you for a really extensive and event filled career as
9 both an environmental scientist and then later as an
10 environmental litigator. You have been involved in
11 some of the largest environmental issues of our
12 lifetime from coal ash to fracking to nuclear issues,
13 and much of that casework will be studied in law
14 schools for years. And I think even folks on the
15 other side of issues who may have opposed you on the
16 merits and the substance of issues, were impressed
17 always by your knowledge, your forethought, your
18 preparation, and your passion. So I'm going to turn
19 it over to Dana, and then we have just a little award
20 for you from the legislature.

21 MS. LEVENBERG: And Richard, I just would
22 like to, again, thank you for looking out for our
23 beautiful Hudson River, which has such a huge impact
24 on the entire region, including New York City, and
25 all that you have done. You really have put the

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2 community, the environment, the people, the animals
3 first, and that's really what counts. And all of
4 your good work and your thoughtful questions and
5 sometimes your tough repartee and even sometimes your
6 hard-to-understand English accent, I know, has been
7 an incredible asset. Well, that last part has been a
8 little bit of a detriment to but to us to understand
9 you. But everything that you have to add has really
10 been an incredible asset to the process. And again,
11 we all benefit from your incredible input, your
12 thoughtfulness, and the data that you use to move us
13 forward thoughtfully, so thank you so much.

14 MR. WEBSTER: Well, thank you.

15 MR. HARCKHAM: Thank you. So Richard, on
16 behalf of the legislature, we have a New York State
17 legislative commendation award for you. Thank you so
18 much.

19 MR. WEBSTER: Thank you. Thank you. All
20 right. Well, all I can say is it's been a pleasure,
21 guys. Thank you.

22 CHAIR CONGDON: Now back to work, Richard.
23 We'll get every last hour from your career. We
24 really appreciate your role on the DOB as well.
25 Thank you, Richard.

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2 I'd like to turn to the agenda real quick.

3 Tonight, we're going to be joined by the Nuclear
4 Regulatory Commission to provide us with some
5 updates. We'll have our usual operational updates
6 from Holtec and state agencies. We do have a larger
7 than usual number of pre-registered speakers for the
8 public statement hearing, so I'd ask the DOB members
9 to keep that in mind. As we make our way through the
10 agenda this evening, I'd like to try to reserve about
11 an hour at the end for the public statement hearing
12 portion.

13 And with that, I'd like to turn to our
14 friends at the U.S. Nuclear Regulatory Commission.
15 I'd ask you each to introduce yourselves before you
16 get into the presentation, but I'd like to say as
17 chair of the DOB, when we have invited you to attend
18 and to speak and to answer our questions, you've
19 always come and joined us at our meetings. We
20 greatly appreciate the partnership. We greatly
21 appreciate the role you play in ensuring
22 decommissioning happens in compliance with all
23 federal standards and is safe for the communities,
24 and we appreciate your willingness to be here today
25 to give us presentations. Thank you.

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2 MS. EVE: Thank you, Chair Congdon. Good
3 evening. My name is Elise Eve, and I serve as the
4 acting chief of the branch responsible for oversight
5 of Indian Point in NRC Region 1. And I'll turn it to
6 Storm to introduce yourself.

7 MR. VEUNEPHACHAN: Hi. My name is Storm
8 Veunephachan, and I am a senior health physicist and
9 the lead decommissioning inspector for Indian Point.

10 MR. CHAPMAN: Hello. My name is Greg
11 Chapman. I'm a health physicist out of NRC
12 headquarters, reactor decommissioning branch.

13 MR. DAVIS: And I am Marlone Davis out of
14 the office of Nuclear Materials Safety and
15 Safeguards, division of fuel management, and I'm with
16 the inspection oversight branch.

17 MS. EVE: We appreciate the opportunity to
18 speak with you this evening. I'd also like to
19 recognize that several other NRC staff members are
20 present in the audience.

21 Next slide, please.

22 Tonight's presentation will address the
23 topics requested by the Board. Storm will provide an
24 overview of the decommissioning inspection program.
25 I will discuss the NRC's implementation of executive

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2 order 14300. Greg will discuss regulations related
3 to partial site release. And finally, Marlene will
4 discuss regulatory experience associated with
5 independent spent fuel storage and installations.
6 And after we walk through the material, we will open
7 the floor for your questions and comments. I'll now
8 turn it over to Storm.

9 MR. VEUNEPHACHAN: Thank you. So just kind
10 of want to start it out. The inspection program is
11 outlined in inspection manual chapter 2561, which is
12 the decommissioning power reactor inspection program.
13 It has recently underwent a new revision. Just kind
14 of a quick highlight is that once the fuel is removed
15 from the vessel, the licensee enters the program. We
16 inspectors perform oversight and verification of the
17 decommissioning project at the site, and then the
18 decommissioning inspection program ends when the
19 license is terminated at the site. The goal of power
20 reactor decommissioning is to decommission safely,
21 allowing time for significant safety benefits. A
22 licensee has 60 years to decommission a site. With
23 accelerated decommissioning, that time can be
24 shortened.

25 Next slide.

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2 The NRC objective of the inspection program
3 is to obtain information through direct observation
4 and verification of licensee activities to determine
5 whether the site is being decommissioned safely, and
6 that site, operations and license termination
7 activities are in conformance with applicable
8 regulatory requirements, the site licensing basis,
9 the licensing commitments and management controls.

10 Next slide.

11 We have seven core inspection procedures,
12 and all of them are performed on an annual basis. We
13 also have discretionary core -- sorry, inspection
14 procedures, which are done on a select basis, which
15 some inspection procedures that we do on an annual
16 basis cover fire protection and the inspection of
17 final status surveys. On the right of the slide
18 shows all of these seven main ones, which are done on
19 an annual basis.

20 Next slide.

21 Our inspection program is risk-informed, so
22 it is imperative to keep constant communications with
23 the site for schedule of activities on-site. We
24 typically schedule our inspections during higher risk
25 activities. And we also hold meetings on a periodic

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2 basis with the licensee, as well as with our project
3 manager from headquarters to ensure that site
4 inspections and licensing activities can be reviewed
5 and scheduled with higher risk work.

6 Next slide.

7 As for inspection planning and for reports,
8 the region develops a master inspection plan in
9 advance of performing the annual inspections by
10 considering what activities the licensee will be
11 undertaking during the upcoming year and coordinates
12 the scope and timing of these inspections with the
13 program office in headquarters. The inspection
14 effort includes reviewing licensee correspondence and
15 previous inspections, performing the inspection,
16 identifying any violations, and then communicating
17 these to the licensee during an exit meeting.
18 Violations are then handled in accordance with the
19 NRC enforcement policy.

20 Next slide.

21 As for post-inspection activities, there's
22 a prompt inspection debrief with NRC management as
23 well as the determination of any significant issues
24 of concerns and enforcement-related issues. Once the
25 reports are issued, most of them are publicly

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2 available on the ADAMS public search, and I provided
3 a link, and there will be a link at the end of the
4 presentation as well.

5 I'm going to hand it over to Greg to talk
6 about --

7 MR. CHAPMAN: Next slide, please.

8 MS. EVE: Okay. You're good. Yeah. So I
9 will cover Executive Order 14300. In May, the
10 president signed Executive Order 14300 to modernize
11 the NRC's regulations and structure, aiming to speed
12 up licensing and support innovative technologies.
13 Many of its directives were already underway due to
14 the Advance Act, which was signed in 2024. Although
15 both the Executive Order and the Advance Act focus on
16 new reactor licensing, their emphasis on regulatory
17 efficiency and clear processes may also help reduce
18 delays and improve predictability and decommissioning
19 oversight.

20 Next slide, please.

21 This is a screenshot of the NRC's public
22 website about Executive Order 14300 and the Advance
23 Act, and I included a link at the end of the
24 presentation as well. I'll highlight a few of these
25 items and how they relate to the NRC's implementation

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2 of the Advance Act and Executive Order 14300.

3 Next slide, please.

4 In January of this year, the commission
5 voted to update our mission statement. This was in
6 response to a direction in the Advance Act. As you
7 can see from the text, while still protecting public
8 health and safety, the new mission statement adds a
9 focus on enabling the safe and secure use of nuclear
10 energy and radioactive materials through efficient
11 and reliable means. The broadened mission supports
12 risk informed oversight approaches and
13 decommissioning.

14 Next slide, please.

15 The Executive Order directed the agency to
16 conduct a thorough review and a revision of our
17 regulations. This continues to be an ongoing effort
18 with a team of folks dedicated to managing the
19 review. The broader regulatory review may identify
20 outdated or redundant requirements affecting
21 decommissioning oversight.

22 Next slide, please.

23 In the area of improving oversight and
24 inspections, as Storm discussed, we revised
25 inspection manual chapter 2561. We also revised

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2 inspection manual chapter 0610 so that our
3 decommissioning inspection reporting is aligned and
4 our documentation is streamlined.

5 Next slide, please.

6 And I will now turn it over to Greg.

7 MR. CHAPMAN: Thanks, Elise. So I've been
8 requested to summarize the regulation and process
9 used for the licensee request of partial site release
10 or to release a portion of the site from the NRC
11 license boundaries. The applicable regulation in
12 this case is 10 CFR 50.83, which discusses the
13 requirements for partial release for unrestricted
14 use. The partial site release is a relatively common
15 practice as power plant sites transition into
16 decommissioning and the need for a buffer area around
17 the plant can be eliminated. Indian Point has
18 initiated discussions with the NRC that it may be
19 pursuing a partial site release, though no distinct
20 plans have yet been communicated.

21 The site that's shown on the screen here is
22 Crystal River in Florida, which has just recently
23 requested a partial site release. The Crystal River
24 site is actually planning for two or three partial
25 site releases as it eventually brings the license

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2 portion of site down to just the ISFSI. Once a
3 portion of the site is no longer under the NRC
4 license, the owner has full flexibility with regards
5 to its development and use without NRC oversight. It
6 should be noted that elimination of the NRC license
7 for a portion of the property does not necessarily
8 mean that the other regulatory bodies have no
9 concerns for the property, such as the EPA or State.

10 Next slide.

11 All licensees requesting a partial site
12 release must perform certain evaluation as discussed
13 in the regulation. These are to ensure that the dose
14 to individual members of the public do not exceed
15 regulatory limits. There is no reduction in the
16 effectiveness of emergency planning or physical
17 security. Effluent releases remain within the
18 license conditions. Environmental monitoring
19 programs and off-site dose calculation manual are
20 revised to account for the changes. Siting criteria
21 continue to be met, and all other applicable
22 statutory and regulatory requirements continue to be
23 met. In addition, a historical site assessment of
24 the portion of property to be released should be
25 performed, and surveys should demonstrate compliance

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2 with the radiological criteria for unrestricted use.

3 Next slide.

4 In addition to what was previously
5 mentioned, when releasing a nonimpacted area, areas
6 in which no residual radioactivity from license
7 activities are present, a written request as opposed
8 to a license amendment application can be made. This
9 typically includes the results of the evaluations we
10 previously discussed, description of the part of the
11 facility or site to be released, the schedule for
12 release of the property, an evaluation which requires
13 verification that the change is not inconsistent with
14 various licensing basis documents, a discussion that
15 provides the reasons for concluding that the
16 environmental impacts associated with the proposed
17 release of the property will be bounded by previously
18 issued environmental impact statements.

19 Now, you've heard me say nonimpacted versus
20 impacted here, so it may be noted that a key
21 difference between these two areas is that residual
22 radioactivity from licensed activities in a
23 nonimpacted area is indistinguishable from background
24 and relatively little effort is typically needed to
25 demonstrate compliance with the unrestricted release

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2 criteria.

3 In contrast, in impacted areas, one in
4 which there is a noted potential for residual
5 radioactivity from license operations to be present
6 and some effort to demonstrate compliance with
7 radiological release criteria is warranted.

8 An unrestricted use release means any
9 residual radioactivity present at the site will
10 result in less than twenty-five millirems per year
11 potential dose for future site users, for example,
12 people living there, industry there, parks, et
13 cetera.

14 Next slide.

15 So for release of impacted areas, licensees
16 must submit a license amendment application for the
17 release of the property. That application must
18 include the same information we've mentioned already,
19 the methods used for and results obtained from the
20 radiation surveys required to demonstrate compliance
21 with the radiological criteria for unrestricted use,
22 a supplement to the environmental report describing
23 new information or significant environmental changes
24 associated with the licensee's proposed release of
25 the property, and a reason why the impacted area

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2 needs to be removed from the license before the LTP
3 is approved.

4 Next slide.

5 The NRC notices receipt of the release
6 approval request or license amendment application and
7 makes the approval request or license amendment
8 application available for public comment. Before
9 acting on any approved request or license amendment
10 application request for partial site release, NRC
11 will conduct a public meeting near the site of the
12 licensee's facility for the purpose of obtaining
13 public comments on the proposed release.

14 The NRC publishes the document in the
15 Federal Register and in a forum such as local
16 newspapers announcing the date, time, and location of
17 the meeting along with a brief description of the
18 purpose of the meeting. The NRC will consider all
19 comments from the public pertaining to the partial
20 site release before finalizing the decision.

21 With that, I'll turn it back over to Elise.

22 MR. DAVIS: Thank you, Elise. Great. So
23 in the center of this particular slide is our
24 regulation from the NRC that kind of controls the
25 changes, tests, and experiments. This particular

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2 regulation allows the vendor and general licensees,
3 and also site-specific licensees, to be able to make
4 changes within their cask system or their ISFSI
5 facility. And supporting that regulation are the
6 program documents that the inspection staff would use
7 to implement that particular regulation.

8 So what is 72.48? A lot of people always
9 ask that question. And what are the -- what changes
10 are allowed within that allow those vendors and the
11 general licensees to make changes? If you look at
12 the regulation, first it provides a lot of
13 definition. What is a method of evaluation? It
14 talks about the eight criteria, and that eight
15 criteria is what the NRC will look at and what the
16 vendor and the licensee will use to determine whether
17 or not they can make that change without needing NRC
18 review and approval.

19 The benefits of this particular regulation
20 is for general licensees and site and vendors to have
21 opportunity to make changes as long as they meet that
22 particular criteria. But when they do not meet that
23 criteria, the rule simply states that, hey, you need
24 to come in. The NRC needs to review and approve it,
25 and it does not mean that it's not safe. It's just

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2 saying that we haven't -- you answered the
3 affirmative yes to a criteria, and now you need to --
4 you need to come in for us to review and approve it
5 prior to implementing that particular design change.

6 Next slide, please.

7 And so in this slide, I wanted to show some
8 of our regulatory experience and trends that we've
9 seen with the regulation. And I only look back for
10 the past three years of what we've been doing. One
11 of the eight criteria -- one of the eight criteria
12 that's in the regulation itself is the method of
13 evaluation. And so what we've been seeing with some
14 vendors and some general licensees is that they have
15 made changes or implemented changes that needed prior
16 NRC review and approval because they had made changes
17 within that calculational framework that -- that may
18 not meet what we call the final safety analysis
19 report where it was not intended on being moved
20 because they made a different method of evaluation
21 than what was previously reviewed and approved.

22 A lot of issues that we're also identifying
23 is when the vendors make generic changes, it may
24 impact the general licensee itself. And those
25 generic changes may be generic that may work at some

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2 sites and may not work at all sites. And so we hone
3 in on those changes and how the sites are making and
4 implementing those particular things at their
5 particular site.

6 We also have seen challenges and the lack
7 of details in the particular evaluations because each
8 of the eight criteria has to have an evaluation that
9 supports the affirmative yes or the affirmative no.
10 And what we've been seeing when we're doing our
11 reviews, some of those have lacked the details that
12 are needed to support the yes or the no.

13 And then finally, we've noticed a trend in
14 generic responses or canned statements within the
15 evaluation itself. And it really does not get to the
16 point of answering the question whether or not that
17 criteria had been met or not been met. And so
18 looking at it big picture-wise, we've seen a trend.
19 We look at it, and then our inspection staff as a
20 team would go back, and we discuss with the regional
21 inspectors, and we either would do additional
22 inspections or take enforcement actions. And so
23 that's pretty much what we've been experiencing with
24 the regulatory trend with the 72.48 change process
25 itself.

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2 MS. EVE: Next slide.

3 Okay, here's the list of some of the links
4 that we referred to in this presentation.

5 Next slide, please.

6 So thank you once again for the opportunity
7 to present at this meeting with the Decommissioning
8 Oversight Board. We appreciate your time, and we
9 look forward to hearing your comments and questions
10 shortly.

11 Before we open the floor, I'd like to
12 acknowledge that we are aware of the ongoing
13 litigation related to effluent discharges in the
14 State's appeal of the recent ruling. Therefore, we
15 will not be addressing any questions on that topic
16 this evening. With that, we're happy to begin the
17 discussion at your discretion, chair.

18 CHAIR CONGDON: Thank you all very much. I
19 think we have a number of questions.

20 Senator?

21 MR. HARCKHAM: Thank you very much. Thank
22 you for the presentation. I noticed it was very
23 general. There's nothing specific to the Indian
24 Point site. Can you comment on any of your oversight
25 or investigations specific to the Indian Point site

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2 since the last time the NRC was here to report to us?

3 MR. VEUNEPHACHAN: Yeah. So since the last
4 time we were invited to the DOB, I do recall that
5 there was one fire protection violation that was from
6 the first quarter of 2025. Outside of that, I
7 believe there was one enforcement discretion in
8 regards to decommissioning trust fund that we had
9 dispositioned in the fourth quarter of 2024. We have
10 all of our reports, you know, for our findings and
11 for our violations that if they're minor, they are
12 not documented, but they were corrected and fixed by
13 the sites as per our guidance for just how we write
14 our reports. But outside of that, I go up on sites
15 periodically. I'm on site observing work. And with
16 that, the violations that have been written and
17 issued are the only ones that have occurred.

18 SENATOR HARCKHAM: And any anything else to
19 report from your perspective in all of the work
20 that's going on?

21 MR. VEUNEPHACHAN: Yeah. So from my
22 perspective, the work has been adequate. They have
23 been decommissioning in accordance with our
24 regulations, and that's what I capture in our
25 reports. And if there's any violations that were to

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2 occur, that's something that I would disposition, and
3 it would be issued within our report.

4 SENATOR HARCKHAM: Thank you.

5 CHAIR CONGDON: Supervisor Becker, then
6 Assembly Member Levenberg.

7 MR. BECKER: Thank you, Tom. In your
8 discussion about the release of land after
9 decommissioning, it was, you know, you described the
10 process for both impacted and unimpacted portions of
11 property, but it's very relevant to the school
12 district, to the Village of Buchanan, of course, the
13 Town of Cortlandt, that these properties be
14 redeveloped so that they can generate money to
15 support our schools. And I haven't heard -- so first
16 is a very quick question. Is it Holtec that asks for
17 the release of the land, or is that something that
18 you recommend?

