

6-23-2021 - Indian Point Closure - 21-01188

NEW YORK STATE
PUBLIC SERVICE COMMISSION

21-01188 In the Matter of the Establishment of Indian
Point Closure Task Force and Indian Point Decommissioning
Oversight Board

Teleconference WebEx Meeting

TIME: 6:35 p.m.

BEFORE: TOM CONGDON,
Task Force and Oversight Board Chair

Reported by Becky Foster

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2 (On the record 6:35 p.m.)

3 MR. CONGDON: Well, good evening to
4 everyone. I'm Tom Congdon. I'm the executive deputy
5 at the Department of Public Service, and I'd like to
6 call to order the joint meeting of the New York State
7 Indian Point closure task force and the Indian Point
8 decommissioning oversight board. As you all know,
9 the task force has been meeting since 2017 to help
10 the communities around Indian Point transition
11 following the plant's closure. I was designated
12 chair of the task force by former P.S.C. chair John
13 Rhodes.

14 Earlier this year, the decommissioning
15 oversight board was established by the Department of
16 Public Service at the direction of Governor Cuomo and
17 with the strong support of Senator Harckham and
18 Assemblywoman Galef and many other community leaders.
19 The creation of this important body was very timely
20 as Indian Point ceased operations only a few weeks
21 ago, the P.S.C. completed its review and approval of
22 the sale of the plant from Entergy to Holtec at the
23 end of May and as the preparations for
24 decommissioning get under way.

25 I'll pause for just for a moment

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2 because I am getting a little feedback. So if you
3 could please go on mute if you're not speaking I'd
4 appreciate it. Our current P.S.C. Chair John Howard
5 has designated me as chair of the decommissioning
6 oversight board and today is the first meeting. Next
7 slide please.

8 Before I get to the introductions, I'd
9 like to note the arrangement for today's virtual
10 meeting. All attendee lines are muted upon entry.
11 For panelists during the presentation, you can unmute
12 yourself if you have questions and -- and want to
13 speak up. We will be having a public statement
14 session at the end of this meeting. Participants who
15 preregister to speak will be given first priority and
16 other statements will be accepted as time allows.

17 The chat feature is also enabled and
18 we will be reviewing the chats as -- as we are able
19 to do so during the meeting, but we guarantee that we
20 will review all the chats following the meeting. And
21 if there are any technical difficulties along the way
22 you can dial 1-800-342-3330. Next slide.

23 We have a very full agenda and a very
24 large group on these two important bodies. So I'd
25 like to be sure that we get through the introductions

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2 quickly so that we have time after the full agenda to
3 get to the public statement portion of the agenda.
4 So as we start the introductions, I'd like everyone
5 to please simply state their name and affiliation.
6 And for efficiency sake I'll do a roll call to ask
7 for you to speak up in -- in the following order. So
8 I'll start with the governor's office.

9 MR. SHAH: Hi there. This is Rajiv
10 Shah, assistant counsel to the governor for energy,
11 environment and agriculture.

12 MR. CONGDON: Thank you, Raj. From
13 the state senate. Senator Harckham? You may be on
14 mute. I'll come back around. From the state
15 assembly?

16 ASSEMBLYWOMAN GALEF: Sandy Galef, New
17 York State Assemblywoman, 95th Assembly District
18 where the plants are -- were operational. Thanks.

19 MR. CONGDON: Great. From the county
20 executive's office?

21 MS. SPEAR: Susan Spear on behalf of
22 Westchester County Executive George Latimer.

23 MR. CONGDON: From the Town of
24 Cortland? Were we joined yet by Supervisor Puglisi?
25 The Village of Buchanan?

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2 MAYOR KNICKERBOCKER: Theresa

3 Knickerbocker, Village of Buchanan mayor and host

4 community to the Indian Point Energy Center. And

5 concurrently Holtec.

6 MR. CONGDON: Thank you. Hendrick

7 Hudson School District?

8 MR. HOCHREITER: Good evening. Joseph

9 Hochreiter, superintendent of the Hendrick Hudson

10 School District.

11 MR. CONGDON: From the county

12 legislature?

13 LEGISLATOR SMITH: Colin Smith, county

14 legislator for District One where the plant currently

15 is.

16 MR. CONGDON: Thank you. And I -- I

17 did get a note while we were talking with Legislator

18 Borgia who continues to have technical difficulties.

19 I've sent her the tech support so hopefully she'll be

20 able to join later.

21 UNIDENTIFIED SPEAKER: She's -- oh,

22 I'm sorry. I was just going to say yes she just

23 texted me as well. She's trying to get on so she

24 sends her apologies in the meantime.

25 MR. CONGDON: Okay. Very good. Now

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2 to our labor representatives from the Teamsters.

3 MR. LIBERATORE: Can you hear me?

4 MR. CONGDON: Yes, hi Al.

5 MR. LIBERATORE: Al Liberatore from
6 Teamsters Local 456 as you know I'm filling in for
7 Lou Picani tonight.

8 MR. CONGDON: Excellent. Thank you
9 very much. I see Pete Harckham. Senator Harckham,
10 are you -- are you able to get sound?

11 SENATOR HARCKMAN: I should be. Can
12 you hear me?

13 MR. CONGDON: Yes.

14 SENATOR HARCKMAN: Terrific.

15 MR. CONGDON: Welcome. Back to the
16 labor representatives from the U.W.U.A.

17 MR. SMITH: Yeah, how you doing Tom.
18 William Smith, vice president utility workers Local
19 1-2.

20 MR. CONGDON: Thank you, Bill. And do
21 we have Tom from the Westchester Putnam Central Labor
22 Council? Tom Carey?

23 MR. CAREY: Can you hear me now?

24 MR. CONGDON: Yes, hi Tom.

25 MR. CAREY: Okay. Hi everybody.

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2 Thomas Carey. I'm the president of the Westchester
3 Putnam Central Labor body. I'm also business
4 representative for the plumbers and steamfitters
5 Local 21 in Westchester Putnam jurisdiction. Thank
6 you.

7 MR. CONGDON: Thank you. I'm going to
8 move now to the state agencies. I'll start with my
9 boss, the P.S.C. Chair John Howard. John are you on?

10 CHAIRMAN HOWARD: Yes, I am.

11 MR. CONGDON: Thank you.

12 CHAIRMAN HOWARD: I'm here. Do I get
13 to have a few minutes, Tom or am -- I have to wait?

14 MR. CONGDON: If we could go through
15 the introductions, Chair, and then during the -- the
16 presentations that were being ...

17 CHAIRMAN HOWARD: I'm John Howard, the
18 chair of the Public Service Commission.

19 MR. CONGDON: Thank you, John.
20 Members of the D.P.S. team?

21 MR. SIPOS: Hi. Good evening. John
22 Sipos, deputy general counsel.

23 MS. MCCARRAN: Hi. Cindy McCarran,
24 deputy director for safety and reliability.

25 MR. CONGDON: Hi, Cindy. Any other

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2 D.P.S. folks?

3 MR. SPEICHER: Yes, Kevin Speicher.

4 I'm the chief of pipeline safety and reliability.

5 MR. CONGDON: Thank you. And we know

6 --. Hi, Arpit, go ahead.

7 MR. MEHTA: Arpit Mehta, pipeline

8 safety section D.P.S.

9 MR. CONGDON: Anyone else from D.P.S.?

10 MR. WHITE: Joseph White here from

11 D.P.S. Just here for support. Thank you.

12 MR. CONGDON: Thank you, Joe.

13 MR. KACZMAREK: Tom Kaczmarek here

14 from D.P.S.

15 MR. CONGDON: Great. D.E.C.?

16 MS. TURTURRO: Good evening. Kelly

17 Turturro, regional director for the New York State

18 Department of Environmental Conservation.

19 MR. CONGDON: Thank you. Department

20 of Labor?

21 MS. COLEMAN: Karen Coleman. I'm the

22 deputy commissioner for Fulbright administration and

23 chief financial officer.

24 MR. ABRAHAMS: Orville Abrahams,

25 deputy commissioner for the Division of Employment

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2 and Workforce Solutions at the Department of Labor.

3 MR. CONGDON: Thank you, Orville.
4 Department of State?

5 MR. PATTISON: Mark Pattison ...
6 representing Secretary of State Rossana Rosado and
7 the department.

8 MR. CONGDON: Division of Homeland
9 Security?

10 MS. WACHA: Good evening. Jennifer
11 Wacha with the State Office of Emergency Management
12 within the Division of Homeland Security, deputy
13 director.

14 MR. CONGDON: Thank you. And after
15 you've introduced yourself if everyone can remember
16 to go back on mute it will help ensure there's no
17 feedback for the listeners. Division of Homeland
18 Security, we got. Thank you. Empire State
19 Development.

20 MR. RAVASCHIERE: Vincent Ravaschiere,
21 senior V.P. for Energy.

22 MR. CONGDON: Thank you. Anyone else
23 from E.S.D.? New York Power Authority?

24 MS. COLON: Good evening, Ruth Colon,
25 Vice president of shared services of the agency.

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2 MR. CONGDON: Thank you, Ruth. And
3 NYSERDA?

4 MS. PETERSON: Hi everyone. Alyse
5 Peterson, senior advisor for nuclear coordination and
6 radioactive waste policy. And also state liaison
7 officer designee to the nuclear regulatory
8 commission.

9 MR. CONGDON: Excellent. Thank you.
10 For those of you who may be new to Webex you will see
11 your name on a panel to the right of your screen, and
12 to the right of your name you'll see a microphone if
13 you bring your -- your mouse over your name. Hover
14 your mouse over your name. You'll see a microphone
15 that will go green when you're unmuted and you can
16 click to mute and unmute yourself. Did I miss anyone
17 from the task force before introducing some new
18 members from the decommissioning oversight board?

19 MR. PALLADINO: Hi Tom. It's Scott
20 Palladino, deputy commissioner, Department of
21 Taxation and Finance.

22 MR. CONGDON: Thank you, Scott. Okay.
23 So everyone who just introduced themselves also I'm
24 grateful that you all agreed to also be appointed to
25 the decommissioning oversight board. And per the

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2 governor's direction we've also added to the
3 decommissioning oversight board a representative from
4 the environmental community, Richard Webster from
5 Riverkeeper and a technical expert Dave Lochbaum who
6 is formerly of the Union of Concerned Scientist and
7 is retired. And I'd -- I'd like to ask each of them
8 to introduce themselves and -- and perhaps because
9 you're new to the group, say a few words about your
10 background starting with Richard please.

11 MR. WEBSTER: Hi, I'm Richard Webster.
12 I'm the legal director of Riverkeeper. I've had
13 quite a lot of involvement in nuclear issues over the
14 years starting I think at Oyster Creek with the
15 relicensing proceeding down there. And then did a
16 few different cases around the country, Florida, one
17 up in Massachusetts. And then when I came to River
18 Keeper got involved in Indian Point. And I should
19 note for all those who keep saying well you can't
20 understand nuclear power if you're not a scientist,
21 luckily I do have a degree in physics so that helps.

22 MR. CONGDON: Thank you very much. It
23 will come in handy. So Dave Lochbaum, welcome.

24 MR. LOCHBAUM: Thank you. My name is
25 Dave Lochbaum. I retired a couple years ago after

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2 forty years working in the nuclear power industry.
3 Roughly seventeen years in the industry at plants
4 including FitzPatrick and Indian Point. And also
5 worked at the Union of Concerned Scientists and
6 somewhere brief sandwiched between those I worked for
7 a year for the Nuclear Regulatory Commission as a
8 reactor technology instructor. Thank you.

9 MR. CONGDON: Thank you very much,
10 Dave. Next slide please. So we're just very
11 fortunate to have such a diverse group representing
12 all the agencies that have any role to play in -- in
13 oversight and to help the communities transition post
14 closure as well as, you know, Dave and -- and Richard
15 we really welcome your participation and -- and
16 support here.

17 All of the local governments, the host
18 communities, you're essential to this work and, of
19 course, our representatives from -- from labor who
20 represent employees at the plant. They do incredibly
21 important work, dangerous work. And the work that
22 they do is keeping the overall community safe. And
23 it's going to be important as we go forward as a
24 decommissioning oversight board to also not lose
25 sight of the need to protect worker safety as well.

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2 So I think we've got the right group
3 to attack an agenda like this. As you can see it's a
4 packed agenda. We're going to try to move quickly
5 through it. Again, we want to reserve time at the
6 end for the public participation. So next slide
7 please.

8 We're going to begin with some task-
9 force business. Next slide please. A few updates to
10 provide for task-force key milestones and issues that
11 we track and in business that we have to do pursuant
12 to the statute. So first and foremost the most
13 important activity that has occurred since we last
14 met is the fact that Unit 3 has now shut down and the
15 P.S.C. proceeding, reviewing the transfer of Indian
16 Point from Entergy to Holtec has been resolved with
17 an approval subject to a number of conditions that
18 were identified by the active parties in the case as
19 necessary for approval including just a few worth
20 mentioning here.

21 The need to maintain a minimum balance
22 in the decommissioning trust fund for 10 years a
23 minimum balance of \$400 million. Maintaining a
24 minimum balance of \$360 million dollars of the trust
25 fund until partial site release. Holtec is required

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2 to return 50% of recovered D.O.E. money for spent
3 fuel management to the trust fund. There's a site
4 restoration or a administrative consent order with
5 the Department of Environmental Conservation.

6 The company is funding emergency
7 management and response activities at the state and
8 local level. There will be necessary financial and
9 project reporting to New York State which will be an
10 important part of the information we all review as an
11 oversight board. And, of course, cooperation with
12 the relevant regulatory agencies and the
13 decommissioning oversight board. Notably, following
14 the approval of the P.S.C., subject to these
15 conditions, the transfer closed on May 28th. Next
16 slide please.

17 The other very important item that we
18 track as a task force, of course, is the cessation
19 fund. This is the program administered by E.S.D.
20 that provides financial assistance to taxing
21 jurisdictions that are affected by the closure of
22 power plants. And over the course of the last
23 several months, a number of important things have
24 transpired related to the cessation program. Notably
25 back in February the Public Service Commission

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2 approved a funding mechanism that secured \$12.5
3 million annually through 2030 to be put into the fund
4 for the purpose of the program.

5 This was, as many of you know, a -- a
6 big concern by the taxing jurisdictions that while
7 the program was in place, and that was good, it was
8 always subject to available funding. So for them to
9 be able to budget out a number of years was
10 difficult. And to have this dedicated funding
11 mechanism in place gives certainty to the taxing
12 jurisdictions that this program will be there to
13 assist them.

14 So following the P.S.C. action, the
15 legislature and the governor enacted some changes to
16 the statute in the budget increasing the
17 authorization to the 140 million, extending the
18 sunset of the law to ensure that the full 7 years of
19 eligibility for the Indian Point communities will --
20 will be there. And now we're seeing the program
21 actually working with the first application coming
22 through with the Village of Buchanan.

23 So I think in summary I can report the
24 cessation program is in strong financial shape and is
25 working as it was intended. But we as a task force

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2 will continue to keep an eye on this. And -- and
3 we'll want to hear from the taxing jurisdictions
4 whether there are any issues whatsoever in the
5 application process. Next slide.

6 The other bit of business for the task
7 force under the statute we are required to submit an
8 annual report updating the governor and the
9 legislature on activities for the year. We will be
10 -- I say we, Tom Kaczmarek, our executive director
11 will be sending all of the task force members a draft
12 annual report no later than the end of this week.
13 We'll ask for any feedback and then Tom will transmit
14 the report on our behalf in early July.

15 The highlights that you'll see in the
16 draft report that -- that you'll receive in the next
17 couple of days include things that won't be a
18 surprise to any of you. Just walking through the
19 P.S.C. approval and -- and the bullets I just
20 highlighted in the previous slide, cessation program
21 status. Notable legislation was enacted over the
22 last year. Thank you to the leadership of Senator
23 Harckham and Assemblywoman Galef.

24 A number of bills passed and were
25 signed by the governor that really helped to

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2 strengthen the workforce, helped to confirm P.S.C.'s
3 authority jurisdictionally over -- over the retired
4 nuclear power plant. It addresses the assessment of
5 the spent-fuel pools and dry cast storage systems so
6 that there could be potential future revenue streams
7 for -- for tax base. And also importantly allow the
8 pilot agreement to be entered into even though it was
9 a deactivated nuclear power facility. So really
10 important legislative activity that was I think very
11 helpful to the community and to the employees.

