



KATHY HOCHUL
Governor

RORY M. CHRISTIAN
Chief Executive Officer

January 24, 2025

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, a transcript of the Indian Point Decommissioning Oversight Board's December 5, 2024 meeting. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Kaczmarek". The signature is fluid and cursive, written in a dark blue or black ink.

Tom Kaczmarek
Executive Director
Indian Point Decommissioning Oversight Board

1 12/5/2024 - Indian Point Decommissioning Oversight

2 STATE OF NEW YORK

3 INDIAN POINT DECOMMISSIONING OVERSIGHT BOARD

4 ADMINISTRATION

5 PUBLIC STATEMENT HEARING

6 DATE: DECEMBER 5, 2024

7 LOCATION: 1 Heady Street

8 Cortlandt Manor, New York 10567

9

10

11 Reported by Judaya Vaqsquez

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 12/5/2024 - Indian Point Decommissioning Oversight

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

3 MR. CONGDON: Hello, everyone. I'm
4 Tom Congdon. I'm the executive deputy of the
5 Department of Public Service and the chair of the
6 Indian Point Decommissioning Oversight Board. I want
7 to welcome everyone to tonight's meeting of the DOB.
8 Tom Kaczmarek, do you want to just give us a roll
9 call, please?

10 MR. KACZMAREK: Absolutely. Thanks,
11 Tom. We'll just go quickly through the list here.
12 Chair Congdon?

13 MR. CONGDON: Present.

14 MR. KACZMAREK: John Sipos?

15 MR. SIPOS: Here.

16 MR. KACZMAREK: Senator Harckham?

17 MR. HARCKHAM: Here via Zoom.

18 MR. KACZMAREK: Thank you, Senator.
19 Assemblywoman Levenberg?

20 MS. LEVENBERG: I'm here.

21 MR. KACZMAREK: Cindy Costello? You
22 may be muted, Cindy.

23 MR. CONGDON: Just a reminder for
24 everyone at the table to speak into the mic.

25 MS. COSTELLO: I'm here. Sorry.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. KACZMAREK: Thanks, Cindy. Kelly
3 Turturro?

4 MS. TURTURRO: Here.

5 MR. KACZMAREK: Rachel Adler? Linda
6 Malave?

7 MS. MALAVE: Present.

8 MS. ADLER: Present.

9 MR. KACZMAREK: Mark Massaroni?
10 Jennifer Wacha?

11 MS. WACHA: Present.

12 MR. KACZMAREK: Alyse Peterson?

13 MS. PETERSON: Present.

14 MR. KACZMAREK: Joe Leary?

15 MR. LEARY: Here.

16 MR. KACZMAREK: David Lochbaum?

17 MR. LOCHBAUM: Present via Zoom.

18 MR. KACZMAREK: Richard Webster.

19 MR. WEBSTER: Yeah. Here.

20 MR. KACZMAREK: Mayor Knickerbocker.

21 MS. KNICKERBOCKER: Present.

22 MR. KACZMAREK: Superintendent -- oh,
23 I don't see it. Let's see here. We have Rich
24 Becker?

25 MR. BECKER: Here.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. KACZMAREK: Susan Spear?

3 MS. SPEAR: Here.

4 MR. KACZMAREK: Do we have Legislator
5 Uraj on the line? Or Legislator Smith?

6 Superintendent Tromblee, are you on the line?

7 Okay. Thank you. Before I turn it
8 back over to Chair Congdon, just a few brief
9 reminders to our panelists and participants to
10 promote a smooth meeting. To our in-person board
11 members and guest presenters, please speak into the
12 mic to ensure your comments are clearly heard and
13 accurately recorded. Also, please state your name.
14 That will help our court reporter. To our panelists
15 joining by Zoom, please keep your mics muted unless
16 you are speaking, and make sure that you unmute them
17 before you start to speak. To our Zoom participants,
18 please reserve the chat feature for reporting
19 technical issues to our AV team. Only questions that
20 are captured in the Q&A are going to be able to be
21 saved and reviewed.

22 Finally, all speakers tonight, again,
23 just please remember one more time, use your mics and
24 state your names. Thank you so much. Tom?

25 MR. CONGDON: Thank you, Tom. And

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Tom. So I'm going to start off with updates to four
3 of the six projects that received settlement awards
4 over the last several years. Unfortunately, the
5 awardees were not able to join tonight, but they
6 asked me to provide a brief update in their stead.
7 So first Teamsters Local 456, some of you may recall,
8 they received funding for a training simulator. This
9 is for CDL drivers. They still continue to use this.
10 It seems to have good success locally, including with
11 former employees of Indian Point. They noted that an
12 additional 13 were trained or completed training this
13 year, and that's in addition to one or two dozen who
14 have completed it in the years prior.

15 For Plumbers and Steamfitters Local
16 21, there's trainings that have been developed for
17 semiconductor microchip manufacturing in the tech
18 innovation industry. These are targeting former
19 Indian Point employees, but are open to all of their
20 members. There's a series of courses from beginner
21 through expert and then ultimately, certification.
22 So there's already ninety-five that are in training
23 or have completed the training so far, and the
24 program's been active for just over a year.

25 Historic Hudson Valley, they're

1 12/5/2024 - Indian Point Decommissioning Oversight
2 working on the Van Cortlandt Manor gateway project.
3 Some of you may recall, there's a major event around
4 Halloween that they host, and they received funding
5 to increase the resilience of some of the higher
6 traffic areas there. They did need to adjust their
7 scope slightly to fit within their budgetary
8 constraints, but their project has been approved by
9 DOT. They plan to initiate construction next month.

10 The Hudson River Foundation continues
11 the biological monitoring in the Hudson River that
12 was present while Indian Point was operational.
13 They've continued that work, and they noted that the
14 Cary Institute was recently secured to launch three
15 years of lower food web sampling beginning next year.
16 So that's 2025 through 2028.

17 With that, I know that we do have
18 members of the DOB who wanted to provide slightly
19 more in-depth updates on the settlement awards they
20 received. First, I'd like to turn it to George
21 Pommer, who's the engineer with the Village of
22 Buchanan to present an update for the village.

23 MR. POMMER: Thank you, Tom. Thank
24 you, Board Members. Good evening. My name is George
25 Pommer. I'm the village engineer of Village of

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Buchanan, and we've been working with the State for a
3 number of years and the town of Cortlandt on
4 upgrading the sewage treatment plant for the Village
5 of Buchanan, which also benefits the Town of
6 Cortlandt, and as shown in the slide.

7 Is that the slide? Yes.

8 We've applied for a number of grants
9 over the past few years. We did receive a grant for
10 1.62 million in 2021. We received a grant for 2.73
11 million just this past month, and that leaves us --
12 from our overall budget, that gives us around \$4
13 million, a little over \$4 million, and our overall
14 project cost was \$12.16 million, and that's broken
15 down into two phases. You see in the in the slide it
16 says two phases, which we have to -- we have to do
17 one side of our treatment plant, and then we have to
18 do the other side of our treatment plant.

19 So it is broken down, but both of them
20 have to be done at the same time, and as part of this
21 project as well, is the settlement fund, which is the
22 \$6.75 million. So looking at our overall costs for
23 our projects with the 6.75 million, we still would
24 need about \$1.06 million, and we are waiting for the
25 WQIP grant, which I understand is going to be

1 12/5/2024 - Indian Point Decommissioning Oversight
2 announced this month, and hopefully, we'll get that
3 balance of money. So that's where we're at, status
4 with the money.

5 The next issue is the process. So
6 there's sixteen or seventeen bullet items that we've
7 highlighted, and I'm not going to go --

8 MR. CONGDON: Next slide, please.

9 MR. POMMER: Yeah. I'm not going to
10 go through each one of the bullets, but this is to
11 let you know there is a process. We do have to
12 finalize our design. We do have to finalize our
13 permitting process with the DOH -- Westchester County
14 DOH and with the DEC, and then we have to prepare bid
15 documents. And then once we go through that whole
16 bid process, site walkthroughs, bidders make
17 recommendations, so forth, then we get to start
18 construction.

19 So I was asked tonight where would we
20 start with starting? So if all goes well, so I did
21 mention there's the permitting portion of this.
22 That's always an unknown, but if all went well first
23 or second quarter of next year, we could be shoveling
24 ground. So at the earliest. So that's what we're
25 looking at, and that's what we have for you tonight.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. CONGDON: George, thank you very
3 much for the update. Supervisor Becker, or --

4 MS. KNICKERBOCKER: Yeah. I'd like to
5 say a few words.

6 MR. CONGDON: -- do any of the DOB
7 members have any questions or comments?

8 MS. KNICKERBOCKER: When the money was
9 announced, the fifteen million dollars, the Village
10 of Buchanan, because it was the host community and
11 was in dire need of monies, went after this
12 aggressively. Because the plant was built in the
13 early 1960s, the tanks are original cement
14 structures, so they're sixty-plus years old. Excuse
15 me. Over the years, we have done repairs and
16 replacements, and we're still using the original
17 technology from the '60s, which is surface aeration.

18 So we're looking to upgrade to the new
19 technology. It's diffused bubble. So we're talking
20 quite an old system, and one thing I could say for
21 George Pommer, he has been our engineer for over
22 thirty years. He is probably the most knowledgeable
23 and has the plant running. You know, we have, you
24 know, employees there, but George is really on top of
25 the plant, and it runs well with George, but this is

1 12/5/2024 - Indian Point Decommissioning Oversight
2 the time now to upgrade the technology.

3 We were very fortunate to get a lot of
4 these grants, and because otherwise the village would
5 not be able to bond that amount of money to get this
6 done. The village board has made an agreement with
7 the Town of Cortlandt, an intermunicipal agreement,
8 and they will be allowed to connect into our sewer
9 treatment plant, but the key here is we have to
10 upgrade our plant before we can take any new
11 effluent, shall I say?

12 MR. POMMER: Yes.

13 MS. KNICKERBOCKER: And just as an
14 overview, too, we had a DEC consent order, and
15 George, I'd like you to speak to that. It's the
16 fifth year, I believe, now, and we are almost
17 finished with that consent order. So this is very
18 important to the Village of Buchanan. It's important
19 for the future of the village, for future economic,
20 and I am just very, very grateful that I am still on
21 the board, and I can see this to its final stage,
22 because this all started in 2017. So this has been a
23 long road, and I'm very grateful to see that sometime
24 next year, hopefully in the spring, that we can start
25 the construction of this. George, would you like to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 continue with the DEC?

3 MR. POMMER: Sure.

4 MR. BECKER: I'll jump in for one
5 second, and the mayor and I have been speaking, and
6 my town board is supportive. The 6.8, 6.75 million
7 was really originally over 7. Tom and I spoke with
8 the mayor, and we agreed that a quarter of a million
9 would go for the unions for training, and so that
10 brought it down to 6.75. And of that, I told Mayor
11 Knickerbocker that our town board was supportive,
12 even though it's an IMA, an intermunicipal agreement,
13 and the money was supposed to be shared between
14 Buchanan and Cortlandt, Buchanan is Cortlandt. It's
15 part of Cortlandt. So we were very happy and willing
16 to give all of that money to Buchanan to expand their
17 plant, because not only will that allow it to be
18 brought into full compliance and expanded, but it
19 allows Cortlandt to connect into it, which is very
20 important to the neighboring communities like
21 Montrose. So this is going to be a win-win when this
22 happens.

23 MS. KNICKERBOCKER: And Supervisor,
24 it's much appreciated. Those monies, like I said,
25 are really needed, and it's good that the town and

1 12/5/2024 - Indian Point Decommissioning Oversight
2 the village can work together.

3 MR. BECKER: Absolutely.

4 MR. POMMER: So we did mention -- you
5 did mention we were coming to the end of a consent in
6 a recent conference call. The DEC was looking
7 favorably on our progress that we've made over the
8 last five years with our inflow and our infiltration
9 and our compliance. So I think we're in a good place
10 to have this upgrade and move into the future.

11 MR. CONGDON: Well, this is a really
12 positive update and really appreciate the progress
13 that's being made. You know, when we first awarded
14 the 6.75 as part of the grant agreement, we requested
15 that the town and the village apply for funds they
16 were eligible for, and it's really great to see that
17 those applications are bearing some fruit and that
18 the awards were made, and to see that we're almost
19 entirely funded, you know, to meet the need is pretty
20 astounding. You know, where we were, I think prior
21 to the grant awards being made, you know, the village
22 had been, you know, rightly expressing concern about
23 the loss of tax revenue with the plant's closure, but
24 then coupling that with the fact that there was this
25 large expense that would need to be incurred to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 comply with the consent order, it was a no-brainer to
3 make some of the settlement funds available for this
4 purpose, and it's having the desired effect of
5 actually attracting additional grant monies.

6 And just really want to commend both
7 the village and the town for the cooperative work
8 that you're doing, and it's exciting to think, as
9 well, that there's some potential economic
10 development coming that can tie into the upgraded
11 sewage treatment plant, which will replace some of
12 the lost tax revenue. So again, you know, when we
13 first announced the closure, there's a lot of
14 economic concerns in the community. There still are,
15 for sure, but this is good progress. So
16 congratulations.

17 We were next going to be hearing an
18 update from the school superintendent, Michael
19 Tromblee, who has not yet arrived. If he does
20 arrive, we can turn back to this portion of the
21 presentation, but for now, why don't we fast forward
22 a few slides to the State oversight updates, unless
23 there are further questions for the project award
24 updates? No? Okay. So on this, I will turn it over
25 to John Sipos to begin. Here you go. You got the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 mic?

3 MR. SIPOS: Yes. Thanks, Tom. I'm
4 going to just speak briefly from an enforcement and
5 investigation perspective. As we do at each of these
6 meetings, we report on whether or not there have been
7 any tips or concerns expressed via the hotline, and
8 since the last meeting, there have been no reports to
9 our hotline. So I want to share that with the
10 community, and I'm going to turn it over now to Cliff
11 Chapin, who is the state's resident inspector here at
12 the site to walk through other developments that have
13 occurred since we were last here.

14 MR. CHAPIN: Thank you, John. Okay.
15 So Holtec continues to maintain four of the
16 Reuter-Stokes radiation monitors in service. These
17 monitors are the four closest monitors to the
18 Buchanan-Verplanck Elementary School. The monitors
19 continue to show stable background radiation levels
20 as expected.

21 Next slide.

22 Since last DOB, Holtec has not
23 received any additional noncited violations or
24 greater from the NRC. Associated with the violation
25 discussed at the last DOB meeting, where Holtec had

1 12/5/2024 - Indian Point Decommissioning Oversight
2 utilized some employee agreements with improper
3 wording, Holtec has implemented the corrective
4 actions at Indian Point, which included updating
5 their separation documents, additional training for
6 current employees, and notification of former
7 employees of their rights associated with raising
8 safety concerns to the NRC.

