



**Department
of Public Service**

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

Public Service Commission

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December 6, 2023

VIA EMAIL

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

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

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, the December 6, 2023 Indian Point Decommissioning Oversight Board meeting presentation. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

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

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



Indian Point Decommissioning Oversight Board

Joint Meeting

Indian Point Closure Task Force and Decommissioning Oversight Board

December 6, 2023 | 6:00 PM
Cortlandt Town Hall | Zoom

Board Members

Leadership

- **Chair:** Tom Congdon, Department of Public Service
- **Counsel:** John Sipos, Department of Public Service
- **Exec. Dir.:** Tom Kaczmarek, Department of Public Service

State Representatives

- Senator Peter Harckham
- Assemblywoman Dana Levenberg
- Kelly Turturro, Department of Environmental Conservation
- Alex Damiani, Department of Health
- Rachel Adler, Department of Labor
- Mark Pattison, Department of State
- Linda Malave, Empire State Development
- Mark Massaroni, Department of Taxation and Finance
- Jennifer Wach, DHSES
- Alyse Peterson, NYSERDA
- Joe Leary, New York Power Authority

Technical Experts and Environmental Representatives

- David Lochbaum, Nuclear Engineer (ret.)
- Richard Webster, Riverkeeper

Local Representatives

- Theresa Knickerbocker, Mayor, Village of Buchanan
- Richard Becker, Supervisor, Town of Cortlandt
- Susan Spear, Deputy Commissioner, Westchester County
- Catherine Borgia, Westchester Co. Board of Legislators
- Colin Smith, Westchester Co. Board of Legislators
- Michael Tromblee, Superintendent, Hendrick Hudson SD

Labor Representatives

- Bill Smith, Vice President, UWUA Local 1-2
- Thomas Carey, President, Westchester Putnam AFL-CIO
- Lou Picani, Teamsters Local 456



**Indian Point
Decommissioning
Oversight Board**

Meeting Logistics

- In-person panelists: **Use mic when speaking.**
- Panelists joining by Zoom: Keep mics **muted** unless speaking.
- For Zoom participants:
 - Please reserve the “Chat” feature for reporting technical issues (e.g., audio visual issues). Only questions captured in “Q&A” field are able to be saved for review.
 - Virtual participants are encouraged to use custom video layout features to enhance personalized view of speakers and presentation content. Go to support.zoom.us to learn how.
- All panelists and participants: **Indicate your name before speaking.**



Agenda

- Welcome and Task Force Updates
- State Oversight Updates
- Holtec Operational Updates and Schedule Changes
- Public Statements
- Next Steps and Adjourn



State Oversight Updates

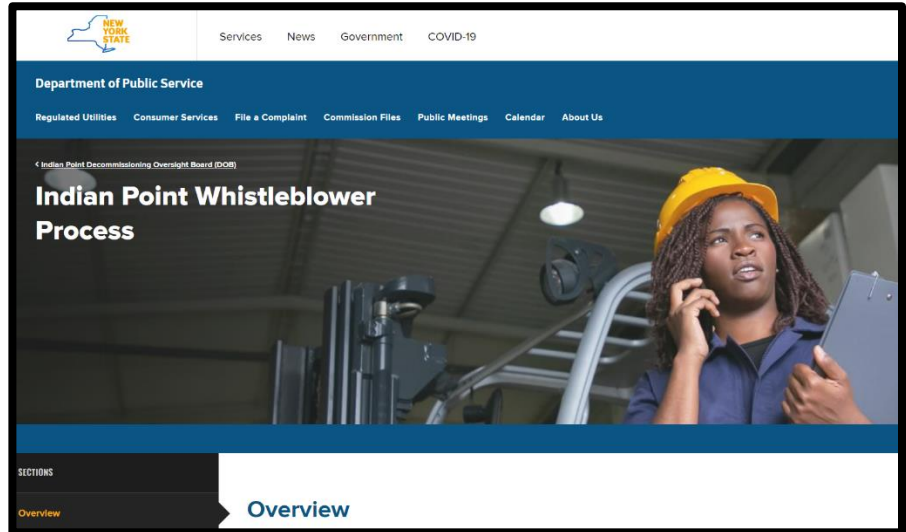
Indian Point Tip Line

<https://dps.ny.gov/indian-point-whistleblower-process>

Email: IP.Tips@dps.ny.gov

Phone: 518-486-1487

[Webform](#)