19 MR. CHAPMAN: The request would come from
20 the licensee.

21 MR. BECKER: From Holtec?

22 MR. CHAPMAN: Yes.

23 MR. BECKER: And I assume at this point they
24 haven't -- is there anything that would indicate that
25 this property would be available for redevelopment in

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2 the next ten years?

3 MR. VEUNEPHACHAN: It would be totally up
4 to Holtec in this case.

5 MR. BECKER: Okay. Thank you.

6 MS. KNICKERBOCKER: Maybe while we're on
7 that you could give an example of how -- I'm sorry,
8 Dana -- but how that process works.

9 MS. KNICKERBOCKER: In that process,
10 there's a bank evaluation done.

11 THE COURT REPORTER: I apologize to
12 interrupt. This is the court reporter, but you need
13 to use your mic. Thank you so much. I couldn't hear
14 you.

15 MS. KNICKERBOCKER: Oh, I'm so sorry.

16 COURT REPORTER: No problem at all.

17 MS. KNICKERBOCKER: Yeah. Okay, it's going
18 to stay on? Okay. New technology for me. So it's
19 kind of like, I think people are interested in what
20 the process is, and a big question I have too and of
21 course, it's up to Holtec. It's their property,
22 whether they release it or not. But how long have
23 you seen this process take once it gets started for a
24 nonimpacted area?

25 MR. CHAPMAN: Nonimpacted areas are usually

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2 relatively quick. They don't actually have to go
3 through the license amendment process. So they can
4 actually provide a written request, and we can
5 respond in writing to release it if it's truly
6 nonimpacted.

7 MS. KNICKERBOCKER: Okay. But they still
8 have to do a site evaluation to verify that there's
9 no radiological?

10 MR. CHAPMAN: Yes. They should do a
11 historical site assessment to look at all their
12 operations and make sure there's not been released --
13 not been any releases into that area, things of that
14 nature. They would do some level of surveying. We
15 don't really discuss in our guidance how to survey a
16 nonimpacted area, but typically they'll do a survey
17 that's about equivalent to a low-level impacted area,
18 and that gives them some flexibility in case there
19 does turn out to be something there, they have
20 already done this survey in that case.

21 So they would get all that information and
22 bring it in to us. We review it. Like I said,
23 there's a lot of supporting information that's there.
24 We'd get a security specialist. We'd get an
25 emergency planning specialist to review those

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2 particular plans, things of that nature. And once
3 we've satisfied ourselves that they're being
4 consistent, licensing basis documents are consistent,
5 things like that, then we can provide a written
6 approval.

7 MS. KNICKERBOCKER: So best case scenario,
8 a year if everything is -- just curious. Just, you
9 know, this is all new to us, you know?

10 MR. CHAPMAN: I would say best case
11 scenario, about a year.

12 MS. KNICKERBOCKER: That's super duper best
13 case, right?

14 MR. CHAPMAN: Yeah. Yeah.

15 MS. KNICKERBOCKER: All right. I'd like to
16 thank the NRC for coming here tonight so that we can
17 ask questions. Much appreciate it. Dana, (cross-
18 talk).

19 CHAIR CONGDON: Assemblymember Levenberg?

20 MS. LEVENBERG: That's fine. Don't worry
21 about it. Thank you again to everybody, and thank
22 you, Superintendent Tromblee, for hosting us this
23 evening. I have a couple questions. My first one is
24 about something that happened in 2024. I think it
25 came to light that Holtec had built the spent fuel

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2 casks out of compliance with the agreed manufacturing
3 procedures. Did Holtec pay any fine or any type of
4 penalty whatsoever? Is that -- what exactly happens
5 when those discoveries are made? And also, if Holtec
6 is fined for something like that, does it come out of
7 the decommissioning trust? And finally, is
8 manufacturing stopped when, in fact, inspectors find
9 out that they're not being manufactured to the
10 specifications that are required by the NRC? And
11 then I have another question that's unrelated after
12 that.

13 MR. DAVIS: This is Marlone Davis. I don't
14 like to assume or to guess. Do you know specifically
15 what the cask manufacturing issue was?

16 MR. WEBSTER: Yes. Design changes. It's
17 exactly what you were thinking about. It's design
18 changes that should have been approved by the NRC but
19 were not.

20 MR. SIPOS: And I could provide a little bit
21 more information. I believe along the way, there was
22 a shift from a weld to a bolt or a bolt to a weld.

23 MR. DAVIS: Okay. So I can answer those
24 questions. So let's -- so your first question is --
25 and thank you for your question. The first question

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2 was related to civil penalty. So it's how the civil
3 penalty will work in the process is in our
4 enforcement process. Once we identify a violation,
5 we look back to see if corrective actions have been
6 done. And if those corrective actions have been done
7 and there is no previous issues that are related in a
8 similar manner, that's when we start to look at civil
9 penalties. But you can only get a civil penalty if
10 it's an escalated enforcement.

11 In this particular case, it was -- we
12 looked at it for escalated enforcement, but we
13 determined that it was a severity level 4, which is
14 our lowest safety level or severity level. And so
15 with that 4, it did not apply for a civil penalty at
16 that at that time. So no civil penalty was given
17 related to this particular design violation.

18 MS. LEVENBERG: But I guess, just if there
19 is -- I guess if it is more severe or the follow-up
20 question is, where does the money come from? Are
21 they allowed to use the --

22 MR. DAVIS: So it actually comes from
23 Holtec themselves. It's not from the decommissioning
24 fund. It will be a penalty that the vendor will have
25 to pay themselves.

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2 MS. LEVENBERG: And when it was identified,
3 I guess you're saying that it wasn't severe enough
4 that it required -- or they did -- they did actually
5 make the change, or was it too late already at that
6 point?

7 MR. DAVIS: So it's two parts to how we
8 assess an enforcement. The first part, we determine
9 whether or not a violation occurred. And in this
10 case, the team determined that a violation did occur.
11 So that's the first part.

12 And then the second part, once we look
13 at -- we determine that a violation occurred, then we
14 look at the safety significance of that particular
15 violation, and we would determine based on that
16 whether that we will have escalated enforcement. In
17 this particular case, we determined there was a
18 violation occurred. Second part, we determined that
19 it was low safety significance. Therefore, no civil
20 penalty or escalated enforcement action occurred with
21 that particular design violation.

22 MS. LEVENBERG: And was manufacturing
23 stopped when the inspectors found out that they were
24 not being manufactured to the agreed specifications
25 at that time, or did they just continue to

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2 manufacture them with those changes without having
3 gotten them pre-approved?

4 MR. DAVIS: So you will have to -- I can't
5 answer that question. Holtec, from a fabrication
6 standpoint -- but I will tell you how our process
7 will go. So once we identify that a violation
8 occurred, they have to have corrective action. If we
9 agree upon those corrective actions, then
10 manufacturer can continue.

11 In this case, no manufacturing had taken
12 place until after they provided more corrective
13 actions to us. We determined those corrective
14 actions were appropriate, and then, therefore,
15 manufacturing occurred further on. But that's how
16 our process will work.

17 Once we identify, we determine the safety
18 significance, they put in corrective actions. We
19 review those corrective actions and if we find those
20 corrective actions acceptable, then they can proceed
21 on.

22 MS. LEVENBERG: Okay. And then the follow-
23 up question really has to do with, you know, we are
24 hearing, obviously, that there's a lot of interest in
25 expanding nuclear in this country right now and a lot

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2 of attention being paid. And we had a long
3 conversation about this at our last DOB meeting, but
4 you were not here. So just from the NRC's
5 perspective, is Indian Point a site that's being
6 considered for reopening? And as a follow-up to the
7 DPS, does it matter what the NRC thinks one way or
8 the other about that?

9 MS. EVE: So thank you for the question.
10 Yeah, we were not here last time, but we are aware
11 that that topic came up. At this point, we have not
12 received notification or an application from Holtec
13 to restart Indian Point. If we did receive that, we
14 would follow our process just as we have with other
15 sites in the country that are currently undergoing
16 restart.

17 MS. LEVENBERG: So there's no -- so there's
18 no effort on the part of the NRC to actively identify
19 sites?

20 MS. EVE: No.

21 MR. WEBSTER: Can I ask what you define as
22 restart? When you say restart, what does that mean?

23 MS. EVE: Yeah, Yeah. Thanks for the
24 question. Actually, so we have a process. It's in
25 our inspection manual chapter 2562 where we take a

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2 plant that is -- that was previously under 2561, as
3 Storm discussed, in decommissioning such as, what was
4 formerly known as Three Mile Island Unit 1, now known
5 as Crane Clean Energy Center. And we shift our
6 inspection focus to ensure that what the licensee is
7 doing is looking at certain components that were in
8 the process of decommissioning.

9 And as they are bringing them back into
10 service, we focus our inspection efforts on the most
11 risk significant, safety significant, components to
12 ensure that those -- that plant will be ready for
13 restart. So eventually, we will shift -- we will
14 shift back to having resident inspectors on site that
15 will be there full time observing the licensee's
16 activities as they go forward.

17 MR. WEBSTER: But let's say they segmented
18 half the reactor vessel. Can they restart?

19 MS. EVE: That is something that we would
20 follow. We would take a look at that in our process.
21 That's not something that, you know, I've
22 specifically looked at, but if, you know, it was in
23 the application, we would ensure that they were safe
24 to restart.

25 MR. DAVIS: This is --

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2 MR. WEBSTER: I guess, my question. The
3 inherent is that it's not really a restart if they
4 segmented half the vessel, it's a new plant.

5 MS. EVE: What did you want to add?

6 MR. DAVIS: This is Marlene Davis. And one
7 example which we're currently ongoing is Palisades.

8 MR. WEBSTER: Yeah.

9 MR. DAVIS: Holtec is the owner/operator of
10 Palisades, and they just went through the restart.
11 We looked at their evaluation, and I think next year
12 is, or in 2027, they expect to be back. So that one
13 was a little different, right. They, at that time,
14 the vessel was still intact. The steam generators
15 were still intact. They had to do a lot of work to
16 get that back going. We would have to look at it
17 from a piece by piece, right.

18 If Indian Point or Holtec decides we have a
19 review plan, then we will look at it as a part of our
20 review plan. We will look at how the vessel is. We
21 will look at how the steam generator is. We will
22 look at the most safety significant components, do
23 that evaluation, do those inspections, and follow our
24 plan to ensure that it's safe to come back on what
25 level they decide to do it on.

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2 CHAIR CONGDON: If I could just interject.

3 I think, and because Dana also posed the question to
4 DPS, it's a bit of an academic exercise, it seems to
5 me, and I have a lot of agenda items that we'd like
6 to get to. But the DPS and the PSC order approving
7 the sale to Holtec included a provision that requires
8 consensus of the local taxing jurisdictions in the
9 state before any proposal is made for new nuclear at
10 the site, and that was discussed at length at the
11 last meeting.

12 I think the County Legislator Ulaaj and the
13 county executive made clear that they intended to
14 work, to pass a local law, that's been introduced,
15 and pending, to address that issue and make clear
16 that there is not consensus. So it does appear to be
17 a bit of an academic exercise and not worth further
18 discussion at this time.

19 If something becomes a little more real,
20 then, of course, this body, I'm sure, would have a
21 more robust discussion, if ever there is a change of
22 the facts I just laid out.

23 But does the county executive's office or
24 the County Legislator Ulaaj want to make any further
25 comment on that?

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2 MS. ULAJ: We still stand by the resolution
3 that the act, forgive me, that we've introduced, and
4 we plan to pass it.

5 MS. SPEAR: Same for the county executive.

6 CHAIR CONGDON: Thank you. And County
7 Legislator Ulaj, I believe you were next on the list
8 of questions. And Dave Lochbaum, you're next after
9 that.

10 MS. ULAJ: Thank you so much. And forgive
11 me -- forgive me, Tom. I know you wanted to move us
12 past this, but the mission statement enabling the
13 safe and secure use and develop -- and deployment of
14 civilian nuclear energy, does that change anything
15 about your relationship to the decommissioning
16 process at Indian Point? Is the addition of that
17 line to your mission statement?

18 MS. EVE: No. Thank you for the question
19 and the opportunity to clarify. No, it does not
20 change our relationship with the decommissioning at
21 Indian Point. It's just ensuring that we are more
22 efficient in our processes.

23 MS. ULAJ: Okay. Who determines whether a
24 site is impacted or not impacted since it seems to
25 have so many other --

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2 MR. CHAPMAN: The licensee would make the
3 initial call based on the historical site assessment.
4 Again, they'd be looking to see if they had any
5 operations that occurred in the area that they're
6 considering nonimpacted, getting releases into that
7 area, and they would do some level of surveying into
8 that area as well.

9 MS. ULAJ: Who's they?

10 MR. CHAPMAN: Holtec.

11 MS. ULAJ: Holtec would?

12 MR. CHAPMAN: Yes.

13 MR. WEBSTER: If they -- if they find
14 contamination --

15 MR. CHAPMAN: I'm sorry?

16 MR. WEBSTER: If they find contamination in
17 an area that they thought was not impacted --

18 MR. CHAPMAN: Just from the classification
19 activities, they would switch categories and go to
20 impact.

21 MR. WEBSTER: Do they know -- that was the
22 question I had. How do they know it's from licensee?
23 I mean, Holtec found Cesium 137 on this -- in an area
24 they weren't expecting to, but they don't know the
25 source.

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2 MR. CHAPMAN: Yes.

3 MR. WEBSTER: So how do we know it's from
4 licensed activities or not?

5 MR. CHAPMAN: Yes. So typically -- again,
6 typically, what happens is they will do what we
7 consider a MARSSIM level survey of a low-level
8 contaminated area and what they would be looking for
9 there is to demonstrate indistinguishability from
10 background. So they would go off site into other
11 nonimpacted areas and get some samples there that
12 they could compare to and do a statistical comparison
13 to show that they're indistinguishable from
14 populations.

15 MR. WEBSTER: Yeah. But they did that, and
16 they found four times background. So does that mean
17 an area that they thought was not impacted becomes
18 impacted?

19 MR. CHAPMAN: Just four times background is
20 not, again, statistical. You have to look at the
21 population of data there and see if the population
22 data demonstrates that populations are significantly
23 different.

24 MR. WEBSTER: Wait. Are you saying four
25 times background doesn't automatically make it

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2 impacted?

3 MR. CHAPMAN: One sample, not necessarily.
4 I mean, again, you're saying four times background,
5 but what's the variation of background? Does it go
6 from eight to two?

7 MR. WEBSTER: Well, you tell you tell me.
8 You're the expert.

9 MR. CHAPMAN: Oh, that's what they're going
10 to determine by collecting these other samples around
11 the site.

12 MR. WEBSTER: I mean, that's not
13 background.

14 MR. CHAPMAN: I'm sorry?

15 MR. WEBSTER: The samples close to the site
16 are not background. You can't use those for
17 background when there's a high hit there. You have
18 to use samples that are from a comparable site far
19 away.

20 MR. CHAPMAN: Again, we're supposed to go
21 off their site to areas that have not been impacted,
22 and they have to propose that to us, and we have to
23 agree with them that is not impacted, the areas
24 they're pulling their samples from. There's
25 significant variation in background, and so

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2 typically, they'll do it several locations around the
3 site, not on the site, but around it. And they'll be
4 able to look at the variation in background as well
5 as the variation from the samples they took on-site.
6 And there's actual statistical process in MARSSIM.
7 It's called a Scenario B process that they can use to
8 demonstrate whether the samples are reflected or
9 indistinguishable from background or not.

10 MR. WEBSTER: What level of statistical
11 significance is required for it to be classified as
12 impacted?

13 MR. CHAPMAN: We typically specify a
14 ninety-five percent confidence.

15 CHAIR CONGDON: County Legislator, did you
16 have further questions?

17 MS. ULAJ: Why is the background measured
18 against what was found -- why is it not measured
19 against what was found prior to the plant being there
20 since we have that data?

21 MR. CHAPMAN: If that is there, they could
22 use that.

23 MS. ULAJ: Okay. Will you hold them to
24 that now you know that it is available?

25 MR. CHAPMAN: If it's available and they

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2 proposed that as their background, I would definitely
3 accept it.

4 MS. ULAJ: Thank you.

5 CHAIR CONGDON: Dave Lochbaum, I think you
6 have a question on the, virtual end? Okay, Dave and
7 then Susan.

8 Dave?

9 Susan, why don't we go to you, and then,
10 hopefully, the technical issue with Dave can be
11 fixed, and we'll come back to Dave Lochbaum.

12 Susan Spear?

13 MS. SPEAR: Thank you, Mr. Chairman, and
14 thank you to the NRC for the conversation tonight.
15 So when you are looking at releasing property for --
16 ready for another use at the licensee's request, and
17 you look at the radiation levels, if the state's
18 radiation level requirements are more strict than the
19 federal requirements, would you consider those, or
20 would the Commission's decision be based solely on
21 the federal standard?

22 MR. CHAPMAN: The NRC's decision is
23 based purely on the NRC's criteria. However, with
24 that said, typically what happens in these cases is
25 the licensee will come in, and they'll set an ALARA

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2 goal down to the state levels.

3 And so we can then compare that to the
4 state levels and usually, the -- the actual residual
5 radioactivity is really low, and it'll meet the state
6 levels. And so once we conclude exactly what the
7 potential dose is, and if it meets the state levels,
8 it kind of satisfies both criteria.

9 MS. SPEAR: I'm sorry. So if it meets
10 the federal requirement but it doesn't meet the state
11 requirement, what ability is there for the State to
12 make sure it meets the state level?

13 MR. CHAPMAN: The State can come in
14 and license them if they want to.

15 MS. SPEAR: Okay. Thank you.

16 MR. SIPOS: And just for
17 clarification, is NRC aware that the State and Holtec
18 agreed to a level that is lower -- and by lower, I
19 mean more protective -- than the NRC standard for
20 this site?

21 MR. CHAPMAN: It's a fairly common
22 situation we encounter.

23 MR. SIPOS: So you are aware -- NRC is
24 aware of that here?

25 MR. CHAPMAN: Yes.

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2 MR. SIPOS: Thank you.

3 CHAIR CONGDON: Your mic is off.

4 MS. KNICKERBOCKER: Once again, I'd
5 like to make a historical comment that where that was
6 found is Unit 3, and Unit 3 was New York Power
7 Authority. They owned and operated that since the
8 mid-'70s until around 2000 when Holtec bought it.

9 So where it came from, who knows?
10 We'll probably never know. But that was -- that was
11 originally -- that was not Con Edison property. It
12 was New York Power Authority.

13 MR. SIPOS: And if I could just
14 actually speak to that, I believe Unit 3 was
15 initially constructed -- received a construction
16 permit from the Atomic Energy Commission, and that
17 was given to Con Ed in the mid-'60s just to fully
18 flesh out the record on that.