9 Holtec has continued to hold monthly
10 project meetings in accordance with the joint
11 proposal. These meetings continue to be attended by
12 New York State Department of Public Service,
13 Department of Environmental Conservation, and the
14 Attorney General's Office. As part of the walkdowns
15 that I perform on the site, I recently walked down
16 the Unit 1 systems to continuously discharge
17 groundwater leakage, and I participated in a recent
18 NRC onsite inspection associated with effluent
19 monitoring.

20 Next slide.

21 Associated with decommissioning trust
22 fund balances and in accordance with timelines
23 established in the joint proposal, multiple state
24 agencies have been a part of meetings with Holtec to
25 review the trust fund balances. Holtec continues to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 be in compliance with its minimum trust fund balance
3 obligations. The next publicly available accounting
4 of the Indian Point trust fund balances are due in
5 April of 2025.

6 Next slide.

7 State regulators and agencies also
8 attended tabletop emergency exercises that included
9 local municipalities and EMS personnel. The first
10 exercise was held at Indian Point and involved a
11 security event that allowed all participants to
12 discuss their expected responses and required
13 notifications.

14 Next slide.

15 The second exercise was hosted by
16 Enbridge. It also included state and local
17 responders, Indian Point personnel, and included a
18 Hendrick Hudson School representative. The scenario
19 involved a simulated gasline rupture, with a
20 resulting fire on the 42-inch pipeline, and allowed
21 participants to coordinate and collaboratively
22 discuss resources and response considerations. I'll
23 now turn it over to Kelly Turturro.

24 MR. CONGDON: Sure, we can pause for
25 questions. Does anyone have any questions for the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 DPS oversight updates?

3 MR. WEBSTER: You mentioned the Unit 1
4 systems that deal with groundwater leakage. Can you
5 just tell me a bit more about those?

6 MR. CONGDON: Can you speak directly
7 into the mic, Richard, please? Thank you.

8 MR. WEBSTER: Yeah. You mentioned the
9 Unit 1 systems that deal with groundwater leakage, I
10 think. Could you just tell us a bit more about
11 those?

12 MR. CHAPIN: Well, what would you like
13 to know? I mean, they are the systems that the
14 groundwater leakage into Unit 1 containment building,
15 and they do have some radioactivity associated with
16 the plume from the previous spent fuel pool leaks,
17 and so in the case of one of the systems, it's direct
18 discharge; and the other system, there is some
19 processing of the water before it's discharged.

20 MR. WEBSTER: Okay. So the water
21 comes into the reactor, doesn't go out, right? Is
22 that the first thing?

23 MR. CHAPIN: It's coming into the
24 containment area.

25 MR. WEBSTER: Right.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. CHAPIN: Correct.

3 MR. WEBSTER: Because you have the
4 groundwater plume, you're within the groundwater
5 plume where there's radioactive radionuclides, so
6 therefore, how do you discharge it? You said one of
7 it is a direct discharge. What does it directly
8 discharge to?

9 MR. CHAPIN: To the Hudson River. It
10 goes into the outfall associated with the service
11 water flow that's going through the plant and goes
12 into the discharge at the plant.

13 MR. WEBSTER: Okay. Thank you.

14 MR. CONGDON: Okay. Any other
15 questions for Cliff? Okay, Kelly.

16 MS. TURTURRO: Thank you. So to begin
17 with, I'll start with DEC's work under the consent
18 order, the remedial investigation scoping work plan,
19 and remedial investigation work plans. As I've
20 mentioned in the past, Holtec has submitted a
21 remedial investigation work plan to DEC for what's
22 known as AOC 118, which is the LaFarge area. That
23 work plan was approved by DEC in October of 2023.
24 Holtec commenced and completed field work in May of
25 2024, and they have submitted -- at the end of August

1 12/5/2024 - Indian Point Decommissioning Oversight
2 2024, they submitted a remedial investigation report
3 to DEC for that area. That report is currently under
4 review. No other remedial investigation work plans
5 have been submitted to DEC for other areas of the
6 site.

7 Next slide, please.

8 As I've mentioned in the past, the two
9 SPDES permits for the main facility governing
10 discharges from the main facility, as well as
11 stormwater discharges from the Unit 2 transformer,
12 DEC has reviewed all the permit application material
13 and is working to develop a draft SPDES permit and
14 fact sheet. When that is complete, we will be able
15 to notice that for public review and comment.

16 Next slide.

17 And we also continue to oversee the
18 closure and assessment of all tanks associated with
19 the major oil storage facility license on the site.

20 And next slide.

21 And then I wanted to bring up and let
22 everybody know about regulations that DEC has
23 recently proposed to be amended under our part 601
24 and 602. This governs water withdrawal permitting,
25 report, and registration. There are a variety of

1 12/5/2024 - Indian Point Decommissioning Oversight
2 changes that DEC has proposed for these regulatory
3 changes, but the reason why I wanted to bring it up
4 tonight was because most relevant to the Indian Point
5 facility is that we are proposing to expand the
6 saline waters exemption.

7 So currently, withdrawals from the
8 Atlantic Ocean and Long Island Sound do not need
9 water withdrawal permits. So what this regulatory
10 change proposes is the exemption would be expanded to
11 the waters of the Lower Hudson River. So
12 essentially, the exemption would stop at the northern
13 border of Westchester County and Rockland County.
14 This would allow consistency with the current
15 exemption where DEC has proposed to include these
16 waters that are directly influenced by the Atlantic
17 Ocean. So while this will affect the Indian Point
18 facility in the short term, the facility will also
19 not require a water withdrawal permit in the near
20 future. As they decommission the facility, they will
21 no longer be withdrawing water from the Hudson River.

22 So next steps, I think you can go to
23 the next slide, Tom. Thank you.

24 So we noticed these regulations for
25 public comment in October of this year. Since we

1 12/5/2024 - Indian Point Decommissioning Oversight
2 haven't had a DOB meeting since then that I could
3 present this, I have asked that the current comment
4 period that runs through December 16th, 2024 be
5 extended, and DEC will be extending that public
6 comment period until the end of January, so that
7 everybody has the opportunity to review the draft
8 changes to the part 601 and 602 water withdrawal
9 regulations and be able to provide DEC comments.
10 That's what the comment period is for. We want to
11 hear your input.

12 And thank you. So these changes will
13 be noticed, and everything that DEC does as far as
14 permit applications, regulatory provisions, you can
15 find that information in DEC's Environmental Notice
16 Bulletin. It is published every Wednesday. You can
17 find it online. For purposes of the water withdrawal
18 regs, we can also include a link on the Indian Point
19 Decommissioning Oversight Board website as well.

20 MR. CONGDON: Great. Thank you,
21 Kelly, very much. I think we have a question online
22 from Senator Harckham.

23 MR. HARCKHAM: Thank you, Tom, and
24 thank you very much, Kelly, for your presentation, as
25 always. On this latest subject that you just

1 12/5/2024 - Indian Point Decommissioning Oversight
2 discussed, the question, a couple of questions, like
3 why? Why now? Why do this now, especially if in
4 their decommissioning process, they're drawing less
5 and less water. Why is there a need to change the
6 permitting process? You know, and I ask because, you
7 know, what could possibly, you know, be on this site
8 or other sites in the Hudson that could withdraw
9 unlimited amounts of water and not need a permit.
10 You know, I'm just trying to think, like, where the
11 public's mind goes when they hear something like this
12 in a site, very specific, like this.

13 MS. TURTURRO: Thanks for your
14 question, Senator. The impetus in changing these
15 regulations is not about Indian Point. While it
16 affects the Indian Point facility, there are a
17 variety of changes that DEC is making in the water
18 withdrawal regulations as a whole. While Indian
19 Point will be affected by one aspect of the
20 regulations, it wasn't why we're changing the
21 regulations. We have a variety of changes that we're
22 making across the board, whether it be definitions,
23 or as I mentioned, exempting some of these facilities
24 from a water withdrawal permit.

25 MR. HARCKHAM: Is there any

1 12/5/2024 - Indian Point Decommissioning Oversight
2 consideration -- or I certainly could put this in --
3 enter into public comments during appropriate time,
4 but any thought to moving forward with your other
5 changes, but exempting the Indian Point area until
6 that decommissioning is complete? And I say that
7 again, just because, you know, you in your
8 thoroughness, you add one and one and get two.
9 Sometimes the public adds one and one gets five, and
10 you know, I was wondering, all right, what could
11 possibly go on that site that could use unlimited
12 water, and we just want to provide some sort of
13 reassurance for the public in that regard.

14 MS. TURTURRO: So Senator, as you
15 mentioned, I would encourage that you to submit that
16 comment, and DEC will look at those comments, take
17 that under consideration as we are developing the
18 final regulations. So please share that with us in
19 public comments.

20 MR. CONGDON: Kelly, I don't want to
21 put you on the spot, but just for helping clarify the
22 purpose of water withdrawal permits and the
23 environmental rationale for why DEC has such programs
24 in place with permitting requirements, like there's a
25 difference, right, in terms of the quantity of water

1 12/5/2024 - Indian Point Decommissioning Oversight
2 from, say, a lake or a smaller water body versus an
3 ocean body, and there are concerns about availability
4 of water. So that's one of the environmental
5 interests and why DEC would regulate this, and then
6 in addition, with such a water withdrawal, then there
7 are also environmental issues that DEC reviews with
8 respect to aquatic habitat and impacts to, you know,
9 the fish and other things, right? And so with
10 respect to Indian Point and Richard is here from
11 Riverkeeper and there's been, you know, long history
12 here of litigation, and the DEC was really, you know,
13 pushing for closed cycle cooling at Indian Point when
14 it was operating, right? That was related, but can
15 you talk a little bit about the environmental purpose
16 behind sort of what, you know, what it means for
17 these water intakes? Maybe that helps put things in
18 perspective for the Senator and others who are
19 curious about what this means.

20 MS. TURTURRO: Certainly. Thanks for
21 the question, Tom. I do want to say that I have an
22 engineer who runs our water withdrawal program on the
23 line as well. He has joined virtually. So John
24 Hock, I'll take the question, and if you wanted to
25 jump in on anything, please feel free to.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. HOCK: Sure thing.

3 MS. TURTURRO: So in terms of the
4 purpose of the water withdrawal regulations, DEC has
5 in place a requirement that if anyone is withdrawing
6 more than 100,000 gallons per day, they are required
7 to have a water withdrawal permit. That is so that
8 DEC can regulate, as you said, Tom, the quantities of
9 water that are withdrawn to ensure that we are
10 protecting the environment. What we've done in the
11 regulations is to say that the Atlantic Ocean, the
12 Long Island Sound, have a tremendous amount of water,
13 and they are exempted from requiring a water
14 withdrawal permit. Because the Hudson River is
15 tidally influenced and because it is so close to the
16 Atlantic Ocean near Westchester and Rockland County,
17 we are expanding that exemption to that area.

18 Secondly, in terms of the impact to
19 fish in the river, so that aspect of the jurisdiction
20 for DEC is regulated under our SPDES process. We
21 don't regulate that. I don't want to say we don't
22 regulate it through water withdrawal, but we include
23 conditions in our SPDES permit to ensure that there
24 are protections for -- the terminology is
25 "impingement" and "entrainment", and those

1 12/5/2024 - Indian Point Decommissioning Oversight
2 protections are included in SPDES permits for all
3 facilities that may be withdrawing water and causing
4 impingement and entrainment. So that will remain in
5 the Indian point SPDES permit.

6 MR. CONGDON: Thank you, and any
7 future uses, whether it's Indian Point or otherwise,
8 impingement and other impacts would be considered as
9 part of any kind of SPDES.

10 MS. TURTURRO: Yes, and DEC has a
11 policy in place that requires best technology in --
12 best technology available, which requires closed
13 cycle cooling. So any new facility would be required
14 to have closed cycle cooling. If I can just pause, I
15 just want to double check with John to make sure he
16 doesn't have anything to add. John?

17 MR. HOCK: Kelly, I think you covered
18 it really well, and I'll try not to be redundant
19 here, but you know, as you stated, the primary
20 objective of a water withdrawal permit is really to
21 assess the impacts on water availability from large
22 capacity water withdrawals, to assess environmental
23 impacts related to those withdrawals, and potential
24 impacts to nearby users. You know, as Kelly had
25 indicated, in terms of water quantity, I would say

1 12/5/2024 - Indian Point Decommissioning Oversight
2 that's not necessarily a concern here due to the
3 hydrologic connection to the Atlantic Ocean, but when
4 it comes to environmental impacts, you know, the top
5 ones that come to mind for me for power generation
6 facilities and cooling water facilities are fish
7 entrapment and entrainment and thermal discharge
8 differentials. And as Kelly stated, those are both
9 regulated through SPDES permits and the best
10 technology available conditions within those SPDES
11 permits.

12 And I'd also like to make a note that
13 most of these facilities that would be impacted by
14 this change in rulemaking do return a lot of their
15 flows to the source water through part of the cooling
16 process, where consumptive uses can vary, as in, you
17 know, uses of water that are lost through
18 evaporation, incorporation into product, et cetera,
19 but in most cases a bulk of the water is returned to
20 the source water body.

21 MR. CONGDON: Thank you, John.
22 Richard Webster, I'm sorry. I'm sorry, again, I'll
23 get to your question in a second. I just want to
24 make sure that the substance of what Kelly presented
25 is, is understood. In Riverkeeper's litigation

1 12/5/2024 - Indian Point Decommissioning Oversight
2 pertaining to Indian Point prior to closure, wasn't
3 the major interest that you were seeking to protect
4 was the aquatic life --

5 MR. WEBSTER: Right. Well, there's
6 two aspects of --

7 MR. CONGDON: -- the impingement and
8 infringement?

9 MR. WEBSTER: Right. There's the
10 impingement entrainment, and then there's the
11 retrieval.

12 MR. KACZMAREK: Can you speak into the
13 mic, please?

14 MR. WEBSTER: There's the impingement
15 and the entrainment, and then there's also the
16 thermal discharge.

17 MR. CONGDON: And the thermal
18 discharge, right.

19 MR. WEBSTER: And by the way, it
20 wasn't just Indian Point.

21 MR. CONGDON: Right.

22 MR. WEBSTER: We litigated a series of
23 power plants up and down the Hudson.

24 MR. CONGDON: Yeah.

25 MR. WEBSTER: Indian Point was not

1 12/5/2024 - Indian Point Decommissioning Oversight
2 special in that regard. It had a similar outdated
3 cooling system to many other plants.