12 We'll also report, as we always do
13 each year, on the Department of Labor's activities
14 and provide any workforce training information and
15 job placement support for affected employees. And
16 we'll -- and we'll provide a summary of plant
17 operations notably the ceased operations, April 30
18 and the removal of all nuclear fuel from the I.P. 3
19 reactor in May.

20 So I'm going to pause here and ask if
21 there are any questions from the task force members
22 on recent activities and -- and the business that we
23 have as a task force to submit the annual report.

24 LEGISLATOR SMITH: Yes, hi. I'm
25 sorry, Tom?

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2 MR. CONGDON: Yes, go ahead.

3 LEGISLATOR SMITH: Colin Smith here.

4 I -- I just from one point of clarification and, you
5 know, I apologize if you covered this but going back
6 to that -- just to the previous slide with respect to
7 the -- the funding that's being made available to,
8 you know, well, essentially to the municipalities at
9 this point --

10 MR. CONGDON: Yes.

11 LEGISLATOR SMITH: -- and you had
12 noted that obviously Village of Buchanan first in
13 line, they're the ones hardest hit. And in terms of
14 the -- the actual monies or the dollars that are --
15 that are being allocated, was that -- that 12.5
16 million is that an -- is that an annual amount that
17 was spent?

18 MR. CONGDON: Yes.

19 LEGISLATOR SMITH: Oh, that -- that's
20 an annual amount. And -- and can you just maybe
21 break that down just a little bit more in terms of --
22 you know, to the extent that -- that you can. Is
23 that -- is that money that's going -- not the -- is
24 that -- is that entire amount allocated for a
25 specific municipality or is that just -- how is that

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2 being made available and to -- to whom?

3 MR. CONGDON: Okay. So previous
4 budget appropriations established the fund in the
5 first instance. And prior to having a stable
6 recurring annual funding mechanism, we used to track
7 sort of the balance of the fund. And, you know,
8 there were some one-time appropriations that were
9 added over the -- the previous few years. We -- we
10 realized as -- as both a task force and I think as
11 the legislature and division of budget and others
12 that the sort of piecemeal one -- one shots were not
13 really providing the sufficient certainty for the
14 long-term duration of the program.

15 So it was recommended by the task
16 force that a stable funding mechanism be identified.
17 The state energy planning board agreed with that
18 concept of providing that stable funding, and they
19 actually amended the state energy plan which gave the
20 P.S.C. the legal authority to establish a collection
21 through the utilities to establish a -- a funding
22 mechanism that is provided to -- directly to E.S.D.
23 so that they have the funding necessary to pay out
24 the grants to eligible communities when they become
25 eligible.

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2 So the authorization for 140 million
3 that was provided in the state budget this year is
4 the authorization on the total expenditure under the
5 program at E.S.D. based on the known eligible
6 communities that will be applying for the funds over
7 the foreseeable future. So that is the total kind of
8 exposure, if you will, on the fund that is known to
9 us today. And the 12.5 million annually was what was
10 identified as needed to get to that amount over the
11 period of time that communities will be paid out.

12 And so the -- the last point I'll make
13 is the -- the reason the village is in first is that
14 the communities become eligible in their fiscal year
15 -- the first fiscal year during which they -- they --
16 they experience a 20% or more reduction in the
17 revenues from the plant. And so based on the way the
18 fiscal years work, the village's fiscal year came
19 first and they became eligible first. But the school
20 district and the town and -- and the county will also
21 be eligible at the -- when their fiscal year hits and
22 -- and their loss hits the right milestone.

23 LEGISLATOR SMITH: Thank you.

24 MR. CONGDON: Sure. And, Vince, from
25 E.S.D., if I got any of that at all wrong please

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2 correct the record now.

3 MR. RAVASCHIERE: No, you got it
4 right, Tom. Thank you.

5 MR. CONGDON: Okay. Thank you. And
6 thank you, Vince, for working with the village on
7 their application. Okay. Any other task force
8 business?

9 MR. CAREY: Say Tom it's Tom Carey,
10 how you doing tonight?

11 MR. CONGDON: Good thank you.

12 MR. CAREY: Good. I just wanted to
13 get a little clarification. I know last time we
14 spoke there was a couple of different trades that had
15 national agreements with Holtec and that's not the
16 case for all the building trades. So I don't know if
17 Brother Al Liberatore or Bill Smith could help me out
18 on this one, but we did reach out a few different --
19 on a few different occasions to Holtec in regards to
20 getting all the building trades a meeting with Ed
21 Doyle, president of the Westchester Putnam Building
22 and Construction Trades. And I don't know if that's
23 happened yet. I tried reaching out to Eddie so I
24 just want that in the minutes.

25 MR. CONGDON: Thank you, Tom.

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2 SENATOR HARCKHAM: Tom, to that -- to
3 that point if I can, when we met with Holtec in our
4 office, we reiterated that point. They said they
5 were going to be reaching out to all of the locals
6 not just the ones that had national agreements with.
7 And I believe the only one they reached out to you --
8 was you, Tom. And the last time I spoke with them
9 was on the local task-force meeting and they still
10 hadn't made those outreaches yet. But they said they
11 would. So we can follow up with them, but -- but you
12 raised an important issue. We -- we want those
13 agreements to go forward.

14 MR. LIBERATORE: Tom and Senator, we
15 have been talks with technically C.D.I. with Holtec.
16 We just wrapped up the security offices and we've
17 been in talks with them about our construction
18 agreement. They've been pretty good so far but we
19 just started talks with them.

20 MR. CAREY: Good news. Thank you,
21 Senator and thank you for that because, yeah, like I
22 said I hadn't -- I hadn't spoken to Ed Doyle but, you
23 know, I know the last we spoke I did receive that
24 phone call because of your phone call to Holtec,
25 Senator. So thank you very much. And Al, I'll give

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2 you a call tomorrow on -- on this ...

3 MR. LIBERATORE: Yeah, and -- and Tom
4 I did leave that part out but that is part of is --
5 is the -- what Janet Tosh was going to come meet with
6 the building trades.

7 MR. CAREY: Okay. Thank you.

8 MR. CONGDON: Thank you for raising
9 that. Chair Howard, I know that you played a very
10 big role as chair of the P.S.C. in overseeing the
11 proceeding that got us to this point of the transfer
12 to Holtec and wanted to give you an opportunity to
13 talk about that process.

14 CHAIRMAN HOWARD: Thank you, Tom and
15 thank you to everybody on the call. Almost all of
16 them I know personally, so my history it turns out
17 with I.P. goes back literally 30 years when I worked
18 for the New York Power Authority and then stretched
19 through my time with the New York State Assembly when
20 I worked for then Chairman Tonko again with Chairman
21 Brodsky on the sale of the plants from Con Ed and the
22 Power Authority. And then now at the P.S.C.

23 When I first came to the P.S.C. I told
24 Chairman Rhodes this was my number one priority issue
25 when I came to the commission. And as a matter of

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2 fact, within the first month I visited the site and
3 had a extensive tour. Was briefed on the Holtec
4 Entergy plan. Right after that I did a fair amount
5 of outreach to poll it in the community and asked
6 what their opinions were. And they were always the
7 same. But they did have --.

8 I was probably the number one skeptic
9 on this particular project from the beginning. To
10 get me to where I am now took a lot of work and a lot
11 of effort. And I give everybody who was involved in
12 this settlement, all the participants a great deal of
13 credit to getting to where we are today. This what I
14 believe has been outstanding agreement certainly in
15 comparison to where we started this process.

16 Is it perfect? No. Is it a lot
17 better than we started with? You betcha. And this
18 -- and this tonight is a pretty good indication of
19 what we need to do going forward. And, again, I do
20 credit all the signers of this agreement and the
21 people that were willing to work on this... So I'm
22 just going to end with a very brief paraphrase of
23 Churchill. You know, in terms of decommissioning
24 Indian Point tonight's not the end of the beginning.
25 In fact it just probably is the beginning of the end.

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2 So here we go. Thank you. Thank you, Tom.

3 MR. CONGDON: Thank you very much,
4 Chair Howard. And I believe we may have been joined
5 by a few more task force members and decommissioning
6 oversight board members. Is Town Supervisor Puglisi
7 on the line? Can the moderator unmute?

8 MR. KACZMAREK: Supervisor Puglisi,
9 you should be unmuted at this time. You may have to
10 unmute on your end.

11 SUPERVISOR PUGLISI: Hello, can you
12 hear me?

13 MR. CONGDON: Yes. Hello Supervisor.
14 Welcome.

15 SUPERVISOR PUGLISI: Great. I've been
16 on from the beginning. I've been -- I've been trying
17 to get your attention. Okay.

18 MR. CONGDON: Okay.

19 SUPERVISOR PUGLISI: Just quickly,
20 first of all, I'm glad to be a member of the
21 oversight board with my good partner Mayor Theresa
22 Knickerbocker, host of Indian Point. Okay. Tom,
23 could you please restate for me the 12.5 million?
24 That's per year and for how many years please?

25 MR. CONGDON: That is per year through

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2 2030 and that was meant to --.

3 SUPERVISOR PUGLISI: Okay. ... to get
4 that number.

5 MR. CONGDON: Yeah, and that is meant
6 to provide sufficient revenue cumulatively in
7 addition to the legislative appropriations to get to
8 approximately 140 million which was the calculated
9 amount that is necessary to meet all of the fund's
10 known obligations including to the Indian Point
11 communities.

12 SUPERVISOR PUGLISI: And how many
13 other communities in New York State, as we speak, are
14 drawing down on the cessation fund please?

15 MR. CONGDON: I'm going to defer to
16 Vincent to confirm that there are no new entries in
17 the program. But, Vincent can you confirm?

18 MR. RAVASCHIERE: Yeah, there -- I
19 believe there are six at the moment. There are five
20 that have been in the program for approximately five
21 years. And one very recent entry, Tom, that you may
22 not be aware of related to the closure of the Cayuga
23 facility.

24 SUPERVISOR PUGLISI: Okay. So it's
25 not -- you know, I just want everybody to understand

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2 it's not just us. There's other communities that
3 will be tapping into this fund. That's important for
4 everybody to know. Tom, just on some logistics, how
5 often will this oversight board meet please?

6 MR. CONGDON: Pursuant to the bylaws
7 which we -- we will get into that later in the
8 agenda, Supervisor, it will be at least -- at least
9 three times per year.

10 SUPERVISOR PUGLISI: All right. And
11 you're taking minutes, and if you are, can we all get
12 copies of the minutes via e-mail or whatever?

13 MR. CONGDON: Yes, we have a court
14 reporter taking minutes and they will be posted
15 online as will video archive so long as we're able to
16 technologically do the video, we will provide video
17 for every meeting as well.

18 SUPERVISOR PUGLISI: Okay. And the
19 list of the participants also the members would be
20 very important and their titles if you don't mind.

21 MR. CONGDON: That's all in the
22 bylaws. It will be in the minutes and it is in this
23 presentation as well.

24 SUPERVISOR PUGLISI: Okay. I just
25 want to make sure. Thanks a lot, Tom.

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2 MR. CONGDON: Okay. You bet. Thank
3 you. Any other task force business before we move on
4 to the decommissioning oversight board portion of the
5 agenda? Okay. Hearing none we will move to the next
6 slide please.

7 So by way of introduction I -- I want
8 to just say, you know, in -- in December 2020 the
9 governor directed the Department of Public Service to
10 establish this board as part of his approval message
11 of important legislation we referred to earlier that
12 -- that Senator Harckham and Assemblywoman Galef
13 sponsored. And the governor noted, you know, the
14 need for decommissioning oversight board to provide a
15 venue for all the relevant agencies, local
16 governments, labor, to engage with the local
17 community and to ensure the safe decommissioning of
18 Indian Point. Next slide please.

19 So -- oh, I'm sorry, next slide.

20 The first order of business for the
21 decommissioning oversight board and -- and I note we
22 do have a quorum present, is to understand the bylaws
23 and adopt those bylaws. And so just to provide an
24 overview, you all did receive a copy along with your
25 request to serve, but I'm going to ask our counsel

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2 John Sipos to just give a -- an overview of the
3 bylaws and then we'll move for a vote. John.

4 MR. SIPOS: Thanks, Tom. And if I
5 trail off or you can't hear me just wave and I'll try
6 to get closer to the microphone. So as Tom said, I
7 think all the members of the oversight board here
8 tonight have received copies of the proposed bylaws
9 and we appreciate the feedback that has been provided
10 by some of you regarding the draft. The bylaws are
11 meant to guide the decommissioning oversight board
12 activities and level set our expectations going
13 forward. And I will note just a few important
14 aspects for -- for salient purposes as we, you know,
15 present them for formal votes of the -- for the
16 board.

17 First of all this is an advisory body
18 only. There's no new legal authority granted to this
19 body pertaining to the enforcement or regulatory
20 control of decommissioning or site restoration
21 activities. That said, however, there are several
22 members on the board including the Department of
23 Public Service and the Department of Environmental
24 Conservation that do have preexisting statutory and
25 regulatory oversight and investigation and

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2 enforcement jurisdiction.

3 Secondly, the members of the board are
4 laid out in the bylaws, to Supervisor Puglisi's
5 question, and I believe all are present today. The
6 bylaws also do allow for the appointment of staff
7 which will be supported by the member state agencies.

8 Fourth, the bylaws do state the
9 intention of having at least three meetings per year
10 with the majority of members representing a quorum.
11 And if there are recommendations that the board
12 wishes to make to the jurisdictional entities or to
13 Holtec, the board can vote to direct staff to
14 effectuate such recommendations with a majority vote.

15 A couple other details as well,
16 meetings will be public and there will be minutes and
17 video archives that will be posted for public
18 viewing. Members of the board may from time to time
19 need to -- need to review information that may be
20 confidential. And if such information is shared with
21 the board, members agree to protect the
22 confidentiality of such information.

23 And winding up, the bylaws also
24 include a prohibition on conflicts of interest. No
25 board member may have a financial relationship with

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2 Holtec or its affiliates. And I'll just note that it
3 appears for purposes of good order that we do have a
4 quorum here. So with that, Tom, back to you.

5 MR. CONGDON: Thank you very much,
6 John. Before I call for a vote, does anyone have any
7 questions or comments about the bylaws?

8 ASSEMBLYWOMAN GALEF: I do, Tom.
9 Sandy Galef. I -- I just wondered do we have to fill
10 out a disclosure form of any sort?

11 MR. CONGDON: John Sipos I'll -- I'll
12 defer to you as counsel.

13 MR. SIPOS: I believe we do -- board
14 members do not but I will verify that and we will
15 communicate that out to all the board members.

16 MR. CONGDON: And to -- to clarify,
17 Assemblywoman Galef, are you referring to the
18 financial disclosure that's required for public
19 officers by JCOPE?

20 ASSEMBLYWOMAN GALEF: That would be
21 one thing, but the other would be just a conflict of
22 interest form that you -- I mean, the bylaws say you
23 can't have a conflict. But I know on other boards
24 I've had to write down whether, you know, I have any
25 relationship with any business or whatever doing

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2 this, so. I just wondered if we needed to do
3 something formally.

4 MR. CONGDON: Well, we can take that
5 under advisement. This -- we are not subject to the
6 public officer's law for purposes of financial
7 disclosure that we're aware of for JCOPE that you and
8 I have to do as public officers. This is an advisory
9 body only not subject to the public officer's law.
10 But your point is well taken regarding the conflict
11 of interest portion of the bylaws. And so why don't
12 we ask John Sipos as counsel to take that under
13 advisement as to whether there needs to be a form
14 committing to or agreeing that there is no conflict
15 that -- that members are asked to sign.

16 MR. SIPOS: Right. We will certainly
17 do that and get a response out in the near future
18 quickly.

19 MR. CONGDON: And -- and we
20 appreciated your advice on the amendment to have
21 video archives. Is there any other questions or
22 comment on the bylaws? So with that I'd like to move
23 to a vote. All those in favor of adopting the bylaws
24 please indicate by saying yes.

25 FROM THE FLOOR: ... Yes.

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2 MR. CONGDON: Any opposed? Okay.

3 Hearing no opposition and having a quorum, I will
4 note the bylaws have been adopted unanimously. Thank
5 you. I also want to note that under the bylaws it is
6 noted that we can designate staff members and, in
7 anticipation of the bylaws being adopted, I did ask
8 Tom Kaczmarek to serve as executive director of the
9 decommissioning oversight board and John Sipo to
10 serve as -- Sipos to serve as counsel.

