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

October 25, 2022

VIA EMAIL

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

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

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, the September 22, 2022 Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board Meeting transcript. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

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

1 9/22/2022 - Indian Point Closure Oversight - 21-01188

2 STATE OF NEW YORK

3 DEPARTMENT OF PUBLIC SERVICE

4

5 21-0118 - In the Matter of the Indian Point

6 Closure Task Force and Indian Point

7 Decommissioning Oversight Board.

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9

PUBLIC MEETING

10

DATE: September 22, 2022 at 6:02 p.m.

11

VENUE: Zoom

12

BEFORE: CHAIRMAN TOM CONGDON

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Reported by Howard Hubbard

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2 (The meeting commenced at 6:02 p.m.)

3 CHAIR CONGDON: All right folks, I
4 think we're going to get started. Good evening and
5 welcome to tonight's joint meeting of the Indian
6 Point Closure Task Force and the Decommissioning
7 Oversight Board.

8 I want to thank Supervisor Becker for
9 hosting and I want to thank all of you in the
10 community both here in person and online for your
11 continued engagement in our important work. I also
12 want to thank our federal partners, I know Geri
13 Shapiro from Senator Schumer's office is with us
14 virtually, thank you, Geri.

15 We have representatives as well from
16 neighboring towns. I want to welcome Supervisor
17 Levenberg from Ossining. And I'm sure there others
18 as well, so thank you all for your engagement. Next
19 slide, please.

20 So just to go over a few logistics,
21 number one and most important issue for the
22 panelists, speak into the mic and please introduce
23 yourself when you speak so folks know who you are.
24 And following that rule, this is Tom Congdon. I am
25 the Chair of the Indian Point Closure Task Force and

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2 Chair of the Decommissioning Oversight Board.

3 I'm also the Executive Deputy at the
4 Department of Public Service. Also important for the
5 virtual panelists, just know that you are muted upon
6 entry, so if you -- you'd like to speak you'll need
7 to unmute yourself. The public forum will begin
8 immediately after our emergency preparedness
9 presentations.

10 So those of you who had submitted
11 questions on that topic for the July meeting's public
12 forum, we will be getting to those questions today
13 time permitting. But that's the number one priority
14 for the forum. Staff will unmute participants when
15 it's your turn to speak, so if -- if you're lined up
16 having submitted some questions, we'll call you to --
17 to your mic if you're participating virtually, or to
18 the mic here in the room at the podium and our
19 administrative law judge will -- will take your
20 questions.

21 And also just a note to please reserve
22 the chat feature for reporting technical issues,
23 that's what it's left on for. To the extent that
24 there are substantive questions submitted through the
25 chat, we will as always endeavor to answer those

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2 before the next meeting.

3 Next slide, please. And I'd like to
4 quickly go through roll call. We have a number of
5 people here in person and several participating
6 virtually. So I'll start with State Rep, Senator
7 Pete Harckham.

8 BOARD MEMBER HARCKHAM: Here on Zoom.

9 CHAIR CONGDON: Thanks, Senator.
10 Assemblywoman Galef?

11 BOARD MEMBER GALEF: I'm here in
12 person.

13 CHAIR CONGDON: Thank you. From the
14 Department of Public Service our counsel, John Sipos?

15 BOARD MEMBER SIPOS: Here, good
16 evening.

17 CHAIR CONGDON: From the Department of
18 Environmental Conservation, Kelly Turturro?

19 BOARD MEMBER TURTURRO: Here.

20 CHAIR CONGDON: From the Department of
21 State, Mark Pattison, or is he represented by Mike
22 Morris, I believe. Mike Morris, are you on
23 virtually? Mike? Okay. Come back around. Mark
24 Massaroni from Department of Tax and Finance.

25 BOARD MEMBER MASSARONI: I'm here on

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2 Zoom.

3 CHAIR CONGDON: Thank you. Jennifer
4 Wacha from Division of Homeland Security and
5 Emergency Services?

6 BOARD MEMBER WACHA: Here.

7 CHAIR CONGDON: Thank you. Tom
8 Scaglione from E.S.D. Tom? Okay. Joe Leary from
9 NYPA?

10 BOARD MEMBER LEARY: Here on Zoom.

11 CHAIR CONGDON: Thank you. Alyse
12 Peterson from NYSERDA?

13 BOARD MEMBER PETERSON: Here.

14 CHAIR CONGDON: Thank you. David
15 Lochbaum our independent technical expert?

16 BOARD MEMBER LOCHBAUM: Remote, from
17 Chattanooga.

18 CHAIR CONGDON: Thank you, David. I
19 believe Richard Webster may be joining virtually, but
20 we also have Victoria Leung from Riverkeeper,
21 Victoria?

22 MS. LEUNG: Yes, here.

23 CHAIR CONGDON: Welcome. And Richard,
24 are you on virtually? Okay. And now for our local
25 reps, Supervisor Becker?

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2 BOARD MEMBER BECKER: Present.

3 CHAIR CONGDON: Thank you. I know
4 Mayor Knickerbocker was planning to attend virtually.
5 Mayor, are you with us?

6 BOARD MEMBER KNICKERBOCKER: Yes, here
7 on Zoom.

8 CHAIR CONGDON: Hi.

9 BOARD MEMBER KNICKERBOCKER: Hi.

10 CHAIR CONGDON: Susan Spear from
11 Westchester County?

12 BOARD MEMBER SPEAR: Here.

13 CHAIR CONGDON: Is Catherine Borgia
14 with us, Westchester County Legislator? And
15 Legislator Colin Smith? Okay. Superintendent of the
16 Hendrick Hudson School District, Joe Hochreiter?

17 BOARD MEMBER HOCHREITER: Here.

18 CHAIR CONGDON: Thank you. And now
19 our labor representatives. I know Lou Picani
20 couldn't be here tonight, but he's represented by Al
21 Liberatore? Al?

22 MR. LIBERATORE: Here.

23 CHAIR CONGDON: Hi, thank you. Is
24 Bill Smith with us? Okay. And I know Tom Carey
25 couldn't make it. So is there anyone present who I

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2 did not call on, we have staff with us as well. But
3 -- hi, we have some welcome -- we have a few
4 additional folks with us who will be on hand to
5 answer questions during the public forum.

6 So I'll just actually let them
7 introduce themselves. So start with Roberto Rosario.

8 MR. ROSARIO: I am Roberto Rosario
9 Chief of the Verplanck Fire Department.

10 CHAIR CONGDON: Thanks for being with
11 us. We have Rich Burroni.

12 MR. BURRONI: Rich Burroni from
13 Holtec.

14 CHAIR CONGDON: Thank you. And we
15 have staff from the D.P.S., Bridget?

16 MS. FRYMIRE: Bridget Frymire,
17 Department of Public Service.

18 CHAIR CONGDON: And our resident
19 inspector?

20 MR. CHAPIN: Cliff Chapin, State
21 Inspector.

22 CHAIR CONGDON: Thank you. From
23 Westchester County?

24 MR. DELBORGO: Dennis Delborgo,
25 Westchester County Emergency Services.

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2 CHAIR CONGDON: Thank you, Dennis.

3 Okay. So next slide, please. So as you can see,
4 we've got another full agenda and we are going to
5 endeavor to stay on schedule. So we made a decision
6 this time around to skip our normal updates from
7 Holtec and from the State agencies performing regular
8 oversight.

9 But Decommissioning Oversight Board
10 members did receive slide decks with updates from
11 both Holtec and the D.P.S. and other agency oversight
12 activities. And those slide decks are posted on our
13 website for the public to look at as well.

14 Notably, in the State updates, we
15 included confirmation of the minimum fund balances,
16 which was important for Assemblywomen Galef at the
17 last meeting, so we'll make that a regular check in.
18 But did you have a question?

19 BOARD MEMBER GALEF: Could I ask
20 because in the updates from Holtec --

21 CHAIR CONGDON: Yes.

22 BOARD MEMBER GALEF: -- about the
23 expenditures for Indian Point 1, you know, I don't
24 think there was -- I can understand spent fuel
25 management and I can do -- I can understand site

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2 restoration. But I'm a novice about license
3 termination and what that means because that's the
4 largest pot of money.

5 Like for Indian Point 1, it's 400, I
6 have different glasses on, 485 million. And for
7 Indian Point 2, it's 475 million, so that's 10
8 million less for a newer plant and I don't understand
9 that. And then it's 800 -- 583 million for Indian
10 Point 3.

11 So I think we need to have a
12 definition of what's that about, and -- and I did
13 look through the materials and maybe there was a
14 definition in there, I just didn't find one.

15 CHAIR CONGDON: Should we answer --
16 is there a way to answer that now Rich or John Sipos,
17 so do you want to chime in?

18 MR. BURRONI: I'll have to get back to
19 you on that.

20 CHAIR CONGDON: Okay.

21 BOARD MEMBER GALEF: All right. Just,
22 you know --

23 CHAIR CONGDON: More detail.

24 BOARD MEMBER GALEF: -- more detail --

25 CHAIR CONGDON: Got it.

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2 BOARD MEMBER GALEF: -- this - this
3 doesn't give enough.

4 CHAIR CONGDON: Okay.

5 BOARD MEMBER GALEF: And I want to
6 know -- I kind of want to know when you're talking
7 about license termination, if it involves, you know,
8 any of the other plants that Holtec owns, because I
9 don't know whether we're -- we're merging some of
10 that together.

11 CHAIR CONGDON: If it's a discussion
12 on the balance I would think it's only about the
13 Indian Point Trust Fund?

14 MR. BURRONI: Yeah, it wouldn't be any
15 other plant beside this one.

16 BOARD MEMBER GALEF: Okay. I'd like
17 that in writing.

18 MR. BURRONI: Sure.

19 CHAIR CONGDON: Okay. So as I said,
20 so we had those -- we're joined by Westchester County
21 Board of Legislature, Catherine Borgia. Thank you.
22 The rest of the agenda, today we're going to focus
23 more on emergency preparedness. We have had this on
24 the agenda for last two meetings. We've not gotten
25 to it.

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2 We're finally going to have that
3 presentation. And it's also timely that our
4 community guest speaker tonight Tina Volz-Bongar is
5 also interested in giving a presentation on community
6 concerns about emergency preparedness and response
7 plans.

8 And so we'll have those two
9 presentations followed by, as I said earlier, the
10 public forum dealing with emergency preparedness
11 questions that we received at the previous public
12 forum, but didn't have time to get to.

13 Following the public forum, we will
14 then have an update from the monitoring working group
15 that's been working on developing monitoring plan,
16 focused on the school community but also taking into
17 account the larger community as well, so we'll give
18 an update on where things stand there.

19 And then we'll -- then we'll adjourn,
20 so next step -- next slide, please. So with that, I
21 am going to now turn it over to Jennifer Wacha from
22 the Division of Homeland Security and Emergency
23 Services to walk us through some slides and get the
24 discussion started on emergency preparedness.

25 But before I -- before I do turn to

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2 her, I want to also just acknowledge that this is a
3 joint meeting of the Task Force and the
4 Decommissioning Oversight Board. We've not had a lot
5 of business for the Task Force. We did file, as per
6 the statute our annual report, so that's been
7 finalized. It's just updates on all of our
8 activities.

9 We know that the cessation fund is
10 working as it was intended and making funds available
11 to the taxing jurisdictions as they start to incur
12 the loss of PILOT revenue from Indian Point, so
13 that's working as intended.

14 But other than those activities, I
15 wanted to ask members if they had any other questions
16 or updates on Task Force type related activities
17 before we jump into the rest of the agenda.

18 BOARD MEMBER HOCHREITER: Yeah, just
19 briefly if I may, it's --

20 CHAIR CONGDON: Okay.

21 BOARD MEMBER HOCHREITER: -- it's more
22 of a -- thank you to our State elected officials,
23 certainly Sandy Galef to my right and Senator Pete
24 Harckham. They've been instrumental in ensuring that
25 the school district receives its entitle -- its full

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2 entitlement to the cessation fund that has really
3 closed the gap for our school district and our
4 taxpayers.

5 Certainly, our financial projections
6 are much more palatable today because of their work
7 and the work of this committee and our chairperson to
8 make sure those funds are there. Recently, about a
9 month ago, we secured an additional 1 million dollars
10 of State aid to offset any future tax spikes because
11 of the closure of Indian Point.

12 So I want to thank the work of this
13 committee and certainly, Senator Harckham and
14 Assemblywoman Galef.

15 CHAIR CONGDON: Terrific news. Any
16 other updates or questions on the agenda before we --
17 go ahead.

18 BOARD MEMBER GALEF: I'm sorry.
19 Because this is a -- also a Task Force meeting, there
20 was 15 million allocated when the plant was closed --

21 CHAIR CONGDON: Yes.

22 BOARD MEMBER GALEF: -- to go to
23 certain organizations and groups. Do we know whether
24 that money has been allocated and spent or are we
25 still in limbo with allocation of funds?

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2 CHAIR CONGDON: We are making progress
3 on a number of the projects, money has been spent for
4 -- for example, the -- the labor training project
5 that went to the Teamsters and that's something where
6 I actually want to come and take a tour of that --.

7 MR. LIBERATORE: It's working out
8 well.

9 CHAIR CONGDON: That's terrific.

10 MR. LIBERATORE: We have members
11 training on it already.

12 CHAIR CONGDON: Excellent. So the
13 whole point of that remember, was to train Teamsters
14 members on getting their commercial driver's license
15 so that they could be available for additional work.
16 So that's -- that's good. We've got the Historic
17 Hudson Valley grant that went out and that work is
18 underway is my understanding.

19 The sewer project, there's been a lot
20 of discussions and a lot of meetings between the town
21 and the village to work out inter municipal
22 agreements. I think that work is ongoing, but
23 probably a good topic to catch up on maybe at the
24 next meeting in December to get status on where
25 things stand on that.

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2 And then, of course, we have the
3 500,000 dollars that's earmarked for the monitoring
4 program that we'll be discussing later on in this
5 meeting. And then there was the money that was made
6 available for the ongoing Hudson River studies and
7 that's been all executed -- all the contracts
8 executed and work is continued for the studies,
9 right?

10 BOARD MEMBER TURTURRO: Correct.

11 CHAIR CONGDON: Yeah. But perhaps it
12 would be worthwhile to go deeper dive into these
13 projects at the December meeting?

14 BOARD MEMBER GALEF: Okay.

15 CHAIR CONGDON: Okay?

16 BOARD MEMBER GALEF: Sounds like a
17 good idea.

18 CHAIR CONGDON: Okay, good. Okay.
19 Any other Task Force or questions on the agenda,
20 okay. Jennifer -- with that, welcome, Jennifer Wacha
21 from Division of Homeland Security and Emergency
22 Services.

23 BOARD MEMBER WACHA: Thank you. And
24 thank you for the opportunity to present to the
25 members of the Board and to the community on this

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2 evening on emergency preparedness, management, and
3 response, on behalf of my local, my county, and my
4 State preparedness partners.

5 Collaborating partners in this
6 presentation include Holtec, Enbridge, Verplanck Fire
7 District, Westchester County Department of Emergency
8 Services and New York State agencies, including
9 Departments of Public Service, Health, Environmental
10 Conservation, and New York State Energy Research and
11 Development Authority.

12 I'd also like to note that it is my
13 sincere privilege to work with all of these partners
14 to build and sustain a preparedness for a wide
15 spectrum of potential emergencies including as
16 relates to the Indian Point site.

17 Next slide. Several topical areas
18 will be covered over the course of this presentation,
19 commencing with an overview of emergency operations
20 planning, and concluding with considerations on how
21 the risk is changing at this location.

22 Next slide. First an overview of
23 emergency planning. An emergency operations plan is
24 an organization's or a community's plan for
25 responding to a variety of potential hazards. Plans

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2 are developed to be flexible and adaptable for
3 responding entities to react proportionately to the
4 actual situation or the circumstances.

5 E.O.P.s are often comprised of a base
6 plan and further elaborated on with functional and
7 hazard specific annexes. The base plan and
8 supporting documents are determined by the community
9 or facility based on risk and vulnerability and
10 developed to guide implementation of emergency
11 functions such as sheltering and hazard-specific
12 responses, such as hazardous materials or hurricanes.

13 Plan types range in content and detail
14 from the strategic which is the highest level of
15 framework guiding response activities to the
16 operational which describes roles, responsibilities,
17 tasks, integration requirements, and actions of an
18 organization or jurisdiction during actual or
19 potential incidents.

20 And lastly, tactical which focus on
21 managing resources such as personnel and equipment
22 that play a role in any given incidents. Relating to
23 this site specifically and to the immediate area more
24 generally, fire departments have standard operating
25 guides to guide their tactical response activities

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2 such as fire suppression.

3 Holtec has operations plans and they
4 guide their on-site response for potential
5 radiological emergency. Westchester County has an
6 all hazards emergency operations plan and the
7 supporting Indian Point radiological emergency annex
8 and New York State has a comprehensive emergency
9 management plan with supporting radiological annex
10 for fixed nuclear power plant sites.

11 From these foundations, the actual
12 event shapes the requirements and which plans,
13 procedures, and guidelines are ultimately activated.
14 This is informed by the specific events risk profile,
15 as well as the scope and scale of the actual or the
16 potential impacts from what has occurred.

17 A car fire, a building fire, a
18 hazardous materials release, a potential radiological
19 emergency, each type requires different or scaled
20 decisions and actions to protect the public and
21 property.

22 Next slide. Emergency Response
23 Coordination begins during the preparedness phase. A
24 basic tenet of emergency preparedness is
25 understanding that emergencies start and end locally.

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2 This is a factor essential to the emergency planning
3 process. The consequences of any given event are
4 experienced by the site footprint or the local
5 community first.

6 Local agencies such as fire and law
7 enforcement will typically comprise the initial
8 response to protect lives and property and mitigate
9 the impacts. Expanding layers of support may include
10 the village, the town, the county, the State and/or
11 federal resources. And lastly, the community remains
12 when the response transitions back to create
13 emergency status or recovery efforts.

14 From this perspective and as
15 established by the FEMA planning guidance, emergency
16 operations plans are developed and maintained to
17 include the following elements. Identifying the
18 departments and agencies designated to perform
19 response and recovery activities and specifies the
20 tasks that they are expected to accomplish.

21 It outlines the integration of
22 assistance available to local jurisdictions during
23 disaster situations that generate emergency response
24 and recovery needs beyond what the jurisdiction can
25 satisfy. Procedures and systems that alert, notify,

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2 recall, and dispatch emergency response personnel,
3 processes and systems for warning and providing
4 information to the public.

5 Measures to protect residents or
6 community members and property. Processes to request
7 aid and/or support from other jurisdictions, the
8 State, and federal government. E.O.P.s provide
9 coordinating instructions for -- and provisions for
10 implementing mutual aid as applicable and describes
11 logistical support for planned operations.

12 When developing or updating emergency
13 operations plans, the emergency response partners are
14 identified and as relevant reflect potential layers
15 of assistance that may be requested or activated to
16 build capacity or capability. These range from local
17 counties, State, and federal organizations across
18 many disciplines.

19 For example, the Verplanck Fire
20 District has pre-planned Mutual Aid partners in the
21 surrounding area. Westchester County has developed
22 processes to coordinate additional fire suppression
23 resources from across various agencies within the
24 county.

25 And the State has a Mutual Aid plan to

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2 guide additional resource support from outside of the
3 county and across the State. Responding entities are
4 ultimately tailored to the nature of the incident and
5 framed by the specific scope of the event.

6 Holtec, Enbridge, Verplanck Fire,
7 Village of Buchanan Police, Westchester County
8 Police, Westchester Department of Emergency Services
9 and New York State agencies have developed plans,
10 procedures, and guidelines to -- for a range of
11 emergency response operations that may be scaled and
12 adapted to differing events.

13 Next slide. Framing this in the
14 context of an incident. An incident occurs and is
15 identified. This could be a vehicle accident, it
16 could be a building on fire, it could be a hazardous
17 material spill or a potential radiological incident.
18 The second block represents notification and response
19 to the incident.

20 The facility, a member of the public,
21 or the jurisdiction identifies the incident and
22 communicates it, for example as a call to 911 or is
23 reported by facility personnel. Procedures guide
24 notification and dispatch of response agencies based
25 on the reported nature of emergency.