4 But I still, Kelly, have a couple of
5 questions for you. One is, I haven't quite
6 understood why -- I mean, presumably when you first
7 made this rule, you decided not to extend this
8 exemption, or whatever you want to call it, up the
9 Hudson, and now you are. So I haven't quite
10 understood why that is, and the second question is,
11 if you had a consumptive use like, say you had a
12 desal plant, how would you regulate impingement and
13 entrainment then?

14 MR. SIPOS: So I'm going to hop in
15 while Kelly is preparing, I think, for the first
16 part, but the second part is purely a hypothetical.
17 There is no desal plant here.

18 MR. WEBSTER: I think one was
19 proposed, John. So it's not -- it's not beyond the
20 wit of man that someone might --

21 MR. SIPOS: I think it was about a
22 decade ago, and it was not finalized.

23 MR. WEBSTER: Right.

24 MR. SIPOS: So I'm going to turn it
25 back to Kelly.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MS. TURTURRO: So John, could you jump
3 in on the history of the water withdrawal regs? What
4 Richard's question was, is originally, why did we
5 exempt the withdrawals from the Atlantic Ocean and
6 the Long Island Sound?

7 MR WEBSTER: But not the Hudson, not
8 the estuarine Hudson.

9 MS. SPEAR: And not the Hudson.

10 MR. HOCK: Yeah. I do apologize, I
11 don't have an answer to that. That was a bit before
12 my time at the Department, but you know, we're
13 looking through these regulatory changes through the
14 lens of, you know, use and experience. The last time
15 these regs were updated was 2013 when they became
16 applicable to nonpublic facilities, you know, such as
17 Indian Point, and for Long Island Wells, 1986. So
18 you know, we've been working with these regulations
19 for a bit over a decade at this point, and this was
20 one that jumped out to our team as, you know, a
21 logical exemption to make if we're, you know, already
22 exempting withdrawals from the Atlantic Ocean and
23 Long Island Sound. So I do apologize. I don't know
24 the history about why the Lower Hudson and estuarine
25 waters were originally not included, but that is what

1 12/5/2024 - Indian Point Decommissioning Oversight
2 we are seeking to do with this rulemaking.

3 MR. KACZMAREK: All right, Tom
4 Kaczmarek, just a quick reminder. Please state your
5 name before you speak. It will help our court
6 reporter.

7 MR. CONGDON: And Assemblymember
8 Levenberg has a question, and I can turn it back to
9 you in a moment.

10 MS. LEVENBERG: Thank you so much,
11 Tom. My name is Dana Levenberg, and I'm an assembly
12 member. Thank you. I have just really kind of a
13 follow-up to Pete's question, which is why now? And
14 I know John Hock tried to respond to that just now,
15 but it's not clear to me that there is anything
16 driving this except for you were looking at it and
17 you thought, oh, this makes sense. From the
18 perspective of an ocean versus a river, I don't
19 understand how it makes sense. So I'd love to have
20 some clarification. I understand that, you know,
21 there's water from the Atlantic that makes its way
22 into the Hudson, but it's a tributary. It's not an
23 ocean. So just very curious about that, and
24 obviously, we can include this in the comments.
25 Again, back to DEC, and I'm grateful for the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 extension of the timeline, but we'd like to
3 understand that better, and again, why now?

4 MR. CONGDON: As we've heard many
5 times, Assemblymember, from members of the public and
6 from our discussions, the Hudson River is tidal all
7 the way up to the Troy Dam.

8 MR. WEBSTER: It's not saline.

9 MS. LEVENBERG: I'm just saying, it's
10 all river.

11 MR. WEBSTER: It's not saline all the
12 way to the Troy Dam.

13 MS. LEVENBERG: It's a river versus an
14 ocean. That's my point.

15 MR. CONGDON: It's brackish all the
16 way up to the Troy. I'll let DEC speak more to that,
17 but that's what we've been talking about for many,
18 many years.

19 MS. LEVENBERG: It's a river that
20 flows both ways.

21 MR. CONGDON: That's right. Exactly,
22 exactly.

23 MS. TURTURRO: Yeah. So as I
24 mentioned before, what we're looking at is the area
25 that's influenced by the Atlantic Ocean. The

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Atlantic Ocean flows into the Hudson River, and
3 that's why we're looking at the fact that the
4 Atlantic Ocean is flowing into the Hudson River and
5 have determined that that's where we would draw the
6 line. John, could you add anything else to that?

7 MR. HOCK: Yeah. And in terms of why
8 now, these discussions surrounding the proposed
9 amendments to part 601 and 602 started four years ago
10 at this point. This is something that has been in
11 the works for a long time, and this singular
12 exemption, I'll admit, was not the driver for the
13 regulatory revisions. You know, there were some
14 other drivers there related to other industry groups
15 and regulated communities, but while we had this
16 opportunity, this once in a decade opportunity to
17 open the regs up, we really went back to basics.
18 What are we trying to regulate here? What are our
19 objectives as a regulatory program? And it goes back
20 to, you know, the description Kelly gave earlier.
21 What's our primary purpose here? We're looking to
22 regulate water quantity.

23 So we're looking into all issues where
24 there are quantity concerns, and we went back. We
25 looked at this exemption for the Atlantic Ocean and

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Long Island Sound, and then we, you know, through our
3 analysis, went through, looked at facilities that are
4 withdrawing from water on the Hudson River, Lower
5 Hudson, East River, Arthur Kill, et cetera. How do
6 these facilities operate? How much water are they
7 returning to the river, and we determined that,
8 really, there are no quantity concerns related to
9 withdrawals at these facilities, and similarly, when
10 we do have environmental concerns, they are covered
11 under other DEC permitting programs.

12 MR. CONGDON: Yes. Superintendent
13 Tromblee, by the way, welcome, and also welcome to
14 Legislature Ulaaj.

15 MR. TROMBLEE: So I apologize for my
16 tardiness. Michael Tromblee, superintendent of
17 Schools, Hendrick Hudson Central School District and
18 I share this purely just because, not from an opinion
19 base but purely fact base, just to show my students
20 that their geography standards do come alive. I
21 think New York State geography fact teaches us that
22 that the Sacandaga Reservoir in the river, the
23 tributary, helps control the saline, the salt water
24 coming up the Hudson. So that's just fact to show
25 the kids that the facts do play a part.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. CONGDON: Thank you.

3 MR. TROMBLEE: Not only just on

4 Jeopardy.

5 MR. CONGDON: Susan Spear?

6 MS. SPEAR: Thank you. So I guess I'd
7 like to understand sort of the immediate impact, as
8 well as the longer term impact. Do we know what
9 volume of water Indian Point withdraws for
10 decommissioning purposes? I mean, obviously it's not
11 the same as when they were using it for cooling
12 purposes, but I wonder for decommissioning
13 construction purposes, is there a volume that we know
14 of?

15 MS. TURTURRO: So what I can share is
16 the numbers that we have. While they were operating,
17 the facility withdrew approximately two billion
18 gallons per day. Last year, the numbers were
19 approximately 17 million gallons per day.

20 MS. SPEAR: Thank you. So is there
21 not like a value in just having the data as to how
22 much water is being withdrawn, generally, from
23 Westchester and Rockland? It seems to me like
24 there's just a value in having the information about
25 how much water is being withdrawn, and it seems like

1 12/5/2024 - Indian Point Decommissioning Oversight
2 you would lose that with this exemption, and I would
3 ask, what's the timeline for the exemption? Would it
4 be immediate once the regulations are promulgated,
5 the waiver? I'm not sure I know the difference
6 between how a regulation is promulgated versus a
7 waiver or an exemption. So what would be the
8 timeline for an exemption? I assume an exemption
9 happens faster than a regulation.

10 MS. TURTURRO: I'm not sure I
11 understand your question, but what I think you're
12 asking, or what I think you're interpreting, is that
13 DEC would issue a specific exemption for each
14 facility. Is that what you're thinking?

15 MS. SPEAR: No, I'm just trying to
16 ascertain if you could give us a sense of what would
17 be the timeline if you did issue the waiver.

18 MS. TURTURRO: So the timeline would
19 be when the regulations were adopted. You're asking
20 about the timeline for the regulation adoption. So
21 we're going -- yeah. So we're going through the
22 public comment period now. As I mentioned, we will
23 be extending the public comment period into late
24 January. Then we would look at all the public
25 comments that came in, determine if any changes to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 our proposed regulations need to be made, and then
3 finalize the regulations. So that could take --
4 John, I don't want to bind you to anything. It could
5 take six months. Sometime in 2025, I would say,
6 would be our goal --

7 MR. HOCK: I agree.

8 MS. TURTURRO: -- but it all it all
9 depends on how many public comments we get. It
10 depends on what comes in.

11 MR. WEBSTER: Can I just make one last
12 observation? I mean, the observation that the
13 current withdrawals are fine and we don't have a
14 problem could be an indication that the current
15 regulatory regime is working, and so it doesn't seem
16 to me that that's a driver to change the regulatory
17 regime.

18 MS. TURTURRO: I don't understand what
19 you mean by the current withdrawals are fine.

20 MR. WEBSTER: You currently have a
21 number of permittees, right, with withdrawal permits,
22 and their total withdrawals are not causing any
23 problems; is that right?

24 MS. TURTURRO: I don't understand your
25 question.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. CONGDON: There are several
3 permitters up the river. There are several that are
4 within this geographic area that they're talking
5 about exempting.

6 MR. WEBSTER: Right. And none of
7 those -- I haven't heard that there's a problem with
8 obtaining a permit or with these permitters complying
9 with their permits. And so if we don't have a
10 problem, why are we fixing it?

11 MS. TURTURRO: I see. Well, submit
12 that to us in comments.

13 MR. CONGDON: Okay. And Senator
14 Harckham had a follow-up question.

15 MR. HARCKHAM: Yeah. Thank you very
16 much, Tom; and John, thank you for joining the group
17 tonight and adding your perspective and your
18 expertise. Quick follow-up, and along the lines of
19 what Richard was saying, earlier you said, John, that
20 you looked at other facilities up and down the
21 Hudson. How many other facilities are impacted, or
22 to Richard's question, are drawing water along the
23 Hudson? And can you give us, other than Indian
24 Point, how many? And can you give us some examples,
25 so we know of the types of facilities you're talking

1 12/5/2024 - Indian Point Decommissioning Oversight
2 about?

3 MR. HOCK: Yes. Thank you, Senator.
4 So in DEC region 3 so the, the approximate area in
5 the Lower Hudson River, I think we had four or five
6 facilities withdrawing from the Hudson. Two of them
7 were mining facilities, and three of them, I believe,
8 were power gen. Then down in DEC region 2, in New
9 York City, it was fewer than ten facilities, with a
10 couple of those being power gen facilities.

11 MR. CONGDON: So last question. Just
12 because Richard and I were in a back and forth, just
13 to set the record straight, you're only talking about
14 applying this regulatory change to the saline waters,
15 which goes how far north up the river to just the
16 northern boundaries of Westchester, Rockland?

17 MS. TURTURRO: Correct.

18 MR. CONGDON: Right. And it is tidal?
19 The River is tidal all the way up to the Troy Dam,
20 correct?

21 MR. WEBSTER: Yes, it is.

22 MR. CONGDON: Right. Okay. Just for
23 the record.

24 MR. WEBSTER: It's just the salinity
25 gets lower and lower.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. CONGDON: Right.

3 MR. WEBSTER: So you know, there's a
4 push. The water, the incoming tide pushes fresh
5 water up --

6 MR. CONGDON: Uh-huh.

7 MR. WEBSTER: -- but the saline water
8 doesn't go all the way up.

9 MR. CONGDON: Right. And they're only
10 talking about the saline waters, which is to answer
11 Assemblymember Levenberg's question, why the river?
12 This is the saline portion of the river which is
13 influenced by the Atlantic Ocean, right?

14 MS. LEVENBERG: Okay. It's still a
15 river. Correct.

16 MR. CONGDON: Okay.

17 MS. LEVENBERG: Got it.

18 MR. CONGDON: All right. So now that
19 we've been joined by Superintendent Tromblee, I want
20 to turn back to the school presentation, if that's
21 okay, Superintendent?

22 MR. TROMBLEE: Thank you, Tom. Again,
23 I apologize for being tardy. So I've been asked to
24 provide an update as to how the Hendrick Hudson
25 Central School District is using its settlement funds

1 12/5/2024 - Indian Point Decommissioning Oversight
2 to provide for air quality monitoring at the
3 Buchanan-Verplanck Elementary School.

4 So if we can go to the next slide.

5 This is what, as a school district who
6 serves children, this is what we do every day. We
7 ground ourselves in a mission, and part of this
8 presentation, it would be remiss if I didn't say,
9 that we are have experienced significant challenges
10 in meeting and living out this mission for our
11 children since the closure of the Indian Point power
12 plant.

13 Next slide, please.

14 When deciding how to approach this
15 update. I could just stop right here -- bless you --
16 because when being asked how we are using these
17 funds, it's to help our children. That's everything
18 we do as a school district. That's our existence.
19 We do not exist as a school district without
20 children. That is all we do. We service children,
21 the men and women working in our school districts.
22 That is their only mission, and that is how we would
23 use any funds that we receive.

24 Before I begin the content of my
25 presentation, I'd like to take a moment to read a

1 12/5/2024 - Indian Point Decommissioning Oversight
2 statement, the joint statement that was signed by not
3 only myself, but the Hendrick Hudson Central School
4 District Board of Education, the Hendrick Hudson
5 Education Foundation, which is our teachers' union,
6 our Hendrick Hudson District Administrators
7 Association (phonetic), which is our administrators'
8 union, also our Hendrick Hudson Educational
9 Secretaries Association (phonetic), the Hendrick
10 Hudson PTA Advocacy Committee, the Hendrick Hudson
11 Elementary PTA Executive Board, the Hendrick Hudson
12 Blue Mountain Middle School Executive Board, the
13 Hendrick Hudson High School PTSA Executive Board, and
14 our Special Education Executive Board, because we all
15 do care about the children that you see on the screen
16 in every single child in the school district.

17 "For decades, our community has borne
18 the brunt of the dangers of having the Indian Point
19 nuclear power plant in our backyard. It has been
20 almost eight years since Entergy announced the
21 plant's closure, and three years since the reactors
22 were powered down. However, the repercussions from
23 the closing continue to ripple throughout the
24 community and the region. The Hendrick Hudson
25 Central School District provides a myriad of programs

1 12/5/2024 - Indian Point Decommissioning Oversight
2 and services to reach all sectors of our student
3 population and their families, and it is the largest
4 employer in our area. The loss of nearly one-third
5 of our overall revenue stream endangers everything
6 for which we strive, including the children you see
7 on the screen there. The federal government has no
8 realistic plans to deal with the spent fuel sitting
9 on the ISFSI pad. So our community is tasked with
10 storing them, tax free, which delays our ability to
11 reuse the land. It is possible that we may never be
12 able to use this land for other purposes, given the
13 lack of a solution for nuclear waste, transport, and
14 storage. Furthermore, we have tritiated water in the
15 spent fuel pods and soil contamination on the
16 property. A massive revenue-generating property is
17 now left inert, but the danger it holds for our
18 community still remain.