Monitoring Updates

- Continuous monitoring (15 second intervals)*
- Secure, closed data feed to County & State
- 16 monitors located near Indian Point site
 - Monitoring program through spent fuel transfer (required under PSC Order 19-E-0730)
 - Holtec announced on Sept 21, 2023 that monitor Nos. 6 thru 9 will be maintained along Broadway to bolster community monitoring
 - Monitor Nos. 8 and 9 Approx. 1,200ft and 1,300ft from BV school

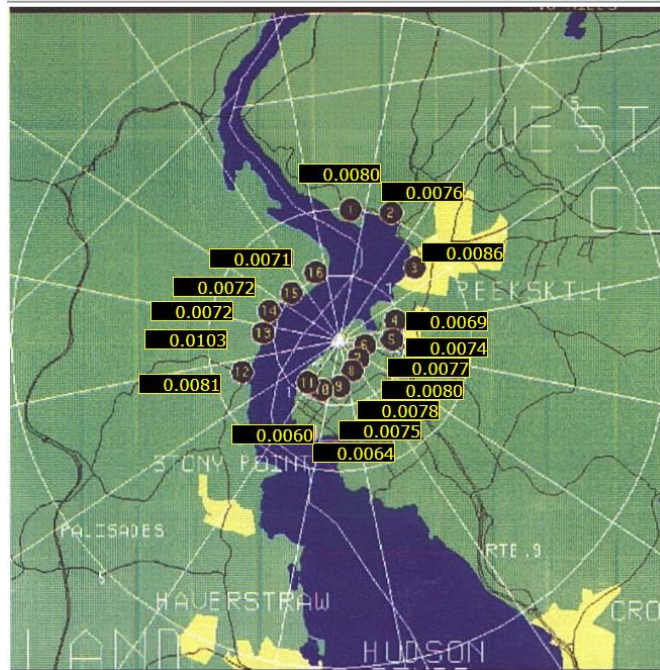
*Indian Point is one of only five US nuclear power plants with continuous radiation monitoring capability



Monitoring Updates

Values consistent with historical readings over time

Reuter-Stokes Map



Offsite Radiation Monitors

Current Time: 11/29/2023 7:29:44 AM

TAGNAME	VALUE	TIMESTAMP
RADMON1.MID	0.0080	11/29/2023 7:29:32 AM
RADMON2.MID	0.0076	11/29/2023 7:29:32 AM
RADMON3.MID	0.0086	11/29/2023 7:29:32 AM
RADMON4.MID	0.0069	11/29/2023 7:29:32 AM
RADMON5.MID	0.0074	11/29/2023 7:29:32 AM
RADMON6.MID	0.0077	11/29/2023 7:29:02 AM
RADMON7.MID	0.0080	11/29/2023 7:29:02 AM
RADMON8.MID	0.0078	11/29/2023 7:29:32 AM
RADMON9.MID	0.0075	11/29/2023 7:29:32 AM
RADMON10.MID	0.0064	11/29/2023 7:27:02 AM
RADMON11.MID	0.0060	11/29/2023 7:29:32 AM
RADMON12.MID	0.0081	11/29/2023 7:29:32 AM
RADMON13.MID	0.0103	11/29/2023 7:29:32 AM
RADMON14.MID	0.0072	11/29/2023 7:29:32 AM
RADMON15.INS	0.0072	11/29/2023 7:29:32 AM
RADMON16.MID	0.0071	11/29/2023 7:29:32 AM



DPS Oversight Activities

- 2021 Joint Proposal required minimum trust fund balances and financial and project reporting to New York State – unique safeguards and oversight mechanisms in terms of decommissioning nuclear power plants in the United States
- State agencies (DPS, AG, DEC, NYSERDA) reviewed trust fund balances w/Holtec in Aug. 2021, Jun. 2022, Sept. 2022, Jun. 2023, and Dec. 2023
- Holtec reported at its most recent review that it remains in compliance with its minimum trust fund balance obligations

IP Trust Fund Balance reports to NRC viewable on [DOB website](#).