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2 Agencies respond and revise resources
3 and coordination structure based on assessment of the
4 actual conditions or impacts. Events with focused
5 impacts may be handled via an on-site incident
6 command management, meaning a focused incident
7 coordination structure that is at or proximal to the
8 incident.

9 Events with wider impacts may also
10 activate or trigger the activation of additional
11 coordination and response structures including
12 Westchester County and the New York State emergency
13 operation centers. The third block here represents
14 what actions responding entities take to protect
15 people and property.

16 This includes measures include --
17 considered and implemented to mitigate or reduce
18 consequences. Activities to protect members of the
19 public include, but are not limited to, providing
20 warning, securing the area, sheltering individuals,
21 or implementing an evacuation and informing the
22 public.

23 While options are identified in
24 E.O.P.s, the actual actions taken will be coordinated
25 and tailored to the nature of the incident. And

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2 lastly, recovery. Recovery from an emergency may be
3 minimal or it may require a longer duration and/or
4 additional government and non-governmental resources
5 to return the community to a pre emergency status.

6 Next slide. As relates to the area of
7 Indian Point facility and as referenced earlier in
8 earlier slides, this list represents potential
9 emergency response entities. This is not an
10 exhaustive list, this is not a minimum list, but it's
11 useful illustration.

12 Holtec for the Indian Point sites,
13 Enbridge for the pipeline, local responders to
14 include, Verplanck Fire District, the village of
15 Buchanan Police Department, as well as the village of
16 Buchanan and the Town of Cortlandt governance.

17 Westchester County response entities
18 include, but are also not limited to county police,
19 the county Department of Emergency Services and the
20 county Department of Health. State response entities
21 could include the New York State Police, the
22 Department of Environmental Conservation, the
23 Division of Homeland Security and Emergency Services,
24 the Department of Health, the Department of Public
25 Service, and NYSERDA the State's Energy Research and

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2 Development Authority.

3 Federal response partners include, but
4 are not limited to the Nuclear Regulatory Commission
5 and the Federal Emergency Management Agency. Roles
6 and responsibilities of these entities range from
7 fire suppression, securing the incident scene,
8 providing technical support to inform decision
9 making, and coordinating multi agency and multi
10 jurisdictional response options.

11 While these essential emergency
12 response partners are identified here, activation of
13 specific entities are scaled to the incident
14 requirements such as the hazard, the consequences,
15 and the actions required to protect public and
16 property.

17 Next slide. How is the public alerted
18 to an actual or a potential emergency? Response
19 partners have a range of tools at their disposal to
20 maximize getting emergencies instructions and
21 information out to those that may be impacted by
22 differing emergency events.

23 Community members are encouraged to
24 sign up for notifications to maintain awareness,
25 irrespective of the event or the hazard type. Text,

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2 email, phone notification systems are hosted by
3 jurisdictions providing a platform for individuals to
4 specify how they'd like to be notified.

5 This is a list of what's currently
6 available, including Cortlandt, Buchanan, Westchester
7 Counties and New York alert signup initiatives.
8 Alert and warning tools range as well. The Emergency
9 Alert System or E.A.S., which when activated
10 broadcasts a tone in a message via radio and T.V.

11 May -- many may have familiarity with
12 this, for example, when the National Weather Service
13 issues tornado warning. Wireless emergency alerts or
14 W.E.A.s, these are the concise messages that open up
15 on cell phones targeted in a defined geographical
16 area.

17 Individuals may have experienced
18 receiving Amber Alerts issued by law enforcement or
19 severe weather warnings as issued by the National
20 Weather Service. Thirdly, the NOAA Weather Radio,
21 this is an alerting resource that's been available
22 for many years.

23 It's a targeted and -- and also is a
24 part of the -- a component of the Indian Point plan
25 targeted tone alerts, radios have been distributed as

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2 part of the preparedness activities. It's also
3 important to note here that the Indian -- there's the
4 Indian Point siren system.

5 These special sirens are specific to
6 the 10-mile emergency planning zone for Indian Point
7 and may be activated to alert the public. When
8 activated, these sirens have a continuous four minute
9 tone. This is a long high pitched siren and on
10 behalf of my colleagues not to be confused with the
11 fire department siren.

12 Sirens are a tool to alert the public
13 to tune into an E.A.S. station for more information
14 about an emergency at Indian Point. The Indian Point
15 siren system maintained by Holtec is tested
16 quarterly. Partners also coordinate and collaborate
17 to share information during emergencies.

18 We arrange addition -- additional
19 mediums to maximize getting the word out and getting
20 the instructions out. These include press
21 statements, press briefings, as well as leveraging
22 key social media platforms. Next slide. E.O.P.s and
23 emergency response in general are further supported
24 through training and exercise programs.

25 Training is offered broadly and

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2 tailored to specific disciplines or roles and
3 responsibilities to build and sustain responder
4 skills, knowledge, and abilities that may be required
5 during the response. For example, facility and/or
6 resource owners such as Holtec and Enbridge provide
7 training on site-specific hazards and response
8 considerations.

9 Fire and E.M.S. agencies conduct
10 training for personnel to develop hands-on skills and
11 knowledge of response procedures. The county and
12 State develop and conduct training for a range of
13 hazards and response activities, including the
14 capabilities and actions identified in the various
15 radiological emergency plans.

16 And additionally, FEMA is a vital
17 source of training on many preparedness functions
18 including emergency response planning and the
19 incident command system leveraged for managing
20 incidents. Exercises are simulations to test
21 emergency operations plans and to identify
22 improvements where necessary.

23 These range from communications and
24 system drills and facilitated discussions to
25 functional and full scale mock disasters. Exercises

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2 are planned and coordinated between emergency
3 responders depending upon incident type and scope of
4 the events.

5 Emergency scenarios are developed and
6 scaled to allow for demonstrating various or many
7 E.O.P. elements and radiological emergency
8 preparedness exercises are evaluated by State and
9 federal agencies with strict criteria provide -- they
10 provide an opportunity to identify and integrate best
11 practices.

12 A key to all exercise activities is to
13 evaluate decisions and actions, to identify
14 opportunities, to improve plans and procedures,
15 response resources, and potential training
16 requirements, all with the goal of furthering a
17 coordinated and effective response to the event being
18 demonstrated.

19 Next slide. Noted here is a list of
20 recently completed or upcoming preparedness
21 activities. New York State Office of Fire Prevention
22 and Control, Westchester Department of Emergency
23 Services, local fire departments, and E.M.S. agencies
24 met with Holtec to review response procedures and
25 clarify appropriate context in March of this year.

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2 Holtec also conducted sur -- security
3 drills in April. Full volume siren tests and
4 emergency route system tests are conducted quarterly,
5 including in May and August of this year. Holtec and
6 the Verplanck Fire District conducted an annual drill
7 in May. Enbridge Pipeline Safety and Incident
8 Response conducted a briefing for local and county
9 responders and Holtec in July.

10 An Enbridge Pipeline tabletop was
11 conducted earlier this month. The discussion based
12 exercise was facilitated by Enbridge and included
13 participation from Holtec, State, county, and
14 emergency responders in the area.

15 And in November of this year, there
16 will be an Indian Point radiological emergency
17 preparedness exercise, including participation from
18 Holtec, Westchester, Rockland, Putnam and Orange
19 Counties as well as New York State agency partners,
20 FEMA, and the N.R.C.

21 Next slide. Not the least partner in
22 preparedness, community members are essential
23 response partners. It is vital for individuals to
24 prepare themselves and their loved ones and this
25 includes learning about the hazards where they --

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2 where we live, where we work, and where we go to
3 school.

4 Staying informed and getting involved
5 as we are able. The four steps I feel -- as part of
6 my job compelled to note here, building an emergency
7 plan, building an emergency supplies kits, being
8 aware, including signing up for emergency
9 notifications, and getting involved before an
10 emergency where it will increase your ability to help
11 where it is needed.

12 To learn more about potential risks
13 you can prepare for, the following resources noted
14 here are recommended, FEMA's ready.gov which has an
15 amazing spectrum of resources. Westchester and New
16 York State sites also have general preparedness
17 information ranging from severe weather, storms,
18 flooding, and snow.

19 The Westchester site includes a
20 specific area on Indian Point safety where you can
21 identify if you live within the emergency planning
22 zone for Indian Point. You can access the Indian
23 Point emergency guide with preparedness and response
24 information and guidance.

25 These -- this specific resource is

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2 also mailed to community members within the 10-mile
3 emergency planning zone and this resource is also
4 available in Spanish. Additionally, the Holtec site
5 includes information to learn about preparing for a
6 potential emergency relative to their facility and
7 Enbridge with information relative to pipelines and
8 pipeline safety.

9 It was noted earlier, but more -- to
10 more specifically emphasize, we encourage community
11 members to sign up for notifications. Next slide.
12 At Indian Point the risk profile has changed
13 significantly and will continue to change. There was
14 a significant decrease once the fuel was completely
15 removed from the reactors in 2020 and 2021.

16 The risk continues to lessen as more
17 fuel is cooled and transferred to the dry cask
18 storage pad. Risk continues to decrease when all
19 fuel is in dry cask storage which Holtec projects for
20 the fourth quarter of 2023.

21 Proportionately emergency operations
22 plans and response requirements evolve with each new
23 phase of decommissioning. Evacuation relative to a
24 potential radiological event becomes increasingly
25 unlikely. As relates to the pipeline, in May of 2021

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2 New York State required enhanced mitigation measures
3 via the joint proposal with Holtec.

4 Additionally Holtec and Enbridge
5 signed an M.O.U. in April of 2022 to enhance
6 communications and pipeline crossing protocols with
7 Enbridge. Next slide. The Holtec fire protection
8 plan was submitted to New York State for review in
9 September of 2021.

10 New York State requested additional
11 information including details regarding Holtec's
12 preparedness for and responding to incidents
13 involving interstate pipeline, transmission --
14 transmission pipelines. Westchester Department of
15 Emergency Services and local fire departments also
16 commit -- commented on the fire protection plan.

17 New York State Office of Fire
18 Prevention and Control, Westchester Department of
19 Emergency Services, local fire departments and E.M.S.
20 agencies met with Holtec in March of 2022 to review
21 response procedures and clarify appropriate contacts.

22 Next slide. Holtec submitted an
23 exemption request and license amendment request to
24 the N.R.C. The submitted PDEP would decrease offsite
25 emergency planning activities based on reduced risk

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2 profile, including the elimination of site area
3 emergency and general emergency event
4 classifications.

5 It also proposes reducing the scope of
6 onsite -- offsite, excuse me, emergency planning.
7 New York State opposes changes to the permanently
8 defueled emergency plan until all fuel is on the pad.
9 The N.R.C.'s decision on Holtec exemption request is
10 anticipated in January of 2023 and public comments
11 may be sent directly to the N.R.C. as noted here.

12 Next slide. We conclude this briefing
13 with the following key takeaways. With Indian
14 Point's decommissioning the radiological risk and
15 potential for associated evacuation continue a steep
16 decline. Emergency response entities plan, train,
17 and exercise together for a spectrum of capabilities
18 and hazards.

19 The type of emergency and the actual
20 or potential impacts will inform the decisions and
21 actions taken. Public communications will be clear
22 and direct when needed. Emergency Preparedness guide
23 -- guidance is available to the public via multiple
24 mediums.

25 And lastly, New York State has and

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2 continues to advocate for Holtec and the N.R.C. to
3 maintain strong on-site emergency preparedness. I'd
4 like to thank my preparedness colleagues here with me
5 this evening and express our appreciation to the
6 members of the Board and the members of the community
7 to be able to present this evening. Thank you.

8 CHAIR CONGDON: Thank you very much.
9 Jennifer, that was a very thorough presentation and I
10 want to also extend thanks to the whole team that
11 contributed to that slide deck. I know members of
12 the D.O.B. understand there are going to be several
13 questions during the public forum that will be
14 applicable to what we just heard.

15 But do any D.O.B. members themselves
16 have any questions for the presenters? Yes. Could
17 you please speak into the mic, I'm sorry. County
18 Legislator Borgia, go ahead.

19 BOARD MEMBER BORGIA: Are you
20 coordinating with other local police departments
21 besides the Cortlandt Police, Cortlandt State Police
22 -- State and County Police excuse me. Just because I
23 -- I know that we get a lot of information on Nixle,
24 you know, every day you get, you know, every tree
25 that's down, seems like it's a very efficient way of

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2 communicating with people.

3 BOARD MEMBER WACHA: I wouldn't want
4 to speak on behalf of my Westchester partners other
5 than to acknowledge a long history of countywide
6 coordination and the various partners, obviously,
7 this area's very integrated, but I wouldn't be the
8 one to ask.

9 MS. GALEF: A quick question because I
10 live in the 10 mile radius, I've been getting a map
11 every year of where I should go and what I should do.
12 And we had signs up in the community as to where to
13 get the bus. Are all those things just thrown out in
14 this process?

15 CHAIR CONGDON: Thrown out --

16 MS. GALEF: I mean --

17 CHAIR CONGDON: -- in what process --?

18 MS. GALEF: -- in other words --

19 CHAIR CONGDON: Yeah.

20 MS. GALEF: -- we're going to take out
21 the signs for bus stops and we're going to get rid of
22 the maps and the schools that everybody goes to or
23 does go to. I mean, this is the practical thing, you
24 know, and maybe that's discussed later on. But --
25 but, you know, do we still do this?

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2 BOARD MEMBER WACHA: I am not aware of
3 there being widespread changes to the plans as they
4 stand now, but those would certainly be integrated
5 into the longer term conversations as the risk
6 profile continues to evolve.

7 CHAIR CONGDON: John, do you care to
8 answer?

9 BOARD MEMBER SIPOS: Sure. I -- I
10 would just amplify. I would expect that as time goes
11 by and as spent fuel is migrated from the plant and
12 as all -- and all ends up in the dry cask storage I
13 would imagine at some time, as Jennifer has said that
14 the risk profile will continue to decrease and get
15 smaller.

16 And there is likely going to be a time
17 where, you know, the potential for evacuation would
18 no longer be necessary when -- when the risk is as,
19 you know, close to zero as possible.

20 CHAIR CONGDON: Does the county want
21 to add anything, Susan?

22 BOARD MEMBER SPEAR: We would just
23 agree with that and I mean, as part of the review of
24 the PDEP and, you know, the State has made comments
25 and, you know ...

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2 CHAIR CONGDON: So in sum, there's not
3 a plan to throw it out, as -- and -- and there's not
4 a schedule to throw it out. But there's a
5 recognition that the decommissioning process will
6 reduce risk of the site. And as Jennifer presented,
7 there will likely be an evolution to the response
8 plans.

9 That being said, there is differences
10 in opinion on how fast the -- that evolution occurs,
11 right. So the license amendment is in, there's a
12 request to change it more rapidly than we would like
13 to see and I don't know if Rich, if you want to have
14 any further comment on this at this time.

15 MR. BURRONI: I -- I've mentioned this
16 before in other meetings, it's all dependent on the
17 Zirc fire window, right. We are post Zirc fire right
18 now, so we would not even at this point in time meet
19 the protective action guidelines that would require
20 evacuation or shelter in place. The PDEP further
21 allow us to modify our procedures.

22 So technically, we're still in -- we
23 still have a general emergency, E.A.L.
24 classification. We still have a site area emergency
25 classification. But from a science perspective,

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2 we're not going to even meet those points right now
3 and PDEP formalizes that in January.

4 CHAIR CONGDON: Okay.

5 MR. SIPOS: And -- and just -- if I
6 could take it one step further. You know, we do have
7 a -- we had a facility in the State of New York that
8 was at one point on its way towards licensure. That
9 licensure did not ultimately come to fruition. One
10 reason it did not come to fruition was there was
11 concerns about the feasibility of the emergency
12 evacuation plan.

13 But that facility did not commercially
14 operate. The fuel has been removed and there is no
15 longer a need for there to be an evacuation plan for
16 that facility and I'm talking about Shoreham. So
17 that is -- that is the ultimate destination after
18 everything is -- is taken care of.

19 CHAIR CONGDON: Thank you. Other
20 questions, D.O.B. members? Yes, Victoria?

21 MS. LEUNG: So you mentioned that New
22 York State is opposing any changes to the emergency
23 preparedness plan until -- at least before all the
24 fuel is moved in to the dry cask storage. Would you
25 like to elaborate a little bit on if you had any

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2 discussions with the N.R.C. about the exemption
3 requests and your opposition?

4 CHAIR CONGDON: John, you want to take
5 that one or Alyse? Start with John.

6 BOARD MEMBER SIPOS: So it is correct
7 that the State of New York has filed an opposition to
8 the exemption request. N.R.C. is reviewing that.
9 They've provided the schedule when they anticipate a
10 determination which I think is February 2023. You
11 know, in -- in recent months, I am not aware of any
12 like, you know, bilateral dialogue with N.R.C. about
13 that, but I will check and report back.

14 MS. LEUNG: Thank you.

15 CHAIR CONGDON: Okay. Any other
16 questions? Shall we move on to our next agenda item?
17 I want to welcome Tina Volz-Bongar. Tina is known to
18 many in the community. She has worked with United
19 for Clean Energy, Resist Spectra and as a Climate
20 Reality leader. We're pleased to welcome you Tina to
21 present today on --

22 MS. VOLZ-BONGAR: Thank you.

23 CHAIR CONGDON: -- the same topic.

24 MS. VOLZ-BONGAR: Yes, thank you so
25 much. I'm so glad to be here of course and I do have

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2 a million questions for you, Jen Wacha, but I guess I
3 can -- I'll address some of those during -- during
4 this. So anyway, I just wanted to add, you know, my
5 husband and I have lived for 18 years in Peekskill
6 we're really active in the community.

7 We have a special events and live
8 entertainment company. And that's who I am. I am a
9 Climate Reality trained leader by Al Gore which I'm
10 quite proud to say. And he says in the context of
11 delivering bad news or harsh news, he said, I have
12 some good news. We can do something about this.

13 So that's part of the premise of some
14 of the things that I'm going to mention tonight,
15 hoping that if there's any question about that we can
16 -- that can be explained or we can do something about
17 it. So I have some essential questions. I'm going
18 to show you why a lot of the community is concerned.

19 I'm going to show you some federal
20 regulations just as they stand to make sure because
21 the Enbridge representative is not here,
22 unfortunately --.

23 CHAIR CONGDON: Enbridge
24 representative is here, John Sheridan.

25 MS. VOLZ-BONGAR: You are, hi.

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2 CHAIR CONGDON: He wasn't at the table
3 when I did the introduction --

4 MS. VOLZ-BONGAR: Hi.

5 CHAIR CONGDON: -- so I apologize.

6 MS. VOLZ-BONGAR: I'm glad to see you,
7 good. Okay, good.

8 CHAIR CONGDON: John, welcome.

9 MS. VOLZ-BONGAR: Sorry, I missed you.
10 I didn't know if you were in -- if I -- I missed your
11 introduction so anyway --.

12 CHAIR CONGDON: It's my fault.

13 MS. VOLZ-BONGAR: And I submitted to
14 the docket several months ago, my top 10 emergency
15 planning questions and I was especially concerned
16 about community members who need advocacy and
17 support; 43.5 percent of our Peekskill public --
18 population is Hispanic.

19 And I really feel the need of seeing
20 these emergency response plans in Spanish and
21 distributed to the Hispanic community in Peekskill.
22 And so obviously, you're going to hear from me
23 tonight about how I think community education and
24 participation in a co-location emergency response
25 plan between the plant and the pipeline is essential.

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2 So anyway, next slide. There's first
3 essential question, which is what is the emergency
4 response plan of a co-location incident of the
5 Algonquin Pipelines and the decommissioning of the
6 Indian Point site? Second slide.

7 CHAIR CONGDON: Tina, you know, we did
8 start a bit early, if you want us to engage and go
9 back and forth --

10 MS. VOLZ-BONGAR: Back and forth?

11 CHAIR CONGDON: -- during the slide
12 presentation we're happy to do that, but I defer to
13 you on how you would like to handle it.

14 MS. VOLZ-BONGAR: Yeah. I mean, since
15 we had the opportunity to, you know, question
16 Enbridge about kind of their emergency response plans
17 and what they are and a certain incident, and we have
18 a first responder here, which is great. So I have
19 questions on the first responder.

20 So here's the second -- and thank you,
21 Tom and thank you for everything and thank you for
22 being so responsive to the community when it comes to
23 this format, and also the questions. All right.
24 Much appreciated.