11 We do not have to state the need for a
12 secretary at this time as we plan to use a court
13 reporter service to record the minutes of each
14 meeting. And we -- we thank them for being on for
15 today's meeting. Next slide please.

16 So now we're going to move into a few
17 presentations related to the decommissioning
18 oversight board. And I thought it would be helpful
19 to really set a foundation for the work that we will
20 all be doing together. I've asked Dave Lochbaum to
21 provide an overview of radiation monitoring and
22 control at nuclear power plants and decommissioning
23 sites. And I've asked John Sipos to give a
24 presentation on how the agencies involved in
25 oversight of the decommissioning process because

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2 there are many federal state and local agencies who
3 have a role and play a role.

4 And I thought that then from those
5 presentations, you know, we could have a discussion
6 around how all of that will fold into the work of the
7 decommissioning oversight board. And then last --
8 lastly, I've asked Karen Gentile from the Federal
9 Pipeline Hazardous Material Safety Administration to
10 give a presentation on the Enbridge pipeline given
11 the strong interest in the community and concerns
12 about the colocation of the pipeline and -- and the
13 nuclear facilities. And then we'll have an open
14 discussion. So with that I turn it over to Dave
15 Lochbaum. Dave?

16 MR. LOCHBAUM: Thank you. And good
17 evening. I appreciate this opportunity to provide
18 basic information on the monitoring controls and
19 reporting required for radioactive materials at
20 Indian Point. Slide two please.

21 I'll present some pretty basic
22 information about radioactive materials. I'll then
23 cover the various pathways taking by radioactive
24 materials being discharged to the air and water and
25 the associated controls over those releases.

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2 Finally, I will compare the amounts of radioactive
3 materials in their radiation doses to workers and the
4 public during both the hearing preparation and during
5 decommissioning. Slide three please.

6 Very basic atoms consist of negatively
7 charged electrons spinning around positively charged
8 protons and neutrons which have no charge. Slide
9 four please.

10 Radioactive materials contain unstable
11 atoms that emit radioactivity as they try to become
12 stable. Slide five please.

13 There are two forms of radioactive
14 materials at a nuclear plant. The primary forms are
15 fission products and activation products. Slide six
16 please.

17 Atoms fission or fit into two smaller
18 atoms. Some of the fission products are unstable.
19 Some of them are stable but many are unstable. Slide
20 seven please.

21 Certain uranium and plutonium atoms
22 become unstable after absorbing ... a neutron and
23 split into two fission products. The splitting atoms
24 also release neutrons that can sustain a nuclear
25 chain reaction that drives the reactor. Slide eight

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2 please.

3 Stable non-radioactive atoms that get
4 hit by radioactive emissions from their neighbors can
5 become unstable themselves and thus become activated.
6 Those are activation products. Slide nine please.

7 Tritium is a good example of an
8 activation product. Boron is dissolved into the
9 water flowing through the reactor in the spent fuel
10 pools to help control the nuclear chain reaction.
11 But a boron atom absorbing a neutron can form tritium
12 in either a liquid or gaseous state. Slide ten
13 please.

14 Depending on conditions, reactive
15 materials exist in liquid, gaseous or solid forms.
16 They also can change form such as when tritium in
17 water evaporates to become gaseous tritium.
18 Contamination occurs when radioactive materials get
19 into places they should not be. Slide eleven please.

20 There are four common types of
21 radioactive emissions that unstable atoms will pursue
22 to become stable. Alpha particles are helium atoms
23 without their electrons. They're relatively big and
24 slow on an atomic scale making them easier to stop.
25 Beta particles are electrons without protons and

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2 neutrons. They're smaller and faster than alpha
3 particles making them more difficult to stop. Slide
4 twelve please.

5 Gamma rays or photons with about the
6 same energy level as beta particles but a little bit
7 tougher to stop. Finally neutrons are about the same
8 size as electrons but they typically have much higher
9 energy levels making it a little bit more challenging
10 and difficult to stop them. Slide thirteen please.

11 Not all unstable atoms march to the
12 same drummer, even those that emit the same type of
13 radioactivity seeking stability. Half-life is a term
14 used to define how long it takes for half of the
15 unstable atoms of a specific type or isotopes to
16 decay. Slide fourteen please.

17 When all the fuel rods are intact
18 within an operating reactor, water flowing through
19 the core picks up some fission products. Tiny holes
20 and cracks in the fuel rods provide even more
21 radioactive gases and particles to enter that to
22 enter that facility, slide fifteen please.

23 In addition dissolved substances, like
24 boron, and particles in the water flowing through the
25 core can become activated along that journey. Slide

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2 sixteen please.

3 Water flowing throughout the plant can
4 leak out during maintenance and tests, get passed to
5 grated gaskets and seals and admit radioactivity that
6 activates nearby components and structures. Slide
7 seventeen please.

8 To the extent possible, water is
9 processed for reuse in the plant. Storage tanks such
10 as those shown in this map of the plant site and
11 filter demineralizer units collect and handle that
12 radioactive liquid. Slide eighteen please.

13 When water cannot be reused it can be
14 discharged to the Hudson River. It is routed in with
15 a flow of nonradioactive clean water being returned
16 to the river to dilute its concentration. That's
17 shown by the little yellow band on the map. Slide
18 nineteen please.

19 Before being discharged the contents
20 of a tank or sample could verify its radioactive --
21 radioactivity levels which are low enough to permit
22 its release. During the actual discharge a radiation
23 detector confirms the release is permissible or
24 sounds an alarm to have the out flow stopped. Slide
25 twenty please.

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2 Due to past leaks and spills of
3 radioactively contaminated water at the site,
4 numerous monitoring wells have been installed to
5 track -- to track what's going on where -- what's
6 going where underground. Federal regulations do not
7 allow unmonitored and controlled releases so the
8 monitoring wells are essentially a compensatory or
9 remedial action. Slide twenty-one please.

10 Pathways through which radioactivity
11 in gaseous form reach the environment are monitored
12 and controlled similar to the process used for liquid
13 releases. Slide twenty-two please.

14 Some tanks collect radioactive gases.
15 Their contents are sampled before being discharged.
16 Radioactive detectors and exhaust ducts and vent
17 stacks monitor the flow and sound alarms when high
18 readings warrant halting the release. Slide twenty-
19 three please.

20 Plant owners are required to submit
21 annual reports to the nuclear regulatory commission
22 on the releases of radioactive materials to the air
23 and water NRC inspectors will audit the monitoring
24 and reporting efforts at the site. The annual
25 reports are available online with a link to the

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2 annual report form -- from this information was
3 extracted at the bottom of this slide. Slide twenty-
4 four please.

5 Federal regulations also require the
6 owners to calculate the radiation dose to members of
7 the public from the radioactive materials released
8 during the prior year. In this case, as in most
9 cases, the calculated dose was far below the federal
10 limit. The federal limits were shown by the upper
11 purple line arrow and the actual releases in 2019 are
12 shown by the, or doses are shown by the purple arrow
13 pointing to the lower purple arrow. Slide twenty-
14 five please.

15 To check against either unmonitored
16 releases or monitored releases that unexpectedly gang
17 up to pose greater harm than anticipated, federal
18 regulations also require radiation monitoring at
19 offsite locations with the results also reported to
20 the N.R.C. annually. Slide twenty-six please.

21 The radiation doses measured at the
22 offsite locations around Indian Point for the past
23 decade have been about the same as background
24 radiation levels detected at a control location.
25 Slide twenty-seven please.

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2 As Tom mentioned earlier, all the
3 spent fuel assemblies at Indian Point have been
4 transferred from their active vessels into spent fuel
5 pools within the adjacent fuel storage buildings.
6 Slide twenty-eight please.

7 Spent fuel assemblies continue to emit
8 radiation as their own stable items emit radiation.
9 But water circulating through the spent fuel pool
10 must be cooled to prevent the -- prevent the spent
11 fuel from overheating. That water also carries away
12 fission products and activation products as did the
13 water flowing through the reactor core. Slide
14 twenty-nine please.

15 The rate of radioactive emissions is
16 far lower during decommissioning during -- than
17 during radioactive operation. And the amount of
18 radioactive water being circulated, stored and
19 processed is also much lower implying that the
20 releases of radioactive materials to the air and
21 water and the associated radiation doses will also be
22 lower. Fortunately, data exists to back up this
23 theory. Slide thirty please.

24 The nuclear regulatory commission
25 prepared this generic environmental impact statement

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2 for the decommissioning process generically. Slide
3 thirty-one please.

4 As part of this effort the NRC
5 reported the annual releases of radioactivity to the
6 air and water from operating plants and from reactors
7 being decommissioned. Slide thirty-two please.

8 This table is the same data on a
9 previous slide just in an easier format to read and
10 understand. The data show that the amounts of
11 radioactive liquids and gases released during
12 decommissioning to be less than the amounts released
13 during operation as expected. Slide thirty-three
14 please.

15 The data further show that the
16 radiation dose to workers during decommissioning to
17 be less than the worker dose during operation also as
18 expected. Slide thirty-four please.

19 The federal limits on monitoring
20 control and reporting of radioactivity released to
21 the air and water during decommissioning remain the
22 same as those in place during plant operation. While
23 the amounts of radioactive materials are lower as is
24 the hazard that they represent, workers and the
25 public had the same safety protective shields in

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2 place. During decommissioning the margins to those
3 limits simply increase. Thank you.

4 MR. CONGDON: Thank you very much
5 Dave. I'd like to open it up to the group if there
6 are any clarifying questions about the presentation
7 and we'll have an open discussion at the end as well.
8 But I'd just for any immediate questions from the
9 presentation, any questions?

10 ASSEMBLYWOMAN GALEF: David, what
11 should we be looking for then? You're saying
12 decommissioning, you have less of an impact on
13 everybody but -- but what are the problems that could
14 result during that period of time of decommissioning
15 until all of the spent fuel is out of the pools?

16 MR. LOCHBAUM: From past experience,
17 for example, the Fort St. Vrain nuclear plant in
18 Colorado was ending the decommissioning as workers
19 cut up pipes and cut through or demolished concrete.
20 Some of the radioactive materials that had been
21 embedded in the piping and the concrete were
22 released. And the primary hazard were to the workers
23 themselves. They breathed in some of these
24 radioactive particles.

25 We've learned from that and today a

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2 lot of those same activities are done with the
3 materials under water or in negative ventilation
4 ducting so that any particles go into the filters
5 instead of into the workers' lungs. Those
6 radioactive particles that aren't breathed in by
7 workers can also migrate offsite and get into --
8 affect members of the public. But the amount of
9 material is so much lower. The hazard isn't zero,
10 that's why the limits remain in place. And you can't
11 let down your guard just because the hazard -- hazard
12 is diminished. Because if it gets to the places it
13 shouldn't be, problems can develop.

14 ASSEMBLYWOMAN GALEF: Thank you.

15 MR. LOCHBAUM: You're welcome.

16 MR. WEBSTER: And Dave I -- I have a
17 quick question for you. I know -- this is Richard.
18 Thanks for the presentation. I know you had a slide
19 on monitoring there and I had some questions to ask
20 about the schools nearby. Do they have monitors on
21 them or close to them? Do you happen to know that?

22 MR. LOCHBAUM: My understanding is
23 they -- they do not currently have monitors at the
24 schools. There are monitors that would detect
25 radiation blowing in that direction if the wind

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2 happened to be blowing in that direction. But those
3 monitors aren't currently at the schools themselves
4 is my understanding.

5 MR. WEBSTER: Okay. Thanks.

6 MR. CONGDON: Yeah, and I just want to
7 add to that because we have heard from Joe Hochreiter
8 expressing some concerns about one of the schools in
9 the district that is located closest to the plant and
10 has reached out to us to discuss the possibility of
11 figuring out a way to do real time monitoring at the
12 school. And, Joe, did you want to discuss that now?

13 MR. HOCHREITER: Yes, if -- if we
14 could.

15 MR. CONGDON: Sure.

16 MR. HOCHREITER: That -- that is
17 exactly a concern that we've heard and that -- and
18 that is the district we have. That, you know, this
19 is new to all of us. The whole process of
20 decommissioning and -- and physically taking down the
21 -- the concrete domes. And there has been -- been an
22 interest to, A, learn more about part of the process
23 which as we understand will begin in -- in the year
24 2024. But a way that our closest elementary school
25 and perhaps others and I'll -- I'll loop in the mayor

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2 to see if -- if it's possible for some monitors to --
3 to be in municipal facilities as well.

4 So we can get some real time data so
5 we can respond if we receive information that -- that
6 we're not expecting or -- or information that -- that
7 needs an immediate response, whether it's for safety
8 of the students or -- or a direct communication line
9 to Holtec. So if that could be a short- and long-
10 term goal of this body's work more perhaps pointing
11 us in the right direction, we certainly -- more
12 information and more timely information is something
13 we certainly would support during this process.

14 MR. CONGDON: Thanks, Joe. And -- and
15 because Joe reached out to us, we -- we have asked
16 staff to research the technology available and -- and
17 the various approaches that have been used in other
18 locations. And that work is ongoing and I -- I would
19 propose that our staff at the Department of Public
20 Service, Dave Lochbaum is a tremendous resource who
21 -- who has helped us think about this. And any of
22 the other oversight board members who wish to be a
23 part of some discussions that we could have ongoing,
24 you know, after this meeting and -- and between --
25 between this meeting and the next, hopefully, we can

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2 propose some solutions to address this concern.

3 SENATOR HARCKHAM: John, will you
4 please include me in that subgroup?

5 MR. CONGDON: Yes, absolutely.

6 SENATOR HARCKHAM: Thank you.

7 MAYOR KNICKERBOCKER: Hi, Tom. It's
8 Terri. I'd like to be included in that and, Joe, I
9 know there's been ongoing discussions with the
10 monitoring at the schools. But I don't know if Dave
11 knows how many monitors are in the area of Indian
12 Point. Would you happen to know that or would you
13 know where they are or --?

14 MR. CONGDON: Perhaps we could go back
15 a few slides that show the map.

16 MAYOR KNICKERBOCKER: No, it was kind
17 of small even with my glasses on.

18 MR. CONGDON: Yeah. Yeah. There we
19 go.

20 MAYOR KNICKERBOCKER: Okay. So all
21 right. And where -- are there any -- I know there's
22 one fairly close to the school on Westchester Avenue.
23 But, you know, we'd have to look at where these are
24 placed also in comparison to the school.

25 MR. CONGDON: Yeah. And I think it --

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2 it will be good also as part of our work group as we
3 look at this to understand sort of what's required
4 under the regulations and under the P.S.C. order
5 versus sort of what the community may want as -- as
6 extra protection or best practice to address, you
7 know, the -- the school community's concerns. And --
8 and so we want to take all of that under -- under
9 advisement and consideration.

10 Now the monitors that are here are
11 required under N.R.C. regulations and are required to
12 remain in place throughout the transfer of the spent
13 fuel from the pools into dry cask storage. Now once
14 the spent fuel is in the dry cask storage and on the
15 pad, these offsite monitors are no longer required.
16 And I want to pause there to make sure I didn't get
17 any of that wrong. John Sipos or -- or Dave
18 Lochbaum, is -- is that -- please confirm that's your
19 understanding as well?

20 MR. LOCHBAUM: This is Dave Lochbaum.
21 That -- that is my understanding. One -- I want to
22 touch on one further point about the -- the number of
23 existing monitors. There's a time delay. They --
24 those get sampled and reported on an annual basis
25 where there -- there are some monitors that in real

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2 time continuous monitoring that you can look at
3 online and get a more immediate sense of what is or
4 is not happening where. So that's another factor
5 with existing monitors. They're not quite as timely
6 as perhaps the need arises.

7 LEGISLATOR SMITH: Okay. Tom and --
8 and David I have a quick question actually. This is
9 -- my colleague Katherine Borgia who was unable to
10 get on to the panel but has been watching as a -- as
11 an attendee this time but she did text me. She
12 wanted to follow up on -- and I join in her in this
13 question -- follow up on the Superintendent
14 Hochreiter's question, you know, discussion about the
15 school, comments about the school district. And is
16 there -- is there a way that we are, you know, that
17 Holtec will be -- will they be shutting down the
18 pipeline in situations or under circumstances in
19 which they'll be, you know, working, you know, on or
20 near the pipeline?

