



**Department of  
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**Public Service Commission**

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Commissioners

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

January 4, 2023

VIA EMAIL

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

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

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, the December 7, 2022 Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board Meeting Transcript. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

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

DPS Decommissioning Meeting  
December 7, 2022

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NEW YORK STATE  
DEPARTMENT OF PUBLIC SERVICE

-----x  
INDIAN POINT DECOMMISSIONING OVERSIGHT BOARD  
JOINT MEETING

OF

INDIAN POINT CLOSURE TASK FORCE

AND

INDIAN POINT DECOMMISSIONING OVERSIGHT BOARD  
WEDNESDAY, DECEMBER 7, 2022  
-----x

HELD AT: 1 Heady Street  
Cortlandt, NY 10567  
-and-  
Streamed by Zoom  
TIME: 6:00 p.m. to 9:15 p.m.

AGENDA:

Welcome	Tom Congdon, The Chair
Roll Call	Tom Congdon
Nuclear Regulatory Commission	Anthony Dimitriadis Briana DeBoer
Department of Energy	Erica Bickford Steve Maheras
DOB Discussion	All
Public Statements	
Task Force/Oversight Board Updates	Tom Congdon
Next Steps and Adjourn	Tom Congdon
Presentation to Assemblywoman Galef	Tom Congdon

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2 BOARD MEMBERS IN PERSON:

3 Rich Becker, Supervisor, Town of Cortlandt

4 Theresa Knickerbocker, Mayor, Village of Buchanan

5 Joseph Hochreiter, Superintendent, Hendrick Hudson  
School District

6

7 Susan Spear, Deputy Commissioner of Emergency  
Services, Westchester County

8 Assemblywoman Sandy Galef

9 Tom Congdon, Department of Public Service

10 John Sipos, Department of Public Service

11 Cliff Chapin, Department of Public Service

12 Jennifer Wacha, Division of Homeland Security and  
Emergency Services

13

14 Alyse Peterson, New York State Energy Research  
and Development Authority

15 Richard Webster, Riverkeeper

16 Al Liberatore (obo Lou Picani) Teamsters Local 456

17 Bill Smith, Vice President, Utility Workers Union  
of America Local 1-2

18

19 Thomas Carey, President, Westchester Putnam  
Central Labor Council

20 BOARD MEMBERS VIRTUALLY:

21 David Lochbaum, Nuclear Engineer

22 Tom Kaczmarek, Department of Public Service

23 Dan Bendell obo Kelly Turturro, Department of  
Environmental Conservation

24

25 Jeff Guynup, Department of Labor (Jane Thompson)

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1

2 BOARD MEMBERS VIRTUALLY: (Continued)

3 Mark Pattison, Department of Public Service

4 Mark Massaroni, Department of Taxation and Finance

5 Tom Scaglione, Empire State Development

6 Anthony Hill obo Joe Leary, New York Power  
Authority

7

8 GUEST PRESENTERS IN PERSON:

9 Anthony Dimitriadis, Nuclear Regulatory Commission

10 Briana DeBoer, Nuclear Regulatory Commission

11

GUEST PRESENTERS VIRTUALLY:

12

Erica Bickford, U.S. Department of Energy

13

Steve Maheras, Pacific Northwest National  
Laboratories

14

PRESENT IN PERSON:

15

16 Rich Burroni, Holtec Decommissioning International

17

Darrell Dunn, Nuclear Regulatory Commission

18

Neil Sheehan, Nuclear Regulatory Commission

19

Karl Sturzebecher, Nuclear Regulatory Commission

20

Tito Davila obo Senator Harckham's Office

21

Members of the Public

22

23 PRESENT VIRTUALLY:

24 Mike Norris, Nuclear Regulatory Commission

25 Jessie Quichocho, Nuclear Regulatory Commission



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1  
2 PUBLIC STATEMENTS VIRTUALLY: (Continued)  
3 Manna Jo Greene  
4 Ellen Weininger  
5 Susan Leifer  
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1           Joint Meeting IPCTF and IPDOB

2                   Pictured here is one of our  
3           inspectors, along with a licensee  
4           representative, doing a walk-down  
5           during routine inspection. And on  
6           the right you can see the VCT, which  
7           is the vertical cask transporter,  
8           getting set up to lift the HI-STORM  
9           prior to its movement to its  
10          location on the ISFSI Pad. The  
11          workers in these pictures provide a  
12          good size comparison for scale.

13                   Our inspectors have conducted  
14          many inspections of ISFSI programs  
15          over the years. The spent fuel  
16          inspection program remains robust  
17          and continues to assure that risk  
18          informed safety focused areas and  
19          the inspection focus is designed to  
20          effectively monitor licensee  
21          performance.

22                   Next slide please.

23                   AUDIENCE MEMBER: Can you get  
24          closer to the mic?

25                   MS. DeBOER: Yes, sorry.

















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1           Joint Meeting IPCTF and IPDOB

2                   MR. DIMITRIADIS:  So that's  
3           why we --

4                   MR. WEBSTER:  But what's the  
5           difference in the emergency  
6           management?

7                   MR. DIMITRIADIS:  Well,  
8           there's many, many differences.  
9           One, it has to do with what levels  
10          of emergencies there would be.  For  
11          a shutdown plant with only ISFSIs,  
12          the highest level would be an alert  
13          as opposed to a site area emergency  
14          and a general emergency.

