

**New York State Senator Pete Harckham Statement to the Public Service Commission
Jurisdiction over License Transfer of Indian Point Energy Center from Entergy to Holtec**

February 23, 2021

Thank you for holding this important hearing and giving me the opportunity to present comments to the Public Service Commission on the issue of the license transfer of the Indian Point Energy Center from Entergy to Holtec International.

Indian Point is located in Buchanan, which is in the heart of my 40th New York State Senate District. The decommissioning of the plant is of paramount importance to this community and to the entire region, including New York City. We must ensure that the decommissioning is done safely, competently and in a timely fashion. The sooner this property is returned to productive economic use, the better for the local community because the closure of the plant will have adverse economic impacts.

It is important that the PSC have a key role in this license transfer because the Nuclear Regulatory Commission in this case has failed in its job as a regulator safeguarding the public's interests.

The NRC has refused to hold public hearings on the license transfer, despite repeated requests by myself, other elected officials, the New York State Attorney General, and countless concerned residents. The AG's office currently has a lawsuit against the NRC over the hearing denial. The federal agency has turned a deaf ear to a public outcry. It is outrageous and completely unacceptable that they granted a license transfer without public hearings.

One of the objections to the NRC's actions is its decision to allow Holtec to use more than \$600 million in decommissioning trust fund money for spent fuel management, which is a federal responsibility. This ensures that the fund will fall far short of what is needed to conduct a safe and timely decommissioning. What happens when the money runs out? Are New Yorkers expected to pick up the multimillion dollar tab?

The AG's office addressed this in its court filings, which also called into question Holtec's capitalization over and above the trust fund. There is also the issue of the company's ethics as shown in the reported case of alleged bribery in Tennessee. It led to Holtec's debarment from doing business with the Tennessee Valley Authority. Subsequently, the company allegedly made misrepresentations on an application in New Jersey to obtain more than \$260 million in tax incentives from the state's Economic Development Authority.

For these and many other reasons, the license transfer must be closely scrutinized by the state because this decommissioning will impact so many New Yorkers for years to come. This is also the chief reason for the proposed state Decommissioning Oversight Board. The process must not be left to the NRC alone.

In the interests of the millions of New Yorkers who live in the area, the PSC must exercise its jurisdiction to make any license transfer process open and transparent. This will to help ensure that any decommissioning by Holtec or any other company is done safely, on budget and in a timely fashion.

Thank You