21 MR. CONGDON: So I can take that
22 initially and there will be a longer presentation
23 later on on the agenda with pipeline safety staff to
24 discuss further. But the -- the short answer is it
25 depends. There's what we have asked as the

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2 Department of Public Service playing our oversight
3 role both of gas safety and of the decommissioning of
4 facilities is that there be strong communication
5 between the decommissioning outfit, Holtec, and the
6 owner of the pipeline Enbridge to -- and establish
7 those lines of communication.

8 We have already done that. The sale
9 closed only a few weeks ago but we've immediately
10 ensured that the right people from Holtec can pick up
11 the phone and get the right people at Enbridge to
12 coordinate activities. And to understand the
13 significance of activities so as to make decisions
14 about any operational changes.

15 But I can't say definitively that any
16 decisions have been made as to whether or not there
17 would be a necessity to -- to shut down pipeline
18 operations. Of course there are customers on the
19 other end of the pipeline that depend on the energy
20 over the pipeline. There could be actual public
21 safety risks on the other end of the pipeline that
22 all of us should care about. And so we need to
23 factor all of that in.

24 Of course, we're going to insist on
25 the strongest safety protections possible, and that

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2 starts with very strong communication lines so that
3 everybody knows what each other are doing. Any --
4 John Sipos or -- or anyone else want to add to -- to
5 that?

6 MR. SIPOS: Yes, Tom. Hi,
7 Representative Smith and -- and Representative
8 Borgia. Yes. And, in fact, that is addressed in the
9 joint proposal as well as the commission's order.
10 There is very clear lines of authority, lines of
11 communication between Holtec and the D.P.S. staff and
12 there has to be advanced planning, advanced
13 discussion about activities that could have an
14 incursion in that area. And, I mean, I think we'll
15 be hearing more about that later in the presentation.
16 But there is, you know, D.P.S. is -- is aware of that
17 concern, you know, and is taking steps proactively to
18 address that.

19 MR. CONGDON: Thank you. And kudos to
20 Legislator Borgia for finding a way to still
21 participate and I -- and I want to say I'm sorry for
22 the technical difficulties with Webex.

23 LEGISLATOR SMITH: Legislator Borgia
24 always finds a way.

25 MR. CONGDON: Okay. Well, thank you,

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2 Dave for a really thorough and -- and concise
3 explanation of some complicated points. So thank
4 you. Could we spin through the slides? Thank you to
5 regulatory agencies. I'm now going to turn it over
6 to John Sipos, again, laying some foundation for the
7 decommissioning oversight board. Give an overview of
8 the regulatory agency. So, John, take it away.

9 MR. SIPOS: Thank you. And, again,
10 signal if -- if you can't hear me. So, you know, we
11 -- we thought it would be actually helpful to talk
12 about the various agencies that it may seem to some
13 folks that it's almost like a -- a bit of alphabet
14 soup, lots of consonants and not always clear what's
15 going on.

16 But I think for folks who have been at
17 the decommissioning task force over the last four
18 years and have been following the Indian Point
19 facility and activities at the site, you know, over
20 -- over many years. Some of these will be more
21 familiar. First of all, of course we have the United
22 States Nuclear Regulatory Commission. They regulate
23 the radiological safety of nuclear power reactors.
24 And in the realm of decommissioning, N.R.C.
25 regulations establish minimum financial assurance

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2 requirements that all nuclear facility owners must
3 satisfy and comply with those requirements for
4 decommissioning activities.

5 The regulations also provide that
6 N.R.C. approves the plant owners' decommissioning and
7 license termination plans so when folks hear about
8 partial site release that is what is involved in that
9 -- in that concept before -- before those -- those
10 actions can -- can commence or go final. And also
11 during decommissioning -- the decommissioning phase,
12 owners must submit annual reports regarding
13 decommissioning status to the N.R.C.

14 And I'll also note that in the realm
15 of decommissioning, you know, funding aspects were
16 initially involved and dependent upon public utility
17 commissions around the country, not unlike the New
18 York State Public Service Commission. So there is a
19 cooperative federalism aspect in -- in -- in that
20 realm as well. We also have the federal energy
21 regulatory commission or FERC. FERC is -- regulates
22 the interstate transmission of electricity and
23 natural gas including the transmission and sale of
24 natural gas for resale in interstate commerce.

25 FERC reviewed and authorized the

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2 siting and construction of a segment of the Algonquin
3 Pipeline system near Indian Point known as the
4 Algonquin Incremental Market or AIM segment. A
5 predecessor federal agency approved the earlier
6 constructed Algonquin pipeline that crossed the
7 Indian Point site, and that approval was back in the
8 early 1950s and mid-1960s.

9 There is also two other federal
10 agencies, as you can see on the slide. The pipeline
11 and hazardous material safety administration known by
12 its acronym PHMSA which is part the United States
13 Department of Transportation. It establishes and
14 enforces safety standards for, among other things,
15 natural gas pipelines, like the Algonquin pipelines
16 that are at or -- or near the Indian Point site.
17 And as Tom noted, we are fortunate that Karen Gentile
18 from PHMSA will be speaking with us a -- a short
19 while later.

20 Last amongst the federal family of
21 agencies there's the Occupational Health and Safety
22 Administration or OSHA. OSHA regulates the health
23 and safety of nuclear facility workers to the extent
24 that the work site conditions are not otherwise
25 regulated by the N.R.C. And as between the N.R.C.

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2 and OSHA, the N.R.C. typically has the lead for
3 radiological conditions, chemical conditions related
4 or produced by radiation and facility conditions
5 resulting in the potential increased risk of
6 radiation exposure to workers.

7 On the other hand, OSHA has the lead
8 for facility conditions that cause occupational
9 hazards not related to radiation. So one might think
10 of toxicity materials that -- that are not related to
11 radiation. There is a memorandum of understanding
12 back in 2013 between OSHA and the N.R.C. which
13 envisioned a cooperative interagency approach to
14 minimize regulatory gaps, of course, with the goal of
15 advancing worker protection.

16 So I'm going to turn now to the local
17 and state agencies that will be -- that we have
18 discussed or -- or, you know, may have a role during
19 the next phase of -- of work at the plant. There is
20 the New York State Public Service Commission. We've
21 been joined tonight by Chair Howard and of course Tom
22 Congdon and the New York State Department of Public
23 Service. And under the Public Service Law the
24 commission possesses general supervisory powers over
25 electric plants in the State of New York which

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2 include retired nuclear power reactors and their
3 associated systems, structures, fuel and waste
4 storage facilities and fixtures and personal
5 property.

6 The P.S.C. also regulates utility
7 rates in New York and that authority has included and
8 does include rate authority over nuclear
9 decommissioning costs. The trust funds that we have
10 discussed and that were referenced in the joint
11 proposal and the commission's order were initially
12 and previously capitalized by commission approved
13 expenses as well as payments and collections from the
14 New York Power Authority.

15 Also D.P.S. supports inspection of
16 interstate transmission pipelines and P.S.C. also has
17 independent litigation authority. The New York State
18 Department of Environmental Conservation and the New
19 York State Department of Health will be playing a key
20 role in the decommissioning and site restoration
21 aspect. D.E.C. is the agency that is charged with
22 protecting the state's natural resources and abating
23 pollution.

24 And as such, D.E.C. has jurisdiction
25 over various nonradiological environmental hazards at

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2 Indian Point but notably also with respect to
3 radioactivity that falls below 25 millirem per year.
4 That also remains subject to D.E.C. jurisdiction. So
5 D.E.C. has substantial regulatory authority in this
6 area both nonradiological and with respect to
7 residual radiation as well.

8 And D.E.C. has entered into an
9 administrative consent order with Holtec that
10 requires Holtec to undertake a comprehensive site
11 investigation, characterization, remediation and
12 restoration activities at Indian Point. The
13 Department of Health supports D.E.C. on environmental
14 radiation matters under its jurisdiction, especially
15 as they relate to public health.

16 The New York State Department of Labor
17 has a role to play as the site transitions to
18 decommissioning. The New York State Department of
19 Labor can assist in reviewing and coordinating issues
20 concerning worker safety and health as well as issues
21 raised by organized labor and also public employee
22 safety health concerns.

23 The New York State Department of State
24 has a role including the development of the coastal
25 management plan and administering the Coastal Zone

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2 Management Act. The New York State Energy Research
3 and Development Authority, NYSERDA serves as the
4 coordinator amongst New York State agencies on atomic
5 energy issues. And its president and C.E.O. is the
6 state liaison officer to the federal nuclear
7 regulatory commission. And Alyse Peterson who is
8 joining us tonight is the designee state liaison
9 officer.

10 NYSERDA also has title to and leases
11 an outfall structure to the owner of Indian Point
12 which is now Holtec.

13 The Westchester County and the New
14 York State Department of Homeland Security and
15 Emergency Services play crucial roles in emergency
16 planning. DHSES coordinates the state's efforts to
17 prevent, prepare for, respond to and recover from
18 both human made and natural disasters, threats, fires
19 and other emergencies. And with respect to Indian
20 Point, the Department of Homeland Security and
21 Emergency Services has authority over, among other
22 things, emergency response drills, site security
23 plans, public alert systems and onsite fire
24 suppression programs.

25 Westchester County has its Department

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2 of Emergency Services which also has emergency
3 preparedness response -- and response --
4 responsibilities for the Indian Point site. And, of
5 course, the Village of Buchanan, the Town of Cortland
6 and the County of Westchester, who are the local host
7 communities, among other responsibilities have first
8 responder public -- and public safety personnel and
9 resources. And are the, you know, first -- first
10 line, boots-on-the-ground resources protecting the
11 community.

12 So that is a quick tour through the
13 various local, municipal, state and federal agencies.
14 That's what I have for now. Back to you, Tom and any
15 questions there may be.

16 MR. CONGDON: Thank you, John. If we
17 could go to the next slide please. So hearing, you
18 know, from Dave on some of the scientific and
19 technical background and -- and from John on the
20 regulatory oversight, I think, you know, as a
21 decommissioning oversight board it's going to be
22 critical to have an understanding of -- of both the
23 sort of technical aspects of decommissioning as well
24 as the regulatory aspects. If we are going to be
25 effective, we have to know how to interpret data and

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2 we have to know where are the relevant agencies to
3 direct attention to any given concern that we may
4 have as an oversight board.

5 And I just, you know, wanted to sort
6 of have like a wrap-up discussion of sort of how I'm
7 seeing the value-add that the oversight board can
8 really bring. As John just laid out, there are a
9 number, a large number of federal, state and local
10 agencies involved in one way or another with
11 oversight. And I think without an oversight board,
12 all of those relevant entities may be off doing their
13 own thing in their silos and it would be difficult
14 for anybody, certainly, you know, a member of the
15 public who isn't, you know, paid to -- to do this
16 kind of work to keep track of it all.

17 And so, number one, value-add from the
18 oversight board is to be a venue for tracking all of
19 that work. We will have the ability to be a
20 convener, a convener of the relevant oversight
21 agencies. A convener of the companies involved in
22 the work and a convener for public discussion and
23 community leaders. We will be able to look at the
24 company compliance reports that must be filed. We
25 will be able to get updates from the relevant

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2 agencies on the oversight work that they are doing.

3 To that end I'll just highlight from
4 the D.P.S. point of view some of the things that we
5 will be doing. We will have a monitor that will be
6 able to go on site. We already have staff with
7 access to the site, a nuclear engineer on our team
8 who can perform inspections to ensure compliance with
9 the P.S.C. orders. We also want to highlight the
10 importance of, you know, whistleblower protection.
11 Sometimes the most important information we can get
12 is going to be from the employees themselves. And --
13 and we want the employees to know that this oversight
14 board takes worker safety very important.

15 As Dave Lochbaum pointed out in his
16 presentation, some of the more dangerous exposures
17 are really to the workers themselves, and they are
18 doing very dangerous work. And -- and it's work
19 that's protecting the broader community and we owe it
20 to them to ensure the highest level of workforce
21 protections. And so to that end, we have established
22 that the D.P.S. dedicated e-mail and phone hotline
23 that employees can use to report any concerns they're
24 seeing from inside the operation. And we'll be
25 monitoring that and -- and addressing any issues that

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2 arise.

3 You know, and, again, following up on
4 that, we have the representatives from the major
5 unions that are -- that are doing the work and who
6 are onsite actually here on this oversight board.
7 And so they're going to be a key player. And I'd ask
8 them to think about topics for discussion at future
9 meetings and we'll work with you to develop some --
10 some ideas on that front.

11 As -- as Dave mentioned, there is
12 data, a lot of data that's publicly available from
13 the offsite monitoring equipment. There's a time
14 delay in that and -- and I think, you know, many of
15 us are observing that after the fuel gets on the pad
16 and -- and those offsite monitors are no longer
17 required to be present that there will likely be a
18 need for continued monitoring of some kind especially
19 at sensitive locations like the school. And so we're
20 going to be looking at how to do that so that we will
21 have data to use as an oversight board so that we, if
22 we can -- if we see something then we can start to
23 investigate with the appropriate jurisdictional
24 entities what might be causing that kind of concern
25 and address it.

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2 And last but not least and perhaps
3 most important, this oversight board is a venue for
4 the community engagement. The people who live in the
5 community and live in the community within an
6 operating nuclear power plant for a long time, it's a
7 very educated community. They understand, you know,
8 what -- what goes on at a nuclear power plant. But
9 there's never been a decommissioning before in this
10 community, and I think there is understandable
11 concerns that we want to try to learn about by
12 engaging with the community and making sure that
13 there is opportunity at each of these meetings to
14 hear from the community what those concerns are.

15 We may not have answers to those
16 concerns in real time, but that input will be very
17 valuable for us to then take back, do necessary
18 research and be able to be responsive to the
19 community when they bring issues to our attention. I
20 know we're getting a lot of questions already in the
21 chat. We're going to be reviewing those and -- and
22 trying to get to them. Some I think have already
23 been answered but we can also just take all of that
24 in. We'll research as a group and either be back to
25 individuals between meetings to share responses or --

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2 or to discuss them as a body at our next meeting. So
3 I want everyone to know the chat function is not
4 wasted. We -- we're taking notes and -- and keeping
5 track of that.

6 So -- so I'm going to pause here and
7 -- and invite reactions from -- from the oversight
8 board about John's and -- and my summary there.

9 LEGISLATOR COLIN: Tom?

10 MR. CONGDON: Hi, Legislator Colin.

11 LEGISLATOR SMITH: Okay. I'll -- I
12 just want to make a quick comment. I'll be brief. I
13 know lots of people probably want to speak and we
14 have a number of folks asking questions in the chat.
15 I'm sure there's a few more out there as well. First
16 of all, thank you and -- and your colleagues for
17 putting together a very comprehensive primer and --
18 and first meeting. Thank you for the invitation as
19 well to be a part of this task force. I think we're
20 off to a good start.

21 But as you stated there's a lot I
22 think -- a lot of ground to cover moving forward but
23 I think we -- we've gotten off to a good start here
24 today. I just want to make not a pitch really but
25 just, you know, in order to -- in the -- in the

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2 spirit of sort of staying in one's lane, there's so
3 many layers to, you know, just nuclear power in
4 general. But now that we're at the decommissioning
5 phase, putting this is kind of like -- I don't want
6 to say it's the old saying of -- of building, you
7 know, building a plane in the air or whatever that
8 saying is. There's just -- there's a lot that we are
9 still trying to learn as we're -- we're moving
10 forward.

11 But from -- just from a public safety
12 standpoint, that's the -- that's the committee I
13 chair, the board of legislators, and I -- I note that
14 Susan Spear, who is one of our deputies of the
15 Department of Emergency Services here at the county
16 and Commissioner Richard Wishnie who I don't know if
17 he's actually on this evening. But obviously as you
18 stated there towards the end, John, when you were
19 talking about the different agencies, you know, the
20 overlapping functions. The -- the county as well as
21 the -- the town, you know, the town, village, you
22 know, first responders are really the front line of,
23 you know, defense in the -- in the event of -- of an
24 emergency.