15                  MR. WEBSTER:  Right.

16                  So there's no evacuation  
17          plan, for example.

18                  MR. DIMITRIADIS:  I'm sorry?

19                  MR. WEBSTER:  So, for  
20          example, there's no evacuation plan.

21                  MR. DIMITRIADIS:  Correct,  
22          the risks for an evacuation are  
23          zero, almost.  I mean, it's not --

24                  MR. WEBSTER:  Just to be clear, I  
25                                    think I'm trying to









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1           Joint Meeting IPCTF and IPDOB  
2           a number of things, but there's --  
3           basically, there's no release to the  
4           offsite that would exceed the  
5           Environmental Protection Agency  
6           protected action guides at the site  
7           boundary, we would approve these  
8           requested exemptions and basically  
9           take it down, the regulations for  
10          the operating plant that's going  
11          into decommissioning, to the same  
12          level of emergency planning that the  
13          standalone independent spent fuel  
14          storage installations like Maine  
15          Yankee, Connecticut Yankee and  
16          Yankee Rowe have. So it basically  
17          drops the regulations down to that,  
18          and that's -- we've been using that  
19          process since the 90s.

20                   MR. WEBSTER: So there's  
21                   something I don't understand,  
22                   though, because the standalone  
23                   ISFSIs have a codified requirement  
24                   for emergency planning, right?

25                   MR. NORRIS: Well --







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1 Joint Meeting IPCTF and IPDOB  
2 storm an operating plant. The  
3 consequences of that might be  
4 different but the actual chance of  
5 that seem to be similar.

6 MR. DIMITRIADIS: That's  
7 incorrect. The -- when you have an  
8 operating plant, you have a number  
9 of areas and certain systems that  
10 have to be in place. When the plant  
11 is shut down and the fuel is removed  
12 from the reactor vessel and it's in  
13 the spent fuel pool or in the ISFSI  
14 pad, the risks are very different  
15 and the attack vectors are very  
16 different. So --

17 MR. WEBSTER: It's the word  
18 "risk" that I'm worried about here,  
19 'cause risk in my mind, right, is --  
20 is frequency times consequence.

21 MR. DIMITRIADIS: Mm-hmm.

22 MR. WEBSTER: Right?

23 MR. DIMITRIADIS: Yes.

24 MR. WEBSTER: And I recognize  
25 that for the reactor, for the







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1           Joint Meeting IPCTF and IPDOB  
2           understanding is the water is  
3           borated right? It has boron in it.  
4           So the boron absorbs neutrons that  
5           prevents the -- any kind of chain  
6           reaction occurring. Is that right?

7                   MR. DIMITRIADIS: Not  
8           exactly. So the reason that spent  
9           fuel is kept inside the spent fuel  
10          pool is because when the fuel is  
11          spent, that is, when it's in the  
12          reactor vessel and it's removed, it  
13          has what's called decay heat. It  
14          takes long time for -- a relatively  
15          long time for it to cool down. So  
16          they put it -- it's put into the  
17          pool full of water to keep it cool  
18          for a long time -- for a relatively  
19          long time. It depends upon how it  
20          is, right?

21                   So at Indian Point, it's --  
22          the plant's been operating for  
23          35 years; is that right?

24                   MR. WEBSTER: Forty.

25                   MR. DIMITRIADIS: Forty,



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1 Joint Meeting IPCTF and IPDOB  
2 involves helium and then with the --

3 MR. DIMITRIADIS: Not always,  
4 but yes.

5 MR. WEBSTER: Right.

6 MS. DeBOER: (Inaudible).

7 MR. DIMITRIADIS: Or at least  
8 Indian Point, yes.

9 MR. WEBSTER: And the idea is  
10 basically that the canister ends up  
11 full of helium.

12 MR. DIMITRIADIS: Correct.

13 MR. WEBSTER: And what's the  
14 purpose of the helium? Why do you  
15 need helium there?

16 MR. DIMITRIADIS: Can you  
17 help?

18 MS. DeBOER: Yeah.

19 To prevent it from an  
20 oxidate -- oxidizing environment.  
21 So if there was air in there, then  
22 it would be an oxidizing  
23 environment, the fuel could degrade  
24 but with the helium removes that  
25 oxidizing environment, the chance of

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1 Joint Meeting IPCTF and IPDOB  
2 an oxidizing environment.

3 MR. WEBSTER: Okay.

4 MS. DeBOER: So it prevents  
5 any degradation of the fuel.

6 MR. WEBSTER: Right. And  
7 does it help with degradation --

8 (Background noise)

9 MS. DeBOER: (Inaudible).

10 (Cross-talk)

11 MR. DUNN: Well, I think  
12 (inaudible).

13 MS. DeBOER: Okay.

14 MR. WEBSTER: No. Go ahead.

15 MR. DUNN: Darrell Dunn --

16 THE CHAIR: If you could --

17 MR. DUNN: -- from the NRC.

18 THE CHAIR: -- just introduce  
19 yourself first in the mic. Thanks.

20 MR. DUNN: Darrell Dunn,  
21 NRC.

22 The helium also promotes heat  
23 transfer. So it removes the decay  
24 heat from the assemblies to the  
25 external surfaces of the cask.

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1 Joint Meeting IPCTF and IPDOB

2 MR. WEBSTER: Oh, because of  
3 convection.

4 MR. DUNN: Yeah.

5 MR. WEBSTER: Right. Okay.  
6 All right.

7 So I was going to say, does  
8 this oxidizing environment -- I  
9 mean, lack of oxidizing environment  
10 really only helps with potential  
11 corrosion issues.

12 MR. DIMITRIADIS: Correct.

13 MS. DeBOER: Correct.

14 MR. WEBSTER: Okay.

15 MR. DIMITRIADIS: So it's all  
16 relative, right? When we say  
17 oxidizing environment, there are a  
18 variety, and the idea of introducing  
19 helium is to remove the 19 percent  
20 of oxygen that's in regular air,  
21 right?

22 MR. WEBSTER: Right.

23 MR. DIMITRIADIS: So it  
24 further reduces any risks like that.

25 MR. WEBSTER: Right, okay.























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1           Joint Meeting IPCTF and IPDOB  
2           that it was loaded. It looks at  
3           site-specific types of parameters,  
4           like is that canister on a part of  
5           the pad that may be closer to a  
6           chloride source, either closer to  
7           the ocean or closer to a cooling  
8           tower or closer to a salted road.  
9           Is it on the part of the pad that  
10          might be in a condition where it  
11          would get more input from something  
12          like that because of prevailing wind  
13          conditions, and it also looks at  
14          things like is there -- you know,  
15          was there known conditions of the  
16          canister when it was put into  
17          service.