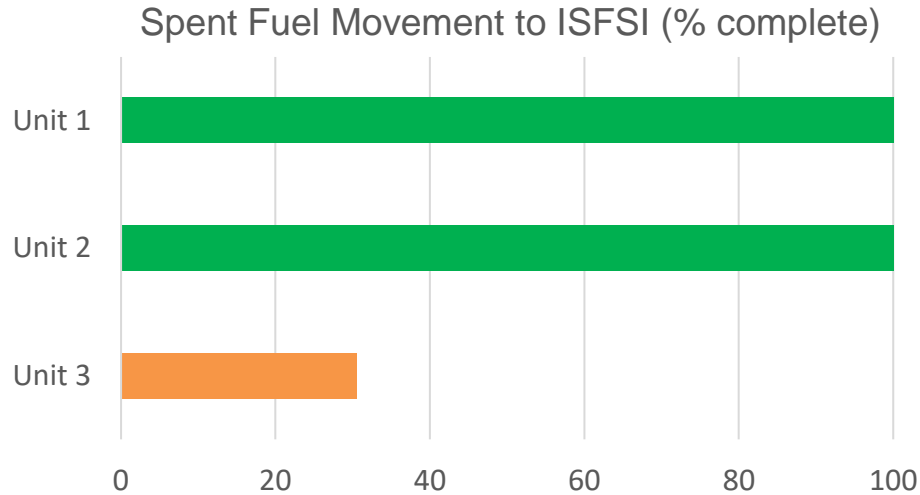
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Decommissioning
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DPS Oversight Activities

- Agency staff (including State Inspector) reviewed Holtec filings:
 - Notification of Changes in Schedule in accordance with 10 CFR 50.82(a)(7)
 - U3 Spent Fuel Cask registrations associated with completed fuel movement to the ISFSI pad.
- State regulators have been present at Holtec monthly project meetings, and Holtec has provided the information required under the Joint Proposal at each meeting.
- State Inspector monitors compliance with Joint Proposal commitments.



Spent Fuel Movement Progress (Feb. '23)



Fuel Assembly Location



**assumes 32 fuel assemblies within each Indian Point cask*

ISFSI Totals: (Holtec has loaded 32 casks since June 2021)

Unit 1: 5 Casks (160 Fuel Assemblies) 100% Complete (9/19/2008)

Unit 2: 63 Casks (1982 Fuel Assemblies) 100% Complete (2/1/2023)

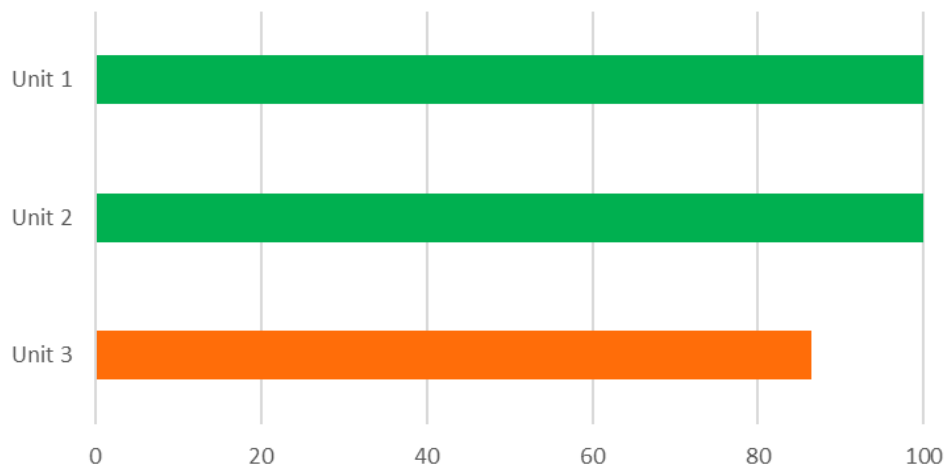
Unit 3: 18 Casks (576 Fuel Assemblies) 30.5% Complete (4/14/2021)