25 And, you know, frankly, my fingers

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2 crossed, we -- we haven't had to jump off that
3 bridge. But there's a -- possibility is always
4 there. And I think, you know, given, you know, just
5 sort of the nature of any potential emergency
6 situation to -- to the extent that it's not been
7 addressed, it hasn't been addressed. And to the
8 extent that it hasn't, you know, yet been addressed
9 in this process, I -- I would want to certainly make
10 sure that we keep as a -- as focus of making sure
11 that our, you know, first responders, our emergency
12 services are -- are bolstered and -- and, you know,
13 fully supported, you know, and -- and have adequate
14 resources to be able to meet any potential emergency
15 challenge that -- that, you know, may result because,
16 you know, in this -- under these circumstances, you
17 know, one is -- is too many.

18 So that -- that's just kind of my
19 pitch from the -- from the public safety standpoint.
20 I will now continue to listen and, again, thank you
21 for having me this evening.

22 MR. CONGDON: Thank you very much. I
23 think Senator -- Senator Harckham and then -- and
24 then Supervisor Puglisi.

25 SENATOR HARCKHAM: Thank you very

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2 much, Tom. I just want to agree with Colin.
3 Terrific job. You and your colleagues have really
4 pulled this together in -- in short order but done a
5 tremendous job. Just want to make the pitch for all
6 of the agencies on the prior slide. A little back --
7 background.

8 When Assemblywoman Galef and I first
9 looked at this legislation we were anticipating a
10 civilian oversight board. And the reason we didn't
11 go with that is a civilian board couldn't have boots-
12 on-the-ground. And all of the agencies that -- that
13 you listed with jurisdiction have boots-on-the-
14 ground.

15 So I -- I think it's incredibly
16 important that they continue to have boots-on-the-
17 ground. We encourage them to have boots-on-the-
18 ground, and that there is a robust discussion about
19 what their finding, pro and con, while they are on
20 the ground. Because that's the advantage of having
21 all these folks engage with the task force. Thanks
22 so much.

23 MR. CONGDON: Thank you, Senator.
24 Completely agree with that. And I want to go back to
25 Legislator Smith for a moment before we get to

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2 Supervisor Puglisi.

3 John Sipos, can you remind the -- the
4 group? There was, I believe, in a -- in a FERC rate
5 case some monies made available to -- to Verplanck
6 for emergency response. Do you want to touch on
7 that?

8 MR. SIPOS: Yes. I -- I will briefly
9 summarize that. I believe it was back in 2020 that
10 as a result of the Department of Public Service's
11 participation in a regulatory proceeding that was
12 before FERC that our colleagues were able to
13 negotiate an agreement whereby the regulated entity
14 provided -- agreed to provide some financial support
15 for the Verplanck fire program and over -- over two
16 years I think there were two separate payments. And
17 so certainly we here at -- at the Public Service
18 Commission and D.P.S. have in mind your comments
19 about supporting local resources.

20 And to my knowledge, that was the
21 first time that the ... state had made such a -- a
22 request and -- and advocated on behalf of a local
23 first response fire -- fire department. And it was
24 successful. So that's -- I think we mentioned that
25 in last year's report but your comments brought that

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2 back to mind. So I just wanted to get that out there
3 that -- that D.P.S. has been working to support the
4 -- the local resources.

5 MR. CONGDON: And I want to also, you
6 know, plug the importance of -- of emergency drills
7 and working with the local emergency planners. Our
8 Division of Homeland Security and other state
9 agencies can be available to help discuss plans for
10 doing emergency drills so that there's the highest
11 level of -- of preparation as well. I want to turn
12 it to Supervisor Puglisi.

13 SUPERVISOR PUGLISI: Thank you so
14 much, Tom. As you know, the mayor, the
15 superintendent and myself for four plus years now
16 have been involved in various levels of task force
17 ever since the announcement of the closure of Indian
18 Point. And also prior to that for 30 years now I've
19 been involved in N.R.C., Entergy, Power Authority,
20 Con Edison, forums, public hearings asking hardball
21 questions, monitoring the situation for 30 years.
22 And I will not stop even when I'm not supervisor. I
23 will as a private citizen. I'm retiring in six and a
24 half months and I just want to get these points
25 across because there's only going to be a minimum of

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2 three times a year that this advisory board meets.
3 So if you'll just give me a moment I would appreciate
4 it please, Tom.

5 MR. CONGDON: Sure.

6 SUPERVISOR PUGLISI: Okay. Thank you.
7 I want to get back to the local front-line people
8 being the wonderful people that live in the village
9 and in the town and are participants in the school
10 district, fire district, et cetera. We're here on
11 the ground. It was mentioned by Colin and by others,
12 and I just want all of our issues to be heard. This
13 is an advisory board. It's made up of all the
14 excellent agencies in New York State. I don't want
15 anybody to take offense to anything that I'm saying.
16 We appreciate you working with us for the many years
17 and will continue to do so. I -- I know you will as
18 partners.

19 But I want to get back to the school
20 issue. I get a lot of e-mails. I know the
21 superintendent gets a lot more than I do, but this
22 Buchanan Verplanck Elementary School and the close
23 proximity to the pipeline, I believe it's about 500
24 feet, that is a critical issue that has to be at the
25 top of the priority list. It has to be monitored,

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2 evaluated, addressed constantly. I want to just
3 drive that point home if I may.

4 And then I also heard that the
5 monitors once the rods are in the units, the dry cask
6 storage units they're going to be deactivated I think
7 I heard. I would be totally against that. Why in
8 the world would we ever deactivate them? Keep them
9 going. What is the harm of keeping them going? God
10 forbid there's leaking or whatever. You want them
11 there. You want them there.

12 And there's three 33 plus wells on the
13 240 acres. I've said it a million times. I have
14 that number engrained in my head, and I want those
15 wells monitored. I want reports. I just don't want,
16 you know, the niceties of Holtec and the N.R.C.
17 communicating, talking to each other. Okay. That's
18 lovely. I want hardball evaluation studies. I want
19 reports. I want the locals to get those reports.
20 Everybody on this board to evaluate them, and I think
21 that should be the top of the list of priorities.
22 There's nothing more important.

23 So those are my thoughts. I will put
24 more of my thoughts in writing to -- to you, Tom, and
25 you can disseminate them for me. I appreciate the

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2 time.

3 MR. CONGDON: Thank you very much.
4 Any other questions on the decommissioning oversight
5 presentations? Oh, welcome Legislator Borgia. Hi.

6 LEGISLATOR BORGIA: Here I am in
7 person. Sorry about the technical difficulties. And
8 I apologize in advance because I was off the -- off
9 the line for about 10 minutes trying to figure out a
10 better technological solution. But so I want to echo
11 some of the things I know that my colleagues have
12 raised. I think it is very important to look at any
13 impact that's going to happen with the school, that
14 is especially the school that is right on site that
15 are very close by.

16 I want to know if the decommissioning
17 oversight board is only going to meet three times a
18 year. What if -- what ... to address issues ...
19 party in between meetings. What's the level of
20 responsiveness we can expect from, for example, state
21 agencies which I'm less worried about versus Holtec
22 versus the N.R.C. or any federal agencies if
23 something comes up? And I'd -- I'd also really --
24 although I want to emphasize many financial and
25 safety issues that have already been raised.

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2 I also want to say that I am really
3 hoping that we're going to find a way to hear from
4 the public on a regular basis. And if our board --
5 since our board does not have any regulatory
6 authority, one thing we do have though is a bully
7 pulpit where we can really start talking about these
8 issues. I think for all of us who've been sort of
9 involved in this idea of how decommissioning is going
10 to happen for a number of years and we've heard from
11 a lot of other communities that have had
12 decommissioning happen.

13 And one of the things that happens is
14 now that reactors are shut down people -- it's --
15 it's less front of mind for people. And every year
16 it becomes less of a priority in terms of safety
17 monitoring and -- and oversight for the regulatory
18 agencies. But yet we still live here. We still live
19 here. There might be accidents. There might be
20 something that is going wrong mechanically. And we
21 want to be able to have a strong voice that says --
22 not just for the immediate, short term when every --
23 when things are moving and when there is going to be,
24 when the buildings are being dismantled but over the
25 long term to where that the safety is always

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2 paramount in the minds of the people who are
3 responsible for -- for keeping us safe.

4 So I want there to be more public
5 opportunity for public input. I will say I'll take
6 responsibility for some of the technical problems.
7 We do have some issues with our county laptops, but
8 it was very frustrating. And I represent people who
9 live very close to Indian Point. And I myself live
10 very close to Indian Point to not be able to jump on
11 this -- on this discussion easily as a panelist. So
12 I was not able to do my duty as an elected
13 representative.

14 But that also makes me scared about,
15 you know, making sure that the public voices are
16 heard. That anything that anybody from the public
17 sees or witnesses or if there's something that
18 happens that impacts the nearby school that that gets
19 to the right people fast. So that's --.

20 MR. CONGDON: All -- all very -- very
21 good points and I want to respond to a few of them.
22 First of all, the -- the bylaws stating a minimum
23 number of three meetings is really just to establish
24 the floor. And I anticipate more frequent meetings
25 than three a year especially in these early years.

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2 And we can call a meeting at any time as the
3 conditions warrant. And so to the extent that any of
4 the oversight board members are concerned about a
5 particular issue, you want to pull together and I
6 would encourage you to call me. And we can arrange
7 for it.

8 I'll also, you know, apologize for the
9 -- for the technology. I think all of us over the
10 past year and a half have -- have sort of gotten used
11 to these virtual meetings but there still remains
12 from time to time some technical glitches. And, you
13 know, I'm pleased to see the vaccination rate is very
14 high in New York. And the -- the state of emergency
15 announced by the governor today is -- is coming to an
16 end. So I think that the possibility for in-person
17 meetings going forward is -- is much higher than it
18 -- than it was. And so perhaps we -- we will be able
19 to get together. And maybe it will be a combination
20 of in person and -- and virtual since we can take
21 advantage of some of the technology. Your point --.

22 LEGISLATOR BORGIA: I just want to say
23 just -- just to that point and I -- I take
24 responsibility for my technology issues. I'm just
25 saying we need a -- a responsive mechanism, whatever

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2 that is, right. It's not so much about the
3 technology. It's about the speed, you know what I
4 mean.

5 MR. CONGDON: Right. Yes. And you
6 know, we do -- we -- we have on our website an
7 ability for the public to enter comments and
8 observations and concerns any time. And we have
9 received -- we did receive some comments before this
10 meeting. There's a chat function that's open for the
11 public to ask questions. We're going to document all
12 that. We're -- we're planning to have a public
13 statement session for each of the decommissioning
14 oversight board meetings. And -- and I think the
15 community engagement piece, I agree with you, is
16 very, very important.

17 I want to also, you know, address that
18 from the earlier meetings and, you know, the local
19 task forces I think have -- have also provided
20 another venue. And we've, as a state, participated
21 in the local task force meetings. And we've heard
22 during those meetings and observed the -- the chats
23 to -- to understand the sense from the community of
24 the things that are on their mind, the concerns that
25 are on their mind right now.

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2 And -- and that's why we've already
3 been engaged with Joe Hochreiter on the school issue.
4 We recognize that that's something where we can
5 provide a value-add and -- and we have been doing a
6 lot of research to assist in -- in presenting some
7 opportunities for addressing the concern. You know,
8 the need for -- for monitoring at the school. So we
9 hope to have more to say about that in -- in the
10 coming weeks. We -- we -- I think, Catherine, I'm
11 not sure if you were on for the -- for that portion
12 of the discussion with Joe but we agreed to set up a
13 -- a working group to get together offline and -- and
14 research options further that we can help assist the
15 school district in that regard.

16 And then last but not least and this
17 could be a segue, unless there are more questions
18 about the oversight board activities, we have another
19 presenter. Mayor, do you have --?

20 MAYOR KNICKERBOCKER: Yes, I'd like to
21 -- I'd just like to say something.

22 MR. CONGDON: Sure.

23 MAYOR KNICKERBOCKER: I think it -- it
24 needs to really be understood from the beginning.
25 The mantra has been the safe decommissioning of

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2 Indian Point and also the restoration of the
3 property. So that continues. It continues with the
4 school. Of course there's concerns with the school.
5 We want to make sure the children are safe. But
6 remember the Village of Buchanan is a one point three
7 square mile community. So, you know, we -- we have
8 to be concerned and -- and monitor things within the
9 village which is -- is right there.

10 So I just want to make that
11 understood. We're all concerned about these things.
12 It's about the safety and of the residents and the
13 children. So I -- I agree with my colleagues, Joe
14 Hochreiter, Linda Puglisi who have been wonderful
15 partners since the -- since the beginning of this. I
16 -- I couldn't have asked for better partners. And
17 also all the agencies and everyone we've worked since
18 the announcement.

19 I do want to make one comment because
20 I see this in the chat. Entergy and the Verplanck
21 Fire Department had an outstanding working
22 relationship. So just for clarification, Verplanck
23 -- the Verplanck Fire Department, even though it's in
24 the Village of Buchanan is -- that was their -- their
25 fire district. And it had been that even before

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2 Indian Point was purchased. So that's why, you know,
3 the funding.

4 But what I would like to see and I
5 know, Tom, you have commented about that with the
6 pipeline, I would like to see more training with
7 that. And we did have an initial training once the
8 pipeline was put in but also let's remember a large
9 portion and a pigging station is within the Village
10 of Buchanan within the -- the Village of Buchanan's
11 Fire Department district, Buchanan Engine.

12 So I think a combined drill or
13 training with Verplanck, Montrose, Buchanan and if
14 anyone from the Peekskill district would like to --
15 would like to be part of that. But, you know,
16 Buchanan is also going to be a first responder. So I
17 just want to keep that in mind if any of these become
18 available. Thank you.

19 MR. CONGDON: Really good point. And
20 -- and that's a good segue to our -- our next
21 presentation if we could go to the next slide please.
22 Karen Gentile from the Pipeline and Hazardous
23 Material Safety Administration is with us today. I
24 -- I also want to just acknowledge a number of the
25 comments that have been made by the board members

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2 expressing concerns about the colocation of the
3 Enbridge pipelines in the vicinity of the Indian
4 Point site.

5 And, you know, as a decommissioning
6 oversight board I think one of our roles will be to
7 ensure that there is a spotlight put on the co-
8 location so that all of the relevant entities are --
9 are called on to -- to discuss the issues with us on
10 a regular basis. And the pipeline operators
11 understand the concerns in the community and -- and,
12 of course, Holtec.

13 And so I think that this will be a
14 recurring agenda item, updates on, you know, pipeline
15 activities if any. And updates, you know, on any
16 pipeline safety oversight. So I'm very grateful to
17 Karen for -- for joining us this evening. She's an
18 incredibly busy person and -- and she fit this
19 presentation in on short notice. So I just want to
20 say thank you very much for joining us and I'll turn
21 it over to you for a presentation on the Enbridge
22 pipelines.

23 MS. GENTILE: Thank you, Tom. Good
24 evening everybody. Again, I'm Karen Gentile and I'm
25 a community liaison with the United States Department

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2 of Transportation's Pipeline and Hazardous Material
3 and Safety Administration commonly referred to as
4 PHMSA. I support PHMSA's Office of Pipeline safety
5 in the eastern region which basically covers the
6 northeast corner of the United States from Maine down
7 to Virginia and over to West Virginia and
8 Pennsylvania and Ohio.

9 I'd just like to thank the Indian
10 Point decommissioning oversight board for inviting me
11 to participate this evening. I'll be talking about
12 each of these items that we have up on the -- on the
13 slide. For those of you who might not be familiar
14 with PHMSA, PHMSA is the federal agency responsible
15 for setting and enforcing regulations and standards
16 for the design, construction, operation, maintenance
17 and abandonment of pipelines. And our primary focus
18 is on safety.

19 We work closely with state pipeline
20 safety programs including the New York State
21 Department of Public Service's pipeline safety
22 program to carry out our mission and our
23 responsibilities. The New York State Pipeline Safety
24 program is an interstate agent for PHMSA. This means
25 that they have authority and responsibility to

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2 inspect interstate pipeline facilities in New York,
3 to include all the Algonquin interstate natural gas
4 transmission pipeline facilities. To check that
5 operators are complying with the minimum federal
6 pipeline safety standards.

7 If they identify compliance concerns
8 with the regulations, state personnel provide
9 information on the concerns along with evidence and
10 noncompliance to PHMSA so that we can take
11 enforcement action.

12 PHMSA's very familiar with the
13 pipeline that operates near Indian Point energy
14 center and the concerns raised as far back as 2013
15 when Algonquin submitted a prefiling with the Federal
16 Energy Regulatory Commission for the Algonquin
17 incremental market project otherwise known as AIM to
18 construct the new 42 inch natural gas transmission
19 pipeline near their 3 existing lines, a 30 inch, a 26
20 inch and a 24 inch line.