18                   MR. WEBSTER: Okay. 'Cause  
19                   one question I have was, it's seems  
20                   like you've got welding on these  
21                   canisters, so there's probably some  
22                   heterogeneity, right?

23                   MR. DUNN: Some  
24                   heterogeneity?

25                   MR. WEBSTER: Yeah, on the



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2 to re-package the fuel?

3 MR. DUNN: No. We've had  
4 issues with bolted casks that had  
5 seal failure issues and they had to  
6 be taken back to a pool and, you  
7 know, taken apart and seals repaired  
8 and replaced.

9 MR. WEBSTER: Oh, okay.

10 MR. DUNN: So that's happened  
11 with bolted casks but not for a  
12 welded cask, no.

13 MR. WEBSTER: Okay. But  
14 that's a pos- -- you can do that,  
15 right? If you had a problem with  
16 the welded cask, could you --

17 MR. DUNN: The Certificate of  
18 Compliance holder in their safety  
19 analysis report, they have to have a  
20 procedure for reopening that cask  
21 and -- re-flooding and reopening  
22 that cask if the need ever arises,  
23 so that's already in the safe- --  
24 COC safety evaluation or safety  
25 analysis report. And the -- there





















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1           Joint Meeting IPCTF and IPDOB

2           Thank you, Sandy.

3           MS. GALEF: I think I have  
4           the answer for that but I was just  
5           checking it out.

6           THE CHAIR: Susan, did you  
7           have a question?

8           MS. SPEAR: Yes.

9           MS. GALEF: Oh, here you go.  
10          You're going to need it.

11          THE CHAIR: Share.

12          MS. SPEAR: Need a lot of  
13          microphones.

14          So just to follow-up on the  
15          question about the New Mexico  
16          application. So, do you have a  
17          sense of the timeline once the  
18          application is approved as to when  
19          the fuel would start to move  
20          offsite?

21          MR. SHEEHAN: I'm reluctant  
22          to put our DOE colleagues on the  
23          spot again but they would probably  
24          be in a better position to answer  
25          that and, in fact, that's why they

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1           Joint Meeting IPCTF and IPDOB  
2           were here recently, to look at that  
3           very topic. And you're going to  
4           hear a lot about it during their  
5           presentation.

6                    MS. SPEAR: Okay, we'll wait.  
7                    Are they responsible for the  
8           next steps after the NRC's license  
9           approval?

10                   MR. SHEEHAN: You're talking  
11           about with respect to the interim  
12           repository.

13                   MS. SPEAR: Interim storage.

14                   MR. SHEEHAN: -- application?

15                   MS. SPEAR: Interim storage,  
16           yes.

17                   MR. SHEEHAN: NRC approves  
18           licenses, these -- the interim  
19           storage facilities. DOE's  
20           responsible -- well, they're going  
21           to be getting into details. I  
22           really hate to jump ahead of their  
23           presentation.

24                   MR. WEBSTER: Neil, could you  
25           say the effect of litigation? So if

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1 Joint Meeting IPCTF and IPDOB  
2 somebody challenges a license  
3 approval, which is an NRC approval,  
4 does that put it on hold or does  
5 that -- or does the repository  
6 become operational or under  
7 construction while litigation goes  
8 on.

9 MR. SHEEHAN: I don't want to  
10 speak for any legal matters, so as  
11 far as --

12 (Laughter)

13 MR. SHEEHAN: No. As far as  
14 where it stands. It is before the  
15 D.C. Circuit Court of Appeals --

16 MR. WEBSTER: Right.

17 MR. SHEEHAN: In fact we --

18 MR. WEBSTER: I understand  
19 that.

20 MR. SHEEHAN: Right.

21 MR. WEBSTER: I'm not  
22 asking -- I'm not asking you to  
23 comment on legal matters. I'm  
24 asking, what is the effect?

25 MR. SHEEHAN: Right.

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2 THE CHAIR: Was there an  
3 injunction? Was it -- was there an  
4 injunction by the court during the  
5 litigation?

6 MR. WEBSTER: I don't think  
7 so.

8 MR. SHEEHAN: Not at this  
9 point. Not at this point.

10 MR. WEBSTER: But what was  
11 the effect? I mean, does that mean  
12 that the licensee -- as far as the  
13 NRC's concerned, does the licensee  
14 have the ability to act as though  
15 it's a licensed?

16 MR. SHEEHAN: I mean, they  
17 are not going to proceed until they  
18 get approval -- you know, the  
19 approval right now.

20 MR. WEBSTER: Right.

21 MR. SHEEHAN: So it's before  
22 the court.

23 MR. WEBSTER: They have an  
24 approval.

25 MR. SHEEHAN: They have the











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1           Joint Meeting IPCTF and IPDOB  
2           authorization the department has  
3           from Congress is specific to federal  
4           interim storage and is specific to  
5           consent-based siting. So those two  
6           other companies that are seeking  
7           licenses from the NRC for their own  
8           private interim storage facilities  
9           would be separate from what the  
10          department is pursuing at this time.