25 And then this question, is the plan

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2 truly adequate and what will New York State
3 Decommissioning Board be able to do about it? That's
4 my question. And you have been advocates, so I see
5 that you're being an advocate for -- to the N.R.C.,
6 which we really appreciate. And obviously, Mr.
7 Sipos, you think that community comment to the N.R.C.
8 and community pressure would be effective on the
9 emergency preparedness exemption.

10 BOARD MEMBER SIPOS: So I'm going to -
11 - I -- I think I heard a question there and the short
12 answer is, yes, I think it is always good for host
13 communities to express their views to the Nuclear
14 Regulatory Commission and to marshal the evidence
15 that the community members think is appropriate and
16 serve it up to the N.R.C. So short answer is, yes.

17 MS. VOLZ-BONGAR: Great, okay. Next
18 slide. And thank you, Tom Kaczmarek for being our
19 production here. So this is what we're looking at.
20 I just wanted to show you a map of how all this
21 looks. We've got the 26-inch pipeline, which was put
22 in in '50s, the 30 inch was the '60s. I think it's
23 1965, I'm not sure.

24 And the 42-inch AIM pipeline which
25 became operational in 2017. And you can see how

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2 close, I just -- well, anyway, circled it, which is
3 the backup generator for battery storage for Indian
4 Point, which is a huge concern to us, even in the
5 transferring of the fuel rods. So at some points,
6 the 26 inch and the 30 inch meet up with the high
7 pressure during (unintelligible), but it isn't at
8 this site.

9 We've got the older pipelines running
10 underneath the plant and they're even visible in one
11 spot when I did a site visit and so -- anyway, this
12 is why we're concerned. Next slide. This was a
13 pipeline incident in Danville, Kentucky from a 30-
14 inch pipe, just heard we have a 30-inch pipe on the
15 site.

16 And you can see the degree of fire
17 from that. Next slide. I'm going to go to my notes
18 to -- so I'm going to go to my notes. This is -- it
19 resulted in one fatality and 6 injuries and it was an
20 evacuation of 75 people and it was major fire damage.
21 And a near -- nearby railroad, you know, we have a
22 railroad Metro North, too and over 30 acres of land
23 were burned.

24 And the entire response was 81
25 firefighters, 10 engines and 21 trucks. So there

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2 were 5 residences destroyed by the structure, you
3 know, by this fire and that was with -- within 1100
4 feet from the rupture crater.

5 So you can see from our pipeline, our
6 high pressure pipeline, if that were to go it would
7 impact the backup and electrical storage for Indian
8 Point, which has been a major concern for us. And it
9 makes me feel better that the Verplanck Fire person
10 is here listening to this.

11 Next slide. One of the other reasons
12 I chose it was the National Transportation Safety
13 Board, the N.T.S.B. just issued a report in August 15
14 and so it's -- it makes three recommendations to
15 Enbridge and three to PHMSA which is the Pipeline
16 Hazardous Materials and Safety Administration, which
17 is supposed to oversee all of this and we'll talk
18 about that in a minute.

19 And then I'm asking at the end of this
20 presentation for D.P.S. to look at these
21 recommendations and really layer it over this
22 situation of the pipelines to see if there's anything
23 -- any other steps that can be taken by Enbridge or
24 Holtec to make it safer.

25 And I'd like to say I'm so glad that

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2 this D.P.S. was responsive to the Rick Kuprewicz
3 recommendations and that those were incorporated into
4 the memo of understanding. And I just want to say I
5 did not know that until I was able to talk to Tom
6 Congdon yesterday.

7 And so communication is always great
8 and I happen to be -- I'd like to advocate for a
9 community representative for this Board, I think it
10 would save you a lot of time, I really do. I think
11 you could -- with this community advocate and sort of
12 like the public advocate in New York City, which is
13 the community members could come to this
14 representative and ask these kinds of questions.

15 And that one person would have them
16 and know what was going on with the different
17 agencies. So we just want to put that out there
18 again. So -- anyway, next slide. And so this
19 happened and somebody called me and said, Tina go to
20 your second floor window, because I can see Indian
21 Point from this elevation.

22 Look, there's a fire and it's huge,
23 and I said oh, no. So anyway, we still have over
24 1700 or maybe even 2000 tons right now of irradiated
25 fuel rods that are stored on site. And you know, I'm

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2 showing this photo because I want people to know in
3 the community what to do in case of an emergency and
4 what to think about the pipeline and know what kind
5 of emergency response is going to go on, right.

6 And I know about the general E.O.P.
7 and that's great to hear again, but the question is -
8 - is what -- does the E.O.P. contain a coordinated
9 response to both an incident -- and we'll get to that
10 because I have another question about that, but in a
11 minute, anyway, does it.

12 So next slide. And these are some of
13 the examples of the weather events that we're all
14 very concerned about. The two 100-year hurricanes
15 that we had and especially in Sandy where we almost -
16 - which almost got to Indian Point. Loss of power,
17 earthquakes especially and that was a concern of the
18 2018 New York State risk assessment, which we don't
19 know about.

20 But anyway, they were concerned about
21 the high pressure pipeline and -- anyway, looking at
22 that. Another aspect that really concerns us is the
23 cyber security threats, and the hacking, and ransom
24 of the Colonial pipeline. And we know Governor
25 Hochul has a security initiative -- a cyber security

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2 initiative that she's undertaking and I'm hoping that
3 this may be part of it our little co-location.

4 And of course, we're concerned about
5 terrorism, we just had 9/11 and saw what happened
6 with that. So we know, you know, informally that
7 Indian Point was ta target then. We all know
8 somebody who was lost at 9/11, we don't want that to
9 happen again.

10 Next slide. Here are the emergency
11 examples again, and the World Trade Centers were
12 built to withstand the impact of jets, which they
13 did, but not the extent of the burning jet fuel was
14 something interesting that came out too about the
15 foam, the firefighting foam that was used, whether or
16 not that took too much oxygen and that helped the
17 fire.

18 Anyway, I just read about that and I
19 thought it was interesting. So there was that. I
20 just want to emphasize that risk assessments are
21 very, very important here in the extent and scope of
22 them. And then there was the Uvalde school
23 shootings, where the chain of command really sort of
24 broke down.

25 Anyway, next slide. So how did we get

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2 here? I think that Dr. Courtney Williams covered
3 that, you know, some of those aspects very, very well
4 in her presentation. But here we are, you know, FERC
5 approved the AIM pipeline next to Indian Point much
6 to a lot of us opposing it in the community.

7 We were very grateful for the New York
8 State Agencies' Risk Assessment recommendations that
9 were sent to FERC. We didn't see much response from
10 FERC to that, but anyway, and on to the N.R.C. And
11 the N.R.C. as we all know, really let us down with
12 the AIM pipelines.

13 They did use the ALOHA model, which
14 was incorrect but the Office of Inspector General
15 pointed out all of these aspects and said we should
16 have a proper risk analysis and the N.R.C. came back
17 and covered their tracks a lot, we think, and said,
18 oh, that was a mistake and everything is okay now.

19 So what happened with our federal
20 officials and thank you to Mondaire Jones, and
21 Senator Gillibrand, and Senator Schumer for
22 advocating to PHMSA that we, you know, anyway, we get
23 this risk assessment. And this PHMSA is doing that,
24 I've asked -- I asked Senator Schumer's office for
25 status on that and we don't have one, so anyway,

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2 unfortunately.

3 But whatever it is, I just want to
4 make sure that I'm correct Tom, about this, that
5 D.P.S. is going to be accountable for assessing this
6 and making sure that the aspects of this are
7 incorporated into the emergency response plan of the
8 State.

9 CHAIR CONGDON: So we will absolutely
10 look at the recommendations and findings from that
11 risk assessment. And if there are actions for the
12 State to consider, obviously, we will. But, you
13 know, it's too soon to say what -- what they're going
14 to find and -- and what the recommendations will be.

15 But as we've said, sort of all along
16 with the 2018 Risk Assessment that the State had
17 conducted, there were findings and recommendations
18 that we made to the feds, but we also made some
19 findings for ourselves in terms of where D.P.S. has
20 authority and that is what resulted in the audit of
21 the control room of Enbridge in Houston --

22 MS. VOLZ-BONGAR: Uh-huh.

23 CHAIR CONGDON: -- where we evaluated
24 the time it would take for the remote valve closure.
25 And --.

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2 MS. VOLZ-BONGAR: And we just need to
3 point out that that was from the point that it was
4 reported and a lot of these things take a lot of time
5 to be reported, but -- yeah. Go ahead, sorry.

6 CHAIR CONGDON: Right. No, that's
7 fine. And, you know, that information was, you know,
8 again, presented back to the feds and -- and the
9 N.R.C. in it's I.G. report, you know, asked the
10 N.R.C. to rerun a number of the risk assessments that
11 you cited --

12 MS. VOLZ-BONGAR: Uh-huh.

13 CHAIR CONGDON: -- which they did do.
14 So I'm not sure that, you know, N.R.C. said that its
15 I.G. was mistaken. They did take the direction from
16 the I.G. to go rerun risk assessments and did
17 complete a technical assessment -- a new technical
18 assessment with a team that included a bunch of peer
19 review.

20 So much of what occurred with the
21 N.R.C. I.G. report --

22 MS. VOLZ-BONGAR: Yeah.

23 CHAIR CONGDON: -- and subsequent
24 actions were also consistent with the 2018 report
25 that the State had done and asked the feds to look

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2 into. So it was responsive to many of the concerns
3 we had also raised. That is the I.G. report and the
4 direction back to the N.R.C. to rerun analysis.

5 MS. VOLZ-BONGAR: Yeah. And so that
6 would be a question that I will ask later about the
7 E.O.C. is -- I mean, the E.O.P. The -- you know that
8 New York State emergency response plan, whether or
9 not we have that information about an earthquake and
10 what would be the impact on the newer AIM pipeline.

11 So anyway, I just want to go back, I'm
12 going to keep going charge through this to my
13 questions about emergency response of the public when
14 something happens. There is an estimated 1134
15 comments posted.

16 I hope everybody seen those to the
17 D.P.S. docket, asking Secretary Buttigieg and the New
18 York State Public Service Commission Chair, Rory
19 Christian to issue a corrective action and shut off
20 and purge the pipeline while we do -- while we
21 evaluate whether or not we really are safe here.

22 And we have a -- an emergency response
23 plan that really comprehensively addresses an
24 incident with both the pipeline and the plant. Next
25 slide. Here is an issue for me. And I think Dr.

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2 Courtney Williams mentioned this, which is that each
3 of these federal agencies sometimes work in their own
4 silos.

5 FEMA has put out a hazard mitigation
6 plan. Westchester County did a great job in putting
7 that together. I highly recommend everybody going
8 onto their website and looking at it and that's
9 updated every five years. And so each municipality
10 does an inventory of their emergency assets, like
11 codes and infrastructure, which impact emergency
12 response.

13 The pipeline and also Indian Point are
14 not included in this. And so it's of concern because
15 it means that there's not really a coordinated
16 response. And maybe you feel with the E.O.P. and
17 emergency operational plan like that, you know,
18 includes it there, but for example, I learned that
19 Peekskill's Police Station and Emergency Services
20 post, like the command center doesn't have backup
21 power.

22 Only the Peekskill Middle School does.
23 So my question would be actually to Verplanck, I hope
24 that you have Mutual Aid understanding or something
25 like that can happen because there isn't any

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2 emergency backup power and we know that we would be
3 needing that if we had an emergency.

4 So that's just one aspect. And I feel
5 like if we had these federal agencies working
6 together or in New York and I know, Susan Spear of
7 Westchester County works with New York State and
8 everything. But there's just those kinds of
9 questions and the -- and the community in the
10 meantime, just doesn't know what's going on. So next
11 slide.

12 Experts have pointed to flaws in the
13 Indian Point E.P.Z. plan and that was the James
14 Lehman report, which was commissioned by Governor
15 Pataki, we know that. The account -- U.S. Government
16 Accountability Office said the N.R.C. needs to better
17 understand likely public response to radiological
18 incidents at nuclear power plants.

19 And then there was the -- these
20 wonderful people from the Disaster Accountability
21 Project, which surveyed all of these municipalities
22 and asked about their Indian Point munici -- plan and
23 not any of these folks had one. So next slide. Yes,
24 I covered that. So it was the jurisdictions within
25 the 10-mile radius versus the 50- mile radius.

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2 And their conclusion was that they
3 don't have planning and they don't have evacuation
4 plans. And -- anyway, next slide. So the 10- mile
5 plan doesn't include structures and systems necessary
6 to protect the public from radiation exposure. So
7 that would really lean towards everybody doing an
8 evacuation.

9 That becomes an issue with sometimes
10 when there's a gas emergency. And the direction
11 would be to shelter in place. That would be for
12 other gas ruptures, vapor clouds, things like that.
13 The -- also the impact of the response of the 40-mile
14 radius, you know, no one has really said, that no
15 one's been educated just like what Sandy was saying.

16 And I think Sandy gets a lot more
17 material than I do, very jealous, like I don't get
18 anything about the, you know -- anyway, the bus stop
19 and all of that. I mean, I'm lucky. I go down every
20 couple of years and -- anyway and get a booklet. So
21 -- but more so that these plans never really consider
22 the reality and impacts of spontaneous evacuation.

23 And not just orchestrated the plans.
24 Like if something happened right now, I think all of
25 us would be really concerned about where our loved

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2 ones were, how we contact them. And in these
3 analyses, they found that this was the Whitman
4 report, that it was really parents and their
5 children, getting their children from schools, who
6 sort of messed up the plan the most, that
7 orchestrated plan.

8 So anyway, we really need to consider
9 the reality. Now, we all use cell phones. And I'll
10 tell you about that in a minute. Next slide. So
11 this is a wonderful map that Manna Joe Greene from
12 Clearwater had and it's of the emergency planning
13 zone at Indian Point and the pipelines. So you can
14 see that hmm, -- anyway, it's kind of E.P.Z. is
15 bigger than we always think it is.

16 And then the 50-mile radius includes
17 the city. So anyway, next slide. So local
18 authorities are supposed to, by federal, you know,
19 regulations to provide information for radiation and
20 protective action, you know, actions to us within the
21 10-mile zone and I think you are at the 10 mile zone,
22 aren't you, Sandy? You are, yeah, that's why you get
23 all that, right. Okay.

24 So that is inconsistent and
25 unfortunately, and I think that that's a reality that

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2 we could -- we would have the opportunity to address
3 here with this plan. And so when -- you know, it's
4 really very frustrating when we talk about the
5 finances and everything else and we don't see any
6 kind of public education about emergency response for
7 these two major aspects. It's very upsetting.

8 So next slide. AIM pipeline and
9 Enbridge and, you know, the federal emergency
10 planning are requirements under, you know, the Code
11 of Federal Regulations and not simply guidelines.
12 And so I hope that the -- you know, the meeting in
13 July was a great thing, good, everybody got together.

14 But it's a federal -- I believe it's a
15 requirement that these first responders are trained
16 in emergency response to a gas line, gas pipeline
17 rupture. So anyway, next slide. Let's get to the
18 meat and potatoes. So these are emergency plans and
19 each operator shall establish written procedures to
20 minimize the hazards of a pipeline emergency.

21 And so I have a question for our
22 Enbridge representative. What would be the model
23 that you are training the first responders with? Is
24 it the Stanford Plan or is it from the Pipeline
25 Safety Awareness they have training modules, I'm just

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2 wondering when and how that's been done.

3 MR. SHERIDAN: John Sheridan from
4 Enbridge. I'm not sure of the specifics, but Marlon
5 Brown who's now here, he's a supervisor and might be
6 able to provide a little detail on that.

7 MS. VOLZ-BONGAR: Sir, yeah, come over
8 here.

9 CHAIR CONGDON: Thank you.

10 MS. VOLZ-BONGAR: Yeah.

11 MR. BROWN: So my name is Marlon
12 Brown. I'm a area manager with Enbridge. My area
13 encompasses -- sure, my area encompasses southeast
14 compressor station and we would respond to Indian
15 Point in case of emergency together with the other
16 areas South Wingfield. So you asked about training
17 procedures.

18 MS. VOLZ-BONGAR: Yes, training
19 modules, whether or not it's a Stanford Plan or what
20 the training module is for first responders? Works
21 for the pipeline safety awareness group?

22 MR. BROWN: So Enbridge does not
23 provide training materials for emergency responders.
24 What we do is we have liaison meetings. We invite
25 emergency personnel in our facilities to take a tour.

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2 And during those liaison meetings, there's a
3 presentation that talks about what you should and
4 what you shouldn't do.

5 But we don't specifically provide any
6 training to emergency responders.

7 CHAIR CONGDON: Specifically, training
8 materials.

9 MR. BROWN: Training materials.

10 CHAIR CONGDON: It sounds like they're

11 --

12 MR. BROWN: There is training, yes,
13 but not training materials.

14 MS. VOLZ-BONGAR: Okay. So there's
15 just a disconnect here. I'm sorry, there's a
16 disconnect here because we are obviously looking at
17 written procedures should be for pipeline emergency.
18 And so that would be a question that I have for
19 D.P.S. and my federal electeds and everybody else to
20 address.

21 That is something that comes up in the
22 -- it will come up in the analysis of the incident in
23 Kentucky with the 30-inch pipe. So I'm not going to
24 ask you, Mr. Sipos how this is enforced. But
25 obviously, this is not being followed and goes to my

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2 very, very first question, which is how are first
3 responders being trained.

4 CHAIR CONGDON: Tina --

5 MS. VOLZ-BONGAR: Yeah.

6 CHAIR CONGDON: -- can I just ask a
7 further question of Enbridge here. This emergency
8 plan that is being cited here, is for written
9 procedures or written procedures that the company
10 must maintain. Do you want to speak right -- do you
11 want to speak to whether or not the company is
12 maintaining the written procedures that is being
13 cited here in the slide?

14 MR. BROWN: Marlon Brown again, from
15 Enbridge. So we have written procedures for
16 ourselves and for our personnel. So we have
17 procedures that, God forbid, in case of emergency
18 that we do follow. But those procedures are not
19 given to anyone else.

20 CHAIR CONGDON: Does PHMSA inspect
21 your written procedures?

22 MR. BROWN: I am -- I am not sure. I
23 would -- I don't want to guess on that.

24 CHAIR CONGDON: I think Arpit Mehta is
25 from our gas safety team, from a regulatory

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2 standpoint, may be on virtually. Arpit, do you want
3 to opine here at all, any further observations with
4 respect to PHMSA's oversight of these written
5 procedures?

6 MR. MEHTA: Yes, I can say that.

7 PHMSA does review the -- inspects the written
8 procedures as part of their standard inspections as
9 well as their state partners that have an interstate
10 agreement.

11 BOARD MEMBER GALEF: Can I ask a
12 question?

13 CHAIR CONGDON: Thank you. Yes, ...

14 BOARD MEMBER GALEF: Are our local
15 people being trained, you -- have you had training at
16 all? Have you been called to go to a training
17 session anywhere?

18 MR. ROSARIO: So recently, we've
19 worked with Enbridge and the county, Westchester
20 County in the event that something did happen to an
21 Enbridge pipeline. But that's all variables on where
22 it is, what's around it. Is there pressure still
23 coming out of it. They did touch, you know, further
24 on about what they could provide us in that incident.

25 But like I said, it's all -- it's all

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2 variables. It could change anytime, whether it's
3 down by the river, down by -- you know, in a wooded
4 area with brush, drought. It's a variable, it
5 changes day by day.

6 BOARD MEMBER GALEF: Do you feel
7 competent, that you can take care of the situation?

8 MR. ROSARIO: Yeah, I would say I'm
9 pretty confident on what we could do, you know, if
10 something like that happened. We have many assets to
11 either operate on the water or in a wooded area along
12 with help from Westchester County and our neighboring
13 departments. But as far as feeling confident, I feel
14 like we're pretty confident.

15 MS. VOLZ-BONGAR: Okay.

16 CHAIR CONGDON: Yes, please.

17 MR. ROSARIO: Thank you so much we
18 really appreciate that. So Westchester County
19 facilitated Enbridge's content and participation from
20 the State, county, and local levels in the first part
21 of July, a safety briefing that was an online thing,
22 we invited ... local first responders, local fire
23 departments, local law enforcement, ... E.M.S. to
24 agencies and New York State agencies and County
25 agencies.