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Spent Fuel Movement Progress (Sept. '23)

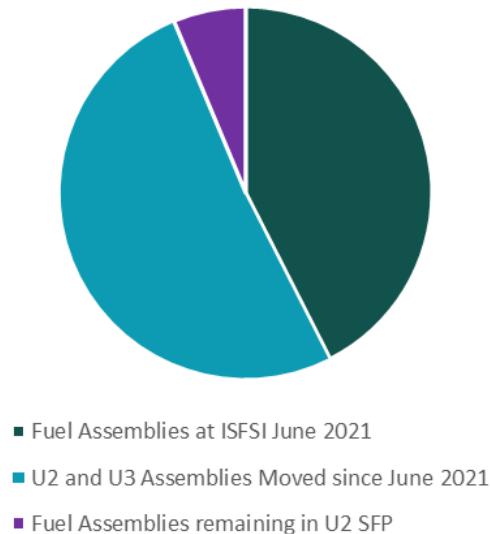
Spent Fuel Movement to ISFSI (% Complete)



ISFSI Totals: (Holtec has loaded 65 casks since June 2021)

Unit 1: 5 Casks (160 Fuel Assemblies) 100% Complete (9/19/2008)
 Unit 2: 63 Casks (1982 Fuel Assemblies) 100% Complete (2/1/2023)
 Unit 3: 51 Casks (1632 Fuel Assemblies) 86% Complete (9/21/2023)

Fuel Assembly Location



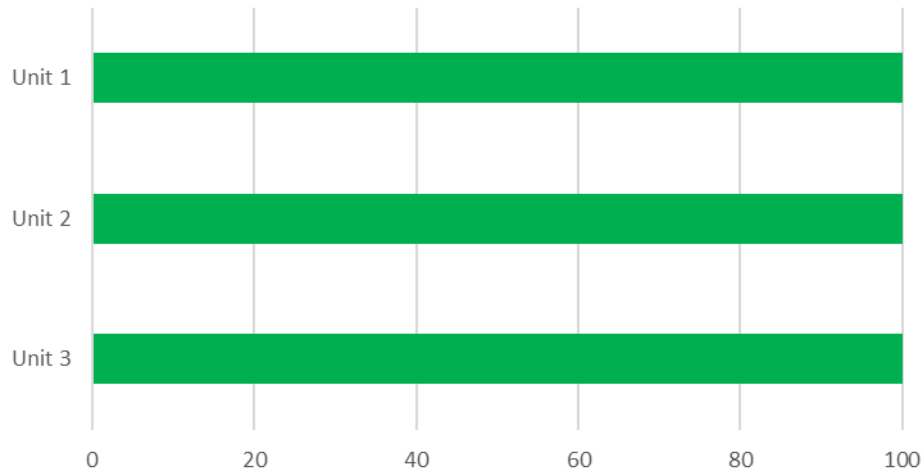
**assumes 32 fuel assemblies within each Indian Point cask*



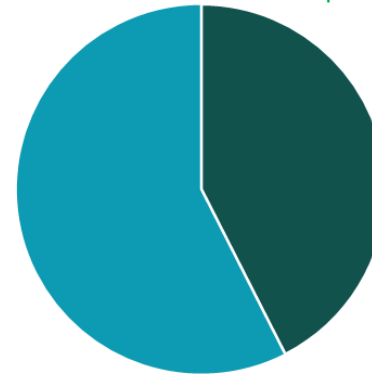
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Spent Fuel Movement Completed (Oct. '23)