11                    Next slide please.

12                    All right. And so you will  
13           notice that mission statement  
14           doesn't currently include disposal,  
15           and that is because we're currently  
16           authorized by Congress to pursue  
17           interim storage and only interim  
18           storage. We certainly hope, it's  
19           our expectation that in the future  
20           we can --

21                    THE CHAIR: Excuse me, Erica.  
22           If you could please pause for a  
23           moment.

24                    MS. BICKFORD: Sure.

25                    THE CHAIR: I think we're

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1 Joint Meeting IPCTF and IPDOB

2 having some --

3 AUDIENCE SPEAKER: We're  
4 having a hard time. Could you speak  
5 slower.

6 AUDIENCE SPEAKER: There's  
7 like an echo.

8 AUDIENCE SPEAKER: That might  
9 help.

10 THE CHAIR: There's a slight  
11 echo, and so I think if you slow  
12 down just a little bit it'll be a  
13 little better for the audience here  
14 in person.

15 MS. BICKFORD: Okay.

16 THE CHAIR: Thank you.

17 MS. BICKFORD: How am I --  
18 how am I sounding now?

19 AUDIENCE SPEAKER: We can't  
20 tell.

21 AUDIENCE SPEAKER:  
22 (Inaudible).

23 THE CHAIR: That's a little  
24 better, but so if you could just,  
25 yeah, do your best to keep it





































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1 Joint Meeting IPCTF and IPDOB  
2 Next slide, please.  
3 Oh one of our computation  
4 tools that we've developed is called  
5 the Stakeholder Tool for Assessing  
6 Radioactive Transportation or START.  
7 It's a web GIS-based tool that  
8 allows us to visualize a number of  
9 geospatial data. So, for example,  
10 rail networks, highway networks,  
11 waterway networks, the location of  
12 nuclear power plants, locations of  
13 emergency response assets, so fire  
14 departments, police, hospitals.  
15 It's a very useful tool for our own  
16 analysis, systems analysis purposes  
17 so we can look at what -- you know  
18 different questions about how many  
19 railcars we think we may need to  
20 have and what the transport rate we  
21 think of the system and how much  
22 fuel we'll be able to transport each  
23 year. But we also use it to engage  
24 with our state and travel partners  
25 to discuss questions related to









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1           Joint Meeting IPCTF and IPDOB  
2           modeling testing which all meets  
3           regulations, but it has been  
4           recommended by various bodies,  
5           including the National Academy of  
6           Sciences and that Blue Ribbon  
7           Commission on America's Nuclear  
8           Future, that full scale package  
9           testing could be very beneficial in  
10          building public trust and confidence  
11          in the safety of spent fuel  
12          transport. And so, DOE's goal in  
13          conducting a package performance  
14          test would be to build that public  
15          trust and confidence and have  
16          avenues for public observation and  
17          involvement in those testing as the  
18          federal entity responsible for  
19          certifying those transportation  
20          packages, we would invite the  
21          Nuclear Regulatory Commission to  
22          participate in these activities as  
23          well.

24                            This is far from a certainty.  
25                            This is high dollar activity.

































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1 Joint Meeting IPCTF and IPDOB

2 Next slide, please.

3 This gives a close-up view at  
4 this location. Here we're looking  
5 north, and you can see that we have  
6 double track in this area. The  
7 photo on the left is looking south  
8 and again, you can see we have  
9 double track in this area.

10 Next slide, please.

11 So, here's a summary of our  
12 transport mode options. We've been  
13 to 20 sites so far. The last site  
14 that we went to was Palisades back  
15 in October. The important thing  
16 about this particular graphic is  
17 that for all the sites that we've  
18 been to everybody has an option for  
19 the removal of fuel from the site.  
20 So there is no -- there is no  
21 stranded fuel in the United States.  
22 Everybody's got options for the  
23 removal of fuel from their sites.  
24 Some sites have got direct  
25 rail, some sites I would have to







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1           Joint Meeting IPCTF and IPDOB  
2           those operations are designed.

3           THE CHAIR: Thanks. And this  
4           might be a question for Steve.

5           MR. MAHERAS: Mm-hmm.

6           THE CHAIR: In the site  
7           assessments, and looking at all the  
8           various infrastructure in the  
9           region --

10          MR. MAHERAS: Mm-hmm, right.

11          THE CHAIR: -- one of the  
12          issues that is of significant  
13          concern locally is the presence of  
14          the gas pipelines --

15          MR. MAHERAS: Right.

16          THE CHAIR: -- and how has  
17          that factored into your planning?

18          MR. MAHERAS: So, the gas  
19          pipeline, if we exit the site from  
20          north entrance, we do not -- we  
21          bypass the pipeline, i.e., the  
22          pipeline crosses Broadway south of  
23          where the north entrance to the  
24          plant is. So we would not be  
25          driving directly over the pipeline













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1           Joint Meeting IPCTF and IPDOB  
2           on the side, during the summer and  
3           it took me a while to figure out  
4           what was going on.

5                        So what I -- I think that  
6           what I figured out, and I want to  
7           check and also to see if other  
8           people understand this, is that  
9           there's the federal interim storage  
10          facility program, then there are  
11          completely separate private interim  
12          storage facility programs.

13                      MS. GALEF: Mm-hmm.

14                      MR. WEBSTER: What I don't  
15          understand -- I think that's right  
16          so. So let's assume that's right,  
17          what I don't understand is, who is  
18          developing the ability of the  
19          private entities to transport the  
20          fuel from the reactor sites to those  
21          interim storage sites? Does DOE  
22          have any involvement?

23                      If they don't, which federal  
24          agencies are involved in  
25          licensing and approving them?

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1 Joint Meeting IPCTF and IPDOB

2 THE CHAIR: Erica, do you  
3 want to start on that one?

4 MS. BICKFORD: Oh, sure.  
5 It's be real quick for me.

6 If it's -- if it's private  
7 companies moving spent nuclear fuel  
8 from nuclear power plants to private  
9 interim storage facilities, then the  
10 Department of Energy would currently  
11 have no involvement in that.

12 MR. WEBSTER: Right. So,  
13 which -- which federal agencies do  
14 have involvement in that?

15 MS. BICKFORD: So the  
16 Department of Transportation would  
17 regulate the transportation, and  
18 then I'd leave it to my NRC  
19 colleagues to chime in on any role  
20 that they have.