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2 BOARD MEMBER KNICKERBOCKER: Could
3 Susan, please speak up, we can't hear her.

4 BOARD MEMBER SPEAR: Step two, after
5 that safety briefing the county again facilitated
6 with Enbridge to make content available.

7 MS. VOLZ-BONGAR: Okay.

8 BOARD MEMBER SPEAR: Included local --
9 .

10 MS. VOLZ-BONGAR: Okay. So yeah,
11 we're going to chime in. And so what we're really
12 saying is that we haven't had a comprehensive
13 training of first responders. But we are trying to
14 with these meetings.

15 BOARD MEMBER SPEAR: I would disagree
16 with that slightly. I think that, you know, we had
17 an excellent discussion, we were presented with a
18 scenario. It was in fact a co-incident scenario with
19 a pipeline rupture and impacting Indian Point, where
20 we discussed all the things that you, I believe would
21 want us to discuss, such as, you know, who is the
22 incident commander, you know, where's the incident
23 command post.

24 How -- you know, what happens as the
25 event unfolds.

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2 MS. VOLZ-BONGAR: Okay.

3 BOARD MEMBER SPEAR: Who responds in
4 what succession. How do people know how to respond.
5 Who knows how to respond and we went through all
6 those steps as part of the tabletop and I think that
7 was a very comprehensive review of that and did a
8 good job preparing local first responders.

9 MS. VOLZ-BONGAR: First responders,
10 but it's not a requirement. It's not a requirement
11 for all first responders to know what to do in the
12 case of this emergency. Just saying, you know, and
13 that might be great moving forward. Is for each
14 first responder and each unit, for instance, ours in
15 Peekskill, where we know we don't have any backup
16 power from our stations. So that's what I'm talking
17 about.

18 All right. So I'm going to have to
19 cut this short. Next slide.

20 BOARD MEMBER SPEAR: We do have --.

21 CHAIR CONGDON: Tina, we have time.

22 You have time --

23 MS. VOLZ-BONGAR: Okay.

24 CHAIR CONGDON: -- you don't have to
25 cut short.

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2 BOARD MEMBER SPEAR: Whatever the
3 requirements, Westchester County believes it's
4 essential. So we facilitated it with the cooperation
5 of Enbridge and all the local first responder
6 agencies who are very anxious by the way to
7 participate. Enbridge I think --

8 MS. VOLZ-BONGAR: Good.

9 BOARD MEMBER SPEAR: -- in the comment
10 during the tabletop that they had never seen such a
11 good turnout by a broad spectrum of first responders.

12 MS. VOLZ-BONGAR: That's wonderful.
13 That's great. That's takes a lot of advocacy. And
14 so next slide. This is -- so it's coordinating
15 planned responses and actual responses -- its, a
16 number Eight. And that's what this sounds like to
17 me. But I'm glad to know that was comprehensive and
18 maybe moving forward, we can know that this is being
19 done more ro -- robustly.

20 And it's -- furnishes supervisors who
21 were responsible for emergency actually a copy of
22 that report -- latest edition of emergency
23 procedures, it'd be great to -- for them to know what
24 the module is and what the mode of emergency
25 procedures are. And that might be -- come up in

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2 looking at this incident of the pipeline, 30-inch
3 pipeline in Kentucky that Enbridge has. So next
4 slide.

5 And learn the responsibilities,
6 identify the gas pipeline plan, how the operator can
7 engage in mutual assistance to minimize hazards,
8 life, or property. And so that's -- those are the
9 regulations and we -- that should be done. Next
10 slide. So this is what we have.

11 And a lot of people who live near the
12 pipeline get a emergency response guidelines. And
13 then we have the Indian Point emergency guide. Some
14 of those instructions contradict each other. And I
15 think this one doesn't have any slides,
16 unfortunately. And that's about evacuating in place
17 and also leaving.

18 So I mean, sheltering in place and
19 then leaving. So next slide. So there are
20 difference and this is what the questions are. There
21 are differences in the emergency protocols between a
22 gas pipeline rupture and a radiological emergency.

23 And so the question is Susan, who
24 would be -- who will make the decisions in which
25 protocols to follow and how will the community know

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2 the difference between a rupture, and a radiological
3 release, and which set of protocols we should. We've
4 been told not to use our cell phones with the gas
5 emergency, in case of igniting a fire by some of the
6 pipes that are in the area, right. And -- anyway,
7 how is that going to be done?

8 BOARD MEMBER SPEAR: Okay. So in
9 general, it's going to depend on how the incident
10 unfolds. So let's take a couple of scenarios maybe
11 to illustrate. So let's say there was a rupture of
12 the gas pipeline and a fire results. First thing
13 that's going to happen, somebody is going to call
14 911.

15 Also simultaneous to that or soon
16 after that, Enbridge is going to notice a pressure
17 drop in their pipeline. So when 911 is called, it's
18 going to be -- the first dispatch is going to be --
19 well, depends where the rupture is and pipeline. But
20 let's say it's in Verplanck. Chief Rosario is going
21 to get a call. Verplanck is going to be dispatched.

22 Given the nature of the fire in this
23 kind of situation, you would expect it to be a large
24 incident. Therefore Mutual Aid is going to kick in
25 as well and there will be several area fire

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2 departments that will be also dispatched as well.

3 Chief Rosario will be the incident commander at that
4 point and he will make a decision as to calling out
5 Mutual Aid.

6 In addition, he's most likely going to
7 call the county HAZMAT team.

8 MS. VOLZ-BONGAR: Okay.

9 BOARD MEMBER SPEAR: Which is in place
10 and ready to be dispatched at Chief Rosario incident
11 commander's call.

12 MS. VOLZ-BONGAR: And how the -- how
13 will the public be notified of what kind of emergency
14 this is, from whom?

15 BOARD MEMBER SPEAR: So most likely,
16 at that point, there's going to be law enforcement on
17 the scene as well as a good contingent of fire and
18 E.M.S., they will actually go and enforce if the
19 Chief decides that an evacuation is necessary or it
20 is a large incident where people need to be notified
21 in some way to take some action, shelter in place, or
22 evacuate, law enforcement with the help of Fire
23 Department will go literally door to door, knocking
24 on doors to tell people what to do.

25 And then depending on the situation,

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2 on how the incident unfolds is a series of other
3 notifications that could happen, the ones that Jen
4 Wacha indicated before, the wheels -- all those
5 alerts, I won't list them again, but they're all
6 there in the materials will occur depending on the
7 level of the event.

8 Now, if we should then get into a
9 point where somehow Holtec is impacted and there is
10 an emergency alert, which is a radiological alert, if
11 that should happen, then the county would step in
12 with a decision about the radiological impact and
13 whether additional evacuations would be necessary
14 based on the radiological impact.

15 MS. VOLZ-BONGAR: Uh-huh.

16 BOARD MEMBER SPEAR: And then the
17 county executive at that point, along with the State
18 becomes the radiological incident commander and makes
19 the decisions about the radiological aspects and --

20 MS. VOLZ-BONGAR: Okay.

21 BOARD MEMBER SPEAR: -- also mostly --

22 .

23 MS. VOLZ-BONGAR: Makes the decisions
24 about the gas pipeline and how close it is to the gas
25 pipeline. And if there'll be fires --.

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2 BOARD MEMBER SPEAR: And I also want
3 say, there will also most likely be unified command
4 structure set up close to the -- close, but not too
5 proximal to the event in order to have all of the
6 people that are making decisions in the same place at
7 the same time talking to each other.

8 We have an excellent interoperable
9 radio system where folks can speak to each other.
10 The county spent some money on that, proud of it,
11 thank you. And so I don't need to say that, but I --
12 you know, I feel like the answer to your question is
13 going to depend on how the incident unfolds.

14 MS. VOLZ-BONGAR: Yeah.

15 BOARD MEMBER SPEAR: But you talked
16 about different scenarios. And I feel very confident
17 that we all know who's in command and what to do, if
18 and when an incident should unfold, and if you have
19 questions about the types of incidents and how that
20 would unfold we can address that.

21 MS. VOLZ-BONGAR: Right. And you know
22 my concern. And so my concern is about the
23 vulnerable people in our community, I have a 99-
24 year-old mother. She can see Indian Point from her
25 window and pick her up on the way to the bus stop.

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2 She's still a very active and vital person.

3 And so I really feel that we have not
4 sufficiently -- all of our government agencies
5 reached out to our Hispanic community, our
6 disadvantaged communities. I'm a Democratic party
7 district leader for public housing. And so I happen
8 to ask everybody who's like, okay, we're going to
9 have to get everybody a guide.

10 Because they've never -- this has
11 never been addressed in the Peekskill housing
12 authority. So I just want everybody to be aware of
13 the fact that -- and I haven't gotten the information
14 that Sandy has, so anyway.

15 BOARD MEMBER SPEAR: Thank you for
16 your community activism. It's deeply appreciated by
17 those of us who try to make these plans effective
18 every day. We do work, in fact, Dennis Delborgo
19 serves on the committee to address with the
20 disabilities. So he talks to them every day, I can
21 speak to that if that would be helpful.

22 Nobody is saying that evacuation isn't
23 without challenges. It's with huge, overwhelming
24 challenges.

25 MS. VOLZ-BONGAR: Right.

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2 BOARD MEMBER SPEAR: But that is why
3 we plan and we have plans that are evolving to try
4 and to address all those challenges. Will it be
5 deeply disruptive and awful, yes. But that's why we
6 have as much as we can plan for we plan for, whether
7 it's language barrier, physical disability,
8 communications, all those things are taken into
9 consideration.

10 We plan as best we can. But nobody's
11 under any illusion that it won't be distressing
12 challenges.

13 MS. VOLZ-BONGAR: Yeah, it's hard not
14 to look at the money in the decommissioning fund.
15 And look at that for emergency evacuation and just
16 what you're talking about and not say, you know, this
17 could actually be done on a comprehensive level,
18 which is educating people about effective emergency
19 responses, which would be helpful in any kind of an
20 emergency.

21 BOARD MEMBER SPEAR: Yes.

22 MS. VOLZ-BONGAR: And so the question
23 is, is like why can't we coordinate our government
24 agencies because we're able to do that when we're
25 talking about, you know, energy infrastructure, and

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2 the needs and everything of energy infrastructure,
3 but when we get to public safety, I feel that there's
4 a real disconnect. Anyway, that's just opinion
5 either. Next slide.

6 CHAIR CONGDON: Could I just stay on
7 this point for a minute?

8 MS. VOLZ-BONGAR: Yeah.

9 CHAIR CONGDON: And I think we're --
10 we're running -- we're running on schedule. I want
11 to get to your questions. So don't worry about the
12 7:30 deadline.

13 MS. VOLZ-BONGAR: Yeah.

14 CHAIR CONGDON: We're going to --
15 we're going to move in.

16 MS. VOLZ-BONGAR: Okay, okay.

17 CHAIR CONGDON: You can let in any of
18 the questions that were part of the public forum, so.

19 MS. VOLZ-BONGAR: Okay. So --.

20 CHAIR CONGDON: So but I wanted to ask
21 Dave Lochbaum if he's on and could just speak to a
22 key point that he made in our very first
23 decommissioning oversight board meeting, related to
24 the types of radiological releases that could occur
25 at the stage of decommissioning where we're at.

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2 MS. VOLZ-BONGAR: Okay. Great.

3 CHAIR CONGDON: So -- so Dave, could
4 you -- could you just go over that that relative risk
5 profile of the site, the -- the points that you made
6 on the very -- at the very first decommissioning
7 oversight board meeting?

8 BOARD MEMBER LOCHBAUM: Sure. And
9 Rich and Jennifer kind of spoken to that point as
10 well. The -- because of the radioactive decay of,
11 for example, iodine-131, which is the reason
12 potassium iodide is recommended for operating plants,
13 it's basically decayed away that's no longer a threat
14 from any scenario, even sabotage at Indian Point.

15 That is not to mean that the -- the
16 risk is zero. It's just significantly reduced from
17 what it was when the plant was operating or a few --
18 first few months after the plant permanently shut
19 down. But it is significantly reduced. There are a
20 few scenarios that are still concerns.

21 That's why I was encouraged to hear
22 about the, the tabletop and that natural gas and so
23 on, because it's -- even though it's reduced, it's
24 not zero. And it's still prudent to have plans in
25 place.

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2 MS. VOLZ-BONGAR: Yeah, we saw the
3 Jets go into the World Trade Center.

4 BOARD MEMBER LOCHBAUM: Right. Thank
5 you for -- sorry, Tina.

6 MS. VOLZ-BONGAR: That's okay.

7 And so how will the public know
8 whether to evacuate or shelter in place? Is it going
9 to be from somebody knocking on my door? And we have
10 20,000 people in Peekskill. And we're -- we're
11 assuming that they can speak to our 43.5 percent
12 Hispanic population, who does -- who do speak
13 English, but who are going to be bilingual.

14 Okay. Okay. You know what I'm saying
15 and I know there are big -- there are holes and I
16 know the holes and I don't need to go there. So next
17 slide. Thank you, Tom. So how the public will know
18 not to use their cell phones or cars in case of a gas
19 rupture emergency?

20 Do our rep -- our Enbridge
21 representative, do you have any experience with this?

22 MR. SHERIDAN: This is John Sheridan.
23 Marlon Brown, I think you might have a little bit
24 more knowledge on that topic, if you could elaborate.

25 MR. BROWN: Marlon Brown, again, from

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2 Enbridge.

3 CHAIR CONGDON: Right into the mic
4 please.

5 MR. BROWN: Yeah, thanks. Marlon
6 Brown again from Enbridge. So the question was
7 asked, how would you know whether to use a cell phone
8 or not? We do have specific wording in our brochures
9 that tell you, of course don't use your cell phone or
10 don't use any source of ignition during a gas
11 release.

12 So it's -- let's just picture like
13 your -- your stove for those of you have a gas stove,
14 gas emits you have an ignition and you have a flame
15 on your stove. It could be the same way if you have
16 a big source of ignition. But the degree -- what you
17 -- what you have to take in mind -- what you have to
18 remember is the amount of gas that is in air is what
19 causes that that explosion.

20 So -- or causing that -- that
21 combustion. So there's no specific guideline to say
22 I can't tell you, you know, don't use your phone when
23 there is X amount of gas, but common knowledge should
24 tell you don't start your car, don't have any source
25 of ignition if you smell natural gas or have a big

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2 smell of natural gas.

3 MS. VOLZ-BONGAR: So if there is the
4 smell from the gas pipeline that is where you should
5 not use anything?

6 MR. BROWN: Yes, ma'am, yes, yes.
7 There is odor and the -- the pipelines when they put
8 in service, they -- they go through a process called
9 pickling, which we put odor in the line to pickle the
10 line or to make the line full of odorant and the gas
11 itself is odorized. So if you don't get that smell
12 of gas, you don't get that mercaptan, you don't have
13 gas in your area to worry about.

14 MS. VOLZ-BONGAR: ...

15 CHAIR CONGDON: Arpit, do you want to
16 weigh in on the odorant requirements of the pipeline
17 system?

18 MR. MEHTA: Yeah, so that's a
19 transmission pipeline. So if they do, you know, I
20 have to refresh my memory, but I believe in that
21 class location, they -- they're generally odorized to
22 10 percent of the lower explosive limit.

23 MR. BROWN: We have odorant detectors
24 that would pick up on if odorant is low or if it's --
25 if it's high.

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2 CHAIR CONGDON: Okay. Thank you.

3 Tina, do you want to go back to your questions?

4 MS. VOLZ-BONGAR: Yeah. And so there
5 is obviously a big difference between the
6 transmission pipelines and then the delivery
7 pipelines. And so that is a really good question
8 about still about the 40-inch just based on what
9 Spectra told us when they were getting their project
10 approved, in our neighborhood.

11 So sort of answered A seven and what
12 kind of monitoring is in place for gas release
13 ruptures and radiological releases?

14 CHAIR CONGDON: I think this is also
15 Enbridge.

16 MR. SHERIDAN: Yes, I can respond to
17 that. This is John Sheridan. We have transmitters
18 at valve sites. We also have gas control.

19 CHAIR CONGDON: Speak directly in the
20 mic.

21 MR. SHERIDAN: I'm sorry. We have
22 transmitters at valve sites. We also have gas
23 control that monitors the system 24/7. We can
24 remotely manipulate those valves, so we have a system
25 in place that monitors any type of gas leaks.

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2 MS. VOLZ-BONGAR: And it's my
3 understanding that sometimes at the very beginning of
4 that release that that registers sometimes the
5 pressure in the pipeline increases to make up for
6 that difference automatically. So it tries to
7 normalize itself by indication that there's a problem
8 in the delivery system. Does that make sense?

9 MR. SHERIDAN: I'm not aware of that.

10 MS. VOLZ-BONGAR: You get more gas if
11 it's leaking somewhere. Okay.

12 CHAIR CONGDON: Come on back up.
13 Thank you.

14 MR. BROWN: So there's no -- there's
15 no mechanism to put more gas into the line, the way
16 the gas moves, it's compressed and it's -- it moves
17 down the line from one compressor station to the
18 next. So if there is a lower detection of gas
19 somewhere, it's not going to try to make up for that.

20 MS. VOLZ-BONGAR: It's not --

21 MR. BROWN: No, ma'am.

22 MS. VOLZ-BONGAR: -- going to increase
23 that?

24 MR. BROWN: No, ma'am. The only way
25 that happens is for gas control to actually put

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2 another unit on to pull that gas faster, that gas,
3 there's nothing to tell the gas, it has to -- it has
4 to move faster or slower unless that's a command from
5 gas control.

6 CHAIR CONGDON: The question also asks
7 about radiological releases. Did you want, Rich
8 Burroni talk about monitoring on the radiological
9 side as well?

10 MS. VOLZ-BONGAR: Yes.

11 MR. BURRONI: So we have the Reuter
12 Stokes monitors that are outside the perimeter of the
13 plant. So we've talked about that in previous
14 meeting there is 16 Reuter Stokes monitors that we
15 maintain. Also, we have our in-house radiation
16 monitors that monitor for effluent releases. So
17 those were all still in -- still in service.

18 MS. VOLZ-BONGAR: Mr. Burroni, have
19 your workers on site been trained in the emergency
20 response to the gas pipeline?

21 MR. BURRONI: Trained in what?

22 MS. VOLZ-BONGAR: Workers on site,
23 have they been trained about the appropriate response
24 to a -- an emergency with the two pipelines on the
25 site?

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2 MR. BURRONI: So all of our protocol
3 requires the control room operator to do two things.
4 One, he'll -- he'll contact the county through what's
5 called a Part One form or direct conversation. And
6 then he'll also make sure if there's a radiological
7 release or a radiological event. He'll put the
8 corrective actions in place to address that.

9 Then once the county is notified and
10 we need the fire department, our security force, and
11 our health and physics people will meet the fire
12 department at the gate.

13 MS. VOLZ-BONGAR: Okay.

14 MR. BURRONI: And escort them to the
15 rupture itself.

16 MS. VOLZ-BONGAR: Okay. Okay. To the
17 rupture itself, okay. So are all of your workers
18 trained in -- in the appropriate gas responses like
19 not to use their cell phones, not to --

20 MR. BURRONI: You know, our control
21 room operators are the ones that are basically
22 trained to address any event. We haven't really
23 discussed the use of cell phones.

24 MS. VOLZ-BONGAR: And radios, the
25 county radio system. Okay. With a potential vapor

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2 cloud, what would be the impact to the fuel rods and
3 the casks and/or canisters and what would be the
4 result? We saw the fire.

5 CHAIR CONGDON: I'm sorry, I'm still
6 stuck on the previous Q&A. If I could just ask --

7 MS. VOLZ-BONGAR: Yes, go ahead.

8 CHAIR CONGDON: -- some basic safety
9 messages to staff about the smell of gas and not to
10 use ignition sources would seem like a prudent
11 message out to employees.

12 MR. BURRONI: To me it would be common
13 sense.

14 CHAIR CONGDON: May be for most, but a
15 message to just remind folks on not using ignition
16 sources if there is a smell of gas on site.

17 MR. BURRONI: Exactly. I mean, if --
18 if plant personnel were to smell gas on site, they
19 would contact the control room. And then the control
20 room would send out an operator to do an
21 investigation.