Spent Fuel Movement to ISFSI (% Complete)



Fuel Assembly Location
Fuel Transfer to Casks Complete



■ Fuel Assemblies at ISFSI June 2021 ■ U2 and U3 Assemblies Moved since June 2021

ISFSI Totals: (Holtec has loaded 73 casks since June 2021)

Unit 1: 5 Casks (160 Fuel Assemblies) 100% Complete (9/19/2008)

Unit 2: 63 Casks (1,982 Fuel Assemblies) 100% Complete (2/1/2023)

Unit 3: 59 Casks (1,856 Fuel Assemblies) 100% Complete (10/16/2023)



**Indian Point
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NYS Advocacy

NYS opposed reduction of emergency planning requirements before all spent fuel at Indian Point was removed from the spent fuel pools and placed into dry cask storage.

NRC acted on Holtec's emergency planning exemption requests and license amendment requests after all spent fuel was transferred into dry cask storage.



NRC Exemptions and License Amendments

On October 24, 2023, the federal Nuclear Regulatory Commission (NRC) approved Holtec's requested exemptions from certain emergency preparedness and planning requirements at Indian Point.

Through November 2023, NRC staff issued exemptions and license amendments to Holtec.



NRC Exemptions and License Amendments

APPROVED BY NRC IN NOVEMBER 2023

License Amendment Request for changes to Administrative Tech Specs (IP2)

Exemption Request for Onsite Property Damage Insurance (IP1,IP2,IP3)

Exemption Request for Offsite Liability Insurance Requirements (10 CFR 140.11(a)(4)) (IP1,IP2,IP3)

License Amendment Request to Delete Cyber Security Plan License Condition (IP1,IP2,IP3)

License Amendment Request for Permanently Defueled Emergency Plan (PDEP) (IP1,IP2,IP3)

Exemption Request to Certain Emergency Preparedness Requirements (IP1,IP2,IP3)

All NRC exemptions and license amendment requests are tracked on the [DOB website](#).



NRC Exemptions and License Amendments

APPROVED BY NRC IN DECEMBER 2023

- *License Amendment Request for ISFSI-only tech specs (IP2, IP3)
- *License Amendment Request for ISFSI-only Emergency Plan
- *License Amendment Request for ISFSI-only Security Plan

*Awaiting public posting by NRC. When available, links to documents will be made available on the [DOB website](#).



**Indian Point
Decommissioning
Oversight Board**

DPS Oversight Activities – State Inspector

Notable on-site observations:

- U3 Spent Fuel transfer to ISFSI (complete)
- U2 SFP rack removal.
- Gas turbine demolition area
- Hazardous waste storage
- New Security facilities associated with ISFSI

Tracking corrective actions associated with:

- Industrial safety
- Oil sheen observation



DPS Oversight Activities

Attended NRC pre-decisional meeting 10/26/2023
associated with September 12, 2023 NRC Letter to Holtec
[ML23145A175](#)



Employment and Labor Relations

- The New York State Department of Labor (NYSDOL) continues to remain in contact with Holtec's Office of Human Resources. NYSDOL continues to send the monthly virtual workshop flyers and the calendar of events so they can be shared with the employees.
- On 10/31/2023, three Rapid Response Orientations were held on-site, and 24 workers participated.
 - One-on-One Resume Development appointments were held between orientations, and 13 workers utilized this resource.
 - Following the events held on 10/31/2023, all participants received follow-up materials containing a recording of the orientation and a listing of the resources mentioned.
 - Workers who were unable to attend received a letter advising that services were available, and they were given local Rapid Response contact information.



Employment and Labor Relations

- A new WARN submission was posted on 10/06/2023, indicating that the separation of 138 workers will occur on 12/29/2023. Indian Point/Holtec completed a major project milestone, moving spent nuclear fuel to “dry” cask storage, resulting in the permanent separation of the aforementioned workers.
- A WARN postponement was received on 9/26/2023 indicating that separations for two (2) employees originally planned for February 2023 have been postponed to 12/29/2023. This postponement is because Holtec has not received final approval from the Nuclear Regulatory Commission for Indian Point’s Permanently Defueled Emergency Plan (PDEP).