21 MR. DUNN: Darrell Dunn, NRC.

22 So the NRC has licensed  
23 transportation casks. So, for the  
24 canisters that are here at Indian  
25 Point, there is a transportation

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1 Joint Meeting IPCTF and IPDOB  
2 cask that has been approved for the  
3 transport of those canisters, the  
4 HI-STORM 190.

5 Once that's on the road, once  
6 those -- those systems are loaded  
7 and they're on the road, then DOE  
8 has -- is -- has regulatory  
9 authority there.

10 MR. WEBSTER: Okay.

11 MR. DUNN: So we do the  
12 licensing of casks. The rules for  
13 the --

14 MR. WEBSTER: Right.

15 MR. DUNN: -- transport are  
16 DOE -- DOT. Sorry, DOT.

17 MR. WEBSTER: Oh, DOT, right.

18 MR. DUNN: DOT.

19 MR. WEBSTER: Okay, right. I  
20 was going to say...

21 MR. DUNN: I said DOE. No,  
22 DOT.

23 MR. WEBSTER: So, I mean,  
24 this is a -- I mean, so why is DOE  
25 developing a separate cask if you











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1           Joint Meeting IPCTF and IPDOB  
2           helpful. Thank you.

3           MS. GALEF: Right.

4           MS. BICKFORD: Sure.

5           THE CHAIR: Thank you, Rich.

6           John Sipos, do you have some  
7           questions?

8           MR. SIPOS: Hi. Good  
9           evening. Erica, thank you and Steve  
10          for your presentations tonight.  
11          Just at the beginning of your  
12          presentation, did I hear you say  
13          that 9 billion, billion with a B,  
14          has been paid out by the federal  
15          government for the contract  
16          breeches?

17          MS. BICKFORD: Yes, that's  
18          correct.

19          MR. SIPOS: And that  
20          financial figure is current as of  
21          what date?

22          MS. BICKFORD: I believe  
23          September of this year but I'd have  
24          to check on that. It's -- it's a  
25          number that continues to grow.

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1 Joint Meeting IPCTF and IPDOB

2 MR. SIPOS: Thank you.

3 Appreciate that.

4 And, those funds come from?

5 Is it the Department of Justice

6 Judgment Fund?

7 MS. BICKFORD: Yes, that's

8 correct.

9 MR. SIPOS: Okay, thank you.

10 MS. BICKFORD: Sure, thank

11 you for the questions.

12 THE CHAIR: Do you just want

13 to explain the significance of

14 that?

15 MR. SIPOS: So, there has

16 been, I think, an issue generally

17 in, you know, state and federal

18 regulation, in that regulatory space

19 about what happens to that money,

20 how that money is used, the money

21 recovered from the contract

22 breaches, and in some instances

23 nuclear power plants would seek

24 payments from the Decommissioning

25 Fund, which is a separate fund, use

















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1 Joint Meeting IPCTF and IPDOB  
2 something other than a new law?

3 MS. BICKFORD: There's  
4 different mechanisms. For example,  
5 our current pursuit of federal  
6 interim storage is under  
7 authorization from Congress that was  
8 passed as part of an appropriations  
9 bill.

10 THE CHAIR: Separate --

11 MS. BICKFORD: So it's --

12 THE CHAIR: Separate  
13 statutory authorization.

14 MS. BICKFORD: Yes.

15 MR. WEBSTER: That's still --  
16 sorry. That's still a new law.  
17 It's just under a different -- I  
18 mean, it's just in a -- a must pass  
19 vehicle.

20 All right, okay. I think I  
21 understand what you're saying.

22 FEMALE SPEAKER: (Inaud-  
23 ible).

24 FEMALE SPEAKER: Tom, it's  
25 very hard to hear her answer. Could



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1 Joint Meeting IPCTF and IPDOB

2 MS. BICKFORD: And '22.

3 THE CHAIR: -- authorizations  
4 to the DOE --

5 MS. BICKFORD: Yes  
6 (inaudible)

7 THE CHAIR: -- included  
8 authorization for them to pursue  
9 these sites.

10 MR. WEBSTER: Right.

11 FEMALE AUDIENCE MEMBER:  
12 Despite the federal law.

13 MR. WEBSTER: No, wait.

14 THE CHAIR: The --

15 MR. WEBSTER: Pursue but not  
16 construct, I think is the right.  
17 Design --

18 THE CHAIR: Pursue but not  
19 construct.

20 MR. WEBSTER: Right.

21 THE CHAIR: Is that correct,  
22 Erica?

23 MS. BICKFORD: I mean, the  
24 language doesn't say pursue but not  
25 construct, but it does say for the

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1           Joint Meeting IPCTF and IPDOB  
2           department -- I can't think of the  
3           exact language at this time but --

4           THE CHAIR: But to plan,  
5           essentially to plan.

6           MS. BICKFORD: --  
7           (inaudible) --

8           MR. WEBSTER: Right.

9           MS. BICKFORD: -- interim  
10          storage, yeah.

11          And Congress has asked us or  
12          some members of Congress have asked  
13          us to provide them with feedback on  
14          what we can do under that current  
15          authorization, under both that, that  
16          authorization as well as the Nuclear  
17          Waste Policy Act until we need  
18          further action from Congress. So  
19          those discussions are occurring.

20          MR. SIPOS: And, Erica, on  
21          that last point, has the DOE  
22          provided those members of Congress  
23          with DOE's view as to the extent of  
24          the scope of its authority under  
25          that budget?

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1 Joint Meeting IPCTF and IPDOB

2 MS. BICKFORD: Yeah. When  
3 we're asked the question our  
4 response has been that we believe  
5 that we can, you know, develop a  
6 consent-based siting process, pursue  
7 sites, design a facility, and  
8 prepare a license application but  
9 that we won't be able to construct  
10 and get to operate a facility  
11 without further action from  
12 Congress.