22 CHAIR CONGDON: I -- I understand
23 that. I'm just -- I'm just suggesting that it may be
24 worthwhile to have a communication to staff. All --
25 all folks, all personnel on the property as a safety

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2 reminder, common sense reminder, that if you smell
3 gas.

4 MS. VOLZ-BONGAR: Don't start your
5 car, don't drive off the premises.

6 CHAIR CONGDON: Right. Don't use
7 ignition sources.

8 MS. VOLZ-BONGAR: Don't call your
9 loved ones. Don't use that cell phone. Don't check
10 the cell phone for any kind of emergency messages,
11 like those things seem to be -- to be very, very
12 important when we have a co-location site with these
13 fuel rods and the pipelines.

14 CHAIR CONGDON: I'm sorry, Tina, you
15 can go back to your --

16 MS. VOLZ-BONGAR: Okay.

17 CHAIR CONGDON: -- question.

18 MS. VOLZ-BONGAR: And so with a
19 potential vapor cloud at Indian Point, so let's say
20 we really get the 30-inch ruptures and we see what
21 happens, saw what happens. What would be the impact
22 to the fuel rods and the casks or the canisters and
23 what would be the result?

24 MR. BURRONI: So there's a regulatory
25 guide 1.91 that provides the guidance to evaluate the

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2 effects of an explosion on site. So using that as a
3 reference, we had an independent contractor evaluate
4 the effects of the gas line explosions to the fuel.

5 So if you look at the 42-inch line, we
6 have a formal report that states the pipeline is
7 located over 1500 feet from the SOCA boundary, which
8 is the security owned controlled area. So no damage
9 to any safety or system components within the
10 protected area is postulated as credible based
11 largely on substantial separation distance from the
12 42 inch line. So that's the 42-inch line.

13 On the 26 and 30-inch line, the report
14 does conclude that there's a 1 in 10 million chance
15 per year of some damage to the I.P. three fuel
16 storage building. But just so you know, just so we
17 realize the fuel itself is the net damage would above
18 grade to the fuel storage building itself.

19 The fuel itself is below grade
20 captured under 23 feet of water. So we don't see any
21 effect to the fuel itself.

22 MS. VOLZ-BONGAR: Okay. So what then,
23 then when it's lifted out of the water and that's
24 there on the ISFSI pad, what would be the result
25 there?

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2 MR. BURRONI: So as we transfer fuel
3 to the C pad,, it's even less of an effect.

4 MS. VOLZ-BONGAR: Okay. But less of
5 an effect, but we still don't know what that impact
6 would be --.

7 MR. BURRONI: Zero.

8 MS. VOLZ-BONGAR: Zero effect?

9 MR. BURRONI: Yeah.

10 MS. VOLZ-BONGAR: So you think that
11 those casks would just be, everything would be fine.

12 MR. BURRONI: Absolutely.

13 CHAIR CONGDON: Dave Lochbaum, our
14 technical expert may also want to weigh in on this
15 question. Dave, are you on?

16 MR. LOCHBAUM: Yeah, yeah, I agree
17 with -- with Rich on that one, because the casks were
18 also designed for like a high winds propelling a
19 telephone pole, a javelin into the side of the
20 canister and they're designed, which would be a more
21 stressful and more forceful impact than from a vapor
22 cloud explosion. So I agree with Rich, the science
23 supports that notion.

24 MS. VOLZ-BONGAR: Okay. So the next
25 slide. And I want to thank D.P.S. again for taking

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2 the recommendations of Rick Kuprewicz and so I just
3 replace that ask with this ask. And I'm wondering if
4 you look at the recommendations of the N.T.S.B. in
5 Danville, Kentucky gas line rupture. Make sure that
6 recommendations are being applied to the AIM
7 pipeline, emergency protocols.

8 CHAIR CONGDON: Thank you, Tina.

9 Again --

10 MS. VOLZ-BONGAR: That would be the
11 next time you see me.

12 CHAIR CONGDON: Well, that's okay.
13 But I can -- I have a short answer here. Arpit, our
14 gas safety expert is on. Arpit, do you want to speak
15 to this?

16 MR. MEHTA: Yes, we're reviewing the
17 N.T.S.B. recommendations from the Danville, Kentucky
18 incident report and we'll work with PHMSA to verify
19 the operator is complying with those recommendations.

20 MS. VOLZ-BONGAR: Okay. Great. And
21 does anybody here know about the PHMSA risk
22 assessment, what the status is on that?

23 CHAIR CONGDON: We -- we do not yet
24 have a date for release?

25 MS. VOLZ-BONGAR: Okay. Great. Thank

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2 you.

3 BOARD MEMBER SPEAR: Not that we
4 haven't asked.

5 MS. VOLZ-BONGAR: Okay.

6 BOARD MEMBER SPEAR: We've been
7 asking.

8 MS. VOLZ-BONGAR: Thank you so much
9 for letting me present and present longer and I
10 really appreciate that.

11 CHAIR CONGDON: Tina, we -- we
12 appreciate it.

13 MS. VOLZ-BONGAR: Thank you,
14 everybody.

15 CHAIR CONGDON: Yeah, I'm sure.
16 Susan.

17 BOARD MEMBER SPEAR: Thank you. I
18 thought your presentation was excellent, thank you.
19 I do want to address the question about the hazard
20 mitigation plan because I -- I happen to have a
21 personal connection with that plan. So I just want
22 to mention what the plan is and isn't.

23 The hazard mitigation plan is a
24 prerequisite that FEMA requires in audits for the
25 county or municipalities to apply for grant funding

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2 for mitigation projects. So think, you know,
3 primarily in this area like flooding. So retaining
4 walls, lifting your home up above the flood plain,
5 stream dredging, those kinds of things.

6 So it does have a section on chemical,
7 radiological, biological hazards. But that is really
8 more of a risk assessment piece than a mitigation
9 piece because there is not a whole lot of mitigation
10 projects we could apply for federal funding for, for
11 mitigation regarding the plant or the pipeline.

12 So we do have numerous plans that deal
13 with Indian Point and the gas pipeline. And you
14 know, there's a variety of plans we could -- I can
15 list them for you if you'd like, but the hazard
16 mitigation plan is not really designed for that
17 purpose. It's designed for projects that will be
18 eligible for federal funding for mitigation funding
19 and grant funding.

20 MS. VOLZ-BONGAR: Okay. So it's not
21 on any coordinated thing. And I was -- it was
22 amazing to see in the New York State risk assessment
23 that 17 hazardous waste facilities were identified in
24 the P.I.R. So that P.I.R. is the Potential Impact
25 Radius, and I only know of nine. And we had the

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2 wonderful report from Clear Water about the
3 environmental justice community of Peekskill and how
4 many of these things that we have.

5 But nowhere have we really seen that
6 those, that kind of hazardous waste or what would be
7 impacted when we have some sort of emergency. So
8 anyway, just so you know, thank you.

9 BOARD MEMBER WACHA: Thank you.

10 CHAIR CONGDON: Thank you. And I
11 believe Dave Lochbaum may have had his hand up
12 virtually, Dave.

13 BOARD MEMBER LOCHBAUM: Yeah. This is
14 Dave Lochbaum. Tina raised a good point about the
15 transformer fire and the slide showing the smoke
16 arising from the fire. I looked at that event quite
17 extensively. But I didn't look at her other point
18 about the proximity of the backup power substation to
19 the 42-inch pipeline.

20 But a lot of the documents for the
21 transformer fire will answer the -- the substation, I
22 don't even know what that answer is, but I'll look at
23 those documents and -- and report back on what I
24 find.

25 CHAIR CONGDON: Thank you, Dave.

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2 Okay. At this point, I'd like to go to the next
3 slide please. And we're going to begin the public
4 forum. We have with us, again, Tony Belsito, an
5 Administrative Law Judge from the Department of
6 Public Service who's going to run the public forum
7 for us. Thank you very much, Tony.

8 A.L.J. BELSITO: Thank you. Good
9 evening, everyone. Just to remind everyone, the
10 public forum will be organized by topic areas. We're
11 going to focus on pre-submitted questions which I
12 will read out loud for the D.O.B. members and guest
13 panelists to respond. And then, the questioners will
14 be afforded an opportunity to -- to reply or request
15 further clarification.

16 In order to avoid, excuse me, in order
17 to afford all individuals an opportunity for
18 questions, for their questions to be heard, the
19 moderator, myself, may ask that some discussions be
20 paused until future meetings. Time permitting,
21 additional questions that we've received over the
22 last week will be addressed. The public forum will
23 conclude actually at 08:15 because following this we
24 will have a presentation by Ms. Turturro from the
25 D.E.C. We want to get that started on time.

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2 Questions not addressed during this
3 meeting will be answered in writing. So the first
4 topic is planning and preparation. And the
5 questioners are John Sullivan, Courtney Williams, and
6 Susan Leifer. The first question is, in an emergency
7 who will be in charge.

8 CHAIR CONGDON: Susan, do you want to
9 take that?

10 BOARD MEMBER SPEAR: Sure. So again,
11 it depends on the nature of the emergency. If you
12 think about what Jennifer Wacha said earlier,
13 incidents really start and end locally. So most
14 likely the first person who's going to be in charge
15 is Chief Rosario, he can certainly add to it. But
16 that might evolve as the incident evolves and
17 changes.

18 CHAIR CONGDON: Chief, do you have
19 anything to add?

20 MR. ROSARIO: No, she pretty much hit
21 the nail on the head with that one. It -- it's going
22 to be, you know, contin -- contingent to, you know,
23 what the scenario is whether it be something as small
24 as a minor leak from a pipeline, something to do with
25 Holtec, it's all going to have different variables.

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2 So it really depends on what the scenario is at that
3 time.

4 CHAIR CONGDON: Thank you.

5 BOARD MEMBER SPEAR: So if it's purely
6 a radiological event, then, the county in conjunction
7 with the state will be in charge. If it's fire
8 related event, it's going to be the local fire
9 department with mutual aid backup and -- and HAZMAT
10 backup with that.

11 A.L.J. BELSITO: Thank you. Will
12 D.P.S. and the D.O.B. be advocating for leaving
13 robust emergency planning in place for as long as the
14 irradiated spent fuel is co-located with the
15 Algonquin Pipeline System?

16 CHAIR CONGDON: Start with Alyse?
17 Want to take the first crack at this question?

18 BOARD MEMBER PETERSON: So New York
19 State has in file -- previous filings with N.R.C.
20 over the last few years has stated clearly and in
21 detail our position as -- as stated earlier in -- in
22 this -- this meeting today that we -- we oppose any
23 reduction in emergency preparedness plans and
24 measures prior to all fuel being put into dry cask
25 storage.

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2 And we continue -- that remains our
3 position. And we expect to be reiterating that to
4 N.R.C. and the proceeding for the -- the PDEP that is
5 currently ongoing.

6 MS. WILLIAMS: And once it's all in
7 dry cask, then what?

8 CHAIR CONGDON: Could -- could the
9 speaker please identify yourself?

10 MS. WILLIAMS: Sorry, I'm Courtney
11 Williams. The person that asks, that's why I came
12 up.

13 CHAIR CONGDON: Okay. Thank you.

14 MS. WILLIAMS: To ask the question.

15 CHAIR CONGDON: Sorry.

16 MS. WILLIAMS: So I mean -- so I think
17 you said as long as -- once everything's in dry --
18 until everything's in dry cask. And so the -- but my
19 question was as long as the fuel is there at the
20 site. So after it's in the dry cask, what emergency
21 preparedness, sirens, et cetera will be in place?

22 CHAIR CONGDON: Yes. So the State's
23 comments that have been submitted have taken the
24 position that we oppose their waiver request until
25 the fuel is on the pad, right. And what we've heard

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2 from the various technical assessments that had been
3 put out subsequent to the I.G. report, as well as our
4 own technical expert here is that at that time the
5 risks of any kind of issues associated with the
6 radiological release, even associated with a pipeline
7 rupture are low enough to allow for an evolution of
8 the emergency preparedness and response plans that
9 we've been discussing up here.

10 I mean, we've -- we -- I think we've
11 answered the question as to, you know, the -- the
12 impacts, Dave Lochbaum mentioned it. But that's the
13 rationale, that's the scientific basis for why we
14 would take such a position.

15 MS. WILLIAMS: And just another follow
16 up to that which is the -- right now, as far as I can
17 tell the ISFSI like the idea is that you're moving it
18 all there and then it's going to be moved away. If
19 the plan had been to store it there forever, what
20 would be different about like how you stored it there
21 and what planning would need to take place for
22 safety?

23 Because like -- like -- because I
24 would think most rationale folks think it's like a
25 total delusion that that fuel is ever going to be

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2 transported to some non-existent storage facility
3 that would require a change to federal law, et
4 cetera.

5 CHAIR CONGDON: Rich -- you have --
6 Rich Burroni, do you want take that or John Sipos?

7 MR. BURRONI: Yeah. Sure. So -- so
8 the fuel itself or the casks themselves would go
9 under the aging man -- Ageing Management Program. I
10 think we had that discussion.

11 MS. WILLIAMS: Right. Like there is
12 no way to monitor because if we did --

13 MR. BURRONI: Right. So -- so that's
14 what we would do --

15 MS. WILLIAMS: -- that could be ... --
16 .

17 MR. BURRONI: -- until D.O.E. takes
18 ownership of the cask themselves.

19 MS. WILLIAMS: So D.O.E. will take
20 ownership of it and leave it there?

21 MR. BURRONI: Well, hopefully D.O.E.
22 will take ownership and eventually go to a
23 repository.

24 CHAIR CONGDON: Right. But the
25 question is in the -- is -- is --

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2 MS. WILLIAMS: Is like if it's not
3 actually -- if it's --

4 CHAIR CONGDON: -- we -- we are
5 assuming in the question that, that never comes to
6 pass.

7 MS. WILLIAMS: Right.

8 CHAIR CONGDON: And so what happens on
9 site if it's stored there?

10 MS. WILLIAMS: Like how does -- what
11 is happening on the ISFSI pad compared to Holtec's
12 long term interim storage stuff? Like is it just
13 bowling pin? Like it is here bowling pins lined up
14 in the New Mexico desert or is it something more
15 secure?

16 MR. BURRONI: No, it's actually --
17 it's actually a different configuration in that
18 repository in New Mexico. They are buried
19 underground with a cooling system.

20 MS. WILLIAMS: But we don't get that
21 here even if D.O.E. never takes ownership, and then,
22 pays Holtec to take back ownership but at the site in
23 New Mexico.

24 CHAIR CONGDON: Okay. I think it's --
25 it's a challenging question because it's a

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2 hypothetical. I mean, I think over the next decades
3 if we were to get to that place, and it was
4 prohibited from taking fuel offsite, and it had to
5 stay there in perpetuity, there would then have to be
6 a new plan onsite to maintain the integrity of the
7 fuel.

8 MS. WILLIAMS: But as I understand,
9 there is no way --.

10 MR. BURRONI: Well, the only way I can
11 answer is with the Ageing Management Program. I -- I
12 wish I could give you an answer that's what -- what's
13 going to happen 60 to a 100 years from now. I just
14 can't. The only thing I can tell you is that we'll -
15 - we'll implement the Ageing Management Program.

16 It looks for any of the deficiencies
17 to the multipurpose canister and the -- and the HI-
18 STORM itself. And then, we'll make corrections, and
19 we'll bring it back to N.R.C. regulations as
20 required.

21 MS. WILLIAMS: I would just argue
22 isn't it -- isn't the hypothetical that the fuel
23 could be moved because it's not possible to move it
24 right now, right? There's nowhere to send it, and
25 it's in interim storage, is not technically legal,

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2 right? The federal law hasn't changed yet. So the
3 hypothetical here is that it will ever leave and not
4 that it will remain.

5 CHAIR CONGDON: Okay.

6 MS. WILLIAMS: So -- but we're
7 planning the hypothetical's really going to happen,
8 and my question is the hypothetical situation.

9 MR. BURRONI: Your --.

10 CHAIR CONGDON: Well, your skepticism
11 is fair.

12 Okay. D.O.E. was here in July. They
13 met with all of us. That meeting is available on our
14 website.

15 MS. WILLIAMS: I was remote for that.

16 CHAIR CONGDON: I'm sorry. You were,
17 okay. Great. Yeah. So you -- so you know that they
18 are in fact doing the work to plan for the eventual
19 shipment of the fuel to interim sites.

20 BOARD MEMBER BORGIA: Can I just so

21 --.

22 CHAIR CONGDON: Sorry. Yes.

23 BOARD MEMBER BORGIA: Regardless of
24 whether or not that happens in the time frame that,
25 that happens in. We feel pretty certain that the

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2 storage is going to be here for a decent amount of
3 time. So what's the tipping point where you say, oh,
4 maybe we need a more robust long term plan. Like how
5 -- how do you decide that you're at that tipping
6 point?

7 I mean, even if you say, oh, yes,
8 eventually in 100 years, it's going to be someplace
9 else. Where is, you know, where does it describe --
10 because we can't just keep saying, we think it's
11 going to happen, we think it's going to happen, we
12 think it's going to happen.

13 And I think to that point of, we don't
14 know what's going to happen in 100 years. Certainly,
15 none of us will be here in 100 years. And maybe
16 there should be a little bit more forethought about
17 that.

18 CHAIR CONGDON: Yeah. Fair. John, do
19 you want to?

20 BOARD MEMBER SIPOS: So I think
21 there's actually a lot of sub-questions in what
22 you've been proposing and what this discussion has
23 been. So I want to just come back to the question
24 that's up on the screen right now for just one
25 moment. It's based on the assumption that it -- it's

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2 -- depending on this concept of a co-location. And I
3 think we have discussed this in the past.

4 Co-location may mean different things
5 to different people. But I think there was a
6 colloquy with Mr. Burroni a few meetings ago. The
7 dry cask site at Indian Point is at a location that
8 is perhaps the farthest away from any of the legacy
9 gas lines or -- or the AIM line.

10 So I -- I want to just get that out
11 there. Right, you know, just to -- just to sort of
12 level set that it is in a location that is far away
13 or relatively farthest away from any other place on
14 the site. So that's -- that's just the first thing.

15 Second, there is a difference between
16 spent fuel storage, wet storage, and dry cask
17 storage. And the idea that the N.R.C. has thus far
18 accepted is that dry cask storage, it provides a
19 passive system. The fuel is dis-aggregated coming
20 out of the spent fuel pool and it's dispersed across
21 various casks. And those casks and I -- I know
22 you've walked around, and you've seen this. The idea
23 behind these casks is that they are passive. And
24 they are -- they contain small -- relatively smaller
25 amounts than -- than exist in the pool on a -- on a

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2 dis-aggregated basis.

3 I guess, lastly, I would say the
4 federal government has not to -- to the point about
5 the skepticism that I think, you know, that -- that
6 we have discussed right here about the Department of
7 Energy. Yes, there is skepticism. Is there a basis
8 for the skepticism. There is 50 years basis for that
9 skepticism. So I hear that.

10 But I just -- I want to put that
11 question, you know, from what Mr. Burroni said and
12 everyone else has said in context. I, you know, I
13 don't know that the assumption that it's co-located
14 is like necessarily the way you look at it.

15 MS. WILLIAMS: I -- I would grant you
16 -- we could still be concerned in one safety planning
17 even if there was -- even if this wasn't the smallest
18 nuclear plant in the country, even if it wasn't the
19 only one with multiple or any gas transmission
20 pipelines crisscrossing it.

21 And so -- and on fault lines, et
22 cetera -- et cetera. Even if we said forget all of
23 those, I think we would still want the emergency
24 planning to be in place as long as there is radiation
25 at the site.

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2 CHAIR CONGDON: I -- I think Dave
3 Lochbaum had his hand up, and then, we need to move
4 on to the next question. Dave.

5 BOARD MEMBER LOCHBAUM: Yeah. This is
6 Dave Lochbaum. The Nuclear Regulatory Commissions
7 Regulations certify a dry cask for 20 years. And
8 allows up to four 20 year extensions to the original
9 certification.

10 When the original casks were loaded in
11 1986 and certified, there were no Ageing Management
12 Programs required. That came about in 2006 as those
13 initial casks were being re-certified. The N.R.C.
14 imposed as a requirement to address degradation as
15 the -- as the subsequent certifications come up.