DEC Administrative Consent Order Req'ts

Citizen Participation (CP) Plan

- Ensures public involvement in review of work plans and remedial action plans.
- Status: DEC approved the CP plan on September 23, 2022.

Scoping Work Plan

- Outlines the overall program of remedial investigation.
- Status: DEC approved the Scoping Work Plan on August 11, 2022.

Remedial Investigation (RI) Work Plans

- Investigations will be conducted in a series of RI Work Plans.
- Approved work plans will be announced via fact sheet distributed to the public.
- Work plans can be found linked at the bottom of DEC's Indian Point Decommissioning web page:
<https://www.dec.ny.gov/chemical/126311.html>
- DEC approved the draft Remedial Investigation Work Plan for the IPEC Lafarge / Former Spectra Construction Area (AOC 118) on October 23, 2023.
- Holtec must notify DEC 14 calendar days prior to initiation of field activities. DEC has not received such notification.



DEC Oversight Activities – Facility Permits

- SPDES # NY0004472 – Governs Discharges from Main Facility
 - Expired on April 30, 2022. Holtec submitted a timely renewal application. Facility continues to have coverage under the existing SPDES permit pursuant to the State Administrative Procedure Law.
 - DEC undertaking a review of the permit application to determine if a permit modification is necessary.
 - DEC requested additional information from Holtec necessary to continue the full technical review of the SPDES permit. DEC received additional information from Holtec on November 8, 2023.
 - Once DEC review is complete, a **Draft SPDES Permit will be provided for public review and comment in accordance with DEC regulations.**
 - DEC is evaluating whether, and to what extent, the recent legislation signed by Governor Hochul will result in any possible changes to the Facility's SPDES permit.



DEC Oversight Activities

SPDES #NY0250414 – Governs stormwater discharges from the Unit 2 transformer moat

- On November 21, 2023, Holtec reported a Noncompliance event to DEC.
- SPDES permit #NY0250414 requires Holtec to collect monthly samples for pH, flow, and oil & grease prior to releasing stormwater from the secondary containment moat for the Unit 2 transformer
- Prior to a discharge from a Unit 2 transformer moat on October 7, 2023, Holtec failed to take a monthly sample as required by the SPDES permit.
- Holtec took a sample on October 11, 2023 which did not indicate any violations of the SPDES permit limits.



DEC Oversight Activities

Spill Report: 2307202

- On 11/29/23, DEC and DPS received a report of a petroleum sheen in the discharge canal, and state agency personnel responded to Indian Point.
- There is a sump pit located in the non-radiological side of the turbine building. The sumps have oil skimmers designed to prevent oil from being discharged into the canal. An oil skimmer failed to collect all oil before the sump pump activated.
- As a result, oil and water were pumped into the discharge piping and ultimately into the facility's discharge canal.
- Upon observing a petroleum sheen in the discharge canal, Holtec shut down the sump pump.
- Holtec maintains a permanent boom in the discharge canal and immediately had their spill response contractor deploy additional booms to absorb any petroleum in the discharge canal.
- The petroleum was contained in the discharge canal, and state agency personnel did not observe any evidence that the oil entered the Hudson River.



Discussion

Holtec Operational Updates and Schedule Changes



Frank Spagnuolo and Pat O'Brien

Holtec Decommissioning International



Discussion

Public Statements



**Indian Point
Decommissioning
Oversight Board**

Public Statement Procedures

- Attendees who pre-registered to speak will be called on in order of when they registered.
- Please remember to unmute your own line when the moderator calls on you to make your comment for the record.