13 MR. SIPOS: And has that  
14 communication been reduced to a  
15 letter or in writing to Congress?

16 MS. BICKFORD: I -- I --  
17 we've gotten questions for the  
18 record and different mechanisms that  
19 I've seen that come through, and I  
20 don't -- I can't say for sure. The  
21 questions for the record do go back  
22 to the member eventually but it goes  
23 through a long, a long review  
24 process before. So I can't speak to  
25 whether there is a specific letter







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1 Joint Meeting IPCTF and IPDOB

2 As Tom mentioned, again, as  
3 you're called on in -- we're going  
4 to actually start tonight with those  
5 joining the meeting in person, and I  
6 will read off your names here so you  
7 can be prepared to come up to the  
8 mic and speak, but during the  
9 portion where those joining by Zoom  
10 will be delivering their public  
11 statements, we will unmute your line  
12 when it is your time -- your turn to  
13 speak.

14 Next slide, please.

15 As Tom mentioned, we'll have  
16 three minutes for each speaker to  
17 speak. I will make a note when  
18 there's 30 seconds left just to make  
19 sure you can begin to wrap up your  
20 comments and again at three minutes  
21 to afford the opportunity we'll move  
22 on to the next speaker.

23 So with that, the -- we're  
24 going to begin with those who  
25 registered first and we're going to















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1           Joint Meeting IPCTF and IPDOB  
2           February, on February 16th. We're  
3           asking a disaster risk management  
4           expert to come and speak to us or  
5           the division at Columbia University  
6           to tell us exactly what's involved  
7           with the right kind of disaster risk  
8           analysis -- management analysis, and  
9           that's done by forensic disaster  
10          risk experts who come in and look at  
11          something like 9/11. That's real to  
12          us.

13                   MR. KACZMAREK: Thirty  
14                   seconds.

15                   MS. VOLZ-BONGAR: We've lived  
16                   through 9/11 and we had a -- Indian  
17                   Point was a target, and could those  
18                   ISFSI pad, could that survive a 747  
19                   jet, with jet fuel burning for over  
20                   an hour and a half. You know, what  
21                   would happen then? And I believe  
22                   that that's -- those are the kinds  
23                   of questions and answers that we  
24                   should have and we deserve.

25                   So, anyway, thank you very





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1 Joint Meeting IPCTF and IPDOB

2 MR. WEBSTER: I mean, I know  
3 this --

4 THE CHAIR: Go ahead.

5 MR. WEBSTER: -- isn't a  
6 question/answer session --

7 THE CHAIR: Go ahead,  
8 Richard.

9 MR. WEBSTER: -- but I just  
10 want to say that this wasn't -- the  
11 reason we haven't talked about it  
12 this session is because we're gonna  
13 do that in a different -- in a  
14 separate session.

15 MR. VARGO: But that's --

16 MR. WEBSTER: We're talking  
17 about it.

18 MR. VARGO: -- my exact my  
19 point, though.

20 MR. WEBSTER: We can't talk  
21 about every issue in every meeting,  
22 right?

23 MR. VARGO: But don't you  
24 think it's more important to talk  
25 about the -- how to dispose of the

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1           Joint Meeting IPCTF and IPDOB  
2           water that's in the domes and how  
3           to get an economic development plan.

4                     MR. WEBSTER: Well, no --

5           MR. VARGO: -- before talking about  
6           removing waste, that there's no  
7           place to put it in?

8                     MR. WEBSTER: I mean, with  
9           respect, everything's important,  
10          right? We have to try to deal with  
11          all of these issues. We've already  
12          talked some -- to some -- in  
13          previous meetings a little bit  
14          about this water issue. It's  
15          coming up. The discharge of that  
16          water won't occur until we figure  
17          out what's gonna happen to it.

18                    MR. VARGO: But just hold on.  
19          Just stop right there. Hold on one  
20          second.

21                    MR. WEBSTER: Can you just wait.

22                                 Wait, wait, wait, wait.

23          The casks are already there. We  
24          want to make sure that they don't  
25          leak, they don't have a problem

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1 Joint Meeting IPCTF and IPDOB  
2 while they're there.

3 It's not just about moving  
4 the fuel offsite; it's about storing  
5 it safely while it's on the site.  
6 And that's an important issue, too,  
7 and people in the community have  
8 been concerned about this issue,  
9 which is why it's on the agenda.

10 MR. VARGO: But in my mind, I  
11 would put devices in the water now  
12 to see if there was an accidental  
13 leak into the Hudson River.

14 MR. WEBSTER: Okay. Let me  
15 there's always (inaudible) --

16 THE CHAIR: Richard.

17 MR. WEBSTER: -- plenty of  
18 leaks.

19 THE CHAIR: Richard, if I  
20 may.

21 MR. WEBSTER: Yeah.

22 THE CHAIR: We could be here  
23 all night. We've got to try to get  
24 to all the speakers.

25 MR. WEBSTER: Okay.



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1 Joint Meeting IPCTF and IPDOB

2 And my other problem is the  
3 economic development. There's no  
4 plan. There's absolutely no plan.  
5 I feel like the community is left  
6 holding the bag. I think for Holtec  
7 it's a 2 million dollar -- a 2  
8 billion dollar clean up. Am I  
9 correct in that number?

10 That's how much they're  
11 allotted to clean it up. So, I  
12 mean, some of the things you do.  
13 Cover up the casks it's brackish  
14 water in the Hudson River. You  
15 understand what I'm saying? Just  
16 simple things to make the community  
17 feel safer. You know, it's just --  
18 you know you get everything clear in  
19 your head and you come up to speak  
20 and it gets muddled.