16 If the conditions are deteriorating,
17 they need more security, they need more inspections,
18 they need more whatever. The re-certification
19 process is the way the N.R.C. would impose that
20 requirement on the owners. So it's not -- it's not
21 the save-all, but it is some protection against the
22 public against what happens in the future.

23 MR. BURRONI: Just for clarification,
24 first cask fuel on 2004, that's in -- not in 1986 so.

25 CHAIR CONGDON: I think he was

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2 referring to not at Indian Point.

3 MR. BURRONI: I just want to make sure
4 we're clear on that.

5 BOARD MEMBER LOCHBAUM: Yes, sir. It
6 was the first plant in the United States and that was
7 in 1986.

8 CHAIR CONGDON: Back to you, Tony.

9 A.L.J. BELSITO: Thank you. Is Holtec
10 using the survey sent out last year for emergency
11 planning? If so, what have they done to correct
12 deficiencies in the survey -- survey, i.e. to reach
13 people who don't have computers, speak Spanish, or
14 read, Spanish language speakers, and speakers of
15 indigenous languages that make up a large portion of
16 those in the 10-mile radius?

17 CHAIR CONGDON: Rich, that's to you?

18 MR. BURRONI: Yeah. I know. Let's
19 talk offline on this because the only survey that I'm
20 familiar with was an evacuation time survey. So I
21 don't know if you're talking about different ones.

22 MS. WILLIAMS: It's the postcard that
23 we all got in the mail that had like the Q.R. code
24 and asked questions like, will you evacuate yourself
25 by car? Is your college student, is your kid going

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2 to be away at college, or are they going to be home
3 and need for you to take them?

4 MR. BURRONI: Yeah. Let -- let me
5 review the survey again. I think that was just to
6 develop the evacuation time estimate. That's what
7 the intent of that survey was. So if we couldn't get
8 through to Spanish speaking people with it, that --
9 that could be a concern, so let me look into this.

10 MS. WILLIAMS: Yeah. My -- my worry
11 is that, you know, most folks don't know what a Q.R.
12 code is. And that it was only in English when a huge
13 proportion of Peekskill and Ossining and others in
14 the 10-mile evacuation radius are, you know, would
15 not be able to take that. Folks who are elderly
16 would not be taking that survey because they don't
17 use the Q.R. code.

18 So it's like inherently leaving out
19 the people most likely to need help evacuating. And
20 shouldn't be used to -- to do any kind of planning.
21 Because it seemed designed to like exclude the folks
22 that would slow down evacuation.

23 MR. BURRONI: I don't want to believe
24 that was the intent, but I understand what you're
25 saying. So let me look at it, and then, we can make

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2 corrections if necessary.

3 CHAIR CONGDON: Thank you. Thanks,
4 Courtney.

5 MR. SULLIVAN: Can I just -- I'm John
6 Sullivan. And so you did mention my name. So I just
7 want to, the issue -- thank you, Susan. The issue
8 isn't so much who is in charge, but is there
9 redundancy? What happens when things fall apart?
10 Are you guys planning for that? Is that part of the
11 table-top exercise?

12 So I also want to thank the D.O.B. for
13 the website, so it's really great. And just one more
14 thing, is the county interested in putting stuff out
15 on -- on TV on Channel 12, explaining what shelter-
16 in-place is and how that's going to be applied so.
17 Okay. Thank you.

18 BOARD MEMBER SPEAR: All right. So
19 this is Susan Spear. So what happens if things
20 should fall apart, and have we built redundancies?
21 So yes, we have redundancies. And I think, you know,
22 we've always really thought about a unified command
23 structure.

24 If there was to be an incident where
25 you'd have representatives of the different

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2 responders. So you'd have the fire representative,
3 you'd have an E.M.S. representative, you'd have a
4 HAZMAT team leader. You'd have, you know, the
5 different types of responders would be in one central
6 location to be able to make decisions and have
7 redundancy built in.

8 In addition, depending on the scale of
9 the incident, we would probably step up the emergency
10 operations center. And again, have a tremendous
11 amount of redundancy, and bring all the players into
12 one place so decisions can be made with all the
13 information.

14 You know, basically we need sufficient
15 information to make a good decision and then we need
16 the resources to back up that decision. And I think
17 we have all that in place. Channel 12, sure, yeah.

18 BOARD MEMBER BORGIA: Could I just,
19 yes, just on -- on that, I do think that's a very
20 good idea actually to not only broadcast it among our
21 -- our media outlets but also just to have it, you
22 know, on our websites so people can look at it and
23 review it so.

24 MR. SULLIVAN: Good.

25 CHAIR CONGDON: Thanks, John.

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2 A.L.J. BELSITO: Thank you. At Indian
3 Point, what and who is in place in the event of an
4 incident caused by human error, failure of equipment,
5 natural disaster, or malicious acts to either the
6 Enbridge gas lines or decommissioning of Indian Point
7 by Holtec?

8 CHAIR CONGDON: So shall we start on
9 this one with John?

10 MS. SHERIDAN: Sure. The Algonquin
11 Pipeline System has sensors on the system that can
12 detect gas releases or any other issues. In the
13 event that something does occur or happen, we
14 certainly will reach out to first responders
15 immediately to notify them.

16 We also have employees that work and
17 live in the area. And they can respond, they're on
18 call and they can respond within an hour or less to
19 whatever issue there might be along the pipeline
20 system.

21 CHAIR CONGDON: Rich?

22 MR. BURRONI: Yeah. Outside of what
23 John just said, we still have a fully staffed
24 operations department that will look at any event at
25 the plant and address it accordingly. Who is in

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2 place, it's my operations department, supported by
3 security, health, physics, maintenance. So we have
4 all -- we still have our whole staff that -- that can
5 address these issues.

6 A.L.J. BELSITO: Thank you. Mr.
7 Sullivan was your question answered sufficiently? We
8 got a lot more questions coming up, so I just want to
9 move forward quickly.

10 MR. SULLIVAN: So just -- just one
11 more time. If something happens at plant, it's a
12 radiological emergency, it's the county is going to
13 take responsibility. And if it's the pipeline, it's
14 going to be the local first responders and
15 coordination comes from through Holtec as to
16 determine what's going on?

17 A.L.J. BELSITO: Let's take it in two
18 pieces, county first.

19 BOARD MEMBER SPEAR: Sure. Thank you,
20 Susan Spear.

21 A.L.J. BELSITO: Right.

22 BOARD MEMBER SPEAR: So if the county
23 receives an alert that there is a radiological
24 incident, that's when the county would, along with
25 the State, would get involved and make determinations

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2 into whether there should be shelter in place or an
3 evacuation.

4 We look at all kinds of things like
5 direction of the wind, the level of the radiological
6 release et cetera, et cetera. So I mean, Holtec
7 would take responsibility for the actual physical
8 response on the site. The county would be making the
9 decisions about public actions resulting from that
10 release.

11 CHAIR CONGDON: Okay. And the data on
12 the radiological release would also be coming from
13 the monitors on site Holtec would be informing of
14 something.

15 MR. BURRONI: Okay. Yeah. So our
16 emergency plan dictates that. So we would look at
17 the plan and then we would give correspondence to
18 Westchester County as far as what's sector to
19 evacuate and when and where.

20 CHAIR CONGDON: Okay. The second part
21 of the question.

22 MR. BURRONI: So -- so the --

23 CHAIR CONGDON: Yes, go ahead..

24 MR. BURRONI: -- I guess from a
25 radiological perspective; it starts with the -- it

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2 starts with the -- it starts with us in the Indian
3 Point.

4 CHAIR CONGDON: Okay.

5 MR. BURRONI: And then we have our
6 emergency plan procedures that go out to the county,
7 right, to facilitate the corrective action. All
8 right. Thank you.

9 CHAIR CONGDON: Oh, I -- I want to
10 make sure we get to the second part of the question
11 on the pipeline, who's in charge --

12 MR. BURRONI: Which was -- right.

13 CHAIR CONGDON: -- first responders,
14 you have John and Roberto.

15 MR. SHERIDAN: Sure. On a pipeline
16 rupture we're certainly going to coordinate with
17 first responders, but we will be in charge of the
18 pipeline. And -- and the chief, and his team would
19 be responsible for the -- the perimeter of the other
20 areas outside the pipe.

21 BOARD MEMBER SPEAR: So this is Susan.
22 I think one good way to think about it is Holtec and
23 Enbridge would be responsible for their physical
24 facility, whereas the public agencies would be
25 responsible for the public response.

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2 So for Chief Rosario it's going to be
3 working on putting out the fire. And for us, it's
4 going to be looking at the radiological exposure.

5 CHAIR CONGDON: That's a great way to
6 explain it. Thank you.

7 BOARD MEMBER SPEAR: Yes, of course.
8 Absolutely, that's what I meant by.

9 CHAIR CONGDON: Yeah. Thank you.

10 MR. SHERIDAN: Thank you.

11 MR. KACZMAREK: Thank you.

12 A.L.J. BELSITO: Thank you. Next,
13 we'll move on to --

14 MR. KACZMAREK: Just one second.

15 A.L.J. BELSITO: Okay.

16 MR. KACZMAREK: MS. Leifer has a
17 follow up.

18 A.L.J. BELSITO: Okay. Ms. Leifer, if
19 you'd like to ask a follow up question. Go ahead.

20 MS. LEIFER: Yeah. Hi! The follow up
21 question is, it's not clear. Somebody's going to
22 have to make an immediate first and fast decision.
23 You have a lot of people who have input. It's not
24 clear that you have a overall design or an overall
25 head, so that things happen quickly and effectively.

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2 And suppose this happens like 12
3 O'clock at night or three in the morning. You don't
4 necessarily have people available or on staff or at
5 the plant or at Holtec that are -- are -- are they
6 there to start making decisions?

7 MR. BURRONI: So I'll answer that
8 question, sorry.

9 CHAIR CONGDON: Yeah. Go -- say that
10 again, please.

11 MR. BURRONI: Oh. We're on Site 24/7,
12 everybody knows that. So we would -- we would
13 respond accordingly whether it's three in the morning
14 or three in the afternoon, right. And then, again,
15 we follow our protocols. We contact Westchester
16 County if there is a release outside the site
17 boundary and then, we'll go from there.

18 BOARD MEMBER SPEAR: County -- this is
19 Susan Spear. County dispatch is 24/7 365. So we can
20 dispatch our first responders 24/7.

21 CHAIR CONGDON: Thank you.

22 MS. LEIFER: And -- and can I just ask
23 a second question. If -- if cell phones are not
24 allowed, how -- how are they going to communicate
25 with each other?

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2 MR. BURRONI: We wouldn't depend on
3 cell phones to contact the county, right. We would
4 use department form that -- that goes through the
5 telephone system, the landline telephone system in
6 addition to direct communication with Westchester
7 County. We wouldn't call cell phones.

8 MS. LEIFER: And --

9 MR. BURRONI: And beside, this all
10 happens inside the control rooms themselves, right,
11 in the unit two.

12 MS. LEIFER: And -- and between
13 people, in other words, once -- once you've activated
14 the emergency people, how are they going to
15 communicate. One of the bad things that happened at
16 9/11 is there was a real breakdown of communication.
17 What's -- what's set in place now so the
18 communication will act smoothly?

19 CHAIR CONGDON: That's the question.
20 I think -- yeah, go ahead.

21 BOARD MEMBER SPEAR: This is Susan
22 Spear. So -- as a -- partly as a result of 9/11, we
23 -- a lot of lessons learned there, but the county
24 does have tremendous redundancy in its first
25 responder communications and dis -- dispatch system.

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2 So I feel very confident about that.

3 CHAIR CONGDON: I'm not sure if Jen --
4 Jennifer Wacha you're familiar enough to describe the
5 first net system?

6 BOARD MEMBER WACHA: ...

7 CHAIR CONGDON: Yes.

8 BOARD MEMBER WACHA: Slightly, but I
9 would never presume to take the place of my
10 colleagues, but it's -- it's not a static and
11 consistent hazard everywhere all at the same time,
12 right. So part of the initial response actions is to
13 define the -- the parameters of that.

14 And outside of the parameters are safe
15 areas to communicate and operate, and coordinate
16 which is by protocol where they would establish
17 incident command structures and such. There is
18 usually equipment capabilities to op -- operate in
19 hazardous environments. But that those are
20 controlled entries. Those are done by specialty
21 trained responders with the right equipment and the
22 right protective gear.

23 But -- but keep in mind that it's --
24 it's not a problem everywhere equally, part of the
25 response is to shape that and find the -- the

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2 boundaries of that and then, implement protection as
3 appropriate.

4 CHAIR CONGDON: Yeah. Thanks for
5 that. I was speaking specifically to the State's
6 first net cellular coverage for first responders and
7 government officials during events or significant
8 events. So that there's bandwidth in the cell --
9 cellular coverage to allow for first responders to
10 communicate. So that was a, you know, lesson learned
11 after 9/11 communications.

12 So Susan, you're -- you're -- you're
13 exactly right that there was problems after 9/11.
14 There has been a State contract with cellular
15 providers to create this first net system that will
16 allow for government first responders to be able to
17 communicate even during a high traffic cellular event
18 like that. Tony, back to you.

19 A.L.J. BELSITO: All right. We'll
20 move on to training and drills. And the question
21 there is, there has never been an emergency drill
22 held in Westchester County O.E.M., and relevant State
23 and federal agencies to prepare for an incident
24 involving the pipeline and plant. Will Susan Spear,
25 Westchester County and D.P.S. commit to holding such

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2 a drill? And how can this community be repeatedly
3 told that there's nothing to worry about when nobody
4 -- nobody ever has run a drill.

5 CHAIR CONGDON: Go ahead.

6 BOARD MEMBER SPEAR: Hi, Susan Spear.
7 So we just did it on September 12th. Regarding the
8 second part of the question, I don't think anybody
9 from the county has ever made that statement and
10 would not make that statement. We understand that as
11 low as the risk might be, the impact is potentially
12 very high. And we would always be actively
13 preparing.

14 MS. WILLIAMS: Great. But then, when
15 Tina brought up like, you're going to knock on every
16 door, you were kind of like. So I mean, I would -- I
17 would have a question for the chief. When you
18 normally do trainings as first responders, what do
19 the normal trainings that you do for your department
20 look like?

21 MR. ROSARIO: So there is various
22 different topics. So it could be anything going on
23 from fire suppression, a medical related scenario,
24 something on the water since we operate in marine
25 units. As long -- also going towards the pipeline,

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2 we also have a U.T.V. So we also trained in that
3 aspect, too if there was an --.

4 MS. WILLIAMS: What's UTV? I don't
5 know what that stands for.

6 MR. ROSARIO: Off-road vehicle.

7 MS. WILLIAMS: A.T.V., okay.

8 MR. ROSARIO: Yeah. So we operate
9 that as well. So in case of scenario, something
10 along those lines out there in a wooded area, we're
11 always prepared.

12 MS. WILLIAMS: And are they all
13 virtual online trainings and you never get the first
14 responders together to actually physically practice
15 any of this, or are they in person with like a human
16 pretending to be the injured party?

17 MR. ROSARIO: So the majority of our
18 trainings are all in person with all our members.
19 Yes, we do have virtual tabletop drills for certain
20 scenarios, but the majority of our training is all in
21 person all hands on.

22 MS. WILLIAMS: Okay.

23 BOARD MEMBER SPEAR: Can I -- Susan
24 Spear. Can I just add, the county has a fire
25 training center, second busiest in the State, and we

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2 do extensive courses there, for fire departments,
3 including the ones --

4 MS. WILLIAMS: But not on pipeline
5 fires, right? That's what I'm trying to get at is
6 like normally, when our first responders are training
7 for this stuff, it's intensive. So that in an
8 emergency, they know exactly what to do.

9 But the -- the one about the pipeline
10 blowing up under the nuke plant was virtual, and
11 that's it. And we just heard Enbridge say that they
12 don't provide any training materials. So it's like,
13 how are they training, and you -- sounds like they're
14 saying they don't train people.

15 But then, you are calling what
16 happened, the virtual tabletop thing is a training.
17 You said it was comprehensive but it's not like any
18 other training that our first responders do for
19 emergencies. So we're supposed to say this one
20 virtual thing, everybody is ready to go.

21 CHAIR CONGDON: I don't think we're
22 going to say that.

23 BOARD MEMBER SPEAR: I'm not saying
24 that.

25 CHAIR CONGDON: I'm sorry. Yeah. I

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2 don't think anyone is saying that. And I think from
3 our standpoint, we observed that exercise, we're
4 still processing that. I expect we're going to want
5 to see additional exercises. And so I'm not -- I
6 don't think anyone is saying one and done. I think
7 we should constantly stay vigilant and look for new
8 opportunities.

9 MS. WILLIAMS: To clarify, this was
10 the first time that anything had been done with
11 Enbridge?

12 CHAIR CONGDON: As far as a drill --

13 MS. WILLIAMS: Yeah.

14 CHAIR CONGDON: -- exercise. John.

15 MR. SHERIDAN: As far as this tabletop
16 exercise, yes, but we hold liaisons meetings.

17 MS. WILLIAMS: Have you had any
18 responders from New York State, Westchester County,
19 Rockland, or Putnam ever attend any of these
20 liaisons?

21 MR. SHERIDAN: I would say, yes, we
22 hold -- we hold them every two -- two or three years.
23 Regional liaison meetings, we invite all first
24 responders.

25 MS. WILLIAMS: And who has attended

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2 them from this area?

3 MR. SHERIDAN: I couldn't tell you
4 tonight who attended, but --

5 MS. WILLIAMS: Chief, do you know if
6 anybody from your department attended any of these
7 liaisons?

8 MR. SHERIDAN: We've been holding
9 these for years and year, we've been holding these
10 types of liaison meetings.

11 MR. ROSARIO: I don't offhand.

12 MS. WILLIAMS: As chief, do you know
13 if anybody from your departments ever attended a
14 liaison with Enbridge?

15 MR. ROSARIO: So I can't really speak
16 on anyone's behalf. So I wouldn't be able to give
17 you a straight answer on that. Like I said, we do
18 training throughout the year, whether it be tabletop
19 or like you said, a liaison or something.

20 MS. WILLIAMS: Chief, have you ever
21 gone to one of theirs that they've held?

22 MR. ROSARIO: Me, personally?

23 MS. WILLIAMS: Yeah.

24 MR. ROSARIO: I wouldn't say I have
25 personally.

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2 MS. WILLIAMS: Did you know that they
3 existed until tonight?

4 MR. ROSARIO: Well, yeah. So I -- I
5 don't want to say that we don't know they exist
6 because they have good communication with us, the
7 county. So whether or not they happen once a week,
8 once a year, twice a year, three times a year, it
9 happens.

10 You can't just get five different
11 entities together and act like you're never going to
12 have an incident. So yes, it does happen, and does
13 it happen on a daily basis no, but it does happen.

14 CHAIR CONGDON: It's got -- it's got to
15 happen under regulations every -- every few years. I
16 think that's what John was referring to. And I think
17 it would be a fair question to, as a follow up, to
18 just get, you know, from the last few regulatory
19 required liaison meetings who attended from -- from
20 this region and we can follow up with that.

21 BOARD MEMBER SPEAR: May I -- may I
22 just add one more thing?

23 CHAIR CONGDON: Yes, please.

24 BOARD MEMBER SPEAR: So at our fire
25 training center, we do have very real live fires that

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2 we do train firefighters on. In fact, one of our
3 facilities is a gas facility that ConEd built with
4 us. And if we do, it is controllable, admittedly,
5 but they do create live fire from a gas leak.

6 MS. WILLIAMS: And what's the diameter
7 of the pipeline that they're using there, 42 inches
8 with 850 psi?

9 CHAIR CONGDON: Obviously, not.

10 BOARD MEMBER SPEAR: Obviously, not.

11 MS. WILLIAMS: Not.

12 BOARD MEMBER SPEAR: It was a
13 controlled fire for safety reasons, but it is -- it
14 gives the firefighters an indication of how to
15 respond to the fire, what to look for, you know, a
16 lot of different aspects of it. So it is a live fire
17 training situation and not a table top.

18 CHAIR CONGDON: I think Mayor
19 Knickerbocker had her hand up to -- to weigh in on
20 this. Mayor Knickerbocker. I thought she did.
21 Theresa, are you available for?