19 CHAIR CONGDON: Thank you. Any other
20 questions? I'm afraid Dave isn't back yet.

21 MR. WEBSTER: Okay. Well --

22 CHAIR CONGDON: Richard Webster?

23 MR. WEBSTER: -- I think (cross-talk)
24 Dave was driving. Dave and I wrote a letter a while
25 back about Holtec's repeated violations on design

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2 changes. And the question is, where you see repeated
3 violations on design changes, does that make clear to
4 you that corrective action is not working? And can
5 you go to escalated enforcement based on repeated
6 design changes or low safety significance?

7 MR. DAVIS: This is Marlone. So yes,
8 you can -- so -- so how the -- the enforcement
9 process works, we will look at a two-year cycle.
10 We'll look at previous violations, and we will look
11 at the corrective actions coming from those. And --
12 and those corrective actions has to be specific to
13 the -- to the violation that we're looking at.

14 For example, if -- if it was a -- a
15 engineering error, and then the next time it was --
16 it was a 72.48 error, they may be two different
17 things, right? One could be specifically to that
18 particular design, and one could be, engineering,
19 they just answered the question wrong looking at the
20 eight criteria. So -- so we have to look at the
21 corrective actions individually to see if it's fixing
22 the actual issue that the -- that they violated.

23 MR. WEBSTER: Right. But -- but it
24 seems like there's two different levels of corrective
25 action, right? If you just get one violation, it may

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2 be a narrow issue related to that violation. But if
3 you have a series of four or five violations in a
4 couple of years, then doesn't that indicate there's a
5 systemic issue that needs to be addressed?

6 MR. DAVIS: And we agree. And so what
7 we do when we -- when we look at violations or trends
8 within our program, we -- what we would do is
9 increase the inspection frequency. And so we're
10 looking at -- or do a deeper dive within our example
11 to make sure that we're -- we're under -- getting the
12 underlying issue that's -- that's why is -- why it is
13 reoccurring.

14 MR. WEBSTER: And so for Holtec
15 specifically, did you do enhanced inspection?

16 MR. DAVIS: We did. We did. We did a
17 follow-up inspection, and we also increased
18 inspection frequency.

19 MR. WEBSTER: And do you think the
20 problem's solved?

21 MR. DAVIS: I cannot answer that at
22 this point in time because we're still looking at
23 inspection activities.

24 MR. WEBSTER: Okay. Thank you.

25 CHAIR CONGDON: I think we may have

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2 lost Dave.

3 Did you have another question, John?

4 I'm trying -- I'm trying to get him
5 back in, but go ahead.

6 MR. SIPOS: Hi. Good evening. It's
7 John Sipos, and I would like to third or fourth the
8 welcome to NRC. Really appreciate your -- your
9 commission and your staff coming up here tonight and
10 speaking with the folks here and the decommissioning
11 oversight board.

12 I have just a couple of questions.
13 I'd like to probe a little bit further on the
14 assemblyperson's questions. And I think, Marlone,
15 I'm going to go to you first.

16 So on the design change and the
17 manufacturing change between the bolt and the weld
18 for the dry casks, did that occur -- could you --
19 could you tell us how many casks were affected? Was
20 it one cask or ten casks or some other number of
21 casks?

22 MR. DAVIS: I do not know the exact
23 number, but it was over ten.

24 MR. SIPOS: Over ten. Okay. And did
25 it affect more than -- did it affect casks at one

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2 site or casks at more than one site?

3 MR. DAVIS: It affects at -- at
4 multiple sites, but I just want to make sure this is
5 clear. It -- it was not a fabrication deficiency.
6 It was a calculation issue where they made the
7 change, and it should have come in for NRC prior
8 review and approval.

9 So what -- what does that say? That's
10 saying that here you have your eight criteria. You
11 have your method of evaluation. And the method of
12 evaluation that they wanted to use, the NRC had not
13 seen that before. So it was new and different than
14 what we've seen before. And so we've asked them to
15 come in because it would have met the criteria.

16 And so once we reviewed that
17 particular calculation, provided feedback, they made
18 corrections within that. And -- and that's why we
19 identified that as a low -- very low safety
20 significant issue.

21 MR. SIPOS: Understood. And so this
22 aspect where the vendor or the company made a change
23 but did not alert NRC to that change before the
24 change occurred, that affected more than one or more
25 than ten or maybe significantly more than ten casks?

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2 MR. DAVIS: That -- that is correct.

3 MR. SIPOS: Okay. Thank you. And was
4 there another issue involving spent fuel dry cask
5 canisters? I'm thinking about maybe where the
6 ventilation -- the ventilation area is located, the
7 height from off the ground, you know, just
8 hypothetically two feet off the ground versus 15 feet
9 off the ground?

10 MR. DAVIS: So that -- that's
11 preliminary at this point in time. We're in the
12 process of making our final determination, but the
13 inspection report for that preliminary information
14 is -- is in the public domain for that.

15 MR. SIPOS: Okay. So NRC is looking
16 at the change in the altitude or the location of the
17 vent for the dry cask storage casks; is that right?

18 MR. DAVIS: That is correct.

19 MR. SIPOS: Okay. And Greg, I -- I
20 was wondering if we could go back to slide 14, the
21 Crystal River site. I don't know if that's possible
22 to go -- to go back to that. That's the one where
23 you had the sort of, like, the before and after or
24 the current and the proposed.

25 So this -- this -- this schematic here

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2 is showing different areas of the Crystal River site
3 in Florida and different sites being qualified for
4 partial site releases. Is that what I understand?

5 MR. CHAPMAN: Yes, that's their plan.
6 The initial site release is the one on the left that
7 they are doing, and those are typically nonimpacted
8 areas. And so they're requesting that release. And
9 the areas that are on the one to the right in the
10 future are probably impacted, but low-level impacted,
11 and they'll eventually go for that release as well.

12 MR. SIPOS: Okay. So this schematic
13 shows how different parts of a larger site could be
14 segmented and released for other productive uses; is
15 that correct?

16 MR. CHAPMAN: That is. It's totally
17 the call of the licensee, or Holtec in case of Indian
18 Point.

19 MR. SIPOS: Right. And understanding
20 that the dry cask storage facility is -- is not part
21 of that that's being contained?

22 MR. CHAPMAN: Typically, it all boils
23 down to the final license portion of the site being
24 the ISFSI.

25 MR. SIPOS: Right. And I have in mind

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2 the superintendent's welcome and -- and statements to
3 us here tonight. Would you agree with the following
4 statement that a faster decommissioning would lead to
5 a faster return of a portion of a site to be used for
6 economically productive uses?

7 MR. CHAPMAN: I'm -- I really don't
8 think that's my place to say.

9 MR. SIPOS: All right. Well, how
10 about this? If -- if I had five acres of a 248-acre
11 site and it was released -- and let me -- let me take
12 that again. If I had five acres of a 248-acre site
13 and I could release it, could that -- could that
14 portion that's being released be used for other uses?

15 MR. CHAPMAN: That is typically why
16 they do that, yes.

17 MR. SIPOS: Thank you.

18 MR. CHAPMAN: There is one other thing
19 I'd like to clarify. When previously we were asking
20 about the State and if we're inconsistent with the
21 State, I do want to make sure that we don't regulate
22 in a vacuum. We routinely consult with the State and
23 with the EPA before we take actions.

24 MR. SIPOS: Thank you. And I
25 appreciate that. And I appreciate your response

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2 earlier. And again, thank you for being here today.

3 MR. CHAPMAN: Thanks.

4 CHAIR CONGDON: Thank you.

5 Any other questions?

6 Yes, Richard?

7 MR. WEBSTER: Yeah. I have a quickie,
8 actually.

9 Last time when I see we were here, we
10 were talking about the decommissioning trust fund and
11 the things it could be used for. And I pointed out
12 that the -- the spent fuel management budget was
13 overspent by a hundred percent, and I was told that
14 that was something the NRC was looking at. Can you
15 tell me the outcome of that investigation?

16 MR. VEUNEPHACHAN: Yeah. I can speak
17 to that. So that was just part of a regular
18 inspection process. It has been dispositioned.
19 Indian Point, Holtec did not have -- it did not
20 impede the decommissioning process or else their
21 decommissioning trust fund. So it was just
22 positioned as a -- as a minor violation. So that's
23 why it was not cited in our inspection report.

24 MR. WEBSTER: Hang on. Let me make
25 sure I've understood that. So when you say "it

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2 didn't impede," like, if they overcharged by a
3 hundred percent, would you regard that as impeding or
4 not impeding?

5 MR. VEUNEPHACHAN: So I can only speak
6 to doing the decommissioning trust fund review for
7 the whole for each unit. And as it stands, Holtec
8 has never had any impediments to their trust fund
9 that would prevent them from decommissioning how --
10 how they've been operating, so.

11 MR. WEBSTER: Yeah. But you're not
12 answering my question. I mean, my question is, if
13 they're overspending, it ends up being an impediment
14 to decommissioning because they run out of money,
15 right?

16 MS. EVE: So on -- on an annual basis,
17 the licensee submits to us the status of the
18 decommissioning trust fund. And what we are looking
19 at is ensuring that they have sufficient funds to
20 complete decommissioning.

21 We're -- we don't -- our focus is not
22 on whether they went over or under their budget, it's
23 that they have sufficient funds to complete
24 decommissioning. There are several factors that can
25 impact budget inflation, what -- what-not, the

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2 market. So as long as when we look at it annually
3 and they have sufficient funds in their
4 decommissioning trust fund, then that's acceptable to
5 the NRC.

6 MR. WEBSTER: Okay. Let me make sure
7 I've got this right. So if -- if Holtec
8 International charges HDI, Holtec Decommissioning
9 International, twice the price at Indian Point as
10 they charge at any other site, is that acceptable to
11 NRC?

12 MS. EVE: Yeah. I think if we can
13 take the question and just give a response to you
14 offline.

15 MR. WEBSTER: You're unable to give me
16 an answer to that question now?

17 MS. EVE: I'm -- what? I'm sorry. I
18 was talking to my colleague. What was the question?

19 MR. WEBSTER: The question is, if
20 Holtec International charges HDI and Indian Point
21 twice the price per cask as they charge any other
22 site, is that acceptable to NRC?

23 MS. EVE: That's not something that --
24 we're not going to be regulating how much the cost of
25 what the licensee is charging.

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2 MR. DAVIS: And -- and again, I think
3 from our process and our oversight process is
4 ensuring that they have enough to finish the
5 decommissioning. How much they charge, that's
6 Holtec -- between Holtec and HDI.

7 MR. WEBSTER: Okay. Well, can I --

8 MR. DAVIS: We just want to make sure
9 that they have enough money to finish the
10 decommissioning.

11 MR. WEBSTER: Okay.

12 MR. DAVIS: That's -- that's where our
13 regulation will provide --

14 MR. WEBSTER: Well, let me -- as an
15 aside, I think after my retirement, I should get in
16 the decommissioning business. But can I just say,
17 you said there was a minor violation. What was the
18 nature of that minor violation?

19 MR. VEUNEPHACHAN: So the -- the
20 nature of the minor violation was just a failure to
21 notify because of that over-expenditure of that
22 budget item for the spent fuel costs.

23 MR. WEBSTER: Failure to notify whom?

24 MR. VEUNEPHACHAN: The NRC, us. But
25 however, that was notified in their next annual

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2 submittal for the DTF.

3 MR. WEBSTER: Okay. Thank you for
4 your answers.

5 CHAIR CONGDON: Okay. Any further
6 questions? We'll move on to the next agenda item.

7 Thank you again to our NRC colleagues.

8 Now at this time, I'd like to call
9 Matt Johnson up from Holtec to give us an operational
10 update.

11 Welcome, Matt. Welcome, Don. You can
12 begin when you're ready.

13 MR. JOHNSON: It's green. I think we
14 got it.

15 CHAIR CONGDON: Okay.

16 MR. JOHNSON: All right. Thanks a
17 lot.

18 All right. So you can go to the next
19 slide.

20 We'll go through the agenda. So very
21 similar agenda to the last meeting. It was just a
22 couple of months ago, so this will be a little more
23 brief. So we'll go, quick safety update.

24 Good. Thank you.

25 Quick safety update. We'll go over

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2 the work completed since the last meeting and plan
3 through the end of the year. Brief slide on NRC
4 updates, which we kind of just went through some of
5 that. And then, an update on the training building,
6 cesium, which we discussed last meeting as well, and
7 that's why Don is here to help out with that
8 discussion.

9 You can go to next slide.

10 All right. So safety update. Every
11 meeting, this meeting is no different to us, we start
12 with a safety message, so I'm going to go ahead
13 and -- and provide that. Our nuclear safety message
14 for this month currently is "Environment for Raising
15 Concerns". So the core value is to maintain safety
16 conscious work environment where personnel feel free
17 to raise nuclear safety concerns, right?

18 So we take this very seriously at the
19 site. We want everybody to raise concerns without
20 fear of retaliation. We take those concerns, and we
21 take actions as appropriate. We have many, many
22 different avenues to bring those concerns up, some of
23 which are the -- our corrective action program,
24 talking directly to supervision, and then talking
25 directly to the NRC as well.

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2 So thank you guys for being here.

3 Industrial safety this month message
4 is to -- do not dismiss anything. Minor scrapes,
5 small bruise, slight strain, nothing is not a big
6 deal. So we want those reported immediately,
7 documented thoroughly, seeking medical evaluation if
8 required, and then perform the proper follow-ups. So
9 that's our safety update.

10 Safety status for the year, same as
11 last meeting. We are carrying two first aids, so
12 good performance overall. Obviously, the goal is
13 always zero. In this case, we had one first aid in
14 May, one first aid in July. So two for the year.
15 Pretty good so far.

16 On dose performance, third quarter
17 dose is right on track. Unit 1 is on track for the
18 year. You'll see on this slide, the Unit 2 and 3
19 dose received over -- overall is tracking low.
20 That's because that's a full-project dose over a two-
21 year period I mentioned last meeting a couple of
22 months ago. So it's on track for this year, and
23 it'll be on track through next year as well.

24 Next slide, please.

25 So just a quick overview of the site

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2 map, same as I -- I presented last time. No real
3 changes to -- to this map. The buildings in blue
4 will remain. The buildings in red have been removed.
5 Yellow is -- is where we're currently working. And
6 then the green is scheduled for demo. So that green
7 building in the middle is the superheater structure
8 associated with Unit 1, and that's going to be a
9 focus for 2026.

10 Next slide.

11 So this slide is the southern end of
12 the property. One -- same deal here. The one major
13 change is on the bottom of the slide, you'll see a
14 small red box there labeled "Met Tower". That
15 structure has been removed since the last meeting.

16 The Met Tower was about 400 feet tall.
17 That was the tower we used for monitoring different
18 communication systems associated with our emergency
19 planning system. So that tower was -- was removed,
20 and I'll talk a little bit more about that in coming
21 slides.

22 Vessel segmentation. So since the
23 last DOB, we simply have continued mainly Unit 2. So
24 you could see the picture to the right there. That's
25 a pictorial view of what the lower internals are made

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2 up of. That -- the top ring labeled as "complete" is
3 done, and then the second ring there is currently in
4 progress. The goal for the end of the year, which we
5 are on track for, is for those first two rings to be
6 completed. That'll be 50 percent of Unit 2 lower
7 vessel internals.

8 Unit 3, not a lot of work going on in
9 Unit 3, but we are preparing for greater than class C
10 loading for next year.

11 Unit 1 activities. So since the last
12 meeting, we did complete removal of 11, 12, and 13
13 boiler within Unit 1. On 14 boiler, the abatement
14 has been completed, and we've begun segmentation
15 activities. Pressurizer abatement has been completed
16 as well. And then the spent fuel pump and motor
17 removal has been completed, and we're working through
18 removal of the associated spent fuel piping.

19 A bunch of pictures there; they're all
20 labeled. It's just a bunch of different views on the
21 top of the sec -- boiler sections. And then the
22 lower pictures are Unit 1, the old spent fuel pump
23 motor removal, and some of the piping as well.

24 Next slide.

25 So Unit 2 steam generator mausoleum.

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2 These are the steam generators that were removed from
3 Unit 2 in early 2000s. So within the mausoleum,
4 we're performing the segmentation. So since the --
5 the last DOB, we've continued working through 21
6 steam generator. That's the first of the four that's
7 in progress.

8 So you can see the pictures there.
9 All the way to the right is the cut through the steam
10 dome, which is the upper portion of the steam
11 generator. And then as you go move to the left,
12 those are the lower, the bowl section of the steam
13 generator.

14 So the overall process is that we
15 remove the steam dome. We put that to the side, and
16 then that's the clean section. Then we start moving.
17 As we move down in the steam generator, that gets
18 into the cutting that would be associated with
19 anything contaminated and would need to be treated as
20 rad waste.

21 Next slide.

22 All right. So through the end of the
23 year, going into next year for Unit 1, as I
24 mentioned, we've -- we've finished the removal on 11
25 through 13 boilers. In 2026, we'll be focusing on 14

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2 boiler. 2026 will focus on the pressurizer and the
3 removal of the blowdown tanks on the 33-foot. Unit 1
4 CSB and NSB, those are the chemical service and
5 nuclear service buildings, the support buildings for
6 the old Unit 1 plant. We'll complete the spent fuel
7 piping heat exchanger removal in 2025, and then we'll
8 move into demo of the components within the NSB
9 building in 2026.

10 For the old steam generators, we'll
11 continue with 21 steam generator segmentation, and
12 then the next one up will be 23 after that.

13 Next slide.

14 So for conventional, so the -- the --
15 like I mentioned earlier, the big project that we
16 completed since the last DOB was the Met Tower.
17 Couple of pictures there on the top of the Met Tower.
18 That was interesting because about 400 feet, it would
19 be a pretty large crane to -- to do work like that.

20 So our project team there came up
21 with -- the company that they -- they used came up
22 with an idea called the gin pole. They -- where they
23 actually climb the tower. They go to the top of the
24 tower, and they remove it in pieces and lower it
25 straight down on the structure itself to the ground

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2 level where a smaller crane can then take that piece
3 by piece away. So that was pretty interesting, and
4 that's been fully completed now, and that was done
5 safely. So good accomplishment for us there.

6 We continued work in GT 2 and 3 fuel
7 line removal. And then going into 2026, the focus
8 for the conventional side, will be the Unit 1 super
9 heater structure -- structure. So that'll -- that'll
10 involve some rad activities as well as a ton of
11 conventional activities as well.

12 And that picture there on the bottom
13 is an aerial shot of the Unit 1 superheater
14 structure. So a lot of breakdown is going to be
15 happening there next year.

16 Next slide.

17 All right. So NRC update. So we kind
18 of mentioned this already. NRC exit scheduled for
19 January. There's no new inspection report issued at
20 this time. So once we have that inspect -- the exit
21 in January and have that report, we'll update
22 appropriately at the DOB.

23 The NRC was here all this week
24 performing inspections. So Storm and his team were
25 on-site. Many plant walkdowns. They looked at

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2 things from screening reviews to rad protection
3 program to corrective actions, and we debriefed this
4 morning. So as I mentioned, there's no areas of
5 concern and no violations at this time. Next
6 inspection will be in January.