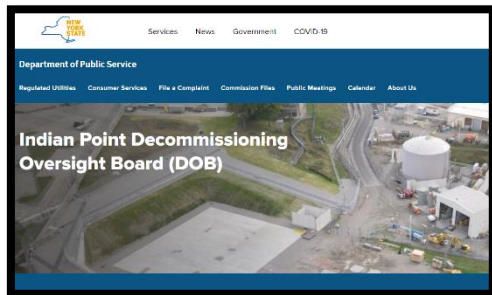


Public Statement Procedures

- Your line will be unmuted when it is your turn to speak.
- Speakers will be limited to **3 minutes** to ensure everyone has a chance to deliver their statement.
- **Speakers will be cut off** at 3 minutes.



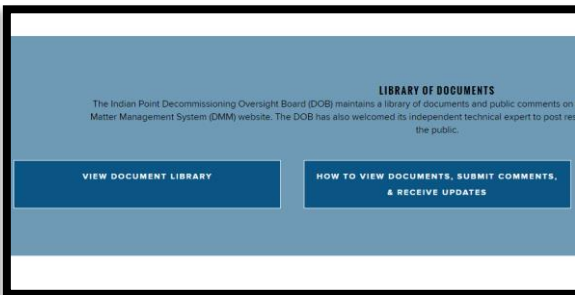
Submit Comments



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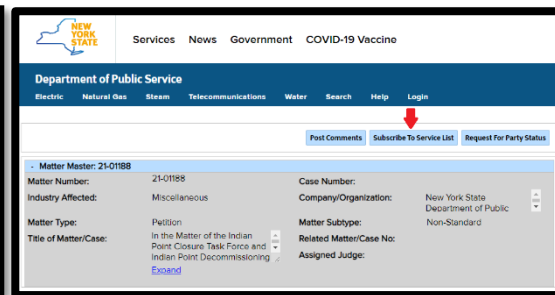
Go To:

<http://www.dps.ny.gov/indianpoint>



②

Scroll Down and
Click [View Document Library](#)



③

Click "Post Comments"

E-mail: Secretary to the Commission (secretary@dps.ny.gov)

Toll-Free Opinion Line: 1-800-335-2120 | Press "1" to leave comments

Mention matter #21-01188 "Indian Point Closure Task Force / Decommissioning Oversight Board"

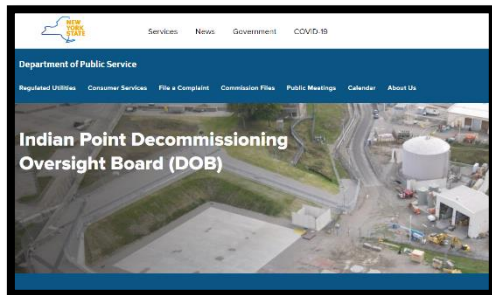
Mail:

Hon. Michelle Phillips, Secretary
Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350



**Indian Point
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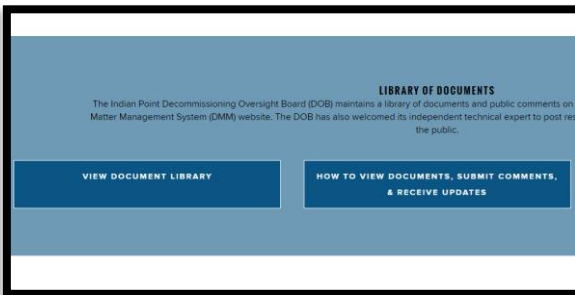
Sign Up For Updates



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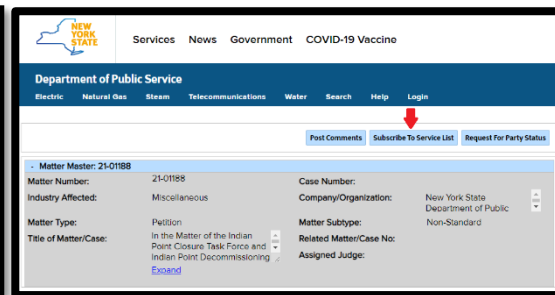
Go To:

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③

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For additional information on how to receive updates, including alternate ways to subscribe, go to:

<https://dps.ny.gov/how-post-comments-and-receive-updates-psc-cases>

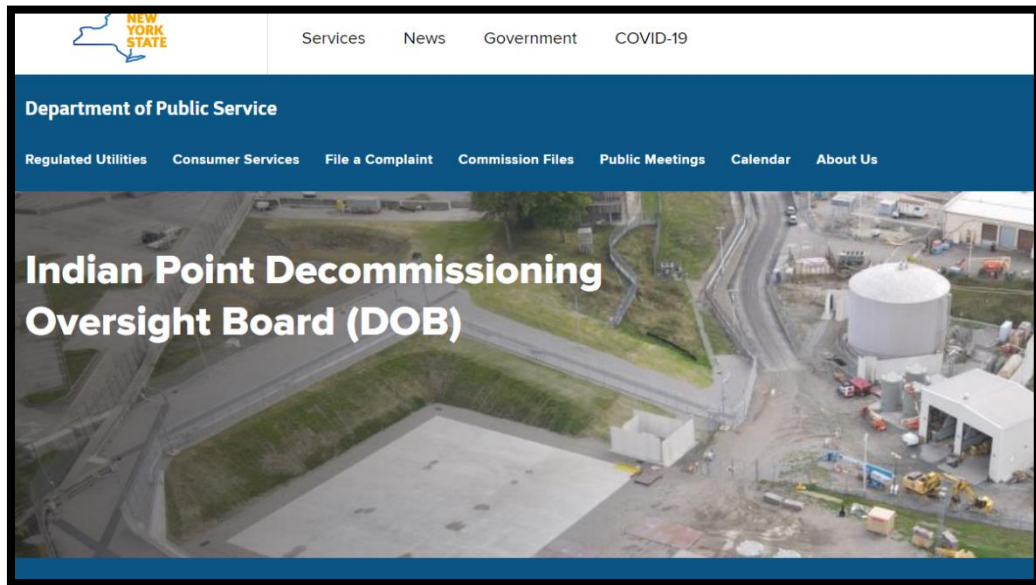


**Indian Point
Decommissioning
Oversight Board**

Visit the DOB Website

<http://www.dps.ny.gov/indianpoint>

- Decommissioning Updates
- Schedule of Meetings
- Meeting Materials
- Document Library
- Federal comment opportunities
- FAQs
- Independent Technical Expert Research



**Indian Point
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Language Access Requests

<https://dps.ny.gov/language-access> | 800-342-3377

Español – Spanish

中文 – Chinese

Italiano – Italian

русский – Russian

Kreyòl Ayisyen – Haitian Creole

한국어 – Korean

বাঙালি – Bengali

العَرَبِيّ – Arabic

ייִדיש – Yiddish

polski – Polish

français – French

اردو – Urdu

The screenshot shows the website for the New York State Department of Public Service's Language Access page. At the top, there is a 'Translate' dropdown menu and a search bar. The main navigation includes 'Services', 'News', and 'Government'. Below this is the 'Department of Public Service' header with sub-links for 'Regulated Utilities', 'Consumer Services', 'File a Complaint', 'Commission Files', 'Press Releases', 'Calendar', and 'About Us'. The main content area features a large orange banner for 'Language Access'. Below the banner, there is a section titled 'CONTACT INFORMATION AND COMPLAINT FORMS' with text stating: 'NYS Department of Public Service complies with New York State's language access policy. If you have any questions please contact languageaccess@dps.ny.gov or call 800-342-3377.' A blue button labeled 'LANGUAGE ACCESS PLAN' is positioned below the text. At the bottom, there is a list of language links: Español | 中文 | Italiano | Русский | Kreyòl ayisyen | 한국어 | বাংলা | العربية | हिन्दी | Polski | français | اردو.



Indian Point
Decommissioning
Oversight Board

**Next Meeting
February 29, 2024**



**Indian Point
Decommissioning
Oversight Board**

Meeting Adjourned



**Indian Point
Decommissioning
Oversight Board**