19 "We are grateful for the sixty million
20 in relief funding that has been earmarked thus far,
21 but it is not sufficient. The money paid out by the
22 Cessation Mitigation Fund, or CMF, over its
23 qualifying period of eight years post-closure, is
24 equivalent to just two years of Indian Point PILOT
25 revenue for our school district. The timeline of the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 CMF is woefully inadequate, especially when the
3 delays in decommissioning are also considered.

4 "Additionally, idiosyncrasies in the
5 foundation aid from the State of New York formula
6 mean that the funding we receive from the State is
7 delayed by two to three years. We believe a higher
8 level of both federal and state funding, spread out
9 over long term, over longer timeline, is more
10 appropriate and will allow us to use raised taxes
11 more gradually and create long term plans for revenue
12 stabilization.

13 "Eight years is a blink of an eye in
14 the terms of governmental planning, and not nearly
15 long enough to ask our community to make up for the
16 thirty percent of its annual revenue, the amount that
17 we have lost due to the closure of the plant. Our
18 district has done its best to decrease expenses by
19 evaluating programs and services, to find
20 efficiencies, and to make reductions where
21 appropriate. But continuing these cost-cutting
22 measures will shortly become extremely detrimental to
23 our schools, negatively impacting the quality of the
24 education we provide, and unless a better revenue
25 stream can be found, we may be soon found facing the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 types of cuts that will result in our district
3 becoming less competitive, which may also potentially
4 result in the decrease of our local property values.

5 "If the Hendrick Hudson Central School
6 District does not receive further financial
7 assistance, taxes may need to rise by more than
8 thirty percent over just five years to maintain the
9 district's budget, or else we will be forced to
10 drastically cut personnel and programs for our
11 students. Due to the New York State two percent tax
12 cap and inflation, it will be all but impossible to
13 raise this much this quickly, and being forced to cut
14 staff and reduce learning opportunities will have a
15 devastating effect on our schools, our community, and
16 most importantly, our students. Our children and
17 families cannot wait. We are a vital part of the
18 community, providing an essential, accessible, common
19 meeting place for theater, music, sports, learning,
20 and community service. We need your help to increase
21 our funding streams so that we can continue to serve
22 our families and our community, and remain one of the
23 finest school districts in the State of New York.

24 "We respectfully request meeting with
25 those individuals and departments who can assist us

1 12/5/2024 - Indian Point Decommissioning Oversight
2 in obtaining these desperately needed funds, and we
3 look forward to working together with you to ensure
4 that the future of our community remains bright."

5 And again, this is signed jointly by
6 myself as Superintendent of Schools, our Board of
7 Education, our teachers' union, administrators'
8 union, our secretaries' union, and all of our PTAs.
9 And I'm grateful for their input on this, and thank
10 you for the time to speak.

11 MR. CONGDON: Thank you.

12 MR. TROMBLEE: So to continue on with
13 the presentation, showing how we have utilized the
14 funds. These are the brief objectives we have of the
15 brief presentation just to provide insight into the
16 milestones that we've reached, and if need be
17 explained, some of the District decision-making
18 process behind those milestones.

19 And we can go on to the next slide.

20 So these are the areas where we have
21 updates. We'll update you on the funding sources and
22 what we've done with them. The update on the
23 baseline environmental survey, that was a component
24 of how we use these funds. And the gamma detection
25 solution that will be used to monitor the air quality

1 12/5/2024 - Indian Point Decommissioning Oversight
2 in and around Buchanan-Verplanck Elementary School.

3 Next slide please.

4 So as of February 2024, the contract
5 addendum allowing us to access the funds between the
6 State of New York and our school district has been
7 signed and approved by the Board of Education and the
8 State of New York. Shortly thereafter, NYSERDA was
9 able -- we established a fund that was designated to
10 deposit the funding source in, and we were able to
11 work with NYSERDA to deposit those funds.

12 On the next slide, having been able to
13 deposit those funds, we were able to engage in the
14 baseline environmental assessment. This is a
15 component of the agreement and the contract between
16 New York State and the school district, and in the
17 spring of 2024, that baseline environmental survey
18 was completed by a company called Langan, which
19 stands for Langan Engineering, Environmental Survey
20 Landscape and Architecture and Geography. We have
21 received that report. I do not know how to read that
22 report. I'm a recovering social studies teacher, so
23 we, of course, rely on the experts to do that. So we
24 have shared it with those experts, and we are seeking
25 to engage a meeting with Langan so they can help

1 12/5/2024 - Indian Point Decommissioning Oversight
2 explain that to us, and we also shared it with State
3 experts who will be able to give us an idea of when
4 they have a chance to review as well.

5 Next slide, please.

6 We also had to purchase a gamma
7 detection solution. This is to monitor the air
8 quality. We had a decision point here. The terms of
9 the contract state that we must use the fund, the
10 solution to monitor during heavy deconstruction and
11 demolition. We were faced with the decision. It's a
12 limited pot of money to purchase both the equipment
13 and the monitoring services that go along with that
14 equipment, and especially if given our current
15 financial situation, we are trying to cut costs at
16 every approach that -- or every aspect that do not
17 directly benefit students from an educational
18 standpoint. If we have to maintain monitoring
19 services on a professional license or a professional
20 subscription, that costs money year after year. So
21 the problem that we were faced was we had market
22 price quotes for a very expensive solution and
23 equipment that could increase if we waited any longer
24 to buy that. So we worked, we explained this problem
25 with the vendor that we were seeking to partner with

1 12/5/2024 - Indian Point Decommissioning Oversight
2 and also our partners at the State, and because of
3 those conversations, we were able to secure an
4 additional two years of monitoring at no cost to the
5 District. So we went ahead and are in the
6 procurement process at this time to purchase the
7 equipment.

8 And at this time that is my update,
9 and I'll yield to any questions.

10 MR. CONGDON: Thank you. Safe to say
11 the consultant didn't flag any actionable items for
12 you?

13 MR. TROMBLEE: Right. Yeah. And I'll
14 apologize, yes. I can't read it enough just to -- I
15 can read it enough just to say that every level that
16 did come back was in allowable ranges.

17 MR. CONGDON: Thank you. And I know
18 only recently the report was shared. The feedback
19 was provided to you and the consultant, and we'd
20 invite either the consultant or you to make another
21 presentation with more details at a future DOB
22 meeting. Is that all right?

23 MR. TROMBLEE: I'd be happy to do
24 that.

25 MR. CONGDON: Okay. Great. Thank

1 12/5/2024 - Indian Point Decommissioning Oversight
2 you.

3 MR. TROMBLEE: Thank you.

4 MR. CONGDON: Any other questions?
5 Yes?

6 MS. ULAJ: Thank you so much for that
7 really powerful statement from you and everyone in
8 the community. Emiliana Uraj, county legislator,
9 district nine, which includes Hendrick Hudson School
10 District. Can you just remind us how --

11 MR. KACZMAREK: Legislator, can you
12 speak more into the mic? Thank you.

13 MS. ULAJ: Forgive me. Can you remind
14 us how much annually you are getting in the PILOT
15 agreement when Indian Point was operational?

16 MR. TROMBLEE: I believe at the peak
17 it was twenty-two million dollars.

18 MS. ULAJ: And how much are you
19 getting right now in replacement revenue from the
20 State?

21 MR. TROMBLEE: We currently, at its
22 height, the cessation fund was, I believe, fifteen
23 million dollars a year, and each year the cessation
24 fund will decrease by two million dollars a year.
25 Over the next, I believe, there will be six years

1 12/5/2024 - Indian Point Decommissioning Oversight
2 remaining, if my calculations are correct.

3 MS. ULAJ: So in last year's budget,
4 you received how much?

5 MR. TROMBLEE: Approximately twelve
6 million.

7 MS. ULAJ: Twelve million. So in
8 three years, you went from -- in three to four years,
9 from twenty-two to twelve?

10 MR. TROMBLEE: That is correct. We
11 received a little bit of an additional boost the
12 first year, I believe, I was --

13 MR. CONGDON: There's also ongoing
14 PILOT payments from Holtec as well.

15 MR. TROMBLEE: Yes, we do receive a
16 minor, much smaller PILOT payment from Holtec.

17 MS. ULAJ: How much is that?

18 MR. TROMBLEE: I can check in my notes
19 real quick, but I believe it's approximately four
20 million dollars a year.

21 MS. ULAJ: Okay. So about sixteen
22 total between both sources. Still about a six
23 million dollar gap?

24 MR. TROMBLEE: Yes, that is correct.

25 MS. ULAJ: What are you doing?

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. TROMBLEE: So as a school

3 district --

4 MS. ULAJ: How are you handling it?

5 MR. TROMBLEE: As a school district,
6 we can have lots of bake sales or -- that's a bad
7 joke. As a school district, we have to operate where
8 our revenue matches our expenses, and our revenue
9 comes from a very limited source. Property taxes,
10 state, state aid, some earned interest income. Our
11 expenses come in the form of contracts and everything
12 we do to keep our schools open. So we have to look
13 at either increasing revenue. So that would become
14 an increased state aid, which, according to the
15 formula, aid in previous years had increased. It had
16 increased by a little bit because of our wealth
17 ratio, because the reactors shut down. That did
18 decrease the wealth ratio in that state aid formula,
19 but it did not necessarily -- it did not come
20 anywhere close to what we were used to.

21 And then additionally, we also can
22 raise taxes or cut program, and when you cut program,
23 that means staff. That means instructional
24 opportunities for students, and that means that our
25 students are forced to bear the brunt of anything

1 12/5/2024 - Indian Point Decommissioning Oversight
2 that we have to do to adjust to this.

3 MS. ULAJ: Have you cut any staff
4 since the decrease in revenue?

5 MR. TROMBLEE: In net terms, we've
6 done a -- the school district has done a good job of
7 planning for the rainy day. Since the plant was
8 notified that it was shutting down. So they've done
9 what they can to maintain program and staffing, and
10 we haven't had to have the drastic cuts, but that
11 rainy day is now upon us.

12 MS. ULAJ: At what point in how many
13 more years do you expect that you will have to turn
14 to cutting staff in order to make up the difference?

15 MR. TROMBLEE: So it's hard to tell
16 because there's so many input variables that we don't
17 know as we go into each year around this time. I, as
18 an estimate right now, know that I have to cut \$4
19 million from this year's budget from last year
20 because we have a decrease of \$2 million of revenue
21 from the cessation fund, and we estimate about two --
22 we have about \$100 million budget. We can estimate a
23 two percent, about 200 or \$2 million we'd have to cut
24 with just a rollover of our contracts of what we owe
25 for employee retirement benefits, teacher retirement

1 12/5/2024 - Indian Point Decommissioning Oversight
2 benefits. So a good estimate is I have to make up
3 four million dollars from last year.

4 MS. ULAJ: Is that taking into account
5 any increase in property taxes on the school budget?

6 MR. TROMBLEE: We wouldn't know what
7 our property tax increase would look like right now.
8 So we have to plan within the two percent tax cap.
9 We have to remain within that as well, too.

10 MS. ULAJ: Have you been able to pass
11 budgets right under the cap, at the cap?

12 MR. TROMBLEE: For a number of years,
13 the budgets had remained -- of course, we're always
14 we always try to go under the cap. The law allows us
15 to go over the cap, but to do so it would require a
16 supermajority of sixty percent of the voters voting
17 in favor of the proposition, rather than just a
18 simple majority. And what the alternative side of
19 going over the cap means that we're putting
20 homeowners in a position who may not be able to
21 afford that increase, and if you look at our
22 demographics, approximately sixty percent of our
23 district's population does not have students in the
24 school district.

25 MS. ULAJ: What has your student

1 12/5/2024 - Indian Point Decommissioning Oversight
2 enrollment look like over the last ten years? Has
3 there been increases, decreases? Is there room for
4 the school to take in more children without impacting
5 overhead costs? What does that look like?

6 MR. TROMBLEE: So we're trending much
7 as most New York suburban school districts are. In
8 general, we're seeing a decrease in enrollment, but
9 it's a steady -- we've been steady for the past
10 couple of years. It's not a drastic decrease. Our
11 buildings, we'd always love to be able to have more
12 space because more space isn't just for classrooms.
13 It involves extra opportunities for students.

14 MS. ULAJ: Can you say how many
15 students you've had, by any chance?

16 MR. TROMBLEE: I'd have to pull --
17 over ten years, I'd have to give you follow-up on
18 that.

19 MS. ULAJ: As a legislator who works
20 closely with our local government colleagues, and
21 we've had discussions about different ways we can try
22 to make up the revenue by -- I won't speak on the
23 record about proposals that haven't been decided on,
24 but different things that we can do to try to make up
25 the lost revenue through development or otherwise.

1 12/5/2024 - Indian Point Decommissioning Oversight
2 So knowing how much room you have to take in kids
3 without impacting overhead costs would be important
4 as those types of plans are discussed.

5 MR. TROMBLEE: And enrollment is a key
6 variable, but more kids doesn't necessarily mean more
7 revenue in every situation. It also has the expense
8 side of it as well.

9 MS. ULAJ: Of course.

10 MR. TROMBLEE: And we are grateful for
11 some of the help of our legislators and
12 representatives sitting here at this table, and the
13 decommissioning board for allowing us -- or the New
14 York State for allowing us to access the cessation
15 mitigation fund. So that does help, and it has eased
16 the burden, but as our district signatories of the
17 letter that I -- of the joint statement that I read,
18 it's not enough and I will be providing copies,
19 signed copies for every member of the decommissioning
20 oversight board and legislators copies of that
21 statement, as well. But I will definitely send to
22 your office our enrollment trend and also the exact
23 figures.

24 MS. ULAJ: Has state aid remained the
25 same over the last few years? What's the trend in

1 12/5/2024 - Indian Point Decommissioning Oversight
2 state aid?

3 MR. TROMBLEE: In terms for our
4 district, we've actually seen our state aid increased
5 because the wealth ratio of our school district has
6 decreased because of when you when you calculate in
7 the wealth of the nuclear generate -- the generating
8 reactors that counted towards us, actually helped us
9 when those went offline from a state aid point of
10 view, but it was not directly proportionate to what
11 we lost from the PILOT.