21 The Algonquin pipelines that operate
22 in New York including those near the Indian Point
23 energy center are required to follow the federal
24 pipeline safety regulations that are contained in
25 Title 49 to the federal regulations Part 190 through

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2 199. Part 192 is the section that specifically
3 focuses on the design construction, operation and
4 maintenance of natural gas pipelines.

5 Included in these regulations are
6 integrity management requirements. And those are in
7 Part 192 subpart O. These integrity management
8 requirements require that pipeline operators that
9 operate pipelines located in high consequence areas,
10 such as in an area where there's a greater
11 concentration of buildings intended for human
12 occupancy or places where people gather, have to have
13 integrity management programs.

14 As part of these integrity management
15 programs, an operator must perform assessments on the
16 pipeline facilities to include performing assessments
17 to check for features in a pipeline. These things
18 could consist of dents, corrosion or coding defects.
19 If the features meet certain criteria, as prescribed
20 in the safety regulation, an operator may be required
21 to take pressure reduction or act to repair the
22 condition within a prescribed period of time.

23 I know there's a lot of particular
24 interest in the pipeline work that's being done in
25 the vicinity of Indian Point. From June through

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2 August of this year, Algonquin plans to excavate near
3 the Indian Point energy center property to inspect
4 features that they discovered during an integrity
5 assessment and perform preventative maintenance on
6 their 26 inch pipeline which is located near Broadway
7 Road in Buchanan, New York. Work on these features
8 is scheduled to begin on or about June 28th and last
9 for approximately six to eight weeks.

10 It's important to note though that the
11 features that Algonquin has identified do not meet an
12 actionable level as defined in the pipeline safety
13 regulations that would require them to either take a
14 pressure reduction or for that repair to be made
15 within a specified period of time. The features that
16 were identified are referred to in our regulations as
17 monitored conditions.

18 What this means is that the
19 regulations specify that the operator doesn't have to
20 schedule remediation of the features that are
21 considered monitor conditions. But what they must do
22 is they must record and monitor the conditions during
23 subsequent risk assessments and integrity assessments
24 for any changes that might require remediation. So,
25 again, though the features discovered on the

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2 Algonquin line don't require action at this time,
3 Algonquin plans to take action to repair these
4 features sooner as opposed to later.

5 Algonquin also has some additional
6 work planned where they'd like to connect their 24
7 inch auxiliary pipeline near the Hudson River to the
8 26 inch pipeline that traverses Indian Point. This
9 work would take place within the Indian Point
10 boundaries. Algonquin has received approval from the
11 operator of the Indian Point energy facility to
12 conduct test pit digs near the river crossing to
13 support this 24 inch, 26 inch connectivity effort.

14 These test pit digs are required to
15 gather information on the subsurface soil and the
16 bedrock which are necessary to apply for the storm
17 water management permits required for the actual
18 construction work. These are the storm water
19 pollution protection plan permits. The test pit digs
20 are scheduled to be completed in the late June, July
21 time frame using vacuum excavation techniques. The
22 actual 24, 26 inch tie in work will not likely start
23 before November, however. Again, the work that's
24 being done now is those test pit digs for their
25 permit application. But the actual start of the work

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2 is not anticipated to start before November but maybe
3 deferred to later.

4 Algonquin has been providing updates
5 on their planned work to the New York Department of
6 Public Service's pipeline safety program. Algonquin
7 and Indian Point have confirmed and the New York
8 State pipeline safety program that they each are
9 aware of the work that's going on and each with each
10 other's facilities. They've spoken and they've
11 coordinated and they don't have issues with the work
12 that's taking place on the pipeline facilities or for
13 the decommissioning activities. So there's a -- a --
14 that communication chain that was discussed, you
15 know, which is so important is taking place and the
16 New York pipeline safety program is continuing to
17 monitor that communication.

18 While PHMSA has regulatory
19 requirements that operators must follow to include
20 requirements for making repairs on actionable
21 features within the prescribed time frame, PHMSA has
22 no role in approving pipeline projects to include
23 maintenance activities, piping configuration changes
24 or operational changes.

25 It's the pipeline operator's

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2 responsibility to work with the appropriate federal,
3 state and local agencies along with the landowners to
4 get any required permits and approval necessary to
5 perform those projects. And, again, any projects,
6 whether it be construction, changes in their pipeline
7 facilities or maintenance work has to be done in
8 compliance with the federal pipeline safety
9 regulations.

10 So PHMSA would continue to work with
11 the New York State pipeline safety program, Kevin and
12 his inspection team to oversee pipelines in New York
13 to ensure that operators are meeting or exceeding the
14 federal pipeline safety regulation. If inspectors
15 find safety issues or problems related to
16 noncompliance, PHMSA will issue compliance actions to
17 achieve and maintain pipeline safety and to ensure
18 regulatory compliance. I hope this information is
19 helpful and you're welcome to contact me any time if
20 you have any questions.

21 MR. CONGDON: Karen, thank you very
22 much. I'll just take note of the time. It's eight
23 thirty. We do have about 12 or 13 speakers
24 registered who wish to make statements, but I -- if
25 -- if the board is okay with going a little beyond

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2 9:00 so that we can be sure to get to all of the
3 registered speakers, I would -- I would then invite
4 some questions if any for Karen. But we should try
5 to --.

6 SENATOR HARCKHAM: I have a quick
7 question if I may.

8 MR. CONGDON: Sure. Senator.

9 SENATOR HARCKHAM: Yeah, thank you
10 very much. Karen, thank you. This was very
11 educational. I -- I appreciate your making time to
12 join us. One of the concerns that I hear from the
13 community quite a bit has to do with the three minute
14 shutdown time period if there's an incident, a break,
15 a fire, God forbid something worse, and the ability
16 to remotely shut down the pipeline in three minutes.
17 And what has been seen nationally in other incidences
18 and -- and audits have shown that it can't be done in
19 three minutes. That's a great concern of -- of many
20 folks in -- in the community. Can you address that
21 whether I was accurate in -- in my assessments and --
22 and what -- what your position is on that? And --
23 and what's being done to address the -- the speed of
24 a shutdown in the case of an emergency?

25 MS. GENTILE: Sure. I'll try to do my

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2 best to address your question. I know that there
3 were some studies done a few years ago to look at
4 things like potential impact radius of the pipeline
5 facilities, shutdown times to isolate the -- the
6 pipeline facilities. However, I -- it's been some
7 time and I -- I can't confirm, you know, what the
8 time was. But, you know, that's something that we
9 can look into. I know that there was, again, a study
10 that was done that, you know, looked specifically at
11 some of those topics.

12 SENATOR HARCKHAM: If you could look
13 into get to that report back that would be very
14 helpful.

15 MS. GENTILE: Yes.

16 SENATOR HARCKHAM: Thank you very
17 much.

18 MR. CONGDON: Thank you, Senator. And
19 -- and I think, Senator, as you know, we reported
20 earlier at earlier meetings that our gas safety team
21 conducted an audit at the control room to test the
22 timing of remote operated valve closure and -- and we
23 did confirm it would be in excess of the three
24 minutes. That being said, we shared those results
25 with the entities that had done those studies to --

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2 to assess the -- the risk of what damage would occur
3 at the plants. They did respond to indicate from the
4 federal perspective that it didn't change their --
5 their risk assessment but it was important for us to
6 have done that audit of the -- of the time it would
7 take to do the remote operating valve.

8 Is -- is there anything the gas safety
9 team from D.P.S. would like to add? I think we've
10 given you panelist treatment, Kevin or Arpit? Did I
11 cover that accurately with respect to my summary of
12 your audit?

13 MR. SPEICHER: Yeah, that is correct.
14 We -- we did the audit. There's the technical
15 capability to close that valve very quickly from the
16 time they press the -- you know, that they send the
17 signal to close it. However, we felt that we --
18 there would likely be some time needed to get
19 confirmation that there was a rupture or some -- or
20 an event on -- on the pipeline and that would likely
21 take I think -- I think it was about seven to eight
22 minutes if I'm not mistaken.

23 But when they did the -- when they
24 updated or when they did the study a couple a years
25 ago that they did take that into account and they --

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2 they -- they were satisfied with -- with that time.
3 But really they -- the technical feasibility is there
4 to close it very quickly. Again, it's just a matter
5 of -- of having confirmation before they -- before
6 they do that.

7 MR. CONGDON: Thank you. Any other
8 questions for Karen?

9 MR. SPEICHER: Just one other comment.
10 We did -- we did hold a -- a meeting with Holtec and
11 Enbridge last week I believe. And -- and discussed
12 the work that was being done. And -- and we did
13 agree that we would continue meeting on a regular
14 basis so that if there's any changes in plans or
15 anything we're just -- we want to make sure that
16 their communication is taking place. And the good
17 news was that both sides did know prior to that
18 meeting what was -- what was happening. So we just
19 were able to confirm that and the lines of
20 communication between Holtec and Enbridge are open so
21 that's good.

22 MR. CONGDON: Thank you.

23 ASSEMBLYWOMAN GALEF: Tom, could I
24 just add was there any discussion or did I miss it
25 about closing the pipelines when they're working in

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2 certain areas through the decommissioning and -- and
3 trucks coming in and so on? Is -- is there an option
4 to close? Are we talking about that at all?

5 MR. CONGDON: Well, I think that in
6 our -- in our letter to the federal agencies we had
7 indicated that as decommissioning gets underway to
8 ensure that if there is decommissioning activity that
9 is of the intense variety where there is excavation
10 and other heavy equipment that there may be -- it may
11 be warranted to change operations or -- or
12 temporarily slow operations or reduce pressure on the
13 line for that work to be conducted during that --
14 during that time.

15 No decisions have been made on that,
16 Assemblywoman, to my knowledge. But what we have
17 ensured is that there is coordination so that the
18 timing of the various work activities is known by
19 both parties and they can -- they can make decisions
20 as to whether or not there needs to be operational
21 changes to ensure safety. But that's something our
22 gas safety team will stay engaged on and monitor.
23 And -- and we'll keep the board apprised of that.

24 LEGISLATOR SMITH: May I just -- I'm
25 sorry, just to piggyback off of Sandy's question

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2 because I had, you know, we talked a little bit about
3 this earlier for maybe another meeting. You had
4 mentioned about how, you know, some of the -- there's
5 more than just a consideration -- when -- when they
6 considered shutting down pipelines for, you know,
7 like if they're doing construction nearby or
8 something along those lines, part of that
9 consideration is who's on the other end of those
10 pipelines? You know, are there communities or what
11 have you that are receiving the gas and so forth?
12 You know, for me at least and I don't
13 know if this is maybe -- maybe doesn't even have to
14 be subject to a, you know, of our meetings but to
15 have an idea of how that, you know -- you know, where
16 are these other communities. What -- what is -- you
17 know, how much, you know, sort of just maybe the --
18 the process beyond, you know, Buchanan? Beyond
19 Indian Point. Knowing -- knowing a little bit more
20 about that process I think could -- could be, you
21 know, for me at least and -- and perhaps for some of
22 the other board members, be instructive in terms of
23 how we, you know, shape the conversation moving
24 forward about -- I know there's, you know, there's
25 obviously there's a -- there's a part -- part of the

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2 agreement is, you know, in place has to do with
3 Holtec and -- and I believes it's Enbridge as well as
4 the, you know, the -- the regulatory agencies being
5 in close contact regarding any -- any type of
6 shutdown that may, you know, may be required.

7 But I know it would be helpful, I
8 think, to know also what are some of the other
9 considerations outside of our area that impact the
10 decision process here.

11 MR. CONGDON: I think that it makes
12 perfect sense and I think that's an excellent idea
13 for a future presentation to better understand the
14 operations of the pipeline. And to -- to note, you
15 know, just reducing pressure can present risks for
16 the pipeline as well even locally. Not so much
17 necessarily for the end user if it's done in the --
18 kind of the right season of -- of the year when gas
19 demand is low. Perhaps it's not an impact at all on
20 end users. But the act of depressurizing and
21 pressurizing the line can present issues as well.

22 And so I think it would be helpful to
23 have some experts give an overview of pipeline
24 operations for this particular pipeline. So thank
25 you for the idea. We'll keep it on the list of

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2 future presentations.

3 Okay. So we have about 12 or 13
4 registered speakers, and if we could go to the next
5 slide please. I'm going to skip the open discussion
6 because I think we've had discussion all along the
7 way, and if it's okay with the board members, unless
8 there are other issues that -- that have been raised
9 that you'd like to get to before I start the public
10 statement session, I'd really I'd like to get going
11 to -- to allow the public their chance to -- to
12 provide some input.

13 MR. WEBSTER: Just a quickie if I can?

14 MR. CONGDON: Sure. Go ahead.

15 MR. WEBSTER: There was an incident at
16 Oyster Creek with a dry cask where it was pressurized
17 and the valve blew off and radioactive water was
18 released, I think we want to make sure ... there's
19 going to be quite a lot of movement of the fuel into
20 dry cask over the next couple of years. So I'd like
21 to ensure, first of all, that such incident doesn't
22 recur and understand what measures Holtec is taking
23 to make sure it doesn't recur.

24 Second of all, it took about I think
25 four months for it to become public so I'd like some

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2 reassurances that if such incident occurred at Indian
3 Point that it would be promptly notified to the state
4 and -- and to this board. And then I have a broader
5 question on cask which is cask inspections; are they
6 adequate? I think they're visual only. And if that's
7 true I have a concern about that or corrosion. And
8 then the question is if the inspection shows there's
9 a problem what's the contingency plan. So -- so
10 that's sort of a -- by way of saying we should
11 discuss these things at a future meeting.

12 MR. CONGDON: Thank you, Richard.
13 Noted. I think the dry cask issue and -- and
14 especially when there are incidents involving Holtec
15 where there's some safety issues at some of their
16 other sites, I think it will be very important to
17 make sure that lessons were learned and to hear
18 directly from Holtec what remedial actions they've
19 taken so that that lesson is learned and applied at
20 the Indian Point facility. And we will I think for
21 the next meeting we -- we should invite Holtec to
22 make a presentation and we can prepare for -- for
23 some presentations on dry cask methods, technology,
24 et cetera.

25 So thank you for the idea. That's

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2 noted. Any other thoughts for future meetings. I
3 think we've -- we've taken a number of thoughts
4 during the course of the meeting so I think we're --
5 we're developing an agenda. But before we go to the
6 public statement session I want to ask one more time
7 if any other topics should be researched for the
8 subsequent meeting?

9 MAYOR KNICKERBOCKER: I just want to
10 say that we did -- Holtec did present at one of my
11 meetings and they -- they did go over the -- the
12 spent fuel cask. So, you know, I don't know if there
13 will be more questions with that but that's fine to
14 review that again. I'm sure people have more
15 questions.

16 The only other -- last thing I'd like
17 to say, this goes back to the cessation fund is I'd
18 like to thank Vincent. He was very helpful, he was
19 very responsive with the application process. So
20 shout out to Vincent. Thank you Vincent. You were
21 great. Appreciate it.

22 MR. CONGDON: Thank you, Mayor
23 Knickerbocker. And thank you, Vincent. Okay. So at
24 this time I'd like to turn it over to Tom Kaczmarek
25 who will be the moderator for the public statement

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2 session for tonight's meeting. And I'd ask the --
3 the oversight board to bear with us because it looks
4 like we will go a little beyond nine p.m. But I
5 think it's important that we try to get to all the
6 registered speakers. So, Tom?

7 MR. KACZMAREK: Thank you so much. We
8 first want to provide an opportunity to make a public
9 statement to those individuals who registered ahead
10 of this meeting. Those individuals will be given the
11 opportunity to speak in -- in the order in which they
12 registered. To provide a fair opportunity for
13 everyone who registered to speak, all those will have
14 a three minute time limit. If time allows, which
15 given the late hour we may not be able to, but if
16 time does allow members of the public who did not
17 register to make a public comment may be given the
18 opportunity to do so at the end of that session.

19 Any members of the public that are not
20 able to speak this evening will be given other
21 opportunities to make public comment. Those
22 opportunities will be provided on an ensuing slide.
23 Any comments included in the chat in the Q and A, as
24 Tom mentioned earlier, those are being recorded and
25 the oversight board will be looking at all of those

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2 questions.