7 All right. So I'm going to turn it
8 over to Don for a couple of minutes, and Don will
9 give us a quick update on the cesium activities at
10 the training building area.

11 Don?

12 MR. MAYER: Okay. As Matt said, my
13 name is Don Mayer.

14 MR. KACZMAREK: Don, can you check
15 your mic?

16 MR. MAYER: There we go. Okay.
17 Sorry.

18 Name is Don Mayer. I'm a retiree
19 from -- from Entergy and -- and been there many
20 years, and now I'm -- I'm there in a consultant
21 capacity, principally consulting in radiation
22 protection and measurement type area. So I'll --
23 I'll cover this topic like I did last time.

24 So I'm going to update on the project.
25 That's -- that's what this is. This is a project to

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2 identify all of the contaminated soil that we want to
3 conduct a partial site release of around -- in this
4 area that we've talked about, the training building
5 area.

6 So at the last BO -- BOD -- last DOB,
7 we discussed this -- the principal steps to fully
8 characterize the soils that were near the originally
9 identified locations that we talked about in this
10 meeting, okay? As well as we expanded samples -- as
11 well as expanded samples necessary to encompass the
12 full area.

13 So what happened is we identified some
14 elevated areas, and we said stop. And then we put
15 together a project plan. We got a subcontractor on
16 board, and now we're out conducting a full -- a full
17 analysis of the entire area.

18 So the first bullet that you first --
19 first set of bullets you see up there, we did set up
20 a -- an on-site dedicated lab for analyzing the
21 samples, which has been very -- made us very
22 efficient. The subcontractor that we're using is --
23 is actually working well, doing a very efficient job.

24 And those are the key -- I won't go
25 through them. We talked about core bore sampling,

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2 soil sampling. There's analysis associated with
3 that, doing what's called gamma spectroscopy
4 counting. It's just basically a way to count
5 radioactivity. And -- and those activities are going
6 on.

7 The second set of bullets there is
8 really just status information. We've made very good
9 progress to date. I'm pleased with the work that the
10 subcontractor is doing for Holtec. And as you can
11 see, some of the remaining core bore sampling and
12 soil sampling still needs to be completed before
13 excavation can be, you know, can -- before an
14 excavation plan can be produced. So what does that
15 really mean?

16 Well, weather permitting, okay, the
17 remaining field work we think could complete in the
18 first quarter of next year with some possible follow-
19 up confirmatory samplings, which is not unexpected in
20 the second quarter.

21 And you know, you can see here, I'm
22 not -- I'm not going to go through the statistics.
23 They're just here to show that, you know, the site's
24 on top of it. And greater than 90 percent of the
25 whole area has been assessed. We've got about 75

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2 percent of the core bore is done. And as long as
3 weather permits, as I said, we'll -- we'll continue
4 to march through that process.

5 Next slide.

6 So I think this is probably a good
7 point. I was, you know, kind of biting my tongue on
8 some of the questions earlier because this is -- this
9 is -- a lot of the questions that were asked, I'll
10 address them here.

11 The site is impacted. So that means
12 that we -- and we -- you know, I guess, maybe I could
13 have done a better job of saying that the last time.
14 I thought I did, but I'll -- I'll say it loud, okay?
15 So and -- and what that -- what that means is that we
16 have, in fact, identified what we know to be licensed
17 material that occurred sometime in the 50 years of
18 operation of Indian Point.

19 We don't know exactly where it was
20 from. I'm not going to go over that for the tenth
21 time because we've done that before. Holtec's job is
22 fix it, okay? And that's what they're doing. So
23 once all the sampling is complete and analyzed, then
24 we'll be able to develop an excavation plan.

25 So an excavation schedule can't be

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2 completed until the evacuation plan is complete,
3 obviously, okay? And what'll occur, we kind of
4 talked about this at the last meeting. So we have
5 experienced excavating soils, and we did do that
6 earlier this year. I talked about that the last DOB.
7 I won't belabor it.

8 But during the excavation, the
9 remed -- the removed soil will be disposed of per NRC
10 regulations using the same process that we used
11 earlier this year with the initial site excavations.
12 It's -- it's really not particularly complicated.
13 It's not -- it's you're digging dirt, and you're
14 doing samples, and you're disposing of it, okay?

15 When we're done, and this is a key
16 aspect of what the NRC folks talked about earlier,
17 when -- when -- I forgot -- forgot -- forgot your
18 first name.

19 MR. CHAPMAN: Greg.

20 MR. MAYER: Greg. When Greg talked
21 about 50.83, 10 CFR 50.83, an expectation in the
22 overall process is something that's called the final
23 status survey. And the final status survey is part
24 of the submittal that we would be required to give to
25 the NRC if we go forward with a partial site release.

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2 So the NRC reg -- this -- the NRC
3 regulation is noted in my slide. They put it in
4 their slide. And it's called "Release of a Part of a
5 Power Reactor Facility or Site for Unrestricted Use",
6 which is a question that some of you folks asked
7 about.

8 The goal here if -- you know, I'm not
9 a Holtec employee, but if Holtec decides to release
10 this property when they're done doing what they're
11 going to do, then it can be used for commercial
12 purposes. They can sell it, okay?

13 And we talked about options that were
14 considered, data center, you know, I don't know what
15 they want to do. But you know, you know. So anyway,
16 those are some of the options.

17 The -- the FSS is what is used to show
18 compliance with regulatory requirements. So when
19 Greg talked about you have to meet the 25-millirem
20 value, et cetera, et cetera. There's a whole
21 statistically based process, and I won't go into the
22 details, but we have to demonstrate compliance with
23 that. And there are ways -- there are -- there are
24 technical calculations and things that you do to --
25 to demonstrate that compliance.

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2 Then the NRC will -- has at other
3 sites, and I'm quite certain they'll probably do it
4 at Indian Point, they will bring in independent lab
5 expertise so that they don't just -- we don't just
6 expect them to believe what we tell them, okay?
7 Although they certainly could, but they will check
8 it, okay?

9 And they will bring in their
10 independent lab, and they will take additional
11 samples. They will probably do what are called gamma
12 walkover scans where they'll come in, and they'll
13 survey and do extra work to validate that what we
14 said is correct and accurate and that, in fact, it
15 meets the regulatory compliance.

16 And as the individual mentioned
17 earlier, NRC is -- NRC approval is required, okay,
18 before the property can be released from Holtec
19 control. So we can't release this property until the
20 NRC has approved it. And there is a license
21 amendment process that we have to go through, but
22 that's -- you know, it's complicated paperwork, okay?
23 But we know how to do it. We've done it many times.
24 Not on this particular activity, but license
25 amendments are -- are part of the business.

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2 And then I'll just -- I'll say this.

3 So I'll say -- say another thing. So we haven't
4 spoken directly about it really, but, you know, quite
5 frankly, I think you're all aware that, as John
6 mentioned, there's -- I can never remember the name
7 of the agreement that Holtec and the State reached.

8 But whatever it is, it's a written
9 memorandum of understanding basically that says we
10 will -- we will -- we will decommission the site in
11 accordance with the rules of the Nuclear Regulatory
12 Commission. In other words, they are our regulator.
13 However, we, Holtec, agreed -- we, Holtec, agreed
14 that they will lower the limit from twenty-five
15 millirem to ten. And so, you know, that's what we're
16 going to do.

17 So when we sit -- now, we haven't met
18 with the NRC yet formally on this. They're aware of
19 what we're doing. But so we haven't worked out the
20 technical details in terms of the paperwork. You
21 know, what would happen is we would go in there and
22 say to the NRC, we're less than twenty-five. And oh,
23 by the way, we're also less than ten. And then
24 the -- the State would exercise its review -- its
25 review process because, as part of the agreement,

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2 something like this would fall into their -- at least
3 their review purview, and they would be brought into
4 the discussions.

5 Cliff is here somewhere. There he is.
6 There's Cliff. And Cliff is -- you know, Cliff is
7 on-site. He sees what we're doing, and you know,
8 there's no secrets of what's going on.

9 So that's my -- my presentation. And
10 I can't -- I can't give you a when are we going to be
11 done because we need to get that excavation plan and
12 get the dirt dug and do the sample. And then -- I
13 will say the final status survey process is a lengthy
14 one. It's very, very detailed, but we will get
15 through it. And that's -- that's my --

16 CHAIR CONGDON: Thank you, Matt, and
17 thank you, Don. A few questions, I'm sure, from the
18 group. I'll start. You said that 90 percent of the
19 whole area is complete in terms of your sampling?

20 MR. MAYER: Um-hum.

21 CHAIR CONGDON: Could you define what
22 the whole area is?

23 MR. MAYER: Yeah. When -- when
24 there's -- I -- unfortunately, I don't have the
25 acreage in front of me, okay? But -- but there's a

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2 parcel of land. I think it's -- I can't -- I can't
3 even remember what it is. Parcel -- parcel B. I
4 can't remember.

5 The project manager that I work with
6 is on -- is probably listening to this saying, Don,
7 you dummy. You should remember what it is. But
8 it's -- it's a certain number of acres, okay? And
9 that entire footprint falls within this ninety
10 percent, okay? And -- and the remaining ten percent
11 is -- is -- I -- actually I -- and I can if -- go
12 back to the slide number 5 that Matt had. I can show
13 you.

14 CHAIR CONGDON: Was the boundary of
15 the parcel defined by where the cesium was found, or
16 was that -- was the boundary --

17 MR. MAYER: No.

18 CHAIR CONGDON: -- determined through,
19 like, tax lot?

20 MR. MAYER: The tax lot.

21 CHAIR CONGDON: Yeah.

22 MR. MAYER: Tax lot. So basically, if
23 you look at that, and I don't have my -- I don't have
24 a pointer. But if you look at the top -- the -- the
25 middle to the left, there's a little red rectangle

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2 there. That's a plant building that's being -- being
3 deactivated and used. Just to the right of that, and
4 you can see the building in the middle, it looks like
5 an L, that -- that chunk of land all the way out to
6 the road essentially is the parcel that Entergy --
7 excuse me -- that Holtec is considering to doing a
8 partial site release of, okay?

9 So when we identified that we had
10 contamination -- I'll be perfectly honest with you,
11 I've been there for many, many years. I was
12 surprised. So this was not -- we did not expect
13 this. So because we didn't expect it, we said stop.

14 Now that entire parcel, that tax
15 parcel is part of that 90 percent, okay? So we're
16 looking at everything, okay? And when we're -- when
17 we're done, we'll conduct excavations. And then --
18 and then just essentially what'll happen is you will
19 have -- and I don't want to say holes, but you'll
20 have scrapes, you'll have -- you'll have holes, okay,
21 that'll be left. That will become a new surface,
22 okay?

23 So then we go in, and then we have to
24 do a final status survey of that new surface, okay?
25 And that new surface has to meet the surface

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2 requirements for release of the property, okay? And
3 how do we define that surface? Well, we have to do
4 core bores. We go down ten feet into the ground,
5 okay, and we make sure that everything below a
6 certain area is -- is clean, okay? And then anything
7 above that has to be remediated. And so that's the
8 process. So we're -- we're well -- we're well along.

9 CHAIR CONGDON: Superintendent
10 Tromblee?

11 MR. TROMBLEE: Thank you, Tom.

12 Don, is cesium a byproduct of nuclear
13 fission?

14 MR. MAYER: I couldn't hear you. I'm
15 sorry.

16 MR. TROMBLEE: Is cesium a byproduct
17 of nuclear fission?

18 MR. MAYER: Oh, yes, it is.

19 MR. TROMBLEE: So it could be
20 something from a power plant. It could also be
21 something from weapons grade --

22 MR. MAYER: Correct. It's either
23 weapons or -- or not.

24 MR. TROMBLEE: Does your subcontractor
25 on-site have the ability to make the determination

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2 between a weapons grade cesium that's present or
3 perhaps that from a power plant?

4 MR. MAYER: Yes. It's not -- it's --
5 it's -- let me just help a little bit technically.
6 It's not a -- it's not, like, this is weapon cesium,
7 and that's not weapon -- it's the same cesium. It
8 looks the same. It acts the same. It behaves the
9 same.

10 And when you go around our site, and I
11 actually -- one of my consulting things that I did a
12 few years ago was I did do a background study. And I
13 did go several miles from the site, and we did look
14 at the background on the site. And we have what's
15 called reference background values.

16 And those reference background values
17 show not only Cesium 137 from fallout, they also show
18 Strontium 90 from fallout. It's common in the whole
19 world, actually, and it's common across the United
20 States. And actually, it -- it fluctuates state to
21 state, area to area based on the rainfall that
22 happened to happen when the -- when the weapons went
23 off, based on flow.

24 There's a lot of -- there's a lot of
25 variables. So you want to take your background

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2 samples in areas that are at least representative of
3 the area that you want to release, and we have done
4 that. However, in this context, background doesn't
5 have as much meaning anymore because we are stating
6 that it's impacted. So we have to -- we have to
7 resolve that down to the -- to the NRC-approved
8 levels.

9 MR. TROMBLEE: So it would not matter
10 if it was weapons grade or -- no? Okay.

11 MR. MAYER: No. I mean, if it was --
12 if it was -- if we believed it was not impacted, as
13 Greg indicated -- if we can, which we did. Quite
14 honestly, I did think it was not impacted. But if we
15 said it was not impacted, we would do our own due
16 diligence just because that's what nuclear people do.
17 And even though we're not required by the regulations
18 to go verify that it's clean, we did that, and we
19 found that it wasn't, okay?

20 Had we determined that there was no
21 radioactivity present, then we would have -- we would
22 have chosen to demonstrate to the NRC that,
23 statistically, there was no real difference between
24 the fallout and what's in our -- our ground. But at
25 this point in the game, we -- we have to just clean

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2 it up and deal with the regulatory limits.

3 MR. TROMBLEE: Thank you.

4 MR. MAYER: You're welcome.

5 CHAIR CONGDON: Assemblymember

6 Levenberg?

7 MS. LEVENBERG: Thank you.

8 So what would the process be for
9 cleaning the cesium up? And also what safety
10 precautions have been taken if you weren't even
11 expecting to find it as far as looking for it?

12 MR. MAYER: Not sure about that last
13 question. I don't know what you're --

14 MS. LEVENBERG: As you're looking for
15 it and you find that it -- you know, it's impacted, I
16 guess I'm just kind of asking about the people doing
17 the looking and what protection they might have or
18 not have had --

19 MR. MAYER: I can -- I can --

20 MS. LEVENBERG: -- because you weren't
21 expecting to find it. And then another kind of
22 related question and I'm to -- not exactly to that,
23 but to some of the -- just the mitigation is, when
24 they're demoing the spent fuel pool domes, if there's
25 going to be water used to mitigate the dust released

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2 into the air, how will Holtec be treating the water
3 after it's used?

4 Because it may or may not can be
5 contaminated with materials either to make cement or
6 possibly radioactively contaminated materials.

7 MR. MAYER: Okay. I lost track of --
8 there was --

9 MS. LEVENBERG: All right. The
10 first --

11 MR. MAYER: -- a good three or four --

12 MS. LEVENBERG: -- one was about
13 looking for the cesium, not expecting to find
14 anything, and finding that plus maybe other stuff
15 that you're sort of mentioning.

16 MR. MAYER: And how are people
17 protected? Okay.

18 MS. LEVENBERG: Exactly.

19 MR. MAYER: Let me -- let me -- let me
20 just take one thing at a time. So the fact that we
21 found this material in this area, we're -- we --
22 we're required to do what's called a historic site
23 assessment, okay? And that historic site assessment
24 uses paperwork. It uses interviews with old-timers
25 such as myself and others. We -- I've -- we actually

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2 interviewed people who were in their eighties, okay,
3 to try and get an understanding of what happened and
4 everything.

5 It's not a perfect science. The NRC
6 knows it's not, so you do your best, okay? And in
7 this case, we were incorrect. So there are
8 corrective actions in place that, going forward,
9 okay, if we were to -- you know, as part of the final
10 decommissioning, you have to survey every god -- you
11 have to do the whole god darn site anyway, okay?

12 But now, knowing what we know now, if
13 we were to pursue another partial site release, we
14 would do exactly what we're doing right now. We
15 wouldn't -- we wouldn't make an assumption that it
16 was not impacted. We would assume that it's impacted
17 and then prove otherwise. So we have that covered.

18 With respect to the protection of the
19 people, I did -- I did look at that. We -- our
20 professionals on the site looked at that. The
21 concentrations are so low that there's no hazard to
22 anyone, including ingestion or inhalation.

23 You can do calculations to show that
24 you can -- but belt and suspenders, we do survey the
25 individual workers and their equipment to ensure that

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2 we don't have anything untoward happening, and we
3 have not.

4 The other -- the other -- I -- there
5 was another question.

6 MS. LEVENBERG: Well, just the safety
7 in terms of mitigating the -- mitigating the --

8 MR. MAYER: The fuel building? Is
9 that it?

10 MS. LEVENBERG: The cesium.

11 MR. MAYER: Oh. Mitiga -- oh, how do
12 you -- okay. That's actually very straightforward.
13 This is a very simple answer. You dig it up, and you
14 throw it away. I mean, I don't want to be
15 ridiculous, but --

16 MS. LEVENBERG: Where?

17 MR. MAYER: Well, you dispose of it at
18 a -- at an NRC-approved disposal site.

19 I think we use one in -- in Utah,
20 right?

21 MR. JOHNSON: Yeah. It just becomes
22 rad waste.

23 MR. MAYER: I think it's -- well, like
24 I said, it's rad waste, but it gets disposed of at a
25 licensed facility off site. It's what --

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2 CHAIR CONGDON: Don, I think the
3 description --

4 MR. MAYER: -- every power plant in
5 the country does.

6 CHAIR CONGDON: Don, I think the
7 description that you gave earlier when you said, you
8 know, we scoop up the dirt, and we throw it out,
9 might have led folks to think, like, of a big dump
10 truck --

11 MR. MAYER: Yeah. I wasn't meaning to
12 be flippant.

13 CHAIR CONGDON: -- that just has an
14 open gate. It's being put into canisters --

15 MR. MAYER: It gets --

16 CHAIR CONGDON: -- that are regulated
17 to take rad waste, yes?

18 MR. JOHNSON: Correct.

19 MR. MAYER: It gets into -- it gets
20 into containers that are designed to hold this type
21 of material, and it gets shipped as rad waste to
22 approved facilities and surveyed by qualified health
23 physics technicians, et cetera.

24 MS. LEVENBERG: The second part of the
25 question was about the --

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2 MR. MAYER: Fuel building?

3 MS. LEVENBERG: -- dome and the --

4 MR. MAYER: Well, I can answer that.

5 MS. LEVENBERG: -- dust in the water.

6 MR. MAYER: Yeah. Okay. The way that
7 would work -- the way that -- that's -- that's
8 actually a straightforward decommissioning activity.
9 What you would do is if -- if we used -- which we
10 don't -- don't necessarily have to, but if we used
11 water suppression to help control dust, the water
12 would be collected.