12 MS. ULAJ: Thank you so much, and
13 thank you for all you're doing.

14 MR. TROMBLEE: Thank you.

15 MR. CONGDON: Thank you,
16 Assemblymember.

17 MS. LEVENBERG: I do think we got --
18 we were able to get you additional aid that was
19 significant over the last couple of years.

20 MR. TROMBLEE: Yes, yes. And both you
21 and Senator Harckham have been helpful with other
22 grant opportunities as well, and we have to go on
23 record for saying thank you for that.

24 MS. LEVENBERG: And we will continue
25 to fight. I am curious about --

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. KACZMAREK: Assemblymember?

3 MS. LEVENBERG: Yeah?

4 MR. KACZMAREK: Can you speak into
5 your mic, please?

6 MS. LEVENBERG: I forgot to introduce
7 myself, but you introduced me. Thanks, Tom. So just
8 to clarify about the tax cap, like the tax cap is for
9 the tax levy.

10 MR. TROMBLEE: Correct. Correct.

11 MS. LEVENBERG: So the pie itself
12 doesn't really change. I mean, the pie is the same
13 except for that the PILOT goes away, but
14 theoretically, what you're allowed to levy is that
15 amount, right, that you have been levying. You're
16 not going -- you're not exceeding that by more than
17 two percent if you're just trying to hold --

18 MR. TROMBLEE: Correct.

19 MS. LEVENBERG: -- it to whatever that
20 that included. That doesn't mean people's taxes
21 won't go up. I'm not saying that, but it you'd still
22 be able to maintain your whatever you had been
23 levying for that budget, which included the PILOT
24 payment without exceeding the cap.

25 MR. TROMBLEE: But as revenue on the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 other side of the budget goes down, we have to make
3 up that revenue some other way. So if we're losing
4 two million dollars a year from the cessation fund,
5 we have to make up that revenue somehow.

6 MS. LEVENBERG: Right, and I'm not
7 disagreeing with you. My only point is that you
8 wouldn't have to exceed the cap and get a two-thirds
9 majority necessarily. I'm not saying that it
10 wouldn't have an impact on taxpayers, because it
11 absolutely would.

12 MR. TROMBLEE: Correct. Right, right.

13 MS. LEVENBERG: That's all I'm saying.

14 MR. TROMBLEE: Each year the taxes
15 would increase.

16 MS. LEVENBERG: Yes.

17 MR. TROMBLEE: Correct. Correct.

18 MS. LEVENBERG: Okay.

19 MR. TROMBLEE: The tax base would
20 increase.

21 MS. LEVENBERG: Okay. Thank you.

22 MR. TROMBLEE: Thank you. As easy as
23 the tax cap is to figure out. Correct?

24 MS. LEVENBERG: Yes. Thanks.

25 MR. CONGDON: That's a good point.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MS. LEVENBERG: The good news, we have
3 been studying that foundation aid formula, and they
4 came out with some of the proposals already, and some
5 of which look like there would be some potential help
6 for school districts like Hen Hud, you know, to make
7 it easier to level off changes that happen over time
8 with reserve funds and things of that nature. So
9 just want to throw that out.

10 MR. TROMBLEE: So yes. The
11 Rockefeller Center was tasked with studying the
12 foundation aid. It did issue its 314-page report on
13 Monday. I have not had a chance to read it in its
14 entirety, and we do know that the recommendations by
15 the Rockefeller Center could be rejected or accepted.

16 MR. CONGDON: Thank you very much. At
17 this time, I'd like to call Frank up for an update
18 from Holtec.

19 MS. KNICKERBOCKER: Tom, could I just
20 make a comment in reference?

21 MR. CONGDON: To go ahead.

22 MS. KNICKERBOCKER: So Superintendent,
23 I extremely feel your pain. The Village of Buchanan
24 was another -- is a community that was severely
25 affected by the closure. We lost 50 percent of our

1 12/5/2024 - Indian Point Decommissioning Oversight
2 revenue. It's been challenging. It's been
3 difficult. So my ask is to our elected officials in
4 the state. How can you help us?

5 I know we had a very brief
6 conversation one day, but I'd like to delve further
7 into that. I know the superintendent kind of touched
8 on the spent fuel rods that are there, zero tax.
9 There is a much -- I mentioned once before. It's
10 difficult to get this moving in in the Congress and
11 in the Senate, but yes, the Stranded Act, I've
12 mentioned it before. It is wrong for any community
13 throughout this country to have to store this spent
14 fuel, and the property there is unusable until that
15 gets off of the property, and I have been in
16 conversation with Congressman Mike Lawler. He has
17 been very supportive. We're working forward with
18 that.

19 Also, there's other communities
20 throughout the country that are dealing with this.
21 One I could mention off the top of my head is Zion,
22 Illinois. So there's several communities throughout
23 the country that are dealing with this. The federal
24 government should be reimbursing these communities.
25 So I would ask for your support to work together with

1 12/5/2024 - Indian Point Decommissioning Oversight
2 us so that if we can see if we can get this, make
3 this happen, and also on the state level if there are
4 any grants or any programs that the Village of
5 Buchanan, the school district, you know, some of us
6 have been affected very badly. So through no fault
7 of our own, the plant closed, and here we are dealing
8 with the fallout, so to speak.

9 MR. CONGDON: Mayor, thank you so much
10 for raising the Stranded Act. That is something the
11 DOB has discussed repeatedly over our years of
12 existence, as something that makes a lot of policy
13 sense, given that it is the federal government's
14 failure to have a permanent repository for the waste
15 that has caused us to have it here.

16 One quick question for clarification,
17 because several times it's been mentioned that the
18 spent fuel rods aren't taxed. There was a state law
19 passed that gives the local jurisdictions the
20 authority to tax it, and my understanding is that all
21 of the taxing jurisdictions now do have a PILOT with
22 Holtec. Is the PILOT, payment in lieu of taxes, not
23 reflecting the local government's authority to tax
24 those properties?

25 MS. KNICKERBOCKER: So what happened

1 12/5/2024 - Indian Point Decommissioning Oversight
2 with that, that was Buchanan that spearheaded that
3 law, and Sandy Galef was very instrumental in getting
4 that passed; Pete Harckham, very instrumental. As a
5 matter of fact, New Year's Eve, Pete Harckham is on
6 the phone with me. See what kind of life I have? On
7 the phone with me, Theresa, I think he's going to
8 sign it. It was Governor Cuomo at the time. So what
9 we've seen, we have been able to negotiate with
10 Holtec, but it really gave us a basis of what the
11 value of that -- those spent fuel casks were. ^^

12 When we get into the spent fuel, the
13 reason why this came to mind is, with that law, is
14 because each one of those casks are worth
15 approximately a million dollars. So you have \$127
16 million of -- the way we looked at it -- of houses,
17 million-dollar houses sitting there. So that's how
18 we kind of evaluated what it was worth, but I think
19 the biggest thing is the federal government, who is
20 responsible for the depository, for them to think
21 that they can store this throughout the country and
22 not have to pay to do these communities.

23 So for example, Frank is over there.
24 Frank knows every couple of years the nuclear power
25 plants will sue the federal government, the DOE, to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Superintendent Tromblee. One more?

3 MR. TROMBLEE: Yes.

4 MR. CONGDON: Okay.

5 MR. TROMBLEE: I just wanted to have a
6 follow-up with accurate data. I didn't want to go on
7 the record without having that. So the Holtec PILOT
8 that was negotiated between the school district and
9 other municipalities that will see us receiving for
10 we -- it's a PILOT that ends in 2029. We received
11 four million dollars last year. We'll receive four
12 million dollars this year. The next year we'll
13 receive -- in '25-'26, we'll receive 3.5 million.
14 Then in '26-'27, we'll receive approximately three
15 million. In '27-'28, we'll receive 2.5 million, and
16 in '28-'29, we'll receive 2 million.

17 MR. CONGDON: Thank you for that
18 additional information. And Frank, welcome.

19 MR. SPAGNUOLO: Thank you. Good
20 evening, everybody. Frank Spagnuolo, I'm the site VP
21 at Indian Point. What we're going to talk about
22 today, the next slide on the agenda. What work we've
23 completed since our last DOB in June. One notable
24 change to the plan, we'll talk briefly about the
25 reactor vessel segmentation, what work activities

1 12/5/2024 - Indian Point Decommissioning Oversight
2 will start in 2025, NRC updates, the tabletop
3 exercise, which Cliff started to talk about. We'll
4 go over an overview of the partial site release
5 process. We'll talk about an ISO filing that we
6 submitted in August, and finally safety.

7 So we'll start with the vessel seg
8 activity since the last DOB. So there is one notable
9 schedule change. We did transition the reactor
10 vessel segmentation from Unit 3 to Unit 2. We did
11 have a equipment failure in the cavity that we're
12 right now waiting on parts. We'll repair that. So
13 we took the opportunity to move the team over to Unit
14 2, and as you can see in the lower picture, lower
15 left -- lower right, we pulled the upper internals on
16 Unit 2 and we started segmenting that. We should be
17 able -- we should be completing that work and then
18 moving back over to Unit 3 to complete the work, and
19 that'll be in early next year.

20 So as I was talking about early next
21 year, we expect by the end of January to be complete
22 with what we're calling Phase 1 of the upper
23 internals. That's where we're harvesting all the
24 type A waste. It's a high level of rad waste, but
25 it's the lowest high level. So BC would be higher

1 12/5/2024 - Indian Point Decommissioning Oversight
2 and then greater than class C is the highest,
3 that's -- and then fuel. And then once that's
4 complete, we'll move over back over to Unit 3. We'll
5 complete the segmentation of the remaining greater
6 than class C material of the lower internals. That
7 should be complete by February. Then we'll cask all
8 the greater than class C material, and we relocate it
9 to the ISFSI pad. That should be in May, and then
10 the last part that we'll have to do in Unit 3 is go
11 back and just invert and segment package the bottom
12 internal head, and that'll be a type A and type B
13 waste. And that should be complete including demo by
14 July, and then we'll move back over to Unit 2 and
15 start harvesting BC waste on the upper internals.
16 And then we'll work on the lower internals and
17 continue that project throughout the year.

18 For Unit 1 activities, since last DOB,
19 we did complete removal of all the RCS loops.
20 Commence segmentation of the 11 steam boiler drum.
21 That's what you see on the top row of pictures. The
22 first one is the drum intact, and then the next few
23 are of us segmenting them, and then also we're
24 setting up an abatement tent for 13 boiler. As I've
25 stated previously, everything in Unit 1 was asbestos

1 12/5/2024 - Indian Point Decommissioning Oversight
2 insulation. So we'd have to do an asbestos
3 abatement.

4 That tent is in progress. Once that's
5 done, we'll complete the -- we'll do a complete
6 abatement of 13 boiler and then do the same thing,
7 and we'll work on 11, and we'll just go around the
8 loop, 12, 13, 14. That'll be all throughout next
9 year.

10 So for early next year, we'll complete
11 the abatement of 13 boiler, and then we'll start the
12 abatement on 11 lower drum. A little change, we did
13 the upper drum. It was the first one. We really
14 needed to see what it looked like underneath the
15 insulation to come up with our plan. So now we know,
16 and now we'll be able to -- we'll follow our plan
17 going right around.

18 This year, we also would like to
19 remove the Unit 1 head, and that's the picture you
20 see, the black and white pictures. The first picture
21 up there is a legacy picture of what the Unit 1 head
22 looked like when it was in the stand, and the lower
23 picture is what it looks like now mounted on the
24 reactor. We'll cut the studs, pull the head, and the
25 reason we need to do that is we need a better -- we

1 12/5/2024 - Indian Point Decommissioning Oversight
2 need more dose information, characterization data to
3 know how we're going to package the Unit 1 vessel.

4 MR. CONGDON: Package it for eventual
5 shipment?

6 MR. SPAGNUOLO: Eventual shipment.
7 Yeah. I mean, we had -- yeah. So I mean, there's
8 several different ways, you know, that we can segment
9 the vessel or ship it whole. It's a small vessel.
10 It is possible to be shipped whole.

11 MR. CONGDON: Depending on the dose.

12 MR. SPAGNUOLO: Depending on what's
13 inside the vessel. That's right.

14 MR. CONGDON: Yeah.

15 MR. SPAGNUOLO: So the other thing
16 we're working on is the Unit 3 spent fuel pool. As
17 I've discussed earlier, the Unit 2 spent fuel pool
18 racks are removed and shipped. Unit 3, we did clean
19 the racks, surveyed them, cleaned them. They were
20 all removed and shipped off site, and right now,
21 we're in the process of cleaning up and vacuuming the
22 bottom of the pool. We'll remove any material that
23 we find down there, package that up, and then the
24 Unit 2, Unit 3 spent fuel pool will be basically
25 sitting until we're ready to do a dismantlement of

1 12/5/2024 - Indian Point Decommissioning Oversight
2 that pool, and the pictures you see here are
3 basically of us pulling the racks and shipping them
4 off site.

5 For conventional plant demo, so we're
6 working on one of our -- several of our buildings at
7 the same time. One of them is called the Power
8 Conversion Equipment Building. It's just a building
9 with a lot of electronics in it, transformers, and
10 switchgear. We've basically gutted the internal
11 components of that building, ready to demo next year.
12 As Kelly stated, we're continuing to work on MOSF
13 tank removal. We've removed seven tanks recently,
14 and we'll just continue that throughout next year,
15 and that process will go. There's several
16 underground storage tanks that we'll continue to
17 remove.

18 For the Unit 2 feedwater heater
19 removals, those feedwater heaters are prepped for
20 removal and the protected area access facility, if
21 anybody's been through the site, it's the command
22 post.

23 That has been gutted, and we'll take
24 that building down. You can see some of the
25 pictures. The top picture, there is a laydown area

1 12/5/2024 - Indian Point Decommissioning Oversight
2 on the southern property. Those are circ water pumps
3 and feedwater heaters and circ water pump motors, and
4 you can see one traveling screen. The picture on the
5 upper right is one of the traveling screens that was
6 being removed from the intake structure. The bottom
7 left is one of the underground storage tanks that was
8 removed. That was the security diesel tank, and the
9 picture on the bottom right is one of the circ water
10 pumps that's being removed from the intake structure.

11 So what we're going to work on in
12 2025, early 2025, is to remove the command post, the
13 path structure. Next slide, Tom, which is the second
14 picture on the upper right. Then we'll remove the
15 Unit 2 security building, which is our old command
16 post, which is the picture on the upper left. The
17 Unit 3 security building, which is on the lower
18 right, and the Unit 3 PCE building, which is on the
19 lower left.