3 Your line will be unmuted when it is
4 your time to speak. If you are preregistered and you
5 are joining us over the phone, I ask that you please
6 raise your hand by dialing Star 3. I will then
7 unmute you to allow you to speak. So the first
8 registrant I have did register to join over the
9 phone. I believe the name I have here is Rich
10 Mermelstein [phonetic spelling]. If you are joining
11 us today if you could please raise your hand either
12 using the digital feature or if you're joining over
13 the phone please dial Star 3.

14 Okay. You've been unmuted. You may
15 need to unmute yourself on your end as well.

16 MR. CONGDON: Tom, can you go over the
17 instructions for how he unmutes on the phone?

18 MR. KACZMAREK: Yes. So, yes, you --
19 you should be able to -- again, you should be able to
20 dial Star 3. All right. We will work through the
21 technical issue. We'll get to the next individual on
22 the list. We have Dan Galinko. Forgive me if I'm
23 not pronouncing these names correctly. Dan, you have
24 been unmuted. Are you with us and able to speak?

25 MR. GALINKO: I am with you. Thank

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2 you, Tom and thank you. Can you hear me?

3 MR. KACZMAREK: Yes.

4 MR. GALINKO: Okay. Great. Well,
5 thank you to the broader board. It's great to see
6 such a multidisciplinary group pulled together here
7 just to look at the public safety and public
8 interest. I guess -- well, just as you -- I'm Dan
9 Galinko. I've been in the district in Cortland Manor
10 for five years now. I've got a kindergartener just
11 finishing kindergarten tomorrow and a couple twins
12 that are going to be rising and going into the
13 elementary school system. So very personally
14 concerned with the safety of B.V. and -- and the
15 other schools that are in proximity.

16 So just generally concerned that
17 certainly four months or even a year ... time in
18 terms of whether there's been a radioactive exposure
19 or release from the site that could impact the school
20 4,000 feet away is horrifying to be honest. But
21 beyond that and I commented in the chat during the
22 meeting that it's also the activity of demolition
23 that will kick up dust, asbestos, lead, anything else
24 that's within the site that could be, you know, drift
25 over on to the playground, the facilities of the

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2 school, into the ventilation systems in the school
3 and provide a lot of concern.

4 And furthermore, you know, just
5 thinking of the mundane issues beyond the pipeline, I
6 mean, thousands of trucks on the street competing for
7 space on the streets with the school buses, there's
8 just a tremendous amount of issues to be concerned
9 about. And based on what I know today I find it hard
10 to imagine I'm going to send my kids over to B.V.
11 while decommissioning is going on. But, you know,
12 again, I'm looking to this board and -- and to the
13 public interest that you'll be serving to -- to be
14 chasing down these issues and determining real time
15 every day that the school is safe to send kids to.
16 So thank you for hearing me out.

17 MR. CONGDON: Thank you.

18 MR. KACZMAREK: Thank you very much.
19 I want to give Rich Mermelstein another opportunity.
20 I understand there may have been a signal issue. I'm
21 going to unmute you again, and the only thing you
22 need to do is just make sure that your own phone is
23 unmuted.

24 MS. MERMELSTEIN: Hello, can you hear
25 me now?

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2 MR. KACZMAREK: Yes. Thank you.

3 MS. MERMELSTEIN: Okay. Great. Yes.

4 I'm obviously not Rich. I was using my husband's
5 phone. I have a -- a comment, a question and a
6 concern. My comment -- I'll keep them all short. My
7 comment is I really hope the board is aware that
8 you're not only speaking on behalf of the reactor
9 community here. You are going to be a model for the
10 nation. There are many plants that are involved now
11 and about to embark on decommissioning. And what is
12 done in New York and the level of transparency and
13 accountability and understanding of the process is --
14 is really you're paving the way. You're -- you're
15 building the airplane in the air. And -- and I
16 really hope you take that as a very solemn duty. So
17 that's the comment.

18 The question is I'd like to have a
19 better understanding of the mechanism by which
20 members of the public, environmental groups and civil
21 society groups should interact with the board in
22 order to ask questions and get reasonable questions
23 responded to. That's the question.

24 And the third thing which is a concern
25 relates to -- especially to pregnant women, babies in

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2 utero, small children in the region. I -- I've had
3 the dubious pleasure of extensively reviewing
4 emission reports and -- and the well reports that
5 were done at -- at Indian Point which -- which are a
6 torturous process. But one of the -- the most
7 startling aspects of those reports is you see low
8 level, low level, low level, huge spike. Low level,
9 huge spike. Then no information, then low level for
10 a while then huge spike.

11 And certainly for the decommissioning
12 activities, not just for the dismantling of
13 structures but given the amount of contamination that
14 is in the bedrock and in the buried systems, you're
15 going to have real levels of spiking radioactivity in
16 -- in the near region. And to have members of the
17 public find out about it, even if it's accurately
18 reported late after it happens is -- is really not
19 acceptable. I -- I would strongly suggest that when
20 there are activities about to be embarked upon that
21 are very likely to have such releases that members of
22 the public are advised in advance and -- and given
23 the opportunity to be sheltered ... particularly
24 again pregnant women, people with babies, people who
25 are nursing who are all at elevated risk of

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2 radioactivity. Thank you.

3 MR. KACZMAREK: Thank you very much.

4 MR. CONGDON: Tom, it's Tom Congdon.

5 You know, we're not going to be able to address all
6 the questions. But on a process point that was just
7 raised, how should members of the public engage with
8 the oversight board, I just wanted to -- to say that
9 they can engage through numerous channels. We have a
10 website and Tom will put up a slide at the end of
11 this session that shows where you can go to access
12 all of the documents of the decommissioning oversight
13 board and the task force.

14 And there's a place for public comment
15 there. There will be opportunities at every one of
16 our public meetings for the public to make statements
17 and to ask questions via the chat. We'll try to be
18 responsive during the course of the meeting but
19 always be responsive by the next meeting because this
20 is basically the point of the decommissioning
21 oversight board is to engage with the public. And --
22 and we appreciate the comments you made there as well
23 and we'll take all of that under consideration. Tom,
24 back to you.

25 MR. KACZMAREK: Thank you, Tom. Next

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2 up we have Courtney Williams. Courtney, you're
3 unmuted.

4 MS. WILLIAMS: Yes, thank you very
5 much. I have one question for the P.S.C. which is
6 that in 2018 New York State put out its own risk
7 assessment of the pipeline at Indian Point. And they
8 listed a slew of unanswered questions. And they
9 specifically said that decommissioning increases the
10 risks of a pipeline rupture. And myself and others
11 have asked this of the P.S.C. in the past and not
12 gotten an answer.

13 Were those unanswered questions at
14 some point answered and we are unaware of that? Or
15 has the -- has New York State just stopped caring
16 about the answer to those questions?

17 And what happened then about the
18 increased risk? Is that still a concern? So I would
19 really like to know or to see documents outlining the
20 answers to the questions that New York State raised
21 in its own risk assessment and clearly indicating
22 what the answers were and or how those questions or
23 risks were resolved.

24 My other questions is related or is
25 probably for the PHMSA representative which is that

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2 it's well known and established that Algonquin said
3 they could shut off the gas in three minutes. That
4 was never questioned by the N.R.C. or FERC. It was
5 taken on face value despite experts saying it was an
6 impossibility now that the P.S.C. has determined that
7 is actually not true. Given that it is the basis and
8 underlying assumption upon which all of the safety
9 mumbo jumbo that has been presented here, what does
10 PHMSA have to say about that in terms of pipeline
11 safety?

12 I would also like to ask that, you
13 know, a lot of this stuff is all facts in evidence.
14 We've been working on this for many years. It would
15 be really great if the folks coming to speak with us
16 were aware of the background and the work that's
17 already been done so that we could get answers during
18 these meetings as opposed to some later date. And
19 for questions that were asked in the chat, are those
20 going to be -- the answers to those going to be
21 provided publicly or how will we get those answers?

22 MR. CONGDON: Yes, we'll provide
23 answers to the chat questions publicly and -- and to
24 these specific questions as well. I will note just
25 on the P.S.C. letter that went to the federal

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2 agencies the issue of decommissioning and -- and
3 risks to the pipeline were related to the statistical
4 analysis and the risk assessment about pipeline
5 ruptures generally across the country noting that one
6 of the highest risk type of activities that cause
7 pipeline ruptures is excavation. And that's what
8 causes many accidents.

9 And we observed in our letter that
10 given that the decommissioning process itself may
11 involve excavation that there had to be heightened
12 attention to pipeline safety during decommissioning.
13 And that's something I mentioned earlier in this --
14 in this meeting and something that we will continue
15 to follow through on.

16 And as to the federal agency answers,
17 I -- I will say they have not been fully responsive
18 so that's been an ongoing issue. But we will kind of
19 document what we have and -- and provide it to you,
20 Courtney. Thank you. Tom, back to you for the next
21 questions.

22 MR. KACZMAREK: Thank you, Tom. Next
23 up we have Suzannah Glidden We're going to try that
24 once more. Suzannah Glidden, you are now unmuted.

25 MS. GLIDDEN: Yes.

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2 MR. CONGDON: Suzannah, sometimes the
3 echo is caused if you have more than one device open
4 for the meeting.

5 MS. GLIDDEN: Thank you. Let me close
6 this other one.

7 MR. KACZMAREK: Suzannah -- Suzannah,
8 you should get okay now. I -- I closed it for you.

9 MS. GLIDDEN: Thank you so much. It's
10 concerning you've just confirmed that excavation
11 heightens the risk of a pipeline rupture. And the
12 entire approval of putting in AIM the high pressure
13 pipeline near Indian Point was based on a three
14 minute ability to close it down should there be a
15 rupture. And yet that has been -- exploded that
16 myth. And the damage after a few minutes would be
17 done. The entire site would have exploded more or
18 less. And the entire region would be affected.

19 And that no decision has been made yet
20 about shutting the pipeline down during excavation is
21 shocking to hear in this presentation. The -- the
22 corrective in any excavation demolition or
23 construction job of a building the first thing that's
24 done is to shut down the gas. The P.S.C. must submit
25 notification to PHMSA to issue a corrective action

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2 order to shut down the pipelines at Indian Point
3 before demolition begins period. Thank you.

4 MR. KACZMAREK: Thank you very much.
5 Next we have Susan Van Dolsen. Susan, you are now
6 unmuted.

7 MS. VAN DOLSEN: Thank you very much.
8 I will not reiterate many of the points that were
9 covered about the pipeline. I do have one question
10 that came up. It -- Tom Congdon was answering
11 Catherine Borgia's question, and you said that you're
12 aware of the concerns and you're taking proactive
13 steps about the pipeline. So I'm curious what
14 proactive steps the D.P.S. is taking.

15 I also want to draw attention to a
16 pipeline accident that had occurred in Kentucky. And
17 this one resulted in a 30 foot long piece of pipeline
18 traveling 460 feet from where the rupture occurred
19 creating a 50 foot long, 30 foot wide and 13 foot
20 deep crater. And I'm just trying to picture how that
21 would work with all of the radioactive materials
22 sitting there during decommissioning. And I don't
23 know that anyone here, anyone on this panel, any of
24 those people in those agencies that you listed have
25 any idea and have ever fully understood or analyzed

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2 what a pipeline rupture would do on this particular
3 site.

4 I have no confidence that that's been
5 analyzed properly or following federal regulations.
6 So this is what I'm concerned about. It's been
7 raised in many letters, testimonies, you know,
8 statements by public officials. Many of us in the
9 public and nobody seems to be able to fully answer
10 these questions. Thank you.

11 MR. KACZMAREK: Thank you very much.
12 Next up we have Catherine Skopic. Catherine you are
13 unmuted.

14 MS. SKOPIC: Thank you. And thank you
15 for the opportunity to express concerns, for
16 listening and in advance for putting them into
17 action. My name is Catherine Skopic. I'm chair of
18 Sierra Club, New York City group. According to the
19 World Nuclear Association in their article Nuclear
20 Radiation and Health Effects they state, radiation
21 protection standards assume that any dose of
22 radiation, no matter how small, involves a possible
23 risk to human health.

24 The article goes on to explain the
25 unit of measurement used, the grey that would be

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2 capital G Y as it's single, where one grey represents
3 the deposition of one Joule -- Joule, J-O-U-L-E of
4 energy per kilogram of tissue. This leads me to the
5 fact that effect of radiation alpha, beta, gamma and
6 its health impacts on humans have used 180 to 200
7 pound white men as the human standard. While it is a
8 well-known scientific fact that children and women
9 are far more vulnerable to the effects of radiation
10 than are men.

11 Therefore, I request that in
12 preparation to the decommissioning of Indian Point,
13 one, a process of notification is established whereby
14 all segments of Buchanan and neighboring communities
15 are warned well in advance of any blasting,
16 excavation, moving of radiated materials or any other
17 hazardous procedure.

18 Two, radioactive particles will become
19 airborne during such processes. Children, women and
20 especially pregnant women, as Michelle also
21 mentioned, need to stay indoors at these times.
22 Therefore, notification at least a week in advance
23 must go to principals of schools, the mayor,
24 appropriate selected officials, health professionals,
25 fire and police department. And I'm going to come

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2 back to this. But for additional safety the AIM
3 pipeline must be shut down.

4 Three, a published document must go to
5 all residents within a 50 mile radius explaining the
6 decommissioning process, its dangers of releasing
7 radiation, ways of protecting oneself and when
8 dangerous processes will occur. A timeline of
9 planned decommissioning action steps and what people
10 can do to protect themselves. Having friends here,
11 living in New York City I have concerns for them, us
12 as well as for the some 20 million New York State
13 residents living within the 50 mile radius of the
14 former Indian Point nuclear power plant and beyond.

15 We need even more community oversight
16 for our health and wellbeing. And I'm listening to
17 your meeting this evening, I am -- I am given some
18 confidence that there are some important questions
19 being asked and addressed. In thinking about the
20 pipeline, I have one question or one word that keeps
21 coming to mind and that is accountability. The
22 company that built this pipeline was not acting with
23 accountability and even considering putting it near
24 Indian Point. They are accountable.

25 Why should we all be tiptoeing around

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2 it, making adjustments to our life and having this
3 father being afraid of sending his children to
4 school? Why should we be the ones accommodating when
5 it is the pipeline company who has caused the
6 problem?

7 MR. KACZMAREK: Catherine, can you --
8 can you begin wrapping up? We're over time.

9 MS. SKOPIC: Okay. Sorry about that.
10 And I realize there are people on the other end of
11 the pipeline that -- that are in need. But since
12 2013 and prior there were concerns about this that
13 weren't addressed. And now the issue has become even
14 more significant. So I just -- I know -- I just
15 wanted to express that that it's very important as
16 others have said on this call that we address the
17 issue of the gas pipeline.

18 And lastly, the last thing I'll say is
19 accidents happen. This pipeline is on two fault
20 lines. Indian Point is on two fault lines. However
21 careful everyone is, however professional everyone
22 is, there are things that cannot be prevented that
23 are out of our control. Please consider this. Shut
24 the pipeline down. Thank you.

25 MR. KACZMAREK: Thank you very much,

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2 Catherine. Next we have Tina Volz-Bongar. I hope
3 I'm saying that right. Apologies. You are now
4 unmuted.

5 MS. VOLZ-BONGAR: Great. Thank you
6 for letting me speak. And there's so many things
7 that have been said tonight that have just
8 personally, you know, really gotten to me and that I
9 wanted to comment on. But I'm -- I'm going to skip
10 those and I'm going to ask you the questions that I'm
11 asking myself as a resident who lives under a mile
12 from the -- from Indian Point and who sees it every
13 day.

14 And so -- and I want to say this
15 really. You know, about those people on the other
16 side of the, you know, the other end of the gas
17 pipeline, you know, I think that if they knew the
18 kind of safety and risks that we were living under, I
19 think that they would want to get their electricity
20 some other way, from some other source. And I know
21 that because of over, you know, the -- the 2,000 --
22 over 2,000 tons of irradiated fuel rods I don't want
23 those things shipped to New Mexico. And I don't want
24 it shipped to a state where the governor and
25 everybody else doesn't want it.