13 It would be put into containers, and
14 it would be treated through our treatment systems.
15 And the residual material would be packaged and
16 shipped as waste, radioactive waste in proper
17 containers, properly surveyed, et cetera, et cetera.

18 MR. JOHNSON: Let's be clear. We're
19 not -- we're not doing that anytime soon. We have
20 spent fuel pools with water in them that we have to
21 resolve first. So that's not even a pertinent
22 discussion at this point in time, to be quite honest.

23 MR. MAYER: But that's how we would do
24 it.

25 MS. LEVENBERG: Thank you.

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2 CHAIR CONGDON: County Legislator

3 UlaJ?

4 MS. ULAJ: Thank you so much.

5 I really take issue with Holtec's
6 casual tone for next steps that you want to see, you
7 know, from scheming in public about your intention to
8 open an SMR to now casually saying you want a data
9 center. We take these questions really seriously as
10 elected officials that represent this area.

11 These are not casual to us. We care
12 deeply about what happens next there. For you to
13 just throw around terms as if they don't have real
14 impact, that's really problematic to me. I don't
15 want to see a data center there. I want a real
16 discussion about what happens there next.

17 A data center would have really
18 terrible impact on our natural resources in the
19 region, our Hudson River, our environment, our energy
20 costs, which people are already struggling with,
21 would completely drain and increase our electricity
22 costs.

23 I urge you to work with us, work with
24 the community about what happens next there. We -- I
25 am very -- we -- I am very eager to see economic

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2 activity at that site to bring back revenue for the
3 school district, for the village, for the town, for
4 the county. Absolutely, extremely eager.

5 But it cannot be done at the expense
6 of our natural environment. And I want a
7 conversation, and I need you to be better partners
8 and not just throw around ideas so casually. Please
9 work with us. Thank you.

10 MS. KNICKERBOCKER: As the mayor of
11 the host community, we appreciate everyone's input
12 into what should be developed on that property. And
13 we will probably look the same, but I think something
14 needs to be established right up front. We do not
15 want people telling us what should be going on at
16 Indian Point.

17 We have our own government there. We
18 have our own zoning and planning boards. So your
19 comments are welcome; we'll listen. But I understand
20 about the data centers. I very much understand that.
21 Working with Holtec, they've been very transparent,
22 and they've told us it's just an idea they threw out
23 there. And seeing throughout the country what's
24 going on with the data centers might not be a
25 positive thing for that.

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2 But going forward, please, everyone,
3 you know, this is -- I realize it impacts everybody,
4 but this is the Village of Buchanan. It is our
5 property. We have an opportunity to develop that.
6 Your -- your thoughts are welcome, but I don't want
7 anyone dictating what we should do there, okay?
8 Thank you.

9 CHAIR CONGDON: Yes, Larissa?

10 MS. LIEBMANN: So on a sort of
11 different topic, I have a question about something
12 that came up this week. We noticed that NRC posted a
13 notice regarding Holtec requesting a amendment to the
14 Indian Point operating license, and that notice was a
15 bit opaque, mysterious.

16 I was wondering if you could provide a
17 little more details about what that pertains just
18 because it caused a lot of concern because it wasn't
19 really clear what that was about.

20 MR. JOHNSON: I believe what you're
21 talking about is an amendment that's part of our
22 security status. So I'm not going to discuss any --
23 anything further with that here. We discussed that
24 with the NRC. We provided it via the licensing
25 amendment process, and that's all I can say about

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2 that at this forum.

3 MR. WEBSTER: But can you say what
4 it's not?

5 MR. JOHNSON: Say again?

6 MR. WEBSTER: Can you say what it's
7 not?

8 MR. JOHNSON: I -- no. I --

9 MR. WEBSTER: Is it about trying to
10 restart Indian Point or rebuild Indian Point?

11 MR. JOHNSON: Oh, no, it is not.

12 MR. WEBSTER: Okay.

13 CHAIR CONGDON: Go on, Richard.

14 MR. WEBSTER: Okay. So I have a
15 couple of questions, and don't -- well, thanks for --
16 for being so clear about the impacted status because
17 I think that was a concern. So it does raise the
18 question. I thought we -- we had a discussion last
19 time, I think, about some sort of portable detector
20 that you were getting to -- to survey the site. Can
21 you clarify what's happening with that?

22 MR. MAYER: Yeah. It's -- that's part
23 of that ninety percent. It's being --

24 MR. KACZMAREK: Don, could you use
25 your mic?

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2 MR. MAYER: Sorry. Yes. The question
3 was about a particular type of radiation detector
4 that we were going to deploy, and we have deployed
5 it. It's very effective. It's -- I don't know how
6 familiar you are with the technology, but there
7 are -- there are different sizes of detectors. This
8 happens to be a very large detector so that its
9 efficiency -- its detection efficiency is quite high.

10 So it allows us to more rapidly assess
11 the entire area. And then what -- what we do with
12 that, that's not a one and done. We do that and then
13 that informs us as to what else do we need to do in
14 those locations. So the answer is it's ongoing.
15 It's -- that's actually quite effective.

16 MR. WEBSTER: Okay. And do you intend
17 to use the same detector on the rest of the site?

18 MR. MAYER: I don't know. I honestly
19 don't know. It's -- I -- it's a good tool. It's not
20 our tool right now. It's -- it's -- it's the -- we
21 actually work with the vendor that's using it right
22 now, the subcontractor. So I mean, it's a great
23 tool. I would -- I would expect it might be used
24 going forward, but that's too premature at this
25 point.

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2 MR. WEBSTER: Can you reassure us that
3 you will be surveying the whole site for
4 contamination?

5 MR. MAYER: Absolutely. Well, I can
6 reassure you that, yes, we will. And I can also
7 reassure you that the NRC won't allow us not to. We
8 have to.

9 CHAIR CONGDON: Thank you.

10 MR. WEBSTER: Okay. One last
11 question. Sorry.

12 CHAIR CONGDON: Go ahead.

13 MR. WEBSTER: Just to go back to the
14 spent fuel budget overspend, I haven't heard a good
15 explanation of why it cost Holtec twice as much money
16 to move the -- to move the spent fuel from the spent
17 fuel pools to the dry casks in the time allotted in
18 the JP. Can you -- can you elucidate that?

19 MR. JOHNSON: No. I -- I have no
20 answer for that, Rich. You've asked that question to
21 previous people sitting in my position, and I don't
22 know. I don't have an answer for you.

23 MR. WEBSTER: Could you -- could you
24 get an answer?

25 MR. JOHNSON: I can certainly take it

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2 back and provide what I can get.

3 MR. WEBSTER: Well, let me ask you
4 another question. How can we be assured that Holtec
5 Decommissioning International isn't being overcharged
6 by Holtec International?

7 MR. JOHNSON: By the -- certainly by
8 the process that the NRC explained to you.

9 MR. WEBSTER: No. The NRC --

10 MR. JOHNSON: No. Let me finish.

11 We --

12 MR. WEBSTER: Well, you're
13 mischaracterizing what the NRC said. The NRC said
14 they wouldn't care about that provided --

15 MR. JOHNSON: And what I'm telling you
16 is I -- I'm not here to discuss who we charge, how we
17 charge, when we charge, or what we charge. What I'm
18 going to tell you is we annually submit to the NRC a
19 document that assures that we have the funds required
20 to decommission the site and have money left over at
21 the end.

22 MR. WEBSTER: Yeah. I know that, but
23 that doesn't answer my question.

24 MR. JOHNSON: Well, that's the answer
25 I'm going to provide.

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2 MR. WEBSTER: But you don't know --

3 MR. JOHNSON: I don't have any -- I

4 don't have any -- I can't tell you why the company

5 charges certain things in -- in certain areas. I

6 can't get into the finances of the greater company,

7 but I can tell you, at Indian Point, this is what we

8 do.

9 MR. WEBSTER: I'm asking you to assure us

10 that Holtec -- Holtec Decommissioning International

11 bargains hard with Holtec International for competitive

12 prices.

13 MR. JOHNSON: I'm not sure what I'm

14 supposed to say to that. I'm going to tell you that

15 we decommission the site in a safe way per our

16 regulations, and we follow all of those protocols.

17 I'm not going to get into why we charge or who we

18 charge.

19 CHAIR CONGDON: John, I think --

20 MR. JOHNSON: It's not pertinent.

21 CHAIR CONGDON: John --

22 MR. JOHNSON: And I --

23 CHAIR CONGDON: -- we've got to move

24 on.

25 MR. SIPOS: Yeah. I know we're

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2 running out of time here. Just a very quick
3 question.

4 I just talking with Greg about this.
5 I was wondering if Entergy would -- excuse me --
6 Holtec would care to chime in on this. Would you
7 agree with the general principle that the faster a
8 site is decommissioned, the quicker it can be used
9 for economically productive uses?

10 MR. JOHNSON: I would -- yes, I would
11 agree.

12 MR. SIPOS: Thank you.

13 CHAIR CONGDON: With that, I'd like to
14 move on so that we can try to get to the public
15 statement hearing close to on schedule. For the
16 State agency oversight updates, I'm going to turn to
17 the resident inspector, Cliff Chapin, to begin.

18 MR. CHAPIN: Okay. Good evening. I'm
19 Cliff Chapin, New York State Inspector with the
20 Department of Public Service stationed at Indian
21 Point. Just a reminder that the Department of Public
22 Service maintains the Indian Point tip line and
23 website for raising concerns.

24 The website provides common questions
25 and answers associated with raising a concern and

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2 offers different options, including an online form
3 that can be filled out, a phone number that can be
4 called, and/or an email address that can be utilized.
5 DPS has not received any messages to the tip line
6 since the last DOB meeting.

7 Next.

8 Holtec continues to maintain four of
9 the Reuter-Stokes radiation monitors in service.
10 These monitors are the four closest monitors to the
11 Buchanan Verplanck Elementary School. The monitors
12 continue to show stable background radiation levels
13 as expected.

14 Next slide.

15 Since the last DOB meeting, the DPS
16 has reviewed the filings that Holtec has submitted to
17 the NRC and to the State. These documents included
18 the Indian Point Unit 3 decommissioning safety
19 analysis report biennial update. The update
20 reflected changes to the safety analysis based on
21 fuel having been moved to the independent spent fuel
22 storage installation.

23 And the Holtec midyear financial
24 presentation required by the joint proposal. This
25 presentation confirmed that all NRC and state funding

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2 requirements associated with the decommissioning
3 trust fund are met.

4 Next slide.

5 Holtec has continued to hold monthly
6 project update meetings in accordance with the joint
7 proposal. These meetings are attended by the New
8 York State Department of Public Service and the
9 Department of Environmental Conservation.

10 As part of the walkdowns that I
11 perform on-site, I've recently been observing
12 demolition activities which have included the Unit 2,
13 Unit 3 transformers and associated equipment, the
14 outage one-stop shop facility, and the site's
15 meteorological tower. Additionally, I've observed
16 some of the training area surveys that were -- while
17 they were being taken.

18 I'll turn it over to Kelly.

19 MS. TURTURRO: Good evening. I'm
20 Kelly Turturro, regional director for the New York
21 State Department of Environmental Conservation.

22 A quick update on our work on the
23 remedial investigation work plan for the LaFarge
24 former Spectra area. We had received a remedial
25 investigation report from Holtec that we reviewed and

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2 provided a second round of comments on at the end of
3 November. So we will await a response from Holtec
4 and then review that report again to continue through
5 to a final report.

6 Next slide, please.

7 We've talked about the SPDES permit
8 that governs -- governs discharges from the Indian
9 Point site regulated by DEC through a SPDES permit.
10 Given the continuing Save the Hudson litigation, DEC
11 has made a determination that we will await a final
12 court decision before continuing with our SPDES
13 permit process.

14 Next slide, please.

15 And then I just wanted to provide an
16 update on another topic that we had discussed at a
17 prior meeting, and that is the proposed updates to
18 DEC regulations that govern water withdrawal
19 permitting.

20 As we've talked about, there were a
21 variety of updates to what we call our Part 601
22 regulation, improving clarity and consistency
23 throughout the regulations. But one area that we had
24 talked about here at the DOB meeting was the proposal
25 by DEC to have a permitting exemption similar to that

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2 on the Atlantic Ocean and the Long Island Sound. But
3 the exemption would continue up the Hudson River to
4 the northern boundary of Westchester and Rockland.
5 We received a lot of public comments from the
6 community.

7 Next slide, please.

8 And we've taken those comments into
9 consideration as we've developed our final
10 regulations. So we heard concerns about protection
11 of aquatic species. And as a result, what we did was
12 we got rid of that straight exemption that we had
13 proposed.

14 So we specifically said -- said in the
15 regulations that there is no exemption for public
16 water supply and desalination projects and also
17 require a SPDES permit to be in effect if a
18 withdrawal is for cooling purposes.

19 So from DEC's jurisdictional
20 perspective, the SPDES permit is the mechanism where
21 we provide those protections for aquatic species. So
22 I just wanted to thank everyone for taking the time
23 to provide comments on our proposed regulations.
24 We've looked at them, and we've made changes based on
25 those comments. Those regs were adopted on November

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2 14th, 2025.

3 Next slide, please.

4 CHAIR CONGDON: Thank you very much,
5 Kelly.

6 Any questions for the State agencies?

7 Yes. Larissa?

8 MS. LIEBMANN: Just a clarifying
9 question. So the LaFarge site you referred to, is
10 that another part of the site that's moving towards
11 partial release? Is that different than the training
12 building? Just trying to understand the two sites.

13 MS. TURTURRO: So it is a different
14 area of the site than the training building. It's
15 not related to the training building at all. It was
16 an area -- it's identified as an area of concern in
17 the remedial investigations work plan.

18 And Holtec chose that area as an area
19 to first investigate and then go through the remedial
20 process that exists under DEC regulations, so under
21 the remedial investigation and remediation as well as
22 DEC's consent order that we have covering the site.

23 And I'll also just pause and turn it
24 over to Holtec to see if you wanted to add anything
25 about the LaFarge area.

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2 MR. KACZMAREK: Matt, can you use your
3 mic?

4 MR. JOHNSON: There we go. It's a total separate
5 piece of property than the training building. It has
6 nothing to do with that. And like Kelly mentioned,
7 it was the first property that we decided to -- to go
8 through this process, kind of test the waters and see
9 how, you know, on our end to see how that would --
10 how that would work. And we're working with the DEC
11 right now to -- to kind of go through that.

12 Nothing specific in terms of what we plan or
13 don't plan to do there yet. We're just -- it's the
14 first one we chose to investigate.

15 MS. TURTURRO: And just one -- one additional
16 comment. It is outside of the protective --
17 protective area as we think of the -- the Holtec
18 facility. It's -- would you -- what is the facility
19 that that is?

20 MR. JOHNSON: Say that one more time?

21 UNIDENTIFIED SPEAKER: Lafarge?

22 MS. TURTURRO: Yes.

23 MR. JOHNSON: The Lafarge area is what we refer
24 to it as, yeah. It's the southern end of the
25 property nearest to the -- the gypsum plant.

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2 MS. TURTURRO: Thank you.

3 MR. WEBSTER: So Kelly, why -- or Holtec, why is
4 the Lafarge area subject to the consent decree and
5 the other area isn't?

6 MS. TURTURRO: You mean the training building?

7 MR. WEBSTER: Yeah.

8 MS. TURTURRO: Well, that area, from a DEC
9 perspective, did not have jurisdictional components
10 that DEC would see to be identified as an area of
11 concern.

12 Now that we have seen that this new information
13 came up, DEC is monitoring the process that Holtec is
14 working through with NRC, and we will make a
15 determination on whether or not that is an area that
16 we take a look at as well.

17 MR. WEBSTER: But won't that result in the
18 effect of the horse leaving -- leaving the barn and
19 then bolting it afterwards? You know, normally,
20 these areas, the remedial investigation has to be
21 approved first, and then, you know, they step through
22 the remediation process. Whereas what Holtec's
23 saying is they're going to remediate that -- that
24 training building area, and then you're going to look
25 at it. Isn't that a bit late?

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2 MS. TURTURRO: No. DEC is working with Holtec
3 and has oversight over the process. They've
4 submitted information to us.

5 MR. WEBSTER: But why does your slide say "no
6 other RI work plans have been submitted to DEC"?

7 MS. TURTURRO: Right. Currently. And there --

8 MR. WEBSTER: So you're working with them, but
9 they haven't submitted any documentation. Is that
10 what you're saying?

11 MS. TURTURRO: Not yet, no. We haven't
12 determined that it is an area of concern under our
13 consent order.

14 MR. WEBSTER: Okay. So it can be an impacted
15 area as far as NRC is concerned but not an area of
16 concern as far as the consent orders?

17 MS. TURTURRO: Yeah. Let me stop you because
18 "impacted area" is not a defined term in DEC's --

19 MR. WEBSTER: No, I know. I'm asking --

20 MS. TURTURRO: -- regulatory jurisdiction.

21 MR. WEBSTER: I'm asking you a question. Can
22 it -- can it be an impacted area under the NRC regs
23 but not an AOC under the consent decree or the
24 consent order, whatever it is?

25 MS. TURTURRO: Well, the areas con -- the areas

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2 of concern are already identified under the consent
3 order. That does not mean that those areas of
4 concern cannot be changed or added to.

5 MR. WEBSTER: Is there any obligation for Holtec
6 to change or add to when they find contamination?

7 MS. TURTURRO: Not under the consent order, no.

8 MR. WEBSTER: Okay. Thank you.

9 CHAIR CONGDON: I think it's important to note
10 that Don acknowledged that when they do the
11 remediation of the training center site that it would
12 be to the ten millirem standard.

13 MR. WEBSTER: Right. It just seems like
14 different sites are being treated differently for
15 different reasons.

16 CHAIR CONGDON: Well, this was new information
17 that was found.

18 MR. WEBSTER: I understand that.

19 CHAIR CONGDON: And so it wasn't included in the
20 original consent order.

21 MR. WEBSTER: Yeah.

22 CHAIR CONGDON: DEC is now monitoring -- from
23 what I just heard, DEC is now monitoring the sampling
24 work that is underway.

25 From the sampling work, Don, you'll develop a

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2 remediation -- a remediation plan?

3 MR. MAYER: Yeah. I think -- yes. We have --
4 we have a remediation plan.

5 CHAIR CONGDON: You have already developed the
6 remediation plan or will --

7 MR. MAYER: It's going to --

8 CHAIR CONGDON: -- finalize?

9 MR. MAYER: -- won't be finalized until we --

10 CHAIR CONGDON: So after the sampling is
11 completed and you know the full scope of the region
12 that -- of the -- of the parcel that would be
13 remediated, there will be a plan for the area that
14 has --

15 MR. MAYER: Yes.

16 CHAIR CONGDON: -- that was found to have the
17 cesium?

18 MR. MAYER: That is correct. Yeah.

19 CHAIR CONGDON: That would be a remediation
20 plan?

21 MR. MAYER: That -- that is a remediation
22 plan --

23 CHAIR CONGDON: Would that remedi --

24 MR. MAYER: -- and its endpoint -- its endpoint
25 will be the final status survey. And I think -- I

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2 can't -- you know, Kelly and I are sitting across the
3 table from each other.