22 BOARD MEMBER KNICKERBOCKER: Yes, I'm.

23 CHAIR CONGDON: Okay, go ahead.

24 BOARD MEMBER KNICKERBOCKER: Can you
25 hear me now?

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2 CHAIR CONGDON: Yes.

3 BOARD MEMBER KNICKERBOCKER: Okay.

4 Good. So listen, I just want to make a few comments
5 on this. When the pipeline first went in, I had
6 requested Spectra at the time to have a training for
7 the local first responders and they did. We had it
8 at the Buchanan firehouse. So that was one of the
9 first meetings and the different fire departments,
10 Verplanck, Montrose, Buchanan, whoever were the first
11 responders were there.

12 I want to also comment on
13 communication. The Village of Buchanan has code red,
14 and also, the Town of Cortlandt has something
15 similar. So if there is an emergency situation, we
16 have to get out to our residents, we could use the
17 code red communication or the Village of Buchanan
18 also has something where they can communicate through
19 a direct email. And my staff is excellent. If
20 there's an emergency even at three o'clock in the
21 morning, we would be on top of that immediately.

22 Let me just see what else I wanted to
23 comment on. But yes, I was at -- I was on that, the
24 last training that Enbridge had done. I thought it
25 was excellent. And I thought the involvement and the

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2 first responders were very engaged, and it was a
3 scenario based thing. And it was -- it went very
4 well.

5 MS. WILLIAMS: Mayor Knickerbocker, do
6 you know if there had been any of those prior to the
7 one that you requested?

8 BOARD MEMBER KNICKERBOCKER: Before
9 that this was just after the 42-inch pipeline went in
10 and I just thought it was appropriate since then,
11 that, you know, people became a little more -- the
12 first responders were -- some type of training on
13 that. Before that I'm not sure to be really honest
14 with you, I'm not sure.

15 MS. WILLIAMS: Yeah. I think in --
16 that I think is really telling that until our local
17 elected official took the initiative to request that,
18 nobody had any recollection of it ever happening.
19 And I have spoken to a lot of first responders,
20 Peekskill may be a different municipality, but it is
21 not far from this plant that have no idea how to
22 respond to this. That have told me they do not know
23 the trainings that they get are like, you know,
24 people coming in and dropping off a binder that no
25 one's ever going to read.

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2 And that is why I asked this question,
3 because I don't think a tabletop drill is sufficient.
4 And I -- like, I mean, did your tabletop drill assume
5 that every living being within, like, one-and-a-half
6 miles of the rupture had evacuated, because in the
7 rupture that Enbridge allowed to happen by shoddy
8 maintenance in Kentucky, they had a woman who died,
9 Lisa Derringer. They couldn't recover her body
10 because it was so hot, and she was a 1000 feet away
11 from this thing.

12 So like are the trainings accounting
13 for the fact that these are massive fires and that
14 normally, you can't send people in to rescue anyone,
15 like my kids at Buchanan-Verplanck Elementary, 400
16 feet from the pipeline. Those are the kinds of
17 emergency drills that we need. And I really don't
18 think it is at all fair to expect our first
19 responders who will not ever say no to helping us to
20 respond to this kind of thing without adequate
21 training.

22 And I think it's sad that it takes the
23 Mayor to insist on Spectra holding one of these
24 things, to have one in anyone's memory. And then
25 that this most recent one earlier this month was the

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2 first one that the county held. Those pipelines have
3 been in the ground since the 1950s. And we're
4 talking about a handful of things only after years of
5 raising a fuss to demand that our first responders
6 get adequate training.

7 BOARD MEMBER SIPOS: Yeah.

8 BOARD MEMBER KNICKERBOCKER: And could
9 I also add something on here too.

10 BOARD MEMBER SIPOS: A few years ago,
11 the D.P.S. took an initiative in a FERC regulatory
12 proceeding. And to my knowledge, it may have been
13 the first in the country where -- where this occurred
14 and we were successful, in that -- in that rate
15 proceeding to get money to set aside for the
16 Verplanck Fire district. So I just want to
17 underscore that, that D.P.S. has been active in this
18 as well.

19 MS. WILLIAMS: Thank you. And
20 frankly, Enbridge is the one making money off of
21 this, and it's enough of our tax dollars to be doing
22 all this training. They should be ponying up and
23 doing the right thing for our community.

24 A.L.J. BELSITO: All right. Thank
25 you. We have one more question.

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2 BOARD MEMBER KNICKERBOCKER: Can I
3 also add -- can I also add something with the
4 training? I'm sorry.

5 CHAIR CONGDON: It's okay. Go ahead,
6 Mayor.

7 BOARD MEMBER KNICKERBOCKER: So after
8 this training, I -- I thought it was appropriate that
9 there was actually a walkthrough of the pipeline
10 areas for our first responders, so that we'd be --
11 they would be more comfortable on the path of it and
12 -- and have a better understanding, you know, how far
13 it goes into the woods, where it's located.

14 So and I know there's going to be
15 other trainings. Enbridge had said they would
16 continue to do trainings. But I think that one, I'm
17 a very visual person. So I think that would help the
18 first responders a whole lot to be able to do a
19 visual, where the lines are and do a walkthrough.

20 CHAIR CONGDON: I think there's a
21 couple of follow ups from that line of questioning.
22 We've got already discussed sort of going -- look
23 that -- do a look back of several rounds of the
24 multi-year liaison meetings.

25 And also, you know, there is -- there

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2 was money already paid out to Verplanck pursuant to
3 the FERC proceeding. But further follow up with the
4 first responders in the region, I think is warranted.

5 And you know, I'd also just like to
6 thank Courtney and others, you know, we are
7 listening. There's a sense -- a heightened sense --
8 sensitivity associated with co-location with the
9 pipelines. And I think the questions are helpful in
10 identifying areas for improvement. So this would be
11 another takeaway there.

12 And -- and I think everyone agrees,
13 more communication is better with the first
14 responders. And, you know, that's a -- that's a easy
15 takeaway, in my opinion. Okay. Tony, back to the
16 questions.

17 A.L.J. BELSITO: Thanks. Outreach and
18 Communications. What kind of outreach and training
19 will be initiated for emergencies? How does a
20 Westchester resident know what to do to protect
21 themselves in an emergency? We need clear,
22 consistent emergency information for safety. How
23 will you ensure this?

24 CHAIR CONGDON: Who do we have a
25 taking this one, Susan. Sorry, no?

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2 BOARD MEMBER SPEAR: Well, I feel like
3 we've already --

4 CHAIR CONGDON: We've covered it?

5 BOARD MEMBER SPEAR: -- described it.

6 CHAIR CONGDON: Okay. We can skip
7 right to follow ups. Why don't we ask Sally and
8 Susan, if they have follow ups based on the previous
9 answers?

10 A.L.J. BELSITO: Ms. Leifer or --

11 MS. LEIFER: Yes, that's Leifer here,
12 Susan Leifer. Thank you. It's -- my experience is
13 that if you prepare for something very well, you --
14 this -- this -- when something really happens, you
15 don't start thinking so much. If you have a pattern
16 in place, you react automatically and that helps you
17 through an emergency.

18 What appears is that we've had really
19 no training of the public and not enough training of
20 the first responders. I agree with the statement
21 that we should really up this and do more of it and
22 make it more visible and make it more open to the
23 community, so they know what they're doing.

24 I think the worst thing that can
25 happen is something happens that you haven't trained

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2 for, and nobody knows what to do. And mostly, when
3 an emergency happens, some -- some element of it is
4 surprise. And at least the parts that you can
5 imagine. Get -- get practice so that people know
6 what to do and have an idea what to do and -- and
7 demonstrate it.

8 A.L.J. BELSITO: Thank you. Is Ms.
9 Gellert on the line? No. Okay. That's the end of
10 the questions that we have. We're running a little
11 late. So I think it's probably appropriate at this
12 time to pass it over.

13 CHAIR CONGDON: Tony, thank you so much
14 for facilitating the public forum. And thank you to
15 those who submitted questions in advance for the
16 forum. Manna, I know that you also had something to
17 ask, but we've gone through the pre-submitted
18 questions already. And we're about 15 minutes a
19 little behind.

20 But I think we might be able to get
21 through the next presentation ahead of schedule. And
22 if there's time at the end, we can turn back to more
23 questions, if that's all right. But we've repeatedly
24 missed some of the presentations that were planned on
25 the agenda. I'd like to try to stick to it if

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2 possible, is that alright?

3 You're the -- I think you were the
4 only one that we had an additional question. Do you
5 -- is it -- okay, thank you. Appreciate. So with
6 that, I'd like to turn it over to Kelly Turturro from
7 the D.E.C., who will give a presentation on the
8 monitoring working group.

9 I think, just for context, folks --
10 folks that don't know that we have a School
11 Monitoring Working Group we established after the
12 first meeting to evaluate opportunities for
13 environmental monitoring. There was a primary
14 concern about the school community.

15 Since we started our work, there's
16 been, you know, other interests, beyond just the
17 school for the broader community wanting to have more
18 robust monitoring in the village as well. And so the
19 working group and the agency staff have been taking
20 that feedback. Taking the inputs that we received
21 from the school group at Columbia University.

22 We've met with a number of other
23 entities to do monitoring and it has informed our
24 work. I want to thank many agency staff that had
25 been involved in this, especially from the D.E.C. and

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2 the D.O.H., their monitoring experts have greatly
3 assisted us and under, excuse me, understanding the
4 best approaches to take. So with that, I want to
5 turn it over to Kelly to provide a status report and
6 some recommendations for our next steps. Kelly.

7 BOARD MEMBER TURTURRO: Thank you,
8 Tom, you've done a great job making my presentation.

9 CHAIR CONGDON: I didn't mean to steal
10 your thunder.

11 BOARD MEMBER TURTURRO: It's okay.
12 It's all right. No, it was a very nice lead in.
13 Again, I'm Kelly Turturro. I'm the Regional Director
14 for D.E.C.'s Hudson Valley office. And I'm very
15 happy to be able to give this presentation on behalf
16 of our School Monitoring Working Group.

17 As Tom said, we had a number of
18 Decommissioning Oversight Board members, in addition
19 to experts both in the Department of Environmental
20 Conservation, as well as the New York State
21 Department of Health. And David Lochbaum, our
22 technical expert assisting us through this process.

23 So what I want to do is I'd just like
24 to start with a little bit of background on where we
25 started, what information that -- that we brought

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2 together, what we've learned from our technical
3 experts and then, what our ultimate recommendation --
4 recommendations where -- will be and what our next
5 steps will be. There is more work to do. But as I
6 said, I just want to go through a background, and
7 then -- and then, we'll present on the
8 recommendations.

9 So first, as Tom mentioned, the School
10 Monitoring Working Group was established at the first
11 meeting of the Decommissioning Oversight Board in
12 June 2021. We had a few goals in establishing this
13 working group. We wanted to develop a better
14 understanding of the potential environmental and
15 health risks that decommissioning could present to
16 the B-V Elementary School.

17 We also wanted to assess best
18 monitoring practices and then finally issue
19 recommendations to the Hendrick Hudson School
20 District. So the working group has met eight times
21 to discuss and learn about monitoring protocols over
22 the last year and a half.

23 At our -- at our October 2021,
24 Decommissioning Oversight Board meeting, our
25 independent technical expert Dave Lochbaum presented

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2 on the working group's initial findings and
3 recommendations for a path forward. The key
4 takeaways he presented on were that the likelihood of
5 contaminants reaching the school is extremely low.

6 However, monitoring can provide
7 assurances to the community and then also current
8 real time -- time radiological monitors remain in
9 place until spent fuel transfer is complete and
10 Holtec has advised that that is expected at the
11 earliest in late 2023.

12 So, with that, the School Monitoring
13 Working Group indicated that a monitoring plan for
14 the B-V school and the community should be in place
15 ahead of heavy demolition activities at Indian Point
16 and a \$500,000 grant was secured for that monitoring.

17 Finally, we also had outreach from
18 Columbia University Professor Jonathan Hollander, who
19 proposed an educational exercise for students to
20 offer monitoring suggestions to the working group and
21 we took them up on that. So the students worked on
22 this -- these monitoring suggestions and presented
23 three alternatives to us in May 2022.

24 Those three alternatives were one,
25 maintain existing monitoring equipment and protocols

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2 or purchase additional real time particulate matter
3 and V.O.C. monitors to be located at the school, or
4 purchase additional real time particulate matter,
5 V.O.C. and radiation monitors to be located at the
6 school.

7 Our technical experts in State
8 government provided peer review of ambiguities and
9 inaccuracies in the written report that we received
10 from the students. And the working group awaits a
11 final report from Columbia Professor Hollander.

12 So now, I just want to turn to a few
13 items that we've learned through this working group
14 and to start with the existing monitoring and
15 safeguards that are in place. So all demolition work
16 is subject to local demolition permits. And those
17 permits will require dust mitigation and suppression.
18 There are State environmental regulations, and there
19 are also strict workforce safety -- safety standards.

20 So testing for the presence of
21 asbestos, lead, and other contaminants before
22 structures are taking -- taken down. If contaminants
23 are found, that will trigger specific disposal,
24 monitoring, and worker safety standards. And what --
25 what we learned was that the worker safety standards

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2 serve as the first and most accurate line of
3 detection for the school and for the community.

4 And as we talked about before, at our
5 Decommissioning Oversight Board meetings, there is an
6 on site New York State Inspector monitoring the work
7 as well.

8 There is also a network of
9 radiological monitors on site on workers. And as
10 Rich ment -- mentioned earlier, there are 16 around
11 the site perimeter including two near the B-V school.

12 There will be on site dust control
13 measures and an off site dust complaint reporting and
14 investigation procedure that will be required through
15 the village demolition permits. But most
16 importantly, in all cases, fugitive demolition dust
17 must not leave the site.

18 Dave Lochbaum our technical expert has
19 also done some research into other nuclear power
20 plants that are undergoing decommissioning
21 activities. And what he found was that there are
22 identical and comparable measures that are in place
23 at these other nuclear facilities to prevent hazards
24 to workers and the public.

25 So I mentioned that the workers -- the

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2 school working group also consulted with State
3 experts from both the Department of Environmental
4 Conservation and the Department of Health. And what
5 we learned there was that on site continuous air
6 monitors in the immediate vicinity of demolition
7 activity, offer the most timely and beneficial
8 information to protect the community. These provide
9 early warning and near real time results.

10 Monitoring further out beyond the
11 fence line may not be as useful for a few reasons.
12 There's great potential for interference from
13 background readings. It's more difficult to
14 determine the source and there is a need to account
15 for long range transport of pollutants to the
16 monitors.

17 So before we turn to the working
18 group's recommendations, based on all -- all that we
19 have learned I just wanted to pause and discuss this
20 concept of heavy demolition.

21 This is the demolition of concrete
22 buildings with thick walls, specifically the spent
23 fuel pool buildings, turbine buildings, and domes.
24 And what we've done as a working group is we're
25 looking to that point in time as a goal to have

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2 something in place for the community. So timing as
3 Holtec has advised us is that in late 2023, at the
4 earliest, heavy demolition will take place.

5 And that is after all spent fuel is
6 transferred to dry cask storage and vessel
7 segmentation within the containment domes underwater
8 and under negative pressure is complete.

9 So moving to our recommendations, so -
10 - so based on all -- all of what we've learned, the
11 working group will recommend that a community air
12 monitoring plan be developed. So how will we do
13 that? First of all, the contracting entity for this
14 community air monitoring plan will be in New York
15 State on behalf of the Decommissioning Oversight
16 Board.

17 What we will do and I'll present the
18 timeframe next and it's -- it's a pretty tight
19 timeframe to make sure we can make this 2023
20 deadline. But we're going to issue a request for
21 proposals to secure an environmental consulting
22 service to develop a community air monitoring plan
23 with primary focus on fence line monitors. This
24 R.F.P. will also include potential substances of
25 concern, including radioactive materials, non

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2 radiological particulate exposure, resulting from
3 demolition activities.

4 And on site meteorological monitoring
5 to account for upwind and downwind conditions. It
6 will include a plan for the B-V school and take into
7 account baseline normal activity pack -- picked up by
8 the monitors. The State will also be assembling
9 amongst various agencies a technical expert plan --
10 panel to support the R.F.P. and assess the proposals
11 that we get for the community air monitoring plan.

12 So this final slide just shows our --
13 our targeted dates and completions. As I mentioned,
14 it is a very tight timeframe. But we are going to
15 work as, as I said, to get this plan in place and
16 operational by the time heavy demolition takes place.
17 So thank you all for your time, and we welcome any
18 questions from -- from the Board members.

19 CHAIR CONGDON: Thank you, Kelly.
20 Questions, Kelly. Yeah, sure.

21 BOARD MEMBER BORGIA: Sorry, that I
22 don't know this. But who -- what was the composition
23 of the working group?

24 CHAIR CONGDON: So we formed the
25 working group, I think at the first D.O.B. meeting,

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2 and it consists of a subgroup of several of us.

3 BOARD MEMBER BORGIA: And who are the
4 several of us, that's what I'm asking?

5 CHAIR CONGDON: Very good, so it's --
6 it's all of the members of the -- of the working
7 group Dave Lochbaum, ever -- everybody raise your
8 hand who is on.

9 MR. KACZMAREK: We are all sort of.

10 BOARD MEMBER BORGIA: And may be this
11 is for the superintendent but anybody else from this
12 school community beside yourself?

13 BOARD MEMBER HOCHREITER: Yes, so the
14 school district consulted with outside of the working
15 group consulted with environmental experts through
16 our Board of Cooperative educational services through
17 BOCES. But there was a time in the early
18 deliberations when the funding was -- was awarded to
19 the school district that we thought we were doing
20 this heavy lift on our own, you know, so we went off
21 and tried to talk to people.

22 David Lochbaum led a meeting with our
23 Board of Education back in April. And there the
24 decision that was around the time the working group
25 came together but this -- these outcomes would not be

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2 able to be handled by our own but we did or I did
3 through BOCES an arm of the State Education
4 Department work with environmental technical expert
5 that basically said this is our of their league.

6 BOARD MEMBER BORGIA: Okay. I'm
7 sorry. Can I just go back one slide for a short
8 question?

9 CHAIR CONGDON: Sure. And Catherine
10 you're welcome to join us.

11 BOARD MEMBER BORGIA: I'm not looking
12 for more. I just want to know.

13 CHAIR CONGDON: Okay. Previous slide.

14 BOARD MEMBER BORGIA: So I'm sorry, so
15 maybe it's one more -- maybe it's one more from that.
16 I'm curious about -- I guess it's one more from that.
17 I'm curious about some of the -- this monitoring
18 beyond the fence because greater potential for
19 interference from background readings. But that
20 makes -- so greater interference means there's
21 additional --

22 CHAIR CONGDON: There are --

23 BOARD MEMBER BORGIA: -- potential
24 contaminants --

25 CHAIR CONGDON: Sure. When you talk

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2 about --

3 BOARD MEMBER BORGIA: -- that would
4 wall up to be a giant contaminant?

5 CHAIR CONGDON: Yeah, right. When you
6 are talking about particulate matter, right.

7 BOARD MEMBER BORGIA: Yeah.

8 CHAIR CONGDON: Particulate matter
9 comes from a lot of sources. Your wood burning
10 fireplace, your diesel bus.

11 BOARD MEMBER BORGIA: So but --

12 CHAIR CONGDON: Yeah.

13 BOARD MEMBER BORGIA: -- if I'm
14 worried about my kids breathing in particulate
15 matter, I'm pretty sure I don't really care like what
16 the source is, right? I mean --

17 CHAIR CONGDON: Well, we do -- well --
18 look.

19 BOARD MEMBER BORGIA: No, I'm saying -
20 - I'm saying --

21 CHAIR CONGDON: Obviously, all of us
22 want --.

23 BOARD MEMBER BORGIA: -- what you're
24 saying is that there might be other stuff there, and
25 I'm saying that makes it worse, not -- we don't want

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2 to -- we don't want to know that.

3 CHAIR CONGDON: We -- we are
4 developing monitoring plans specific to the concern
5 that the decommissioning activities are going to be
6 contaminating the community, right.

7 BOARD MEMBER BORGIA: Okay. Okay.
8 But --.

9 CHAIR CONGDON: And so there's a --
10 there is also a -- there's a regulatory aspect to
11 that as well, right? We want to know if there's
12 something leaving the site. Your underlying point is
13 a broader question that all of us care about the
14 environment as a whole.