20 And then we're also doing preparations
21 for old steam generator dismantlement. So during the
22 '80s and '90s and 2000, we replaced all eight
23 original steam generators. They're all stored
24 onsite, and we will come up with a plan to start
25 segmenting those and shipping them off site. So

1 12/5/2024 - Indian Point Decommissioning Oversight
2 that's the work we've completed, the work we're going
3 to do in 2025, start of 2025.

4 For the NRC inspections, as Cliff
5 stated, there's the second quarter report is the last
6 report that was issued on August 6th, and they had no
7 violations. The third quarter report should be
8 issued at any moment. We don't expect anything in
9 that, as well.

10 For the inspections, they're as
11 listed. So the NRC was on site in July, August,
12 September, and November, and they were doing their
13 inspections as well as hosting the Taiwan regulator.
14 Basically, the Taiwan NRC was here to support that,
15 and they've completed all of these inspections
16 without any issues.

17 And then the last one was the solid
18 waste management. Some of the pictures there are
19 about solid waste management. The first one, the
20 upper left, is the rail system on Unit 1. That's how
21 we're getting all the equipment out of Unit 1 and
22 into the -- Unit 1, and then we package it and ship
23 it. Picture on the upper right is another floor, the
24 fuel handling floor, where we package everything, and
25 the bottom picture is at the rail yard in

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Connecticut.

3 So the emergency planning table top
4 exercise was held on November 13th. Cliff talked
5 about it. It really just demonstrated the ability of
6 IPEC to perform adequately during a postulated event,
7 including all the members from New York State,
8 Westchester, Rockland, Verplanck Fire, and New York
9 State Police. It focused on the ISFSI emergency
10 classification levels. This is our first drill with
11 the fuel on pad protected, with the ISFSI pad as the
12 only protected area. The ISFSI emergency action
13 levels, the ISFSI-only emergency plan overview, made
14 sure we could do timely and accurate notifications
15 and develop appropriate mitigating actions and
16 obviously, perform effective communications. There
17 was open dialogue amongst all the parties, and we
18 have learning opportunities. This is an annual
19 requirement to do these drills, and we'll be ready
20 for next year's drill.

21 Okay. So the next one here is an
22 overview of how we're going to release the property,
23 eventually. Right now, the schedule shows 2041 that
24 we'll be in partial site release. So partial site
25 release, as everyone has stated, includes everything

1 12/5/2024 - Indian Point Decommissioning Oversight
2 except the ISFSI pad. So on that drawing up there,
3 it shows parcels A, B, and D. They're all part of
4 our license basis, license document. So they'll all
5 require Code of Federal Regulations 5083 release
6 process. So in order to release any piece of
7 property, we can release property early. That was
8 the whole point to what we're doing. We're looking
9 into how we're going to do this. We have never done
10 this before, so we wanted to see what we're going to
11 do in order to try to release property, especially on
12 the southern end that may be able to be reused early,
13 earlier than 2041.

14 So in order to release part of a
15 facility or site for unrestricted use, which is our
16 requirement, our commitment, at any time before
17 receiving approval for a full license termination
18 plan, you have to make sure that the following --
19 that the effect of releasing the property to ensure
20 the dose of the individual members is less than the
21 part 20 limit, which is our normal limit. There is
22 no impact to emergency planning, physical security,
23 effluent releases, or siting criteria for part 100,
24 which is our accident criteria. We have to update
25 the environmental monitoring program, off-site dose

1 12/5/2024 - Indian Point Decommissioning Oversight
2 if sufficient energy would be available to support a
3 potential data center at the site of where the
4 training building is, and that's what this picture
5 is, is the training building, and you can see in the
6 upper right corner that's the switchyard. So the
7 vicinity of the switchyard to the training building
8 is close, and there's also a 345 kV power line that
9 goes right through the property.

10 So we thought if there was any power,
11 this would be a good source where we're going to
12 actually start redeveloping the area. So the inquiry
13 is part of a future business development efforts
14 that's aimed at reusing the property. Currently, we
15 have no offer. We're not working with any outside
16 Amazon, Microsoft, nobody for a data center or
17 anything. We're just looking to see what's out there
18 and what the availability is.

19 Okay. So in order to do this, we have
20 to follow the 5083 process. In order to follow 5083
21 process, we have to do samples. We have to drill
22 wells. We have to do core samples. So we did that.
23 We did. I can't remember exactly how many samples,
24 and in July, we performed surface soil sampling on
25 the property around the training building, and one

1 12/5/2024 - Indian Point Decommissioning Oversight
2 soil sample was found to contain elevated cesium-137
3 concentrations as compared to the rest of the soil
4 samples and background. So the area was not
5 identified as an area of concern that we did not
6 expect to see any cesium or any radioactive
7 components there at all.

8 The information, we did take this. We
9 entered it into our corrective action program. We're
10 doing what we call an apparent cause evaluation, and
11 we're in the process of developing a sample plan to
12 fully characterize the extent of the condition. So
13 upon completion of the characterization, the soil
14 will be removed, consistent with the requirements of
15 5083, and we'll keep you informed as we go through
16 the steps, and we're going to expand our scope of
17 what we're looking at, but it's going to take some
18 time.

19 Ultimately, it's slightly above
20 background, but we can't say it's not due to a
21 natural cause, okay, such as runoff or something like
22 that. So there's much more to come on that. We are
23 in the process of doing it. It's part of our
24 characterization, and we've discussed it with the
25 DEC, and it may become an area of concern if we or it

1 12/5/2024 - Indian Point Decommissioning Oversight
2 may follow the Morrison process. Right. So there's
3 just different processes, but I kind of want to show
4 you the process actually works. The 5083 remedial
5 investigation work plan, the process works, and it
6 will catch anything that's around the entire site,
7 and this is outside the site. Everybody can see the
8 training building from Broadway.

9 And the last slide is the workforce
10 safety update. We did have one first aid since our
11 last DOB, and that was two individuals were
12 attempting to move a bottle by hand and up a 24-inch
13 step, and one of them slipped and banged their knee.
14 Nothing more than first aid was required. And the
15 dose there is listed up to the end of the third
16 quarter, and we're below goal for the year.

17 And that concludes my report, pending
18 questions.

19 MR. CONGDON: Thank you, Frank. Any
20 questions for Frank?

21 MR. BECKER: Yes.

22 MR. CONGDON: Supervisor Becker.

23 MR. BECKER: Thank you. Thank you for
24 this report, a lot of information in there that we
25 need to digest. Taking the second to last topic

1 12/5/2024 - Indian Point Decommissioning Oversight
2 first, that the cesium was found. Can you
3 quantitate? I mean, you know, is it just a little
4 cesium, a small, a tiny little, you know, thing
5 because you said it could even be just come from the
6 environment, or is it a huge amount of cesium?

7 MR. SPAGNUOLO: No, it's not a huge
8 amount. I mean, it's very -- it's confined to a
9 small area behind the training building where we
10 don't know where it came from. We'll be honest with
11 you. When we did these samples, this is our first
12 attempt at a 5083. So part of the survey analysis
13 that we did is we went out into, I think, five or six
14 parks in the area and took soil samples for our
15 background study. Then we did probably forty or so
16 soil samples around the entire training building from
17 the parking lot all the way out to Broadway, and one
18 of them came back with an elevated level above
19 background.

20 MR. BECKER: Is this something that
21 would be stored on site in canisters, or how would it
22 be disposed of?

23 MR. SPAGNUOLO: When we remediate it?

24 MR. BECKER: Yeah.

25 MR. SPAGNUOLO: It would be disposed

1 12/5/2024 - Indian Point Decommissioning Oversight
2 of. We'll just drum it up. It's not, depending on
3 how much soil we see. I mean, we have to do a lot
4 more samples and understand what the extent is, and
5 then we'll document that. We'll come up with our
6 plan, and then we'll remove it. We'll ship it.

7 MR. BECKER: Okay. Thank you. And
8 the only other comment I have is about what you
9 discussed. It sounds like you're investigating the
10 possibility for future companies that are involved in
11 AI to come in, and their huge data storage centers
12 and store data usage centers that require tons of
13 energy. So you're looking to partner, perhaps, with
14 a company that would require this, and then you would
15 generate more power on the site --

16 MR. SPAGNUOLO: No.

17 MR. BECKER: -- as a future use.

18 MR. SPAGNUOLO: No. That's why we
19 requested from NYISO if there's 200 megawatts of
20 power available on the grid now. No power coming
21 from the --

22 MR. BECKER: So you're willing to --
23 you're interested in pulling from the grid but not
24 doing something like Microsoft did where they rebuilt
25 the plant, or planning to rebuild the plant to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 generate that.

3 MR. SPAGNUOLO: No, that's not the
4 plan.

5 MR. BECKER: Okay. Thank you for
6 clarifying.

7 MR. SPAGNUOLO: No problem.

8 MS. KNICKERBOCKER: Frank. Theresa
9 Knickerbocker, Village of Buchanan mayor. Frank, I
10 am happy to see that the company is looking at a
11 certain parcel, perhaps. No promises, no guarantees,
12 but you know, you're starting the process of the site
13 characterization to see the viability of potentially
14 releasing that, and that would be welcome news for
15 development, not only for the Village of Buchanan,
16 but the school district and also the town, all the
17 local communities. So but thank you that the site
18 characterization on that piece of property is being
19 looked at. How many acres -- is that parcel D?

20 MR. SPAGNUOLO: About 21 -- well, it
21 would be a portion of parcel B. Parcel B includes
22 the warehouse and a bigger parcel. If you go back to
23 the picture. That showed the different parcels.
24 This is a small part of parcel B, there are parts of
25 parcel B that we wouldn't be able to release because

1 12/5/2024 - Indian Point Decommissioning Oversight
2 it's still in use, right, but the training
3 building --

4 MS. KNICKERBOCKER: That has no use.

5 MR. SPAGNUOLO: We have no use for it.
6 We can take the building down tomorrow and reuse it,
7 but this is the process that we would follow.
8 There's is a caveat. The 5083 process is basically a
9 license amendment type. So it's a one year or more
10 review by the NRC. So these things do not happen
11 very quick, and if it's an area of concern that we're
12 releasing, that's a couple year process to get
13 through that whole remedial investigation. So that's
14 why we're trying to -- we picked the parcel we
15 thought would be the easiest and learn how to do it.
16 It's one of our objectives as well.

17 MS. KNICKERBOCKER: And it would, just
18 like you said, the remediation of the C 137. Was it?

19 MR. SPAGNUOLO: The cesium, yeah.

20 MS. KNICKERBOCKER: Thank you, Frank.

21 MR. CONGDON: Superintendent?

22 MR. TROMBLEE: Yes. Michael Tromblee,
23 again, Hendrick Hudson Central School District.
24 Frank, just if you can keep us in the loop about the
25 authorization to energize the grid and pull that much

1 12/5/2024 - Indian Point Decommissioning Oversight
2 power because as part of the New York State mandate
3 by 2035, I believe we have to have our entire bus
4 fleet on electric vehicles, and we also have to
5 conduct ongoing assessments of the grid to see if we
6 can power that. So if we can just stay in contact
7 about.

8 MR. SPAGNUOLO: You better get in
9 ISO's queue. It's pretty long.

10 MR. CONGDON: I believe our technical
11 expert, Dave Lochbaum (phonetic), has a question
12 online.

13 MR. LOCHBAUM: Yeah. This is Dave
14 Lochbaum.

15 MR. CONGDON: I appreciate it.

16 MR. LOCHBAUM: Thanks, Frank for the
17 update. I just want to confirm something. My
18 understanding, the discovery of the cesium-137 would
19 have been found under the 5083 process, independent
20 of the potential data center development; is that
21 correct?

22 MR. SPAGNUOLO: Correct. We're in the
23 5083 process.

24 MR. LOCHBAUM: Right. Thank you,
25 Frank.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. CONGDON: Richard Webster.

3 MR. WEBSTER: Yeah. I have a few
4 questions, Frank. So first of all, according to my
5 Googling, cesium has a half-life of about thirty
6 years, right? So this isn't historic contamination.
7 I mean, it's occurred within the lifetime of the
8 plant.

9 MR. SPAGNUOLO: Yeah. I mean, we've
10 only -- yeah, I agree.

11 MR. WEBSTER: And the REMP program
12 didn't find anything?

13 MR. SPAGNUOLO: The levels that we're
14 seeing are so low, our detectors on site can't see
15 them. These are all specialized detectors that are
16 reading just above background. So that's a vendor
17 that we bring in with specialized equipment that can
18 read rad levels this low.

19 MR. WEBSTER: Do you have a multiple
20 of background that it is?

21 MR. SPAGNUOLO: Excuse me.

22 MR. WEBSTER: You have a multiple of
23 background?

24 MR. SPAGNUOLO: The number?

25 MR. CONGDON: How much higher than

1 12/5/2024 - Indian Point Decommissioning Oversight
2 background, is that the question?

3 MR. SPAGNUOLO: About four times
4 higher. So roughly background in our area that we
5 saw was anywhere from .23 picocuries per gram to .58
6 picocuries per gram, and we're about 22 picocuries
7 per gram, and that's our preliminary results. So
8 that's our internal lab. We have to send it to a
9 certified lab. So those are preliminary results.

10 MR. WEBSTER: Oh, thanks for that. I
11 mean, just as an editorial, it's never good when you
12 find --

13 MR. SPAGNUOLO: I agree.

14 MR. WEBSTER: -- radioactive materials
15 that you don't expect to be there, and you know,
16 cesium is something that the reactor generates while
17 it's working, right? So you know, if you're going to
18 look around for where did the cesium come from? One
19 of the primary candidates would be the former
20 operating reactor, correct?

21 MR. SPAGNUOLO: Correct. Yeah.
22 Cesium is a fission product.

23 MR. WEBSTER: So on the 5083 process,
24 how does that interface? Is the 10 CFR part 20 limit
25 the 25 millirems per year?

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. SPAGNUOLO: Excuse me?

3 MR. WEBSTER: Yeah, that's good. Let
4 me. Yeah, okay. Sorry.

5 Is the 10 CFR part 20 limit the 25
6 millirems per year?

7 MR. SPAGNUOLO: No.

8 MR. WEBSTER: Okay. What is that
9 limit?

10 MR. SPAGNUOLO: I don't have that
11 number.

12 MR. CONGDON: What's the question?

13 MR. WEBSTER: Well, in other words, my
14 understanding is the federal limit for site release
15 is 25 millirems per year.

16 MR. SPAGNUOLO: Uh-huh.

17 MR. WEBSTER: The JP has a limit of
18 ten millirems per year.

19 MR. SPAGNUOLO: Right.

20 MR. WEBSTER: And I want to understand
21 how those two numbers interact.

22 MR. SPAGNUOLO: I don't have that
23 answer right now, but the ten millirem limit is not a
24 not a code of federal regulation number.