4 So I don't want to mix up terms, but we -- in
5 the case of the radioactive material contamination
6 issue that we're addressing right here, we're -- we
7 are an NRC licensee who's following the NRC rules,
8 and the State has acknowledged that, yes, you will
9 follow those rules, and we, the State, will make sure
10 you do. And one of the people that helps do that is
11 sitting right at the table, Cliff. Cliff.

12 So he'll have -- he'll be part and parcel.
13 He'll be a part -- he goes to project meetings. He
14 knows what our plans are. He'll see them. The AOCs
15 that Kelly refers to, the NR -- the DEC and the NRC,
16 they have different regulations, as you can imagine,
17 and they have different monikers and different
18 acronyms.

19 The remedial investigation work plan is a
20 defined entity in the State of New York. It's
21 different from what we do at the NRC. They both go
22 to the same endpoint. In the case of the NRC, it's
23 different with the State. The State has different
24 endpoint parameters, but we use dose as our endpoint
25 parameter, and we document that through final status

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2 surveys and the associated calculations.

3 So that's -- that's it. So we will have a
4 remediation plan. The State will be able to see what
5 we're doing and nothing different about it.

6 MR. WEBSTER: Can we just say, is the difference
7 that these other AOCs have chemical contamination?

8 MR. MAYER: Yes.

9 MR. WEBSTER: And the -- and the -- the impacted
10 area has radiological contamination?

11 MR. MAYER: That is correct.

12 MR. WEBSTER: So is that --

13 MR. MAYER: If there was an area -- let me give
14 you an example.

15 MR. WEBSTER: Okay.

16 MR. MAYER: What is it? Rich?

17 MR. WEBSTER: Richard.

18 MR. MAYER: Richard. Richard, here. I'll give
19 you an example. If we have and we may well, I don't
20 know. I'd have to go back and look at the list. But
21 if we had an area that the state, in conjunction with
22 reviewing with the -- at the time, Entergy and Holtec
23 came up with an AOC that also happened to have
24 radioactive material in it, then we'd have two
25 regulations. It'd be fun.

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2 We'd have to create a plan for the NRC, and we'd
3 have to create a plan for the DEC. And then we'd get
4 together and we'd all talk about it, and we'd have --
5 we'd have a big plan, okay? It'd be -- have two
6 parts.

7 In the case the way the State manages the site
8 is -- is kind of from an efficiency point of view,
9 they're looking at it in terms of chemical
10 contaminations, oils, heavy metals, you know,
11 whatever their rules are. And the AOCs reflect that.

12 If we ever have an AOC that has radioactive
13 material contamination in it, then we'll have to a
14 remediation work plan that includes both. That's
15 just the way -- that's how it's worked out. But
16 the -- you know, we're -- our -- our -- our work is
17 completely open and transparent to the State. I
18 mean, they're literally there watching us do it.

19 CHAIR CONGDON: Thanks, Tom.

20 I'd like to get to Mayor Knickerbocker, and then
21 we do need to get to the public statement hearing.

22 MS. KNICKERBOCKER: All right, Tom. I'll make
23 this very quick. This is in reference to Mr.
24 Tromblee's comment. Mr. Tromblee agreed it -- it's
25 difficult times for our communities, and I know the

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2 school is seven -- almost seventy percent of
3 someone's tax bill.

4 What I do want to say, too, the Village of
5 Buchanan lost fifty percent of our revenue. And so
6 it has been -- it has been traumatic. It has been
7 tough going through that. In '25/'26, we are going
8 to lose 349,000. And for the school budget, that's,
9 like, nothing. But for our budget it's substantial.
10 And then, '27 -- '26/'27, we're looking at another
11 232. So within the next two years, we're losing
12 500,000.

13 So I'm in total agreement with trying to extend
14 the cessation fund. I mean, every little bit helps.
15 Thank God the -- the school's been fortunate to get
16 the additional million-dollar funding, I think, it's
17 twice now.

18 So I would ask our senator and our -- and our
19 assemblywoman to please keep that in mind. These
20 communities need support, and we are also facing
21 substantial, substantial infrastructure work that
22 needs to be done.

23 And the only other thing is I remember the
24 previous superintendent being at the community unity.
25 It was an informational group that supervisor Puglisi

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2 had set up, and we did have somebody, the previous
3 superintendent, did participate. Thank you.

4 MR. TROMBLEE: Thank you for that clarification.

5 MS. KNICKERBOCKER: Okay. Sure. No problem.

6 CHAIR CONGDON: Assemblymember and then the
7 public statement hearing. The people -- we have a
8 long list of public speakers.

9 MS. LEVENBERG: I know we have -- we have -- the
10 State has already stated the cessation fund. But in
11 terms of the decommissioning fund, is there ever any
12 consideration from NRC to help mitigate the local
13 impacts, NRC?

14 MR. TROMBLEE: If I may, one of the, I believe,
15 violations that Holtec was cited was because they
16 used decommissioning trust funds for support of the
17 school district. I believe it was to support a
18 senior fashion show, and Holtec was cited for using
19 those funds. And since then, since the NRC did cite
20 them, our students have not received any further
21 support.

22 MS. KNICKERBOCKER: Yeah. It's solely for
23 decommissioning activities. Good thought. Good
24 thought. I'm just asking the question. I mean, you
25 know, when -- you know, when DOGE is looking at all

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2 the ways to make things more efficient, it would
3 certainly make -- and look at affordability for
4 communities, this would certainly go a long way to
5 helping offset affordability issues in local
6 communities.

7 So yeah. And then we -- I know we didn't
8 talk -- sorry, Tom, but we didn't talk at all really
9 about the monitoring. And is -- is there any reason
10 why the Department of Health can -- can't observe the
11 air monitoring system at Buchanan-Verplank?

12 CHAIR CONGDON: Well, the State of New York
13 through the Department of Public Service has
14 committed to doing the fence line monitoring for the
15 whole community on a going-forward basis and
16 incurring those costs when heavy demolition begins.
17 The grant to the school of \$500,000 was for site
18 characterization and to stand up the monitoring. And
19 I don't know if superintendent wants to talk to that
20 anymore.

21 MR. TROMBLEE: Sure. We just met with the DPS,
22 DEC, DOH, and I think that's all the acronyms
23 yesterday in a very productive meeting.

24 Status update on the monitoring since we last
25 discussed at the table here, seven out of ten

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2 monitoring sensors have been spun up. There was a
3 technical issue that our staff has worked with the
4 vendor providing that service has identified. We
5 anticipate that at the end of January, all of those
6 monitors will be up and running.

7 We have worked with the Westchester County
8 Department of Emergency Services to identify a
9 protocol. So that was immediate response after our
10 last meeting. So very appreciative of that to help
11 us identify once those monitors are up and running.

12 And if we do see an alert, which we are tasked
13 with monitoring, we -- we have a plan in place to
14 keep our students and our community safe that I'm
15 very pleased with.

16 And then also, we do have an update on the
17 baseline environmental survey that we went out and
18 did an expanded sur -- report on. And that is
19 currently being reviewed with the DEC, DOH, and DPS.
20 And I believe, at the next meeting in February, we
21 will have that vendor present to provide an overview
22 of the report and the DEC and DOH able to -- to
23 answer any specific technical questions.

24 We do -- we do know, based on initial review of
25 that report, there is no immediate danger based upon

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2 the sampling that -- that puts our students, our
3 staff, or our property in any alarm. So we do
4 appreciate the partnership and the technical
5 assistance that has been provided.

6 CHAIR CONGDON: Great. Thanks for the
7 questions, Assemblymember.

8 Okay. Tom Kaczmarek, can we move now to the
9 public statement hearing?

10 MR. KACZMAREK: Absolutely, Tom. And let me
11 call the first three in order. Tina Volz-Bongar,
12 Dietmar Detering, and Christopher Vargo. Just come
13 up one at a time. Just a reminder there's a three-
14 minute time limit to afford everyone an equal
15 opportunity to speak.

16 Tina, you may begin when ready.

17 MS. VOLZ-BONGAR: Yes. Hi.

18 Mr. Tromblee, hi. I'm Tina Volz-Bongar from
19 Peekskill, New York. And I just wanted to say
20 something because when you started your -- your talk
21 and everything and I -- to me, I'm a small business
22 owner, and so basically, it's the busiest time of the
23 year. So I'm going to go back tonight, and I'm going
24 to work on the invoices and the budgeting and
25 everything else.

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2 But what I heard from you when you said
3 community advocates, you haven't heard community
4 advocates, and I'm assuming that that you mean
5 environmental advocates don't advocate for the
6 economic health of the community. I have to say I
7 absolutely do, and that's why I don't want the one
8 and a half million tons of irradiated water dumped in
9 the Hudson River. It would severely impact our
10 business and tourism.

11 And I've also advocated and written to our
12 senators. I see that Roberto Williams is here from
13 Schumer's office. I've written to them about the
14 Stranded Act. So very much, I'm concerned about your
15 economics.

16 And I want to say, and there's a trope in there,
17 about how environmental advocates -- I think it's
18 embedded in there -- about closed Indian Point.

19 And thanks to this board and, Mr. Sipos, here's
20 a veiled compliment to you, okay? Because we have
21 the New York State Oversight Decommissioning Board,
22 we were able to hear from the CEO, Rich Burroni, who
23 explained to us that Indian Point was closed for
24 economic reasons and no -- solely.

25 And you can say, okay. Well, that's because --

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2 and he pointed out, he -- they chose not to bring the
3 plant up to, you know, environmental standards and
4 everything else that was there. And I'd also like to
5 point out that the governor now is making it a
6 million-dollar salary working for the nuclear
7 industry.

8 So okay. Let's put it in context. And also in
9 that, we were able to hear from NYISO about how much
10 electricity from Indian Point was being sold on the
11 open market. And it was very expensive, pretty much.
12 And -- and not only because of the cost of renewable
13 energy; it was also because of the demand went down
14 because of energy -- energy efficiency.

15 See, I learned all of this from NYISO and the
16 testimony of NYISO. So I really want the facts to be
17 here instead of, like, the real tropes. And I really
18 do care about jobs in our community very much so.

19 MR. KACZMAREK: Thirty seconds.

20 MS. VOLZ-BONGAR: Okay. That's all I have to
21 say. Thank you.

22 CHAIR CONGDON: Thank you.

23 Next. Oh, you may begin.

24 MR. DETERING: Thank you.

25 Good evening, Chair Congdon, members of the

1 12/11/2025 - Indian Point Decommissioning Oversight Board
2 Decommissioning Oversight Board, and guests. My name
3 is Dietmar Detering, Chair of Nuclear New York. I am
4 an environmentalist deeply concerned about climate
5 change, and I appreciate the opportunity to speak.

6 For years, many of us believed Indian Point's
7 future was settled and the return to service was
8 impossible. But Holtec's own engineering analysis
9 has since confirmed that the rebuild is technically
10 feasible. Given that fact, it is important to look
11 honestly at where the State now stands.

12 Shutting down Indian Point made New York more
13 dependent on fossil generation. Replacement gas
14 plants now emit pollution associated with hundreds of
15 premature deaths every year, a harm that the State's
16 own health benefit metrics can quantify at up to \$3
17 billion annually.

18 At the same time, New York is falling behind on
19 its decarbonization targets as offshore wind
20 timelines have slipped, siting conflicts for wind and
21 solar are growing, and transmission buildouts remain
22 hopelessly behind what is needed to move power to the
23 downstate grid.

24 The grid operators have a lot of warnings of
25 reserve margin shrinkage should be a concern to

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2 everyone who wants traffic lights and emergency rooms
3 to operate uninterrupted. No single project solves
4 all of these challenges, but Indian Point can be the
5 key to address exactly these vulnerabilities,
6 reliability, emissions, and downstate load.

7 I also want to acknowledge something just as
8 important. I know that many members of the community
9 have deep concerns about nuclear energy. Those
10 concerns are sincere, and I respect them. I believe,
11 however, that much of what people fear stems from
12 outdated or incomplete information, understandable
13 given how complex this topic is.

14 Modern reactor performance, health data, and
15 regulatory oversight tell a very different and far
16 more reassuring story. My goal is to encourage all
17 of us to examine the facts as they stand today with
18 fresher information and clear-eyed understanding of
19 realities.

20 Indian Point was once the economic cornerstone
21 of this region. Its closure wiped out roughly \$32
22 million in annual local tax revenue and removed a
23 major source of unionized high skill employment. An
24 evaluation of rebuild should weigh not only statewide
25 climate and reliability needs, but also the potential

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2 economic benefits for the surrounding communities.

3 Given the magnitude of this opportunity, I
4 respectfully urge the Decommissioning Oversight Board
5 to discuss the rebuilding option in earnest as a
6 legitimate pathway that now has a technical basis.

7 MR. KACZMAREK: Thirty seconds.

8 MR. DETERING: The board has both the expertise
9 and the responsibility to evaluate what is in the
10 best long-term interest of New York and the
11 communities here in Northern Westchester.

12 Thank you for your time, and I appreciate your
13 continued work on behalf of this region.

14 MS. JOHNSON: Good evening. Christopher is not
15 able to come, so he asked me to read his statement.
16 My name is Susanne Johnson.

17 Holtec's recent interest into -- in releasing
18 some of Indian Point's property to build a data
19 center is an excellent opportunity for our community
20 to get good-paying jobs and tax revenue.

21 Chris completely understands the public's
22 concern, and any project should be thoroughly
23 investigated. But what makes this such a great
24 opportunity for industries and public alike is the
25 opportunity to build the first sustainable data

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2 center in the United States.

3 It was a large piece of property owned by the
4 Town of Cortlandt and bought with proceeds from --
5 allowing the gas pipeline to run through the town
6 right -- right next to the proposed area of the data
7 center, a solar farm could be constructed and supply
8 power to a data center in -- the data center.

9 The quarry, which is located on the same
10 property, could be used as a heat sink. The quarry
11 has over thirty acres of water surface, which could
12 be -- which could have floating solar panels that
13 would help keep water cool and generate power for
14 cooling equipment.

15 What better way to properly -- to use property
16 that was purchased with fossil fuel money than to
17 generate sustainable power. What better way to use
18 the scars of past industries than to support new
19 technologies. The funds generated by these projects
20 will support our schools and supply good-paying jobs.

21 Thanks and happy holidays. Christopher Vargo.

22 MR. KACZMAREK: Thank you. Next is Marikko
23 Fanning, followed by Amanda Victoria Mintz, and then
24 Nancy Vann.

25 Is Marikko with us this evening? Okay.

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2 Next is Amanda Victoria Mintz. Amanda?

3 All right. Nancy Vann.

4 MS. VANN: Hi. My name is Nancy Vann, and I'm a
5 resident of Peekskill, and I also own property in the
6 town of Cortlandt. And the gas pipeline that runs
7 through Indian Point also runs through our property
8 in Cortlandt. So I'm very aware of some of the
9 problems with the Indian Point site.

10 But what I would like to talk to you about
11 tonight is the money -- the money that is being spent
12 by Holtec without adequate supervision. I spent
13 decades as a Wall Street attorney filing financial
14 statements with the Securities and Exchange
15 Commission, and we had to account for the way money
16 was being spent. It had to be in a budget. It had
17 to be disclosed publicly.

18 Holtec has so far a privately held corporation,
19 but it is now going to be -- it has announced that it
20 is launching its initial public offering of its
21 stock. I hope that that will bring a little bit more
22 transparency to Holtec, but I also want to mention
23 that as a trust -- a trustee of the trust fund, there
24 are certain financial responsibilities that are
25 placed on a trustee.

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2 Conflicts of interest should be avoided like
3 when a company sells it -- products to itself perhaps
4 at an inflated price. And there are fiduciary duties
5 of the trustee to make sure that the purposes of the
6 trust will be fulfilled.

7 Now, Holtec assures us that there's plenty of
8 money, that they weren't going to run out of money
9 for decommissioning the site. But for most projects
10 like this, there are interim goals. We have no idea
11 of how much of the decommissioning work has been done
12 in terms of a percentage of the work that has to be
13 done, a percentage of the cost of that work.

14 CHAIR CONGDON: Thirty seconds.

15 MS. VANN: We have no idea how much is left to
16 be done, and I think that we need a little more
17 transparency, particularly for a company that is
18 asking the public to invest in its stock. And I hope
19 that there will be more transparency going forward.

20 Thank you.

21 MR. KACZMAREK: Thank you. Next is James
22 Rogulski, followed by Jacquelyn Drechsler, and Eric
23 Dawson.

24 MR. ROGULSKI: Good evening, all. You all look
25 radiant, especially Richard.

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2 First, thank you to my superintendent, Michael
3 Tromblee. He's a gentleman and a fine leader. It's
4 nice to be here at BV.

5 My name is James Rogulski, and I'm a 20-year
6 veteran English teacher at Hendrick Hudson High
7 School, and I'm the teacher union president. I've
8 spent half of my life serving this community. I also
9 had the privilege of performing the Pigeon Rides the
10 Roller Coaster to a riotously fun audience of
11 kindergartners from Ms. Apal Kolish's (phonetic) and
12 Mr. Pin's (phonetic) classes last year right down the
13 hall. There is nothing like the sound of children's
14 squealing laughter. Nothing.

15 So I got a story to tell. Last year, I learned
16 that, Lenny, one of my favorite students, and I know
17 I'm not supposed to have favorites, but despite what
18 some of my other students say about me, I'm human.

19 I learned that Lenny worked with his father as a
20 painter to help out the family and to save for
21 college. After he graduated, I shook his hand and
22 got his number, and then I gave him a call to bid a
23 job at my house. My piece de resistance, a beautiful
24 front porch that I built with a mentor of mine about
25 a decade ago, was in need of a fresh paint and stain.

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2 My house that I live in now was my grandfather's
3 house, which he built, which is close by to my
4 parents' house who, I'm very lucky to say, are still
5 alive. Now, when Lenny and his father came to see
6 me, we had coffee. The two of them live around the
7 corner in Buchanan. It turns out being a
8 professional and cordial and hardworking didn't stop
9 the taxes on the house they own to rise from \$8,000 a
10 year to more than \$12,000 a year in a three-year
11 period.

12 Lenny's father was considering selling and
13 moving north. And this may sound crazy, but it's my
14 opinion Lenny should have the opportunity to buy a
15 house around here someday to be near his father just
16 as I did. And his father shouldn't have to leave a
17 community he loves because a ridiculous tax increase
18 is caused by all this malarkey. The lack of planning
19 for a future without Indian Point by the bureaucrats
20 that closed it disgusts me.

21 MR. KACZMAREK: Thirty seconds.

22 MR. ROGULSKI: They weren't affected then, and
23 they're not affected now. The school district, its
24 students, its teachers, its community should not
25 suffer at the calloused feet of giant corporations

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2 and inept governments. And inflation is real and
3 compounds this issue.