21 THE CHAIR: No, it's not  
22 muddled. I think you've made clear  
23 points and we appreciate it.

24 MR. VARGO: But I appreciate  
25 your time. I just -- I hope it's













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1 Joint Meeting IPCTF and IPDOB

2 MR. BLANCH: -- that meets  
3 the requirement. And that is not  
4 true.

5 I think that this panel, and  
6 I have little handouts as far as the  
7 definitions from the Atomic Energy  
8 Act, Nuclear Waste Policy Act and 10  
9 CFR 72, but I think this panel needs  
10 to really take a look at it. We  
11 have no way to ever access that  
12 spent fuel, at least from the Holtec  
13 cask. Absolutely no spent fuel  
14 pool, no dry cask. That one  
15 elephant in the room, and I only  
16 have so much time, but there's  
17 another elephant in the room.

18 MR. KACZMAREK: Mr. -- just  
19 to let you know, you are at your  
20 three minutes.

21 MR. BLANCH: Okay. I'll cut  
22 it off with what the other element  
23 is.

24 THE CHAIR: Tom, no, that's  
25 okay.

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1           Joint Meeting IPCTF and IPDOB

2                   Paul, we'll give another 30  
3 seconds or so.

4           MR. BLANCH:   Okay.

5           THE CHAIR:   Go ahead.

6           MR. BLANCH:   The other  
7 element is on page 3, and that has  
8 to do with the residual radiation,  
9 what is left on the site.  There is  
10 no limit to the amount of resi- --  
11 radiation or radioactive material  
12 that the licensee can bury onsite,  
13 and it makes it essentially a waste  
14 site when they leave it.

15                   So with that, thank you very  
16 much for listening to me, and I hope  
17 you understood what I said.

18                   And thank you, John, for the  
19 education.

20           THE CHAIR:   Thank you, Paul.

21           MR. KACZMAREK:  Thanks Paul.

22                   Is Dan Galinko present?

23           THE CHAIR:   Dan?  Hi.

24           MR. GALINKO:  Thank you.

25                   Appreciate the floor.  Maybe -- Dan













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1           Joint Meeting IPCTF and IPDOB  
2           we will hold a forum of outstanding  
3           technical experts in mid February or  
4           early March and announce details as  
5           soon as available. And may I cede  
6           the rest of my time of two minutes  
7           to Paul Blanch to augment time for  
8           his comments tonight? Thank you.

9           THE CHAIR: Paul, would you  
10          like to take Suzannah up on another  
11          two minutes? You're welcome to the  
12          mic.

13          MR. BLANCH: I -- I  
14          appreciate the additional time, and  
15          the second issue, the second  
16          elephant in the room that no one is  
17          addressing is site remediation,  
18          which is covered under 10 CFR  
19          2013.01 and Part 20 2002, and it  
20          basically says we can release the  
21          site for unrestricted use if the  
22          radiation level waste height is x  
23          millirem. I forget what it is.

24          The problem here, and we were  
25          on -- in a meeting with the NRC a

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1 Joint Meeting IPCTF and IPDOB couple  
2 weeks ago, Michel Lee and myself and  
3 I said, you know, if it's not low  
4 enough to meet the requirements, you  
5 can just put a little more dirt on  
6 top of it. The problem is here with  
7 Indian Point where they're talking  
8 about repurposing, there is no  
9 limit, and the NRC cannot provide me  
10 an answer, of what can be buried on  
11 the site.

12 For instance, at Maine Yankee  
13 and Connecticut Yankee, they have  
14 highly radioactive pipes embedded in  
15 concrete, and I think this panel,  
16 this group needs to get  
17 clarification from the NRC of what  
18 will be buried, how many curies or  
19 becquerels or mac- -- you, know,  
20 microcuries.

21 And what it boils down to, if  
22 you're going to bury manmade  
23 radioactive material, which they are  
24 doing, it becomes a low-level waste  
25 site, and if it's a low-level ways











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1           Joint Meeting IPCTF and IPDOB  
2           Massachusetts to dump but Holtec is  
3           still planning to do so.

4                    So look at what's happening  
5           in Massachusetts 'cause you folks  
6           are just right behind us, and Holtec  
7           is not a corporation to be trusted.

8                    Thank you for your time --  
9           thank you for the time.

10                   THE CHAIR: Thank you.

11                   MR. KACZMAREK: Thank you.

12                   Next we have Manna Jo Greene.

13                   MS. GREENE: Can you hear me  
14           now?

15                   THE CHAIR: Yes, thank you,  
16           Manna.

17                   MS. GREENE: Okay. I have  
18           three follow-up questions and some  
19           information.

20                   The first is for the NRC, if  
21           the canisters are welded shut, how  
22           are the fuel assemblies retrievable  
23           if a problem occurs? And that's a  
24           follow-up to what Paul Blanch said.

25                   My second question is, are













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1 Joint Meeting IPCTF and IPDOB  
2 is found that it can operate safely  
3 as the decommissioning progresses.  
4 I hope that New York State will take  
5 the necessary steps to protect its  
6 citizens from the totally  
7 unacceptable risk to public health,  
8 which has been brought to its  
9 attention. Sincerely, Ira Helfand,  
10 M.D."

11 Thank you so much and would  
12 very much appreciate your urgent  
13 attention to this issue of public  
14 health by medical experts and public  
15 health experts. Thank you much --  
16 very much again.

17 THE CHAIR: Thank you, Ellen.

18 MS. WEININGER: Have a good  
19 night.

20 MR. KACZMAREK: Thank you.

21 Next we have -- actually, our  
22 final speaker tonight is Susan  
23 Leifer.

24 MS. LEIFER: Hi. I guess  
25 I'm gonna go back over something



















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1           Joint Meeting IPCTF and IPDOB  
2           projects at this time.

3                   And then finally, a half  
4           million -- excuse me. Yes, a half  
5           million dollars was awarded to  
6           support community monitoring for the  
7           benefit of Hendrick Hudson School  
8           District. Dan Bendell, from the  
9           Department of Environmental is on  
10          the line to provide a brief update  
11          on the status of that project.