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2 So with these larger problems, New
3 York State has really looked at this and the four
4 agencies who are on this oversight board have said
5 about the gas pipeline, there are risks here and we
6 need these answered. And just as Courtney Williams
7 pointed out, these things have not been answered.
8 And it was very upsetting to arrive here and find out
9 about this excavation work that's going on at the
10 pipeline and it's PHMSA's responsibility on a federal
11 level to educate the community about what they are
12 doing during the beginning of decommissioning.

13 And who is -- who is offering
14 oversight? Somebody from D.P.S.? And if you listen
15 to the -- I mean, I am just beside myself. I'm
16 beside myself because of the lack of oversight, the
17 lack of accountability. Who's accountable here?
18 Governor Cuomo? Because we need to know that. Like
19 how -- how can we get our message across that this is
20 too risky? And I -- it's not fair. It is not fair.
21 We are not a public sacrifice zone.

22 And all of this energy and all of this
23 thought has been put into the economics of Indian
24 Point at the sacrificing of our public safety. We
25 have one set of directions for an accident at Indian

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2 Point for -- for radiation. We have another set of
3 directions for an accident with the gas pipeline.
4 Not one elected official, not one agency has been
5 able to answer the question of what do we do.

6 I have a 98-year-old mother. I need
7 to get her out of here. You want me to go sit on a
8 bench and wait for a bus? I mean, there's nobody to
9 tell me that. So that's what it's like living here
10 and coming to these meetings and being engaged in
11 these kinds of issues.

12 MR. KACZMAREK: Thank you very much
13 for your comments. Marie Inserra. Can you -- if
14 you're joining by phone can you please raise your
15 hand using Star 3? All right. Not -- not seeing a --
16 . Hold on. Is this --? I'm sorry is his Marie
17 Inserra?

18 MS. INSERRA: Yes, it -- I'm getting a
19 repeat message. It's muted, unmuted. Can you hear
20 me?

21 MR. KACZMAREK: Yes, we can.

22 MS. INSERRA: Okay. Thank you. My
23 name is Marie Inserra. I live in Peekskill. Thank
24 you for the opportunity to submit questions and
25 comments. I would like to just reiterate many of the

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2 -- the concerns that have been voiced by those of us
3 who are -- have been involved in the environmental
4 struggle to get the AIM pipeline shut down, to get it
5 not to be opened in the first place. We are angry,
6 we are frustrated and we are very frightened for what
7 lies ahead of us.

8 I don't think that there's any mystery
9 that the pipeline failure rate in this country has
10 been most -- most prominent in newly constructed
11 pipelines since 1986. The breakdown rate has
12 changed. With that in mind, we know about pipelines
13 -- there is no precedent for a pipeline, a live
14 pipeline, never mind three, on the premises of a
15 nuclear power plant. As that's the truth there is no
16 -- there is no precedent for establishing what the
17 risk could be during decommissioning.

18 We heard from Mr. Congdon. He's
19 basically capitalized that information for us. Yet
20 we have not gotten the response that makes sense to
21 anyone. I heard some concern about what happens if
22 the pipeline is shut down regarding supplies of gas
23 to the population. We know that the basis for this
24 AIM pipeline extension was really about getting more
25 gas out to the coast to liquefy and to ship overseas.

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2 This is really a profit-driven issue. And we've also
3 witnessed some of the shenanigans that have gone on
4 with concerns about gas shortages really designed to
5 jack up prices.

6 And also ... the state that has the --
7 has set a precedent for environmental legislation,
8 C.L.C.P.A. is talking about getting away from fossil
9 fuels. This could be one easy way to justify doing
10 that but most importantly, this is about a risk that
11 we can't quantify. And as has been pointed out,
12 evacuation is a myth. If we're talking about those
13 bus stops then we're -- we're kidding ourselves. And
14 add to that the contradictory instructions of what to
15 do in an emergency we're really in the midst of a
16 perfect storm.

17 We don't want to wait until we're
18 talking about thoughts and prayers. There really
19 won't be many people around to pray if something goes
20 wrong here. And there are lots of possibilities that
21 would indicate -- there are lots of indications that
22 things can go wrong. We urge an action on this.
23 We've been trying for years and we urge some action
24 now before decommissioning starts. Thank you.

25 MR. KACZMAREK: Thank you very much

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2 for your remarks. Next we have Amy -- Amy Rosmarin.
3 You are now unmuted.

4 MS. ROSMARIN: Hi. Thank you. So I
5 am very disturbed that you are putting our safety in
6 the hands of Holtec and Enbridge to decide what to do
7 about stopping the gas. Why should we trust Holtec
8 and Enbridge to be making a decision regarding the
9 pipeline? They are motivated by money not our
10 safety. It -- it was -- it was -- it was just very
11 disturbing to hear that this is -- that, you know,
12 you're trying to put it off as like oh yes and
13 they'll talk to each other and make sure that, you
14 know, things are okay. I don't -- you know, you
15 don't -- they are not to be trusted with our safety.

16 I also want to make a point that
17 Indian Point contains a lot of heavily contaminated,
18 highly radioactive, you know, the spent fuel, there's
19 radioactive equipment and infrastructure and soil and
20 groundwater. And during decommissioning as the spent
21 fuel is being removed from the buildings and the
22 buildings themselves are being dismantled and their
23 contents and infrastructure are being dismantled and
24 removed and are no longer protected by the buildings,
25 an explosion from the pipeline could scatter

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2 radioactive debris throughout the site and the
3 region.

4 My question is why would you even
5 consider taking this risk and not stop the flow of
6 gas during decommissioning? So I would like a
7 detailed explanation -- you kind of made reference to
8 the, you know, people who need the gas -- you know, I
9 -- I want -- I want to see this all laid out, why
10 that is important. There must be other -- other
11 alternatives for them to get their gas. This is --
12 this is just too big of a risk.

13 So and my question I -- another
14 question I have that I would like answered is who --
15 who is it in New York State who makes the ultimate
16 decision whether to shut off the gas? Whether to,
17 you know, not -- not give the permits and to order a
18 corrective action order? Who is that person? If --
19 if it's an individual, who are the people advising
20 that person? You know, there's no reason why this
21 should be a secret. So we -- we would like to know
22 who it is that's -- that's making the decision.

23 And -- and I also just would like an
24 answer, you know, again, about why after knowing that
25 Enbridge can't -- couldn't shut the gas off in 3

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2 minutes from notification let alone 3 minutes from a
3 -- from a rupture and as Karen Gentile from PHMSA
4 should know that none of the over 900 incidents
5 reported to PHMSA were shut in less than -- less than
6 30 minutes and most of many hours. And so could you
7 please explain why after knowing that Enbridge
8 couldn't shut the -- the gas that New York State
9 didn't take steps to shut -- shut the gas and contact
10 PHMSA to issue a corrective action order.

11 MR. KACZMAREK: Thank you very much.
12 Next up we have Ellen Weininger. Ellen, you are now
13 unmuted.

14 MS. WEININGER: Thank you. You can
15 hear me? Can you hear me?

16 MR. KACZMAREK: Yes, we can.

17 MS. WEININGER: Oh, okay. Thank you.
18 I echo the concerns about any question of safety
19 being a top priority. And also this unprecedented
20 decommissioning scenario with pipelines at a nuclear
21 gas transmission pipelines ... at a nuclear facility.
22 So first and foremost, it seems to be the most
23 important and the first and most important order of
24 business ... the Public Service Commission to ensure
25 that the gas is shut off at Indian Point before

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2 decommissioning. And to take steps to request
3 PHMSA's issuance of a corrective action order.

4 This can't be dependent or reliant on
5 using back of the envelope speculations about
6 pipeline rupture scenarios that are endangering
7 millions of New Yorkers. I do want to just provide
8 two brief excerpts from two of the experts who
9 weighed in among many. Dr. Erwin Redlener, former
10 director of National Center for Disaster Preparedness
11 at Columbia University said at -- with the release of
12 the risk analysis letter to FERC calling for urgent
13 action, New York State agencies confirmed the
14 catastrophic risk posed millions of lives by the co-
15 location of the high pressure pipelines of the aging
16 Indian Point. We strongly agree that close proximity
17 to pipelines to critical safety infrastructure and to
18 highly radioactive nuclear fuel stored onsite is a
19 persistent and significant threat.

20 This is particularly alarming as we
21 have seen an increase in pipeline failure rates
22 especially in newly constructed pipelines. To make
23 matters worse, decommissioning and decontamination
24 work anticipated with the closure of Indian Point
25 will certainly involve heavy excavation which may

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2 well further jeopardize pipeline integrity.

3 From a public health point of view,
4 the flow of gas at Indian Point presents an enormous
5 risk to communities and families throughout the
6 region. Shutting down this gas flow should happen
7 immediately in order to avert the possibility of a
8 catastrophic explosion that would have widespread,
9 deadly consequences in our region.

10 And another small excerpt from Mr.
11 Rick Kuprewicz the renowned pipeline forensic expert
12 and president of Accufacts. I've reviewed a series
13 of rupture analyses statements concerning the AIM 42
14 inch ... pipeline rupture near Indian Point. I've
15 come to the conclusion that they do not represent
16 that the transient dynamic associated with a 42 inch
17 gas transmission rupture should have failed near
18 Indian Point. Assumptions about closure within three
19 minutes to cut off flow are unrealistic and
20 unscientific that's already been established.

21 A further recent analysis with -- that
22 a rupture of 1 hour 42 inch pipeline ... does not
23 impact new plant needs for ...

24 MR. KACZMAREK: We are -- we are at
25 time.

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2 MS. WEININGER: I'll -- I'll finalize.

3 I'll sum up. Quite simply agency studies are
4 violating the basic laws of science concerning gas
5 pipeline rupture and associated forces that result in
6 massive cratering, pipe shrapnelling and violate
7 science associated with such releases. It appears
8 that agencies are attempting to dismiss risk as low
9 when gas pipeline rupture may drive a new facility to
10 non-safe shutdown in a highly sensitive area. Thank
11 you so much for making safety the single most
12 important priority for this D.O.B. and the Public
13 Service Commission. Thank you for the opportunity to
14 speak.

15 MR. KACZMAREK: Thank you very much.
16 Next we have Nancy Vann. Nancy, you are unmuted.

17 MS. VANN: Hi. Thanks, guys. I don't
18 want this to seem like an academy awards speech but
19 first I would like to thank two people in particular.
20 Senator Harckham and Assemblywoman Galef who
21 introduced legislation to get the decommissioning
22 oversight board initiated for the state. And well,
23 of course, my mother for having had me in the middle
24 of an actual hurricane.

25 But there are a number of things that

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2 we need to continue to address one of which is the
3 fact that the -- the evacuation area when Fukushima
4 accident happened was a 50 mile radius. And there
5 are people within this 50 mile radius that are really
6 going to be impacted by this. The initial
7 legislation call for some citizen participation in
8 the board. I personally live within one point six
9 miles of Indian Point which is closer than most
10 people that live in Cortland.

11 Courtney Williams lives within one
12 mile of it which is an even closer than I do. I
13 think that we need to include people from Peekskill
14 either officials or citizens. And I would like to
15 propose an amendment to the decommissioning oversight
16 board charter to include actual real citizens that
17 have a stake in this.

18 I've also been working with people at
19 the other end of the pipeline. The other end of the
20 pipeline folks do not need this particular gas. The
21 attorney general from Massachusetts weighed in saying
22 no we don't need this gas. There's a compressor
23 station that's being proposed in Weymouth,
24 Massachusetts to send this gas up to Canada where
25 it's going to be put on ships as liquefied natural

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2 gas and sent to Europe.

3 The people there have been opposing
4 this particular Algonquin gas pipeline for several
5 years. So --.

6 MR. KACZMAREK: Nancy, you need to
7 wrap up here.

8 MS. VANN: Yeah. I hope that we can
9 actually participate in this. I see that the public
10 statements were all of them after -- it's now nine
11 twenty-four and I'd like to think that we are going
12 to have more actual public participation. I
13 appreciate the participation of the state task force.
14 I -- I personally was dragged out of a FERC meeting
15 for supporting Governor Cuomo who asked for risk
16 assessment of the pipeline going by Indian Point.
17 You can see videos of that if you're interested. But
18 we need to really focus on what the issues are. This
19 pipeline is incredibly -- incredibly dangerous next
20 to this type of -- of structure the --.

21 MR. KACZMAREK: Nancy, we're -- we're
22 over time quite a bit.

23 MS. VANN: At the -- the O.I.G. the
24 internal investigation facility at the N.R.C. had
25 many questions about this and I would like to see

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2 those answered. And thank you, Tom. I appreciated
3 your work on the state task force and I hope that we
4 will be able to continue to interact on -- on these
5 issues. But we --.

6 MR. KACZMAREK: Nancy, I -- I
7 apologize. But we're going to move on to allow other
8 speakers to come on.

9 MS. VANN: Okay. Thank you.

10 MR. KACZMAREK: And just a reminder to
11 everyone, there will be other opportunities to
12 comment after this. You -- you'll be able to submit
13 in other ways. So moving on we have Michel Lee.
14 Michel you are now unmuted.

15 MS. LEE: Hi. Yes, I already spoke.
16 I spoke with ...

17 MR. KACZMAREK: Oh, I see, yes. So we
18 were -- I understand. Thank you. So next we have
19 our final registrant is Manna Jo Greene. Manna Jo,
20 can you raise your hand if you're joining via phone
21 and I'll be happy to unmute you. Again, to unmute
22 from the phone please dial Star 3. Manna Jo if you
23 can hear me, again, just dial Star 3 or you can -- if
24 you are connected virtually please you can send me a
25 note in the chat. Not seeing a raised hand. Tom,

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2 I'll -- I'll turn it back to you if. If we see Manna
3 Jo Greene's hand go up and show up, able to speak I
4 will let you know.

5 MR. CONGDON: Thank you. And I'll --
6 and I'll note that we did receive a lot of written
7 comments from Manna Jo Greene yesterday and -- and so
8 we have that on the record on our website. And we
9 appreciate the -- the input. And want to just say I
10 -- I appreciate all of the feedback from the public.
11 We hear you loud and clear that the co-location of
12 the pipeline is a major concern. We have some
13 homework assignments to -- to attend to to respond to
14 some of the questions we heard, provide updates on
15 the communications we've had with the federal
16 agencies and -- and clarify any of the key points.

17 This will be an ongoing issue. We
18 recognize more information on this is better and
19 there was an earlier recommendation for a future
20 presentation on the operations of the pipeline. I
21 want to just clarify because it came up a number of
22 times in the comments that I by no means would ever
23 suggest that the user's safety should come before the
24 local communities. I -- I merely was pointing out
25 that there is risk to public health and safety

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2 associated with the entire length of the pipeline.

3 And those risks may be infinitesimally
4 small. They may be significant. What we can do
5 always is identify opportunities to reduce that risk
6 and that's been some of the activities that our
7 D.P.S. safety team has -- has under -- undergone.
8 And we'll -- we'll do more to provide a more thorough
9 presentation at the -- at the next meeting on these
10 issues.

11 With that, Tom, is -- is there another
12 subsequent couple of slides here to wrap up to remind
13 them to click on the opportunities for public
14 comment? Can we -- can we go to the next slides?

15 MR. KACZMAREK: Yes.

16 MR. CONGDON: Can you walk folks
17 through this? Yes, so go -- our website is
18 www.dps.ny.gov. You can click on the Indian Point
19 closure task force and decommissioning oversight
20 board and click post comments. A number of you have
21 already found this tool and we will review everything
22 that comes in through that -- that venue. All of the
23 materials from this meeting will also be posted at
24 this site, and the minutes when they're sent to us
25 will -- will be posted as well.

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2 I want to thank all of the board
3 members and the task force members and the public for
4 participation today. Tom, do you have the next
5 slide? And that wraps up our -- our presentation and
6 our meetings. We will schedule the next meeting of
7 the task force and the oversight board in the coming
8 months. And as we indicated earlier, there will be a
9 number of side meetings to follow up on some of the
10 issues so we can be responsive even between meetings.
11 So, again, thank you all. These meetings are
12 adjourned.

13 (Off the record 9:31 p.m.)

14 (The proceeding concluded.)

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2 STATE OF NEW YORK

3 I, BECKY FOSTER, do hereby certify that the foregoing was
4 reported by me, in the cause, at the time and place, as
5 stated in the caption hereto, at Page 1 hereof; that the
6 foregoing typewritten transcription consisting of pages 1
7 through 130, is a true record of all proceedings had at
8 the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 30th day of June, 2021.

11

12

13 BECKY FOSTER, Reporter

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