4 The problem regarding this school -- the schools
5 is easily remedied. Secure a larger fund to be drawn
6 down over a longer period of time, so the schools in
7 this community can stabilize and thrive. Instead, we
8 sit here listening to bickering by moneyed interest.

9 Holtec, which apparently can charge itself
10 double to make double the profit, New York State,
11 Riverkeeper, and the federal government via the
12 NRC --

13 MR. KACZMAREK: Mr. Rogulski?

14 MR. ROGULSKI: -- these interests who ignore the
15 schools -- I'm almost done. These interests who
16 ignore the schools in the community while their
17 bloated trust fund grows like poison ivy around the
18 trunk of an oak tree. I'm an English teacher.
19 Remember. There's a metaphor up here.

20 Thank you.

21 MR. KACZMAREK: Mr. Rogulsky, are you wrapping
22 up?

23 MR. ROGULSKI: Choking its magnificence. Do
24 what is needed and is your job and what is right.
25 Secure funding to secure Hen-Hud's future.

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2 MR. KACZMAREK: Thank you.

3 Ms. Drechsler, followed by Eric Dawson, and then
4 Lisa Anderson.

5 MS. DRECHSLER: I could have ceded some of my
6 time to him because I'm going to be brief. So thank
7 you for this opportunity to speak tonight. Jackie
8 Drexler from Valley Cottage, New York.

9 I'd like to start off by saying that I've heard
10 that Holtec had an agreement to provide certain parts
11 physical samples called coupons and other parts of
12 radioactive materials to the NRC for some sort of
13 evaluations that could end up bringing a deeper
14 understanding of the life of reactors and its safety,
15 and I'm wondering if they're going to be doing that.

16 The next little thing I'd like to talk about is
17 all of these violations. So, you know, in any
18 situation, there's something called cumulative
19 effects. So it's not just the -- it's not just that
20 they had a violation here on this topic and a
21 violation there and then maybe another one here.

22 We're talking about violations that are at
23 Indian Point, that are at the Pilgrim plant in
24 Massachusetts, that are at the Oyster Creek plant in
25 New Jersey, and that are at the Palisades, Michigan,

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2 plant where, you know, a worker recently fell into
3 the vat. So I'm wondering about cumulative effects.

4 The next thing I'd like to talk about, and I'm
5 going to just move right along. You know, we talked
6 about these canisters, these canisters that weren't
7 approved. Now, they may be considered safe. Maybe
8 it wasn't an issue of safety, but they weren't
9 approved. And the NRC says it's over ten casks or
10 canisters and that it's at multiple sites, but they
11 won't divulge. Now, we have all heard that it's more
12 like about 350 cannater -- canisters dispersed around
13 the country.

14 And I would actually like to know the answer to
15 that because some of these changes may actually
16 create harm, especially the ventilation change and
17 the height. This could create a serious, serious
18 harm.

19 So the other thing is I've got to go back to
20 this. NRC does not regulate the costs of Holtec. So
21 who is regulating Holtec when they're double-dipping
22 into paying themselves from their own company and
23 making tons of money on their own products. How many
24 times can they keep on doing this and still keep that
25 trust fund really going?

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2 MR. KACZMAREK: Thirty seconds.

3 MS. DRECHSLER: Because eventually, they won't.

4 And my last -- my -- my last thing is about the
5 actual cleanup of the cesium. It was said that the
6 cesium waste would be packed up and shipped out. I'd
7 like to know to where. Where does the waste from
8 Indian Point end up?

9 And then furthermore, I'd just like to say that
10 we all really do feel for the schools, and I
11 understand that Congressman Mike Lawler had somehow
12 been involved in something. I don't know if it was
13 the Stranded Act. And I'm certainly willing to push
14 my elected officials in Rockland and Congressman
15 Lawler to try to be making a better situation for
16 this school.

17 Thank you so much.

18 MR. KACZMAREK: Thank you.

19 Next is Eric Dawson.

20 MR. DAWSON: Good evening. Thanks for sticking
21 around. My name is Eric Dawson, and I'm with Nuclear
22 New York, a pro-nuclear environmentalist group.

23 New York CLCPA, one of the strictest climate
24 laws in the U.S., was passed in 2019 primarily with
25 the intention of lowering greenhouse gas emissions.

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2 Now, six years later, New York has higher greenhouse
3 gas emissions. Why? It is solely because Indian
4 Point, a zero-emission nuclear power plant, was shut
5 down.

6 According to NYISO, since the premature shutdown
7 of Indian Point, we now have higher CO2 emissions,
8 higher electricity price volatility, and a higher
9 chance of power outages. The vacuum of energy supply
10 created from the absence of Indian Point has been
11 filled by natural gas, not renewables.

12 And currently, New York State only gets four
13 percent of its electricity from wind and solar, which
14 is equivalent to that of less than one reactor at
15 Indian Point.

16 Previously, NYISO has explained New York's
17 electricity system with a clever Dickensian phrase,
18 the tale of two grids. It's a short story. Upstate
19 New York has a ninety percent clean grid with three
20 operational nuclear power plants, whereas downstate
21 New York now has a ninety percent fossil fuel grid
22 only after shutting down all its nuclear power
23 plants.

24 During its over fifty years in service, no one
25 was harmed by Indian Point's spent nuclear fuel

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2 stored safely on-site nor were there any major
3 accidents. At the time of its final shutdown in
4 2021, Indian Point's workforce had achieved a new
5 world record for the longest period of continuous
6 operation of any commercial light water reactor in
7 the world.

8 In my humble opinion, prematurely shutting down
9 the most reliable source of zero emission power to
10 America's largest city was the worst energy decision
11 in U.S. history. Therefore, this decommissioning
12 process should ultimately be halted and reversed, and
13 I hope I get to see Indian Point rebuilt and
14 restarted someday.

15 Thank you.

16 MR. KACZMAREK: Thank you.

17 Next, Lisa Anderson followed by Michelle Piccolo
18 Hill.

19 MS. ANDERSON: Good evening. My name is Lisa
20 Anderson, and I am a community member and a parent in
21 the Hendrick Hudson School District. I have been
22 following the task force and the DOB meetings since
23 they first began back in 2017. Tonight is my first
24 time to speak at one of these meetings, though.

25 A year ago, Superintendent Tromblee read a

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2 letter that was signed by the Board of Education, all
3 the collective bargaining units of the school
4 district, all four of our PTAs, and the PTA advocacy
5 committee.

6 In that collective letter, we laid out the dire
7 financial situation of our school district and --
8 that the community also faces. Thank you to our
9 elected officials for responding and helping us have
10 meetings over the past year with our federal and
11 state representatives. I'm here to ask today for
12 three more -- three more pieces of help.

13 First of all, the electric -- electrical
14 generation facility cessation mitigation program -- I
15 think we usually call the power plant cessation
16 fund -- has provided a much needed financial support
17 for our community and prevented the double-digit tax
18 increases the school district would have otherwise
19 faced and have been forced to levy as it adjusted to
20 the loss of the Indian Point PILOT.

21 The last year the District will be eligible for
22 funding from this program is the '27 -- 2027/2028
23 school year, which is just two years away from now.
24 With delays in decommissioning and extended time
25 frame to release the property for redevelopment, an

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2 extension on these funds would be incredibly helpful.

3 There is currently a bill, S649, that extends
4 the mitigation program from the current seven years
5 of eligibility up to ten years. The assembly
6 companion bill is A3626. Please help us advocate for
7 an extension to the electrical generation facility
8 cessation mitigation program.

9 Second, the Stranded Act was last introduced at
10 the federal level in both houses in 2021. Its
11 purpose is to provide relief to communities like
12 ours. It has died in committee each time it has been
13 proposed. There is serious money that we would
14 qualify for if the Stranded Act passes.

15 The rate of impact assistance payments for
16 communities storing nuclear fuel has been set at
17 fifteen dollars per kilogram of spent fuel. Indian
18 Point has 1,773,900 kilograms of nuclear waste. That
19 would make us eligible for a grant of \$26.6 million
20 per year.

21 There are approximately eighty communities in
22 thirty-four states across the country where spent
23 nuclear fuel is being stored after it has been
24 removed from a commercial nuclear reactor.

25 MR. KACZMAREK: Thirty seconds.

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2 MS. ANDERSON: Let's work together with these
3 other communities to get the Stranded Act
4 reintroduced and passed.

5 Third is the proposed REACT Act. It's HR5803.
6 The NRC's rules prohibit Holtec from using the trust
7 fund, which has grown from \$700 million to
8 approximately \$3 billion, to aid local school
9 districts or communities.

10 It is incredibly difficult to find out how
11 nuclear power plants are using their decommissioning
12 trust funds. HR5803 would require reporting on the
13 earned interest, project an annual rate of return,
14 and require detailing the expenditures made for the
15 decommissioning activities using withdrawals from the
16 decommissioning fund -- trust fund.

17 To our elected officials, please meet with the
18 federal representatives and advocate with us for the
19 Stranded and the REACT Act.

20 My final request is to the DOB to invite our
21 federal representatives to the next meeting where
22 they could present on what they are doing to help us
23 with regards to Indian Point. I know they sent
24 representatives today, many of them, but I'd like to
25 hear from them as well. We must --

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2 MR. KACZMAREK: Ms. Anderson, are you wrapping
3 up?

4 MS. ANDERSON: Thank you. We must work together
5 to find solutions to the challenges we face. Our
6 children and our future deserve it. Thank you.

7 MR. KACZMAREK: Thank you.

8 After Michelle Piccolo Hill, Susan Shapiro.

9 MS. PICCOLO HILL: Hello. I wrote these last
10 night, so I apologize if they're a bit redundant and
11 hopefully unnecessary. I'm happy to hear about the
12 proposed law.

13 While I recognize that one of the key community
14 concerns is that our schools get the financial
15 support they need, which is incredibly important, I
16 think it's just as important that we nip the idea of
17 reopening the plant in the bud.

18 I'm a local parent, and I'm very much opposed to
19 reopening Indian Point. It was closed for many valid
20 safety reasons, and I'm very upset that reopening it
21 was even discussed for consideration. The plant is
22 too close to New York City. Its existence was a
23 danger to the entire metropolitan area. It was also
24 a danger at the local level.

25 This is a densely populated local area with no

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2 feasible evacuation plan. If anything were to
3 happen, there's no way we'd get out. The sirens and
4 the buses were a ridiculous set of measures that
5 would do nothing. Our roads are narrow and windy and
6 it takes 20 minutes to get to the grocery store, let
7 alone to a major highway, which would quickly and
8 safely get us evacuated.

9 In fact, my husband heard a person who was among
10 the bus drivers in the system candidly say that she
11 was going to -- wasn't going to show up if something
12 happened. Who could blame them? You're going to
13 stand at a bus stop you've never seen function?
14 That's absurd.

15 Emissions, radioactivity. Well, we've been told
16 time and again it's safe. Yet when they started
17 decommissioning, they found radioactivity on the
18 plant site closer to the road with no explanation.
19 They still don't know how it got there. And you want
20 to do that again? You can't answer how there was a
21 leak the first time, yet you want us to go on faith
22 that this time will be different. No.

23 One of the ideas floated for reopening the plant
24 was to retrofit the old reactor at plant with old
25 retrofitted parts from other failing decommissioned

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2 plants. Are you kidding me? That's like asking us
3 to buy an old clunker car with parts from other old
4 cars. No thank you.

5 With regard to safety and releasing water into
6 the Hudson, I've heard time and again how a banana
7 has more radioactivity than the river. If it's safe,
8 I'd like to watch you go use the water, which is used
9 recreationally by our families, children, and people
10 as the radioactive water is being released. I have a
11 feeling you wouldn't be so willing with your
12 families. It's very easy to play with the future
13 when it's not yours or your children's. I'm a no to
14 rebuilding Indian Point.

15 And lastly, after listening to your comments
16 tonight, one additional question. How can you ensure
17 that the -- how can the NRC ensure and determine that
18 Holtec has enough money to safely complete
19 decommissioning?

20 MR. KACZMAREK: Thirty seconds.

21 MS. PICCOLO HILL: They have no interest in how
22 much how much Holtec is actually paying its
23 subcontractors. Thank you.

24 MR. KACZMAREK: Thank you.

25 Susan Shapiro, and then we'll move on to our

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2 virtual participants.

3 MS. SHAPIRO: Thank you very much for coming
4 tonight. I wish the NRC would be up here to be able
5 to answer questions, but I want to start with some
6 good news.

7 Since Indian Point closed, the infant mortality
8 rate of our region has gone way down. So that's a
9 bit of good news for families and for everyone in
10 this community. With regard to the needs of the
11 school district, I think -- I agree with you that
12 the -- it's ridiculous that Holtec is getting money
13 from the DOE to store the waste that is a burden to
14 this community. That money should be given to the
15 school district and to this community. It shouldn't
16 be held by Holtec.

17 And the way they got that money, yes, the
18 Stranded Act with our current situation in politics
19 may never pass, though it should. But they got that
20 money out of a lawsuit. The reactor owners sued the
21 DOE for not taking control of the waste.

22 So maybe our community has to look at that and
23 take it into our own hands because we could also tax
24 the spent fuel as a new use of the land as Minnesota
25 did by on the state level, on the county level, and

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2 on the village level. And maybe we have to take this
3 matter into our own hands. So that's my suggestion
4 there.

5 With regard to the -- the excavation of that --
6 they're claiming they're doing, I would have to ask,
7 how deep are you going? It's bedrock. You can't
8 just dig a bedrock. They're not excavating deeply.
9 They don't know what's down there. There have been
10 maps in the past that we have seen of the amount of
11 radioactive effluent under Indian Point, and it's
12 deep, and it's a lot. So them digging two feet means
13 nothing as to actually cleaning up the site or even
14 in the areas where the cesium was found that they
15 can't explain.

16 They don't know what's under there. So it's --
17 it's inefficient, and it's not sufficient for our
18 community to know that this is going to be safely
19 cleaned up and to release land back to be used for
20 something else. We want to know it's actually clean
21 before it goes back for any other purpose.

22 With regard to this push for Indian Point to be
23 reopened for -- for data centers and AI, let me just
24 simply say it's insane even for anyone in New York
25 State to be thinking of spending another \$33 billion

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2 on more nuclear for data centers when the simple
3 answer is geothermal.

4 The only reason you need energy for data centers
5 is to cool the equipment. You cool the equipment
6 with geothermal, which is available everywhere, and
7 it's already being done by Microsoft and Meta.

8 So take that back, please, DEC. Mr. Sipos.
9 Take that back to the governor and say it's insane to
10 waste our money to -- to build more nuclear anywhere
11 in New York State for data centers.

12 And then with regard to this authority, what
13 authority does the NRC have? Their authority, as I
14 remember --

15 MR. KACZMAREK: Thirty seconds.

16 MS. SHAPIRO: -- with the safety drills was only
17 within the bounds of the site that exists under the
18 license, which is Indian Point site. Once anything
19 leaves that site, it's under the authority of New
20 York State. It is not under the authority of the NRC
21 anymore.

22 No matter what it is, whether it's radioactive
23 or not, once it leaves the site, it is no longer part
24 of their authority. That's why, in the drills, they
25 never allowed the radioactive release -- and, Susan,

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2 you remember this, never allowed the radioactive
3 drills to leave the site because they no longer had
4 authority.

5 So they never could actually test an evacuation
6 plan because their whole scenario --

7 MR. KACZMAREK: Ms. Shapiro?

8 MS. SHAPIRO: -- stayed within the site because
9 of that issue. So that is really important for
10 everyone on the state level to understand. That it
11 is --

12 MR. KACZMAREK: Mr. Shapiro, are you wrapping
13 up?

14 MS. SHAPIRO: Thank you.

15 And the last thing I -- just one last thing.
16 Governor Hochul shook my hand and looked me in my eye
17 and said, "Indian Point will never reopen." So I'm
18 holding all of you to that and remind her of that as
19 well. Thank you.

20 MS. KNICKERBOCKER: Tom, I just want to take a
21 minute to clarify something. You said that the
22 casks -- the spent fuel casks were taxed. That
23 started in the Village of Buchanan with the
24 cooperation of Senator Harckham and also
25 Assemblywoman Galef. We got that passed.

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2 We were the first to introduce that and then
3 other people throughout the country. So we looked at
4 it that each cask was worth a million dollars. So we
5 have \$125 million over. Really, it's over. This is
6 going back several years ago.

7 But Senator Harckham was very supportive. Sandy
8 Galef was very supportive. It got passed on a New
9 Year's Eve. Remember, Pete's -- Pete's texting me.
10 I think he's going to sign it. And he did.

11 Thank you for your help. We have to actually go
12 after the DOE because they're the ones who are --

13 UNIDENTIFIED SPEAKER: Yeah. Yeah.

14 MS. KNICKERBOCKER: -- money out. So maybe the
15 maybe we have to think about --

16 CHAIR COGDON: Thanks. So perhaps you guys
17 could follow up afterwards. Thank you so much.

18 Tom?

19 MR. KACZMAREK: So we're moving to our virtual
20 panel -- our virtual participants. Manna Jo Greene,
21 you will be first up. Just remember it's three
22 minutes to speak. You will receive an "ask to
23 unmute" option, and you may begin when ready.

24 MS. GREENE: I appreciate it. I believe I'm
25 unmuted. And I just want to stress a few key points.

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2 Nuclear energy is the most expensive form of energy.

3 If it's reimplemented at Indian Point, energy bills

4 will skyrocket.

5 Nuclear power is -- is not zero emission, and it

6 isn't carbon-free. It is not a climate solution.

7 Nuclear power reactors emit huge amounts of global

8 warming heat directly into our air and water, and

9 they also emit radioactive isotopes, which cause

10 cancer, birth defects, prematurity, et cetera. So

11 reimplemented nuclear power at Indian Point would

12 also increase health risks and health costs.

13 It's not reliable. There have been instances

14 where, during storms or drought, the reactors were

15 either forced to shut down or did so voluntarily

16 because it was dangerous to keep operating. I'm

17 particularly concerned about a storm surge on top of

18 sea level rise, which is predicted by climate

19 scientists.

20 Radioactive nuclear waste is forever, and there

21 is no repository. So it's going to be stored on-site

22 to continue to impact surrounding communities. And

23 there are lots of -- there's lots of health research

24 to indicate that there are real impacts to public

25 health and also to the environment.

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2 So I absolutely oppose any further bailouts for
3 nuclear power. What the solution is, is affordable
4 renewable energy. That's what's needed. That's what
5 was planned. The governor really has not done
6 anything to move the renewable energy agenda forward.

7 MR. KACZMAREK: Thirty seconds.

8 MS. GREENE: And in my last thirty seconds, I
9 want to thank Richard Webster, and I also want to
10 thank Tom Congdon. I think you do an excellent job
11 of moderating a very conflicted topic.