12                   Now, do we want to go to Dan  
13          first before taking questions on  
14          these?

15                   THE CHAIR: Yeah, let's go to  
16          Dan.

17                   MS. PETERSON: Yeah.

18                   THE CHAIR: And then if there  
19          are questions, we can take them.

20                   Go ahead, Dan.

21                   Next slide, please.

22                   Dan Bendell, are you with us?

23                   MR. BENDELL: Yes, I am. I'm  
24          trying to see the slide.

25                   THE CHAIR: There you are.



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1           Joint Meeting IPCTF and IPDOB  
2           any of us on the status of projects?

3           Sandy?

4           MS. GALEF: Well, I guess I'm  
5           concerned about the \$7 million for  
6           Buchanan and Cortlandt, that there  
7           doesn't seem to be any progress  
8           or -- you know, on that chart. And  
9           I'm just wondering if maybe another  
10          proposal might be accepted for that  
11          amount of money. Isn't that the  
12          largest disbursement of dollars --

13          THE CHAIR: Yes, so --

14          MS. GALEF: -- from this  
15          fund?

16          THE CHAIR: -- on the 7  
17          million that is targeted, we say  
18          into municipal projects but what  
19          we're specifically referring to is  
20          sewer infrastructure projects, which  
21          we are excited about. We think  
22          there's a number of benefits  
23          associated with doing sewer project;  
24          obviously, environmental benefits to  
25          the river, economic to the town, and









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1           Joint Meeting IPCTF and IPDOB  
2           out there, he knows it will be of  
3           interest to us and he put some  
4           really incredible information  
5           together for us. And we are really  
6           greatly appreciative of that, and we  
7           want to share that with the world.

8                        So we asked Dave if we'd  
9           posted his work that he has been  
10          doing behind the scenes for the DOB  
11          on our website. And we will be  
12          dedicating a portion of our website  
13          to Dave Lochbaum's research and  
14          presentations that he has provided  
15          to the DOB, and I think members of  
16          the public will find it very, very  
17          educational.

18                      Dave, I don't know if you  
19          wanted to say anything about this,  
20          but we're excited to present this.

21                      MR. LOCHBAUM: Well, thanks,  
22          Tom. I appreciate the arrangement  
23          to do that. I also appreciate the  
24          fact that there's a disclaimer on  
25          that page saying that the materials

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1           Joint Meeting IPCTF and IPDOB  
2           present my -- my views and opinions,  
3           not necessarily those of the DOB or  
4           New York State or the Joint Task  
5           Force. They're my views. Any  
6           opinions are mine and any mistakes  
7           are mine as well.

8                       THE CHAIR: Well, we are  
9           very grateful and appreciate all the  
10          work that you're doing.

11                      Next slide, please.

12                      I want to just remind the  
13          public that in addition to the  
14          public statement portion, there are  
15          opportunities to comment at any time  
16          on our website, and these are the  
17          instructions how to go there.

18                      Next slide, please.

19                      This is an important thing I  
20          don't think enough members of the  
21          community take advantage of.  
22          There's an opportunity to subscribe  
23          to our proceeding essentially, which  
24          means that anytime new documents get  
25          posted into our document management











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1           Joint Meeting IPCTF and IPDOB  
2           said this is a good idea and then we  
3           have what we have today. And it's  
4           just really been -- I think every  
5           meeting is so informative, so  
6           involving. I think we've made a lot  
7           of progress and I -- it will go on  
8           for a long time. I don't think  
9           there's an end to this DOB, is  
10          there? Until --

11                   THE CHAIR: Your statute  
12           sunsets on the Indian Point Task  
13           Force, not that I'm, you know  
14           looking forward to that day but...

15                   MS. GALEF: Thank you all so  
16           very much. It's just really been a  
17           pleasure and I will track you all as  
18           you go forward with all these other  
19           issues. Thank you.

20                   THE CHAIR: Thank you, Sandy.

21                   MR. SIPOS: Thank you, Sandy.

22                   (Applause)

23                   THE CHAIR: So thank you all  
24           very much. That -- I'm sorry.

25                   Richard?



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1           Joint Meeting IPCTF and IPDOB  
2           there. We are developing some  
3           solutions. The situation, I think  
4           -- I hope most people believe that  
5           it's better than it would have been  
6           without the task force.

7                        That said there was a  
8           violation, an NRC violation that  
9           Holtec received in the last quarter,  
10          I believe, since the last meeting  
11          about the negative pressure on the  
12          containment, and I don't think we  
13          want to deal with it tonight. But I  
14          want to acknowledge it and say we're  
15          concerned about it. These  
16          violations should not happen. I  
17          think I want to go into detail on  
18          this and understand why it happened  
19          and make sure that these violations  
20          won't be repeated, not just for the  
21          containment but for other systems.

22                      THE CHAIR: Richard, I think  
23          that's -- thank you for raising it,  
24          and I failed to mention that  
25          typically with our meetings it's



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1

2

CERTIFICATE

3

STATE OF NEW YORK )

) ss.:

4

COUNTY OF WESTCHESTER )

5

6

I, BARBARA HIGHTOWER, a

7

Shorthand Reporter and Notary Public

8

and Kathleen T. Keilty, a Certified

9

Shorthand Reporter and Notary Public

10

within and for the State of New

11

York, do hereby certify the

12

foregoing transcript is a true

13

record of said proceedings;

14

We further certify that we

15

are not related by blood or

16

marriage, to any of the parties in

17

this matter and that we are in no

18

way interested in the outcome of

19

this matter.

20

IN WITNESS WHEREOF, we

21

hereunto set our hand this 20th day

22

of December 2022.

23

*Barbara Hightower*

BARBARA HIGHTOWER

24

*Kathleen T. Keilty*

KATHLEEN T. KEILTY

25

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