25 MR. WEBSTER: No, that's right. It's

1 12/5/2024 - Indian Point Decommissioning Oversight
2 in the -- but it is a legally binding number.

3 MR. SPAGNUOLO: I'm not saying it's
4 not.

5 MR. SIPOS: Yeah. It's in the joint
6 proposal. It was agreed to by all the parties in the
7 PSC proceeding: Riverkeeper, all the local
8 governmental entities, Holtec, Entergy. So that is
9 the standard.

10 MR. SPAGNUOLO: But what I'm saying is
11 the Code of Federal Regulations is the law for the
12 U.S. So that's the requirement for 5083. Part of
13 our settlement agreement, joint proposal, has us go
14 to ten or more. I'm not disagreeing with you. I'm
15 telling you what the federal law is, not what our
16 agreement was. You understand?

17 MR. WEBSTER: No. Right. I
18 understand that, but what I'm trying to say is, when
19 do you take account of the limit in the JP?

20 MR. SPAGNUOLO: Again, I didn't break
21 out all the definitions from the joint proposal, I
22 just figured I'd stick to the code.

23 MR. CONGDON: I think maybe I can ask
24 the question a different way, Richard. If you
25 acknowledge that finding cesium in this location will

1 12/5/2024 - Indian Point Decommissioning Oversight
2 require further site investigation and remediation,
3 and when it is remediated, that the remediation will
4 have to meet the JP standard of ten millirem?

5 MR. SPAGNUOLO: Correct.

6 MR. CONGDON: Is that the question?

7 MR. WEBSTER: Yeah, I mean, I just --

8 MR. SIPOS: And the answer was yes,
9 right?

10 MR. SPAGNUOLO: Yes.

11 MR. SIPOS: Thank you.

12 MR. SPAGNUOLO: Correct.

13 MR. WEBSTER: This -- I'm just --

14 MR. CONGDON: Hold on one second, just
15 on this point. Kelly wants to jump in, as well.

16 MS. TURTURRO: So in addition, we have
17 the DEC consent order. As Frank mentioned that the
18 area is currently not an AOC, an area of concern, but
19 DEC has been informed of this information. We've
20 asked for additional information, and we're looking
21 at it to determine whether or not it becomes an area
22 of concern which then the DEC consent order would
23 apply the ten millirem standard, and that's exactly
24 why we have the consent order, for circumstances like
25 this, as they're remediating the site, things that

1 12/5/2024 - Indian Point Decommissioning Oversight
2 come up, that nobody knew about, we can then put them
3 into the consent order and require the remediation of
4 the site.

5 MR. WEBSTER: Right. Thank you.

6 MS. SPEAR: Susan Spear. My
7 recollection of when we were negotiating the JP was
8 that number was based on the DEC standard in the
9 consent order.

10 MR. CONGDON: DEC consent order.

11 MS. SPEAR: Yeah.

12 MR. SIPOS: And it was the level that
13 was agreed to?

14 MR. WEBSTER: Right. I'm glad we all
15 agree on that. This is great.

16 So final thing, and this is just a
17 query from me because I don't -- you said you were
18 segmenting greater than class C, and so what's
19 actually what is the material, and do you have to --
20 I mean, it just surprised me. I thought most of the
21 reactor internals are not class C or greater than
22 class C.

23 MR. SPAGNUOLO: So the highest levels
24 of radioactivity or anything in the what we call the
25 belt line region where the fuel was. So the core

1 12/5/2024 - Indian Point Decommissioning Oversight
2 itself, the lower core, the area around where the
3 fuel was, is irradiated. So it becomes greater than
4 class C. It's the most highly, highly radioactive
5 waste on site next to the fuel.

6 MR. WEBSTER: Okay. So it is part of
7 the -- it is part of the reactor vessel.

8 MR. SPAGNUOLO: Correct. Oh, yeah.
9 No, that's all we're doing is working on the reactor
10 vessels right now.

11 MR. WEBSTER: All right. Great.
12 Well, thanks. Thanks, Frank. That's all I have.

13 MR. CONGDON: Any other questions?
14 Seeing none. Oh, I'm sorry. Legislator.

15 MS. ULAJ: Thank you so much.
16 Emiliana Ulaj. Can you speak to how many staff are
17 on site working? Have there been any changes in the
18 last quarter?

19 MR. SPAGNUOLO: Yes. So the latest
20 numbers, I ran December 2nd. We have 280 full-time
21 employees. In August we had 315. We did have a
22 layoff of around thirty-five people right around
23 Labor Day when a couple of projects ended up, spent
24 fuel pool work, rack work, reactor head segmentation,
25 and this kind of sets us up for next year for the

1 12/5/2024 - Indian Point Decommissioning Oversight
2 work that I've already briefed us on. So the crews
3 that we have here are the crews that we plan on doing
4 the work that we laid out for 2025.

5 MS. ULAJ: So you expect the staffing
6 levels to stay at 280 for 2025?

7 MR. SPAGNUOLO: I'm not going to
8 guarantee anything, but that's what my plan is.

9 MS. ULAJ: Thank you. Are there any
10 subcontractors who work on site over the last year,
11 and do you expect others for 2025?

12 MR. SPAGNUOLO: A majority of the
13 people, the 280 are subcontractors. The HDI, HSI,
14 Holtec International is probably less than 100. I
15 don't know the number off the top of my head.

16 MS. ULAJ: Can you speak to any major
17 fund dispersions from the decommissioning trust fund
18 in the last quarter that we should be aware of?

19 MR. SPAGNUOLO: None that I know of.

20 MS. ULAJ: Okay. Thank you.

21 MR. CONGDON: Thank you. Any other
22 questions? Okay.

23 Tom Kaczmarek, I'd like to move on to
24 the public statement portion of the meeting.

25 MR. KACZMAREK: Absolutely. Thank

1 12/5/2024 - Indian Point Decommissioning Oversight
2 you, and before I provide my general intro here, if
3 there happens to be -- apologies. If Jocelyn
4 DeCresenzo is on the line, please just use the raise
5 hand function so we can find you. You'll be the
6 first speaker tonight if you're on the line.
7 Following that, we will have Rachel Davis.

8 So today's public statement period is
9 thirty minutes in duration. Attendees will be called
10 on in the order in which they registered, starting
11 with those participating virtually. To provide a
12 fair opportunity to speak, there will be a strict
13 three-minute time limit. Your line will be unmuted,
14 for those joining virtually, when it is your turn to
15 speak. Just please confirm before you do begin
16 speaking that your microphone is unmuted.

17 Speakers will be cut off if they do
18 exceed that three-minute time limit. So please do
19 pay attention to the time. I will provide updates.
20 You can see on, at least in the screen here, a
21 three-minute timer. I'll remind you when there's
22 thirty seconds remaining. So please do not exceed
23 that time limit.

24 Again, our first speaker is Jocelyn
25 DeCresenzo on the line. All right. You've been

1 12/5/2024 - Indian Point Decommissioning Oversight
2 unmuted. I apologize, you've been asked to unmute.
3 You have to accept.

4 MS. DECRESENZO: Yes. Yes, this is
5 Jocelyn. I thank you so much for the opportunity. I
6 would ask permission to speak a little bit later,
7 maybe in about twenty minutes or half an hour,
8 because I need time to digest all of the information
9 that I've just subsequently learned tonight that I
10 didn't know about. So if I could have the
11 opportunity to speak in a little bit, I would really
12 appreciate that.

13 MR. KACZMAREK: We can accommodate
14 that.

15 MS. DECRESENZO: Okay. Thank you so
16 much. Thank you.

17 MR. KACZMAREK: Next is Rachel Davis.

18 MS. DAVIS: Yes. Can you hear me?

19 MR. KACZMAREK: Yes, we can.

20 MS. DAVIS: Excellent. Yeah. So my
21 name is Rachel. I am the public policy and justice
22 organizer for New Jersey-based Waterspirit, a
23 spiritual ecology nonprofit. I speak today with deep
24 respect for the sacredness of water and the land
25 which we share, particularly here in New Jersey, and

1 12/5/2024 - Indian Point Decommissioning Oversight
2 as all the waterways connect to New York, as we
3 navigate the future of energy, I'm just speaking in
4 solidarity with indigenous communities and those
5 affected directly by nuclear power in the aftermath,
6 and the Earth and calling for protection of our
7 sacred resources, especially water.

8 I actually spent many of my summers at
9 Blue Rill Day Camp in Monsey, New York in Rockland
10 County, and I really appreciate tonight's
11 presentation. I'd like to ask for further clarity
12 regarding the industry groups and regulated
13 communities mentioned as the drivers for revising
14 water withdrawal regulations. So I'd like if you
15 could specify who they are.

16 Water is not just a commodity. It's a
17 spirit and a force that sustains all life. We really
18 cannot allow any technology, regardless of its size,
19 especially as these, you know, the media is kind of
20 doing a frenzy on AI and how nuclear should be
21 powering it, to continue consuming and contaminating
22 this vital resource. Specifically, again, with
23 respect to AI or hydrogen hubs, it really presents a
24 really grave threat to our water systems, which are
25 already extremely in extreme, dire situations.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 As we heard tonight, nuclear energy
3 requires vast amounts of water to cool reactors, that
4 often take from already stressed rivers, lakes, and
5 aquifers, and even those small scale reactors as they
6 might come up risk leaks, thermal pollution, and
7 accidents. Through our precious water resources,
8 many are also located on or near indigenous lands,
9 which perpetuate a history of exploitation. We must
10 not allow this cycle to continue. Our responsibility
11 really is to protect these lands and waters for
12 future generations, not to expose them to further
13 risk.

14 So I just want to recognize that we're
15 looking for leadership to ensure it's time for us to
16 turn down the -- you know, turn towards sustainable,
17 water conserving and truly renewable energy
18 alternatives, really understanding that water is
19 life, and we are not going to get any more of it. So
20 technologies that respect all life and recognize our
21 deep inner connection with the Earth are -- it should
22 be prioritized now for a just and stable, livable
23 future.

24 I urge this board to reject the
25 revival of nuclear energy in any form. Really, I'm

1 12/5/2024 - Indian Point Decommissioning Oversight
2 happy to speak further about stranded assets. I've
3 been working in this field for almost twenty years,
4 and to prioritize solutions that honor our sacred
5 resources. So you know, we want to make sure that
6 all life is honored, and I'm happy to again share
7 comments in writing. This is our first opportunity
8 to speak before this board, but there's of course,
9 growing interest from New Jersey in what's going on
10 in New York with respect to nuclear. Thank you.

11 MR. KACZMAREK: Thank you, Ms. Davis.
12 Next, we'll move to in-person. James Rogulski,
13 followed by Susan Shapiro, and Tina Volz-Bongar.
14 Again, just a reminder of the three-minute timer.
15 Please keep an eye on the screen, and I'll provide an
16 update at thirty seconds, if it appears it's
17 necessary. Mr. Rogulski?

18 MR. ROGULSKI: Test. Esteemed members
19 of the Indian Point Power Plant decommissioning
20 oversight board. Hello, again. My name is James
21 Rogulski. I'm the president of the Hendrick Hudson
22 Education Association, the teachers' union serving
23 the Hendrick Hudson School District.

24 This may be a bit redundant.
25 Following Superintendent Tromblee, but I encourage my

1 12/5/2024 - Indian Point Decommissioning Oversight
2 students to advocate, and I believe in leading by
3 example. During the last meeting of this panel, I
4 spoke about the impending fiscal difficulties facing
5 the school system. Students, my members, taxpayers,
6 and other employees of the District, since that
7 meeting, no further plans to mitigate these issues
8 has been initiated by this board, New York State, or
9 the federal government.

10 This is preposterous, considering the
11 dire acuteness of the situation for the Hendrick
12 Hudson School District and the taxpayers that support
13 it. Let's be clear; this situation is unique because
14 nowhere in the US is there a recently defunct nuclear
15 power plant sitting on land in one of the most
16 expensive, densely populated areas in the United
17 States. As of now, the school district faces what is
18 forecast, as Mr. Tromblee said, approximately four
19 million dollar shortfall for next school year. This
20 means the District, which provides excellent and
21 competitive service to the entire community, and
22 there are a few places in the world more competitive
23 than Westchester County, must begin the process of
24 making cuts to program and staffing while
25 concurrently raising taxes. This situation will only

1 12/5/2024 - Indian Point Decommissioning Oversight
2 compound year over year as the math is simple and
3 brutal. The PILOT provided Indian Points' PILOT
4 provided about thirty percent of the school's budget.
5 In today's dollars, that's not twenty-two million
6 dollars. That's thirty million dollars.

7 The cessation fund gave the District
8 sixty million dollars. That money is about to run
9 out in a couple of years, and frankly, it's not
10 enough. It equates to just two to three years of
11 Indian Point revenue, and if it remains the only
12 cushion for the community, it will not appropriately
13 shield the District from either serious tax
14 increases, cuts to program, or most likely and
15 unfortunately, both. This short timeline will prove
16 disruptive to the schools in the community. Holtec's
17 PILOT is just a fraction of what Entergy's was.

18 So the District's current educational
19 offerings, the District has projected to keep the
20 current educational offering. The District has
21 projected that taxes, with no further help, are going
22 to need to increase about thirty percent over the
23 next five years. In this inflationary environment,
24 taxpayers will not cast the supermajority vote of
25 sixty percent to have their taxes raised by close to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 double digits year after year.

3 The fiscal cliff Hendrick Hudson faces
4 is completely ridiculous and viciously ironic,
5 considering the exponentially growing largesse of
6 Holtec's decommissioning fund, which has now
7 surpassed two billion dollars. A fraction of that
8 fund, which grows with the stock market, would easily
9 correct this glaring, disturbing oversight by New
10 York State and federal government.

11 MR. KACZMAREK: Mr. Rogulski,
12 you're --

13 MR. ROGULSKI: Yeah, I am -- give me
14 two seconds. Thank you, Tom. I understand the NRC
15 does not allow for this, but they should be lobbied
16 to change their policy. I do want to thank
17 Superintendent Tromblee, Senator Harckham, online
18 Assemblywoman Levenberg, Legislator Ulaj, former
19 Assemblywoman Galef, Supervisor Becker, and Mayor
20 Knickerbocker for their fastidious and ferocious
21 advocacy.

22 I will be in touch with all of you and
23 will help you in garnering help for the Hendrick
24 Hudson School District as best as I can. Thank you
25 for listening.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. KACZMAREK: Thank you. Ms. Shapiro?
3 Followed by Tina Volz-Bongar and Jacqueline
4 Drechsler.