12 And thank you, all.

13 CHAIR CONGDON: Thank you.

14 Next is Suzannah Glidden followed by Jocelyn
15 DeCrescenzo.

16 Suzannah, are you with us?

17 All right. We're going to move on right now to
18 Jocelyn DeCrescenzo.

19 MS. GLIDDEN: Hello there. Do you hear me?

20 CHAIR CONGDON: Oh, I'm sorry. Yes. We can
21 hear you.

22 MS. GLIDDEN: Thank you so much.

23 Good evening. Data centers have been way
24 overbuilt in the country and under the public's
25 radar. They're gobbling up our electricity and using

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2 up our finite amount of fresh water. We cannot
3 support any more data centers that profit only the
4 billionaires while sending our electricity rates sky
5 high.

6 Climate cannot wait. We have a global warming
7 emergency. We ratepayers and taxpayers want, as
8 Manna Jo said, no more bailouts of old nuclear and no
9 new nuclear built.

10 The various things that account for our strong
11 feelings, nuclear power reactors emit huge amounts of
12 global warming heat right into our air and water.
13 They release radiation, causing cancer, increases
14 health risks, raises healthcare costs, and as Manna
15 mentioned, the waste is forever.

16 There's no repository for the current
17 radioactive waste forcing environmental justice and
18 indigenous people's communities to be keepers of the
19 waste. Money spent on nuclear power, the most
20 expensive energy choice, is money not spent on
21 renewables.

22 Clean renewable energy plus storage and
23 efficiency are the least costly, the least harmful
24 energy choices, and the fastest to install.
25 Fortunately, Propel New York Energy will create New

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2 York State energy. Only renewable energy is suitable
3 for installation at Indian Point. Thank you.

4 CHAIR CONGDON: Thank you.

5 Next is Jocelyn DeCescenzo. I'm sorry. Try
6 that again.

7 MS. DECRESCENZO: Is that good?

8 CHAIR CONGDON: Yes. We hear you.

9 MS. DECRESCENZO: Okay. Great. So I'm Jocelyn
10 DeCrescenzo, and I thank you for this opportunity to
11 speak tonight. In 1974, the Atomic Energy Commission
12 split with the Energy Reorganization Act, creating
13 the NRC and the Energy Research and Development
14 Administration in 1975.

15 The ERDA later became part of the Department of
16 Energy in 1977, separating nuclear energy regulation
17 from energy development. Today -- today, 50 years
18 later, we are going backwards in time instead of
19 forwards with the NRC's updated mission statement
20 based on executive order 14300 and the Advance Act,
21 adding into the mission statement, quote, "The
22 nation's common defense and security by enabling the
23 safe and secure use and deployment of civilian
24 nuclear energy technology and radioactive materials",
25 end quote, seems to be code for fueling the nuclear

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2 needs of the military, then quote, "through efficient
3 and reliable licensing, oversight, and regulations",
4 end quote, which means fast-tracking nuclear power
5 generation, whether large or small, and it's a lie.
6 All for AI, data centers, and the military.

7 And finally, for the benefit, in quotes, "to
8 society and the environment", while there is no
9 benefit to society of this, only damage. Executive
10 Order 14300 ordering the reform of the NRC and
11 including the shared aspects of the Advance Act are
12 directives. They do have the force of the law but
13 are not true laws like the acts of Congress. They
14 can be challenged.

15 The people at the NRC do want to keep their
16 jobs, no doubt, but they can't seem to go against
17 this. Are there even still people at the NRC with
18 institutional knowledge who also have a moral compass
19 who still believe in the NRC's original mission
20 statement, who maintain their own moral and ethical
21 standards to support the health and protect the
22 health and safety of the people and the environment?

23 I don't know. I don't know how you people sleep
24 at night.

25 The new executive order also includes a mandate

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2 to reconsider the threshold of dose calculations to
3 do away with the "as low as reasonably achievable"
4 and to do away with the "linear no threshold".

5 Well, the LNT model states that all exposures,
6 and I quote, "All exposures to ionizing radiation
7 have health risks," end quote, according to the late
8 Dr. Herbert Abrams. Quote, "There is no evidence of
9 a threshold below which no cellular damage occurs,"
10 end quote.

11 The reconsideration of ALARA and LNT will also
12 have an impact on cleanup requirements. I quote
13 Alfred Meyer. "Relaxing the exposure standards for
14 both nuclear workers and the general public is
15 allowing for the acceptance of much greater exposure
16 and cleanup. Requirements will be reduced, allowing
17 for much more radioactive contamination of our
18 environment" --

19 MR. KACZMAREK: Thirty seconds.

20 MS. DECRESCENZO: -- end quote. I might have to
21 go a little longer. I'm almost done.

22 The new executive orders weakens the NRC's
23 ability to truly have diligent oversight of existing
24 reactors and encourages the fast tracking of unproven
25 experimental SMRs and ANRs, allows for the

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2 relicensing of embrittled power plants past their
3 expiration dates without inspections, and will lower
4 health and safety exposures for workers and the
5 public.

6 All of these issues combined will put millions
7 of people at risk. From a potential meltdown to
8 contaminated drinking water, this is not for the
9 public's benefit.

10 In regard to -- in regard to Holtec, the NRC
11 continues to dole out low Level 4 violations with no
12 consequences to Holtec. Holtec is an exceedingly
13 duplicitous and dangerous company. They need serious
14 oversight, and that is not forthcoming from the NRC.

15 Now I don't know. Does the NRC need oversight
16 too?

17 MR. KACZMAREK: Ms. DeCrescenzo?

18 MS. DECRESCENZO: I will finish. I'm just
19 saying that this has been a very disappointing
20 meeting listen. It's like -- it's like looking at
21 the Three Stooges. Thank you.

22 MR. KACZMAREK: Thank you.

23 Next, Susan Van Dolsen, followed by Courtney
24 Williams.

25 Ms. Van Dolsen?

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2 Okay. We'll move on to Courtney Williams.

3 MS. WILLIAMS: Good evening. My name is
4 Courtney Williams. I am a resident of Peekskill, and
5 I'm also a parent of Hendrick Hudson School District
6 children. And I wanted to reiterate the calls from
7 our superintendent and from Lisa Anderson about the
8 need for funding not only for monitoring and
9 infrastructure in the village and in the town but
10 also for our schools.

11 And I strongly urge this board to begin working
12 more closely with our federal elected
13 representatives, both in Congressional District 16
14 and 17, so that we can bring to bear the resources of
15 the federal government, such as it is, to help our
16 community through this time.

17 I also wanted to just point out a couple of
18 factual things that I think are getting lost. The
19 NRC showed the example of Crystal River as an -- as a
20 site release for reuse. Let's be clear. Crystal
21 River is about 5,000 acres in size. Indian Point is
22 about 240 acres. That's a twenty-times difference.

23 The area that's being released at Crystal River
24 is 600 acres. That's almost three times the entire
25 size of Indian Point. So I think we need to remember

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2 that Indian Point is one of the smallest footprints
3 for a nuclear plant in the United States of America
4 and act accordingly.

5 I also want to reiterate the calls for calling
6 out Holtec for their three-card monte of creating
7 subsidiaries and other companies to be able to pay
8 themselves with our money that we paid on our
9 electric bills for decades to fill that
10 decommissioning trust fund, and they should not be
11 able to morally, reprehensively fleece us out of that
12 money. That should be being used for a thorough and
13 safe decommissioning.

14 And as for not funding the senior fashion show
15 this year, let us all remember that Holtec makes a
16 lot of money. They might not be able to donate money
17 to charity -- charitable events in the school
18 district from the decommissioning trust fund, but
19 they have plenty of other billions of dollars in
20 their coffers that they could certainly donate to
21 help our school district. They just choose not to,
22 and we can guess it's because they're greedy, and
23 they don't care about our community.

24 And as for the data center, I think it's really
25 clear from the plan that they put out that has their

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2 massive 200-megawatt data center sitting right on top
3 of the forty-two-inch high-pressure fracked gas
4 pipeline that they're talking all kinds of fantastic
5 statements. And if their --

6 MR. KACZMAREK: Thirty seconds.

7 MS. WILLIAMS: -- engineering report for
8 restarting Indian Point is as much of a pile of
9 garbage as their data center plan, then that's never
10 going to happen. And it's just clear again, they're
11 juicing their IPO. They don't care about our
12 community.

13 And someone mentioned it also, but if they --
14 Holtec will get their money back for storing that
15 spent fuel from the Department of Energy. So it's
16 just a round robin of our tax dollars any which way
17 you cut it.

18 And that is why we should not be investing any
19 more money or resources into nuclear energy in New
20 York State and take that message to Governor Hochul.
21 We are sick of being fleeced from the state, from
22 corporations like Holtec, and from the Department of
23 Energy.

24 Thank you very much.

25 MR. KACZMAREK: Next is Michel Lee, followed by

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2 Paul Gunter.

3 MS. LEE: Good evening. Can you hear me?

4 MR. KACZMAREK: Yes, we can.

5 MS. LEE: Terrific. Yeah. I was going to
6 pretty much make the same point that was just made.
7 So let me -- let me switch gears and travel back to
8 earlier in the meeting to talk about an inspection
9 report that the NRC representative skirted because I
10 think it's an example of what's going on behind the
11 scenes that most members of the public and public
12 officials don't have the time to -- to know about.

13 So back -- this -- in October 2024 inspection
14 report of Holtec's manufacturing facility in -- in
15 New Jersey discovered that Holtec made unauthorized
16 changes to the design of a certain series of its high
17 storm storage system casks.

18 So in making the unauthorized change, Holtec
19 failed to conduct a proper analysis for -- for
20 approximately two and a half years, failed to
21 maintain adequate records, and failed to recognize
22 that the overpack design change could raise risk
23 under normal operating conditions.

24 So one of the big issues with rainwater could
25 enter through either the inlet or outlet vents, and

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2 that could be undetectable by operator staff
3 performing normal surveillance. The -- the design
4 change created a low point for the water collect
5 after normal -- normal rainfall, which resulted in
6 potential for a hundred percent of the inlet vents to
7 become blocked.

8 So what's key about this is Holtec had
9 determined that would be a noncredible event. And
10 the NRC inspectors noted, no, not only was it a
11 credible event, but short periods of that had
12 actually happened in other parts of the country.

13 So the relevance from a safety point of view is
14 that the blockage of the air vents could result in
15 fuel within the canister inside the -- the cask
16 exceeding temperature limits and pressure limits. So
17 that's one thing that's relevant from a safety point
18 of view.

19 What's more relevant from a Holtec mindset point
20 of view is that --

21 MR. KACZMAREK: Thirty seconds.

22 MS. LEE: -- is that, as of May of 2025, more
23 than six months after the NRC inspection, Holtec had
24 yet to properly maintain records of changes in the
25 facility or special storage cask design or of changes

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2 in procedures.

3 And one of the issues identified was that it
4 didn't reanalyze representative cases after adopted,
5 revised software. And that kind of a inspection
6 report was pretty thorough. It came out in July this
7 year. And I am very fearful that those kinds of
8 inspection reports will disappear with the very, very
9 dramatic changes --

10 MR. KACZMAREK: Ms. Lee, are you wrapping up?

11 MS. LEE: Yes. Being conducted at the direction
12 of the federal government. The NRC, for whatever its
13 flaws and weaknesses in capture and so forth, does
14 have dedicated people. And there -- and many of
15 these people -- those people are leaving or being
16 pushed out of the agency.

17 MR. KACZMAREK: Thank you.

18 Next, we have Paul Gunter, and he's our final
19 speaker for this evening.

20 Mr. Gunter, are you with us?

21 MR. GUNTER: Can you hear me now?

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

23 MR. GUNTER: Okay. Let me see. I'm getting an
24 echo. Can you still hear me?

25 MR. KACZMAREK: We can hear you clearly on our

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2 end.

3 MR. GUNTER: Okay. So I want to start with a
4 couple of questions for the U.S. Nuclear Regulatory
5 Commission representatives.

6 What is the status of recruiting industry
7 collaboration for harvesting real experiential aged
8 material samples at decommissioning reactors,
9 particularly identifying the high-priority aged
10 materials?

11 So has Holtec International been approached by
12 the NRC to provide requested strategically harvested
13 materials, including from the segmented reactor
14 pressure vessel internals, concrete, and aged
15 electrical cable samples?

16 The reason I'm asking this is because, you know,
17 you've been talking about how decommissioning is
18 being regarded as safely addressed by the NRC and
19 the -- and Holtec International. But the NRC has
20 also identified another significant area of safety
21 and an opportunity through the strategic harvesting
22 of aged samples for laboratory analysis for the
23 reasonable assurance of adequate safety margins in
24 the subsequent licensed renewal of these reactors
25 that are requesting 60- to 80-year license extensions

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2 for continued operations.

3 In fact, in 2015, the NRC contracted with a
4 national laboratory to identify and rank technical
5 knowledge gaps matched with real-world aged materials
6 that make up safety-related system structures and
7 components like the reactor pressure vessel and
8 over -- you know, over a thousand miles of electrical
9 cable that run through the three reactors there at
10 Indian Point that have been there since the plants
11 were first built and operated but never really
12 maintained as a whole system.

13 So the idea is to go back and strategically
14 harvest where -- in the environments where the
15 harshest neutron fluence is, you know, damaging
16 safety margins. And then that can translate through
17 laboratory analysis for --

18 MR. KACZMAREK: Thirty seconds.

19 MR. GUNTER: -- matching the residual safety
20 margins in nuclear power plants that are seeking
21 extreme license renewals. Indian Point is, you know,
22 forty-six years old for Unit 2 and forty-five years
23 old for -- for Unit 3.

24 These are ideal candidates for strategic
25 harvesting related to running these plants well

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2 beyond their original forty-year license and the
3 damage that's been done by that. And so has the NRC,
4 who have requested these kinds of modifications going
5 back ten years ago -- you know, what's the --

6 MR. KACZMAREK: Mr. Gunter, are you wrapping up?

7 MR. GUNTER: -- (cross-talk) worth in gathering
8 that? And has Holtec or any other nuclear operator
9 collaborated with the NRC for gathering these
10 strategic samples? Thank you.

11 MR. KACZMAREK: Thank you. That concludes our
12 public statement hearing.

13 I'll turn it back to you, Tom.

14 CHAIR COGDON: Thank you, Tom.

15 And to Mr. Gunter, the --

16 Sure, Marilyn. Come on up.

17 And for Mr. Gunter, the questions that are posed
18 during the public statement hearing are recorded, and
19 we will endeavor to get answers from the NRC on your
20 questions and post them on our frequently asked
21 questions page on our website. Thank you.

22 Marilyn?

23 MS. ELIE: Thank you very much. I appreciate
24 the exception. I -- sorry I didn't get signed up in
25 time. My name is Marilyn Elie. I'm a member of --

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2 I'm a resident of Cortlandt Manor, and I do
3 appreciate the job that this -- this board is doing.
4 It's really -- oversight is extremely important.
5 I've mentioned that before.

6 I will just say that I stand in solidarity with
7 many of the statements that were made by Susan
8 Shapiro, by Manna Jo Greene, by Suzannah Glidden, and
9 Courtney Williams. So I'm not going to repeat that.
10 You don't need to hear it from me again. You've
11 heard it, and you understand it, and -- and you know.
12 I think they were very clear.

13 What I will say and what I did want to bring to
14 this board as a request was the fact to look at the
15 movement within our community which has been quite
16 vigorous lately to reopen Indian Point.

17 I would not expect that this board would take a
18 position one way or the other. However, I would
19 expect that you would take a very close look at the
20 cost of -- of that and lay it out so that we can see
21 it very clearly.

22 My impression from what I saw tonight was that
23 the plant has been dismantled to a point that it can
24 no longer be restarted. I don't know. Some people
25 would say, well, you could put enough money with it

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2 and anything can happen, which is true. But it would
3 be interesting to see a balance sheet about what
4 that -- what that would entail and what it would
5 cost.

6 What I have seen has been very preliminary. So
7 some detail looking at that, I think, would really be
8 helpful because as far as I'm concerned, and many
9 others who've looked at this, is nuclear is not the
10 answer to climate change. It's too expensive. It's
11 too short. It's -- it takes too long to build, and
12 it's not what we need in regard to passing on a clean
13 environment to future generations.

14 The other thing that would be very helpful
15 because we hear it over and over and over again is
16 that nuclear is zero-free emissions, and that's also
17 not true. It is not zero-free emissions. And if
18 I -- I would love to see this board take a position
19 on that.

20 It's in the NRC literature and many other
21 places. When you look at the life cycle of any fuel,
22 which is how you need to evaluate any fuel, nuclear
23 or otherwise, is the whole life cycle. And it would
24 be so helpful to have -- to be able to put an end to
25 the myth that nuclear is zero-free. It's not. And

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2 if the board could take a position on that, I think
3 it would be very valuable to our community.

4 The last thing I would like to mention is that
5 there are two sources of electricity -- clean
6 electricity that are -- will soon be there. One is,
7 CHPE, which finally, after all these years, will --
8 will be coming out, and that will be, producing as
9 much electricity as one of the units at Indian Point.

10 And while New York has --

11 MR. KACZMAREK: Ms. Elie, please begin to wrap
12 up.

13 MS. ELIE: -- (cross-talk) about going on --
14 about meeting the CLIPTA goals, this finally,
15 finally, finally will be something that will be very
16 helpful. And the other thing is the --

17 MR. KACZMAREK: Ms. Elie?

18 MS. ELIE: -- electricity program --

19 MR. KACZMAREK: Ms. Elie, we're over --

20 MS. ELIE: -- in New Rochelle. So we have
21 electricity. We don't need nuclear. And if this
22 board could make clear the cost of restarting Indian
23 Point and the fact that New York -- that nuclear is
24 not energy free, it would be very helpful to this
25 community. Thank you.

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2 CHAIR CONGDON: Thank you, Ms. Elie.

3 You could go to the final slide, 23.

4 MR. KACZMAREK: We're having a bit of a
5 technical issue here --

6 CHAIR CONGDON: Oh. That's okay.

7 MR. KACZMAREK: -- But yes. I think everyone in
8 the room has a printout.

9 CHAIR CONGDON: I wanted folks to see our
10 website, www.dps.ny.gov/indianpoint. You can submit
11 comments, sign up for alerts, and access our
12 frequently asked questions document library, a whole
13 host of information.

14 With that, I want to thank the NRC. I want to
15 thank the DOB members for being here, thank Holtec
16 for your presentation and answering our questions.
17 And with that, we are adjourned.

18 Thank you very much.

19 (The hearing concluded at 9:20 p.m.)

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2 STATE OF NEW YORK

3 I, WESLEY GILLEBAARD, do hereby certify that the
4 foregoing was reported by me, in the cause, at the
5 time and place, as stated in the caption hereto, at
6 Page 1 hereof; that the foregoing typewritten
7 transcription consisting of pages 1 through 169, is a
8 true record of all proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 17th day of December,
11 2025.

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15 WESLEY GILLEBAARD, Reporter

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