5 MS. SHAPIRO: Thank you. Good to see
6 you tonight. There are some questions that I would
7 like to ask that were brought up in this discussion
8 today. The onsite inspector said that you're
9 discharging radioactive effluent into the Hudson
10 River. I understand that's against the law. Why is
11 that not being enforced? Why? I'd like to have a
12 conversation about that. When do you think the draft
13 SPDES permit is to be expected? When we'll be ready
14 for the public to make comments? These are some of
15 my questions, and I'm really concerned as to why the
16 school district has to pay for monitoring. Holtec
17 should be paying for the monitoring. I don't
18 understand why that's coming out of the school
19 district's budget, and that's something the State
20 should fix. It's Holtec's responsibility to pay for
21 that monitoring. And I also agree with the mayor
22 that the federal government should be paying for the
23 storage of the spent fuel, but really, Holtec should
24 be paying for the storage of the spent fuel. They're
25 getting money from the federal government to store

1 12/5/2024 - Indian Point Decommissioning Oversight
2 the spent fuel. They're getting that benefit. They
3 should then pay the taxes to the town, and I don't
4 understand why that's not happening.

5 Now, getting to the cesium issue that
6 was recently discovered. No one mentioned when that
7 was discovered. I'd like to know how long ago that
8 was discovered. This is very similar to when the
9 cesium was accidentally found along the edges of
10 spent fuel pool 2, and when they finally started
11 investigating, they found it was throughout the site,
12 that there were cesium leaks. We know this is a
13 fractured bedrock site. Cesium that was from the
14 reactor operations has leaked into the ground there.

15 You're talking about releasing that
16 particular building to the public. It's now
17 surrounded, at least it has some cesium nearby. It
18 has a full investigation by the DEC and by everybody
19 needs to take place to understand the extent of the
20 cesium and how the cleanup is going to happen,
21 because what we do know is that the cesium and the
22 tritium and the other effluent in the ground was left
23 in the ground by the NRC. It's still there, and it's
24 still leaking. That's something that was not
25 discussed today as to how that's going to be

1 12/5/2024 - Indian Point Decommissioning Oversight
2 So thank you for your time, but I do think that, you
3 know, these issues really need to be resolved, and we
4 just go around and around and nothing gets resolved.
5 So I really ask what's happening with the tritium?
6 Thank you.

7 MR. KACZMAREK: Thank you. Ms.
8 Volz-Bongar?

9 MS. VOLZ-BONGAR: Yes. Hi. Thank you
10 for letting me speak. So Richard Webster, we brought
11 this up in our meeting with Victoria (phonetic) is
12 that we would really like an education about what's
13 happening with the water and the spent fuel pool.
14 The 450,000 people who don't want the tritium dumped
15 in the Hudson, I don't think they want any more
16 radionuclides going in there, and just as Susan said,
17 it would be great to know how that's going to be
18 remediated.

19 I want to direct my questions now to
20 Susan Spear, and this is about the tabletop exercise
21 that went on. You know, two years ago, I did the
22 community advocate presentation on the pipeline and
23 Indian Point. So I'm really concerned about this,
24 and the first question I have is when you did this
25 tabletop exercise, did you look at the integrity

1 12/5/2024 - Indian Point Decommissioning Oversight
2 management system of Enbridge's that was highlighted
3 by the National Safety Board in the accident that
4 happened in Kentucky when somebody was incinerated?
5 Actually, two people were killed, and if there were
6 that kind of accident next to the ISFSI pad or
7 anywhere near that, it's of huge concern. So I have
8 that question, and that was something that I asked
9 DPS to look into, and I never heard any follow-up on.

10 And then I want to point out our
11 expert Rick Kuprewicz. When he came to speak to the
12 board he wanted us to look at the smart pigging
13 systems and how those are run, especially in the
14 pipes next to the ISFSI pad and those. So I'm
15 wondering when the last one was done and when the
16 next one will be done? And are there comparisons on
17 that, especially around corrosion because of salt and
18 you know, whatever, but it's especially, you know, on
19 the site and the pipelines that are running on the
20 site and taking this big equipment and everything.
21 So do you have any answers to those questions?

22 MR. CONGDON: As we've done in
23 previous meetings, we take all of these questions and
24 we'll respond in writing to them when we can have
25 access to all of our experts. So we will, absolutely

1 12/5/2024 - Indian Point Decommissioning Oversight
2 took the notes for Susan's questions and yours, and
3 we will get you answers before the next meeting.

4 MS. VOLZ-BONGAR: Okay. Great. And
5 so the reason that when my community advocate
6 presentation was done, Mr. Congdon, and I just never
7 received any kind of answer about whether or not you
8 were going to take those standards that were put out
9 there in Enbridge's Integrity Management system. The
10 way that an emergency is reported among its workers
11 and the system that they have in place, and this
12 changed regulations of PHMSA. Okay. So this is
13 important stuff here with the pipeline.

14 MR. KACZMAREK: Ms. Volz-Bongar, we're
15 over time.

16 MS. VOLZ-BONGAR: Yeah, I'm sure we
17 are. So we just really need to know these critical
18 things from Enbridge, right, in looking and
19 evaluating the emergency planning.

20 MR. CONGDON: Your questions have been
21 noted and will be answered. Thank you.

22 MS. VOLZ-BONGAR: Thank you.

23 MR. KACZMAREK: Ms. Drechsler,
24 followed by Pamela Hudson, and then we'll return to
25 Ms. DeCresenzo.

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MS. DRECHSLER: Hi. Thanks for this.

3 Whoa. Thanks for this opportunity to speak. There
4 have been so many things mentioned tonight that I
5 want to pivot to all of that, but I'm actually going
6 to stick with what I thought of for tonight. So in
7 2020, Pilgrim plant in Massachusetts workers received
8 unplanned intakes of radioactive material. It was a
9 level 4 violation with no fines. In 2022, Pilgrim
10 plant, a fire was discovered by a worker in a room
11 that was posted as a contamination area in a high
12 radiation area. Holtec did not issue a Hot Work
13 Permit for portable halogen lamp. NRC said it was
14 not willful or repetitive, therefore it was a
15 noncited violation.

16 August 2023, whistleblower letter,
17 Pilgrim again, on the use of evaporators, immersion
18 heaters, Holtec directed staff to boil away the
19 tritiated water volume in the spent fuel pools. This
20 prompted our local Indian Point advocates to request
21 an inspection at Indian Point to make sure that they
22 were not using heaters to boil away the tritiated
23 water. Mr. Congdon arranged for an inspection, and
24 we were told that they currently were not using this
25 at Indian Point. However, Holtec can do this at any

1 12/5/2024 - Indian Point Decommissioning Oversight
2 time that they want to, but we do thank you, Mr.
3 Congdon.

4 September 2023, Holtec was caught
5 transporting radioactive waste to machinery from
6 their Oyster Creek station in New Jersey to Indian
7 Point in New York, in violation of DOT regulations.
8 Workers were exposed to radioactive waste
9 contamination. Holtec admitted to less than adequate
10 oversight and risk determination.

11 Pilgrim plant, March 2023. Oh, excuse
12 me. In June of 2024, regarding Pilgrim plant, there
13 was an article by Christine Legere about an anonymous
14 letter with a worker who was exposed to enough
15 radiation to set off radiation detection monitors for
16 weeks. Patrick O'Brien (phonetic) of Holtec said
17 that the dose did not exceed allowed exposure limits.
18 Neil Sheehan of the NRC said, we do not have evidence
19 of workers at the site experiencing overexposure.

20 Then in 2023, Adam Snyder, a worker at
21 the Pilgrim plant, got sick and filed a complaint.
22 Mr. Snyder was told by his doctors that his illness,
23 radiation sickness, required medicines that people on
24 chemotherapy take to control nausea. Holtec tried to
25 have this complaint dismissed, but Mr. Snyder's

1 12/5/2024 - Indian Point Decommissioning Oversight
2 attorney prevailed and showed through documentation
3 that both Mr. Snyder and another coworker --

4 MR. KACZMAREK: 30 seconds.

5 MS. DRECHSLER: -- who developed
6 symptoms of the same at the same time and had to have
7 part of his tongue and esophagus removed, got sick
8 from their work. Well, I will just end with that.
9 David Lochbaum said, NRC inspectors in recent years
10 have identified radiation protection violations at
11 Pilgrim and at Indian Point. If valid, the
12 allegations represent true threats to worker safety.
13 There's so much more I'd like to say here, but I
14 think my last words here are going to be that there
15 needs to be inspectors who live on site, wherever
16 Holtec is because I know, and I'm waiting for you to
17 realize that Holtec is a dangerous company. I care
18 about the workers, and I care about their safety, and
19 there have been way too many violations. Thank you.

20 MR. KACZMAREK: Ms. Hudson.

21 MS. HUDSON: I just need for what I
22 want to say today. This is some information that I'm
23 hoping that the board will access, and especially in
24 relation to what Jackie just said. Also, anybody
25 that works at the plant and is an employee of a

1 12/5/2024 - Indian Point Decommissioning Oversight
2 Holtec. Okay. I'm ready to begin. Oh, I'm sorry,
3 I'm not really. Can I get my time back? I really
4 didn't start my message yet.

5 MR. CONGDON: It's okay. We'll let
6 you go twenty seconds.

7 MS. HUDSON: All right. Okay. So
8 three things compelled me to speak tonight. Number
9 one, I recently learned about the workers employed by
10 Holtec at the Pilgrim plant, which it was very
11 obviously a clear case of extreme harms, of egregious
12 on site exposure to radiation in the course of their
13 duties. Like most people, I was horrified by what
14 happened. Second reason I'm here, nuclear activism
15 runs in my family. My sister's late father-in-law
16 was Dr. Herbert L. Abrams, an innovative pioneer and
17 expert of nuclear medicine, a Nobel Prize winning
18 founder of International Doctors Against Nuclear War,
19 and a charter member of Physicians for Social
20 Responsibility. This is a member of my family. He
21 was the first expert I saw interviewed on TV
22 immediately after the Three Mile Island accident on
23 March 29th, 1979. As head of nuclear medicine at
24 both Harvard and Stanford medical schools and an
25 expert in radioactive epidemiology, he was our go-to

1 12/5/2024 - Indian Point Decommissioning Oversight
2 and everybody else's go-to guy for all things
3 radioactive.

4 And my third reason, Hoppy (phonetic),
5 as he was known to us, is no longer here. He died.
6 Because of that, for reason number one, the workers
7 who were harmed, I decided I needed to personally
8 carry Hoppy's message whenever and wherever possible,
9 and back to this video. I want you to watch Cinema
10 Forum Fukushima. It's Dr. Abrams. It was one of
11 Hoppy's last lectures on the effects of low, low
12 level, high levels of ionizing radiation just three
13 years before he died at the age of 95. Please watch
14 this, because the genius of it is, is that in just
15 twenty-three minutes, Hoppy clearly explains
16 incontrovertibly all you need to know about the
17 topic, and it is this: There is no known safe level
18 of exposure to so-called low level ionizing
19 radiation. This is from a guy who knows better than
20 just about anybody, anyone in this room, me included,
21 what radiation does to human beings. Forget about
22 safe, allowable levels of exposure. There is no such
23 thing.

24 Finally, parties motivated by profit
25 will try whenever possible --

1 12/5/2024 - Indian Point Decommissioning Oversight

2 MR. KACZMAREK: 30 seconds.

3 MS. HUDSON: Oh, good. I'll actually
4 finish.

5 -- to ignore this for the sake of
6 their bottom line. A close look at almost every
7 single nuclear incident will bear this out. This
8 story from the workers at Holtec bears it out. We
9 need eternal vigilance to stop these incidents from
10 happening in the first place, and we cannot count on
11 the industry to do this. I'm going to end with a
12 quote from Hoppy's almost last lecture. "Life is not
13 one damn thing after another. It is the same damn
14 thing over and over and over again." It is our job
15 to see that this decommissioning of this plant for
16 these workers is not one of those damn things.

17 MR. KACZMAREK: Thank you. Ms.
18 DeCresenzo.

19 MS. DECRESENZO: Yes. Can you hear
20 me?

21 MR. KACZMAREK: Yes, we can.

22 MS. DECRESENZO: Okay. Great. I
23 actually would like to applaud every single public
24 speaker tonight. I think everything that people said
25 was so relevant and so purposeful and full of meaning

1 12/5/2024 - Indian Point Decommissioning Oversight
2 and care and concern for our fellow human beings, for
3 our environment, and for the Hudson River, and I'm
4 really suspicious of this new water permitting kind
5 of thing for anything that comes to be on the site.
6 That has me very, very, very concerned.

7 I would think that, first of all, I
8 don't know what Holtec is packaging and transporting
9 to different places. I'd like to know if their
10 packaging is really safe and secure, what their
11 transportation routes are, what types of vehicles and
12 equipment is being used for that, and do the towns
13 and villages know when those things are coming
14 through, and what preparations are made in case there
15 is some sort of horrible accident? That's one of the
16 things I want to know. If they're transporting them
17 someplace, is it with the permission of the people
18 where it's being transported to?

19 And I'd like to know if it is being
20 transported and reused somewhere else for something
21 else. Are they getting paid for it? Just like they
22 pay themselves for their thin-walled, cheap,
23 practically disposable casks that are used for the
24 spent fuel rods. So there are a number of things
25 that lead me to believe over and over and over again,

1 12/5/2024 - Indian Point Decommissioning Oversight
2 speakers. As a reminder, and if we could pull this
3 up on the screen, there are other ways to comment,
4 and there will be -- they're available on our
5 website, but as you can see on your screen here,
6 there's always an opportunity to comment, even if
7 you're not able to at one of our meetings. With
8 that, also a reminder about our website, plenty of
9 information on there. Anything else further, Tom?

10 MR. CONGDON: There's nothing further.
11 Although if you go back a slide, I do want people to
12 take full advantage of the website. There's a wealth
13 of information there, including all of our past
14 answers to the questions asked at public statement
15 hearings like these, and we will endeavor to answer
16 the questions posed tonight, as well, before our next
17 meeting, which will be in the spring, date to be
18 determined. With that, the meeting is adjourned.
19 Thank you all very much.

20 (Meeting concluded at 8:18 p.m.)

21

22

23

24

25

1 12/5/2024 - Indian Point Decommissioning Oversight

2 STATE OF NEW YORK

3 I, NATASHA FONDREN, do hereby certify that the
4 foregoing was reported by me, in the cause, at the
5 time and place, as stated in the caption hereto, at
6 Page 1 hereof; that the foregoing typewritten
7 transcription consisting of pages 1 through 115, is a
8 true record of all proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 8th day of December,
11 2024.

12

13 NATASHA FONDREN, Reporter

14

15

16

17

18

19

20

21

22

23

24

25