15 BOARD MEMBER BORGIA: Great. So -- so
16 -- okay. There's --

17 CHAIR CONGDON: But there's -- but
18 there's -- there's many, many sources of these
19 contaminants.

20 BOARD MEMBER BORGIA: I -- I'm not --
21 I'm not arguing with you, but what I'm saying is --.

22 CHAIR CONGDON: And -- and -- and we
23 live with these contaminants every day, right? There
24 -- and -- and we want to do everything we can to
25 reduce those air emissions from, and that's why we

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2 have renewable energy policies. That's why we are
3 greening up our transportation sector.

4 There's a lot of reasons why we want
5 to reduce those air emissions. This monitoring plan
6 has to be geared towards addressing the
7 decommissioning activities. We are responding to
8 that concern.

9 BOARD MEMBER BORGIA: Okay.

10 CHAIR CONGDON: So that's why this
11 ring line -- this -- this fence line monitor strategy
12 is so important. That said, we're still having the
13 monitor at the school as well.

14 BOARD MEMBER BORGIA: Okay.

15 CHAIR CONGDON: But any monitoring --

16 BOARD MEMBER BORGIA: I'm not --.

17 CHAIR CONGDON: -- any monitoring plan
18 has to -- has to adjust for normal activities. I'm
19 sorry to interrupt. Go ahead. Now please, please,
20 please go. So anybody else?

21 MS. LEUNG: I had a --

22 CHAIR CONGDON: Yes, Victoria.

23 MS. LEUNG: -- question. So looking
24 at the timeline, it's really tight and it is time for
25 the anticipated construction. But I was wondering if

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2 you had any plan in place in case your timeline for
3 the monitoring project was delayed, or in the
4 unlikely case that construct or the deconstruction
5 begins earlier, and the monitoring isn't in place
6 yet. Would the deconstruction be delayed to account
7 for the monitoring?

8 CHAIR CONGDON: I think that's a very
9 good question. I think that it's -- we have a rough
10 schedule from Holtec where we know that the spent
11 fuel has to be in dry cask before they are going to
12 be commencing that heavy demolition. And there are
13 other things as well in terms of the vessel
14 segmentation and things of that nature that have to
15 occur before they would commence that.

16 So we think there's room beyond
17 December for us to get this in place. We're trying
18 to be aggressive on the schedule, so that we're well
19 ahead of it. I think at the time that we, you know,
20 we -- we will have to be in communication with Holtec
21 all throughout the process of us developing the plan.
22 And if there is a need for coordination, we can
23 communicate with Holtec about that.

24 MS. LEUNG: Thanks.

25 BOARD MEMBER GALEF: Tom, could the

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2 Buchanan Building Department hold up the building
3 permits?

4 CHAIR CONGDON: Mayor, that's a good
5 question for you. Not sure if we -- Mayor
6 Knickerbocker, are you with us? Look I think --

7 BOARD MEMBER GALEF: That could be
8 done on the condition --

9 CHAIR CONGDON: Yeah.

10 BOARD MEMBER GALEF: -- that the noise
11 monitoring is in place. That's how we could do it.

12 CHAIR CONGDON: Well, that's something
13 we could take back to the working group.. Catherine,
14 I feel like I cut you off before. Did you -- did you
15 have another further question? I'm so -- I'm very
16 sorry. I did. I'm really sorry. I'm really sorry,
17 but did -- did you want to ask the --?

18 BOARD MEMBER BORGIA: You know, I
19 think the moment has passed, but you know, what
20 you're basically saying is, you know, a 100 years of
21 contaminant already exists, and they'll drop 1000
22 more. And for that 100 doesn't -- doesn't count
23 anymore.

24 And then, what I guess -- what I'm
25 saying is, it's not only what's happens -- I agree

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2 with you of course because, you know, I'm not dumb,
3 but the -- I wanted to know the source, but I think
4 it makes it a slightly more terrible situation if
5 what we're saying is, oh, and by the way, there's
6 also this other lot of contaminants that exist there.
7 Like that doesn't seem like an unuseful information
8 for us all to know. That's what -- that's my point.

9 CHAIR CONGDON: I -- right. I -- I
10 get the point. And I guess I was -- I was
11 enthusiastically responding to the point you're
12 making before because we've gone around on this a
13 lot. And the issue with these monitors is what are
14 we -- what are we measuring for.

15 The V.O.C.'s that come from the dry
16 eraser boards in your classroom? The particulate
17 matter that is absolutely spiking at school grounds
18 when the schools come to pick up the kids. That's
19 not what we are -- that's not what we are monitoring
20 for.

21 Those things are things the community
22 should always think about and be concerned about.
23 But that's not the activity that we are putting this
24 effort forward to address.

25 BOARD MEMBER HOCHREITER: If I could.

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2 One -- one of the concerns I -- I had had is with the
3 monitoring. What -- what triggers an action, by whom
4 and -- and we heard, you know, earlier today about
5 emergency planning. Who -- who does what to whom,
6 you know, kids inside, closed windows, call parents,
7 evacuate, that that's where my mind goes.

8 And that prompted a discussion of our
9 working group to say, well, whatever those actions
10 are, down the line, regardless of where the monitors
11 are. If we don't have a baseline first at the school
12 or in the surrounding community before any activity
13 takes place.

14 So we -- we need to know what -- what
15 is currently out there to measure against. But I
16 then became fearful with the -- with the input of the
17 technical experts is that we're going to be reacting
18 to the wrong contaminants.

19 I'm not saying that there are any
20 contaminants we shouldn't be concerned about, and I
21 think that's what you're saying. But -- but we don't
22 want to have a -- a false positive in -- in that a
23 set of -- a set of actions are being taken by the
24 school district in conjunction with many other
25 municipalities or agencies if it's not what we intend

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2 to measure to begin with.

3 BOARD MEMBER BORGIA: So I -- the
4 fallacy I see in that argument is that I think you do
5 want to know if there's contamination, and you do
6 still want to close the windows and call the parents
7 if there's contamination, right?

8 BOARD MEMBER HOCHREITER: Which is --
9 which is the baseline of testing it.

10 BOARD MEMBER BORGIA: So what you're
11 saying is -- right. No, I understand that. And what
12 you're saying is, the regulatory component of this,
13 which I'm not disagreeing with is to know what, you
14 know, what's happening as a result of this
15 demolition. And we do want to know that, and I think
16 that's a good data to have.

17 But what yours -- I think the problem
18 is that if we have a situation where the air is
19 already dirty for, you know, you know, just to
20 vernacular in the vernacular, adding this is going to
21 make it worse, exacerbates the emergency in our --
22 into a real degree when it comes to.

23 And I'm -- I'm not -- you don't also
24 feel like taking care of our children's actual
25 health. So that's -- I don't -- I don't see that. I

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2 mean, I don't want to belabor this point anymore.

3 But I don't see that knowing those things hurts us, I
4 guess.

5 CHAIR CONGDON: Oh, I think we want to
6 know that -- don't con -- yeah, we agree with you.
7 We want to know that. That's the baseline that Joe
8 was referring to. I think we need to know, and I
9 think the Columbia students mentioned the importance
10 of baseline as well and to know the different
11 sources.

12 BOARD MEMBER BORGIA: You know, I -- I
13 -- just because I represent Peekskill and my hometown
14 of Ossining.

15 CHAIR CONGDON: Yeah.

16 BOARD MEMBER BORGIA: Which we are,
17 you know, environmental justice communities, there's
18 a lot other crap going on in these communities.

19 CHAIR CONGDON: Right, exactly.
20 Exactly.

21 BOARD MEMBER BORGIA: Like literally
22 and figuratively.

23 CHAIR CONGDON: Yes. No, it's a good
24 point.

25 BOARD MEMBER TURTURRO: And Tom if I

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2 can just jump in.

3 CHAIR CONGDON: Yes.

4 BOARD MEMBER TURTURRO: Just, we're --
5 I'm putting my D.E.C. hat on, you know, understanding
6 what the baseline is, may allow D.E.C. and D.O.H. to
7 step in if we're seeing things that are not
8 consistent with our regulatory standards outside of
9 the work on the Decommissioning Oversight Board. So
10 I appreciate you raising that, Catherine.

11 CHAIR CONGDON: I think that if there
12 are no other questions in the monitoring
13 presentation, we have 10 minutes left, and there were
14 some additional questions that came in. I mean,
15 there're -- there are two questions. Sorry, Tom.
16 I'm going to call -- I'm just going to call on
17 Jacquelyn Drech -- Drechsler first, and then, to
18 Manna Jo Greene. So I think we'll have time for two
19 questions. I believe Jacquelyn is on virtually.
20 Jacquelyn?

21 MS. DRECHSLER: Hi, there. Can you
22 hear me?

23 CHAIR CONGDON: Yes, we can.

24 MS. DRECHSLER: Oh, okay. Great. So
25 first of all, I -- I wanted to say one thing. I

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2 wanted to thank Courtney for mentioning Rockland
3 County in all of this planning and preparedness and
4 everything, Rockland County is never mentioned, and a
5 parts of Rockland County are within this 10-mile
6 zone. And so I get very upset when I come to these
7 meetings and there's absolutely no mention of
8 Rockland County and all of this planning. That's
9 number one.

10 Number two. I wanted to say that
11 years ago when the bomb trains were coming through
12 Rockland County, I helped make damn sure that C.S.X.
13 was the one that was paying for all of the massive
14 training and supplies for that training for
15 preparedness, should there be a bomb train incident.
16 And the county did not pay for that, C.S.X. did.

17 So onto my question which really is --
18 is off topic, but I'm just going to say my piece and
19 thank you. Speaking of risk profiles. My topic --
20 my topic is regarding the future releases of
21 radioactive wastewater into the Hudson River, which
22 flows both ways from the Albany area to New York City
23 port.

24 There are seven towns up-river which
25 rely on Hudson river water for their daily needs,

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2 bathing, drinking, cooking, brushing teeth, et
3 cetera. There are seven towns, have 106,000 people,
4 and there are many, many more who use the river water
5 for the ancillary purposes.

6 As we all know, because it has been
7 heavily reported in the news, Holtec has requested
8 permission to dump radioactive wastewater from their
9 Pilgrim Plant decommissioning into Cape Cod Bay in
10 Massachusetts. One can deduce from Holtec's Pilgrim
11 Plant that Holtec may be requesting to pump and dump
12 radioactive wastewater from the cooling ponds and
13 other facilities collections areas beyond the usual
14 SPDES permits that are for storing wastewater at
15 Indian Point.

16 There's no way to remove tritium from
17 the Hudson River waters. And the N.R.C. has stated,
18 and I quote, in principle, no dose should be
19 acceptable if it can be avoided, end quote. It can
20 and must be avoided. There is no safe level, not by
21 the N.R.C., the E.P.A. or the D.E.C. standards.

22 The Hudson River has already been
23 strangulated from decades of industrial waste. Has
24 the N.R.C. updated any of its outdated health related
25 and scientific facts? The N.R.C. seems to rely on

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2 archaic reasoning and allows for many exclusions,
3 waivers, and exceptions to the company, Holtec which
4 has no or little to none experience in
5 decommissioning nuclear power plants. My question
6 regards public health and safety.

7 MS. DRECHSLER: And it's to Town of
8 Cortlandt. Will the Town of Cortlandt consider
9 creating a resolution stating that for multiple
10 reasons, it is opposed to the possibility of Holtec
11 dumping radioactive wastewater, which includes
12 strontium 90 and tritium as part of Holtec's cheap
13 decommissioning plan into our Hudson River, the river
14 that flows both ways. Other towns and communities
15 and counties are considering this, will you? Thank
16 you very much.

17 CHAIR CONGDON: Thank you, Jacquelyn.
18 Is Dave Lochbaum still with us? Do you want to
19 address this question regarding whether N.R.C. has
20 updated its standards?

21 BOARD MEMBER LOCHBAUM: Yes, I forget
22 the exact timeframe. But about eight to ten years
23 ago, the N.R.C. revised its regulations or its
24 process for determining how much money an owner can
25 spend to reduce radiation that's released to the air

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2 and water and also exposure to workers.

3 They had been using an outdated figure
4 from like 1979. And they updated that to say that
5 the owner must spend more to -- to lower radiation,
6 it's called ALARA as low as reasonably achievable.
7 The N.R.C. has not changed other regulations in terms
8 of how much radioactivity can be released to the air
9 and water as has been done at Pilgrim and Indian
10 Point for decades.

11 So it's not really dumping water, it's
12 discharging water after being treated and verified to
13 be below the federal limits. And I looked at the
14 data for both Pilgrim and Indian Point. And what has
15 traditionally been released from the plant over the
16 last 20 years is less than five percent of that
17 federal limit.

18 MS. DRECHSLER: Right. I thank you,
19 Mr. Lochbaum. I understand that you're saying that
20 this -- this has been going on since Indian Point was
21 being even considered to be built. And I remember
22 reading that it was said, oh, it doesn't matter about
23 dumping radioactive water into the Hudson. No one's
24 ever going to be drinking it, and that is so not
25 true.

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2 It is very much not true. There are a
3 lot of people who do drink this water. Tritium
4 cannot be taken out. And if we're having bigger
5 releases, we're not talking about the usual 60
6 gallons a day or whatever is been allowed. And the -
7 - the usual SPDES releases that are typical. I'm
8 talking about beyond that.

9 This needs to be looked at. And I
10 know that the people in Massachusetts are very upset
11 about this and I'm hoping that people along the
12 Hudson River will be very upset about this. Thank
13 you very much.

14 BOARD MEMBER LOCHBAUM: Sure. I guess
15 to complement that, the other thing I looked at when
16 I -- I traveled up to Pilgrim in May of this year,
17 and met with some of the folks up there. And I
18 asked, well, if you can't release it to the bay or to
19 the river, what do you do with it? You -- you can't
20 -- there's no time machine to go back and un --
21 uncreate the tritium.

22 So what do you do with it? You ship
23 it out west and create an environmental justice
24 thing? Bury it out in Idaho. I haven't found a
25 solution, an alternative to discharging to the river

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2 with less than five percent on federal limit that
3 deals with the problem any better.

4 CHAIR CONGDON: Thank you. Manna, are
5 you ready for the question?

6 BOARD MEMBER SPEAR: Excuse me, Tom,
7 may I respond regarding Rockland County.

8 CHAIR CONGDON: Okay. Yes.

9 BOARD MEMBER SPEAR: I just want to --

10 CHAIR CONGDON: Sure.

11 BOARD MEMBER SPEAR: Assure the
12 questioner are that Rockland County has been very
13 directly involved in our emergency planning and
14 preparedness as are Orange County and New York City.

15 CHAIR CONGDON: Thank you.

16 BOARD MEMBER SPEAR: So rest assured
17 that Rockland is involved.

18 CHAIR CONGDON: I think there are a
19 couple others that want to weigh in. But I want to
20 get to Manna's question while we have time. So
21 Manna, go ahead.

22 MS. GREENE: Before I bring up my
23 question which is actually a follow up to what Jackie
24 just brought up. I wanted to just commend the
25 Decommissioning Oversight Board. This is some really

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2 valuable conversation tonight. And I'm very proud of
3 how this Board is coming around to really having
4 constructive dialogue.

5 And I particularly want to thank
6 Assemblywoman, Sandy Galef and State Senator, Peter
7 Harckham for the work that they did to create this
8 body. This region is a lot safer because of this
9 Board. And I also have questions about the treat --
10 the water treatment that is occurring and I thank
11 Rich Burroni for sending the report on the effluent
12 releases and I'm still sorting through it and trying
13 to process it.

14 But I think it's an important
15 conversation to have. It's my understanding that at
16 Pilgrim, they have actually, because of the fishing
17 industry, they've actually banned the discharge of at
18 least, I believe the water from the fuel pools,
19 treated or not into Cape Cod Bay.

20 On the other hand, my understanding is
21 that at Oyster Creek, the water has been discharged
22 to the ocean. It's important to understand what is
23 going to happen when that fuel pool water is ready to
24 be treated and then released. And especially because
25 not all -- the treatment does not remove all.

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2 It may remove to N.R.C. standards, the
3 heavier isotopes. But how serious is the tritium
4 burden? And to Dave Lochbaum's question, what else
5 could be done with it, if you evaporate it. Then,
6 it's for all of us to breathe. So I think this is
7 worth a deeper dive than we've had so far.

8 And I just really want to point to
9 that it isn't so much a question as a suggestion
10 moving forward. Because what happens at this
11 Decommissioning Oversight Board is going to
12 reverberate throughout the country because this is
13 the first entity of this nature. And I think you are
14 doing a really good job.

15 So let's -- let's look at that and
16 some of the other issues that we've suggested. But I
17 think that is more urgent because it won't be that
18 long before the fuel pools are emptied. And it may
19 take the same kind of subcommittee to focus on that
20 to where we get the best possible answer.

21 I want to thank the subcommittee and
22 also, ask Kelly, if I could send a copy of that
23 report to Eric Epstein, who has become an emergency
24 response and monitoring expert from Three Mile
25 Island. So thank you.

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2 CHAIR CONGDON: Thank you, Manna. I
3 think we have a number of hands raised hands up,
4 Victoria.

5 MS. LEUNG: So really quick. Thank
6 you, Manna. And just responds to the instant line
7 of questions and comments. Riverkeeper thinks that
8 it would be very useful for the public to see
9 analysis of the different alternatives of disposal.

10 Perhaps at one of these presentations,
11 so -- so people could understand what options we do
12 have available. I don't know if that would best come
13 from Holtec or if Dave Lochbaum or the State were
14 able to do it. But we think that would be very
15 helpful for people to understand.

16 In addition, I know we're short on
17 time so I don't need an answer today, but I will put
18 on the record, there are two outstanding questions
19 that Richard Webster asked, and Mr. Burroni had said
20 he would follow up. One is on metallic metal, that's
21 in the dry cask and how that functions, and the
22 second is on damaged fuel. We're interested in
23 knowing the amount of damaged fuel is at in the
24 Indian Point and the procedures that will be used to
25 load that. Thank you.

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2 CHAIR CONGDON: I think the one was
3 answered. Go ahead.

4 MR. BURRONI: Those are good
5 questions. And I did answer Richard in a memo with
6 some information. And I believe Tom posted it on the
7 website.

8 CHAIR CONGDON: It is.

9 MR. BURRONI: So if you just look at
10 the website, I answered Mr. Webster's questions from
11 the last meeting.

12 MS. LEUNG: Both of them?

13 MR. BURRONI: Yeah.

14 MS. LEUNG: Thank you.

15 CHAIR CONGDON: Thank you. And on the
16 virtual line, we have a couple of hands up. Mayor
17 Knickerbocker.

18 BOARD MEMBER KNICKBOCKER: Can you
19 hear me now?

20 CHAIR CONGDON: Yes, we can.

21 BOARD MEMBER KNICKBOCKER: I just
22 wanted to respond very quickly because I know we're
23 out of a time. Onto the discussion on whether we
24 could hold back a -- a permit, demolition permit. I
25 do not know the legality of that, but I do want to

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2 make the statement that our building inspector Peter
3 Cook and Holtec have been working well together. And
4 whatever Holtec has asked for, is asked for they have
5 complied with our building department.

6 CHAIR CONGDON: Peter is here. He's
7 nodding. Thank you, Peter.

8 BOARD MEMBER KNICKBOCKER: Okay.
9 Good.

10 CHAIR CONGDON: We do know Peter's
11 been on site and has really been doing terrific work,
12 working with D.E.C. on developing conditions for the
13 future, heavy demolition permits, and we really
14 appreciate the work you're doing. Thank you. I
15 think there was also a hand up by Dave Lochbaum.

16 BOARD MEMBER LOCHBAUM: Yes, this is
17 Dave Lochbaum. Speaking to the point of the spent
18 fuel pool water, I looked at a few years ago at the
19 reports that are submitted annually by Pilgrim's
20 owner to the N.R.C. that accounted for all the
21 radioactivity that went to the air or to the water.

22 94 percent of the tritium that left
23 that plant was evaporated from the spent fuel pool,
24 just normal evaporation. They weren't doing that
25 specifically. Only six percent of the tritium was

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2 discharged to the water.

3 So sitting around and waiting to
4 figure out the solution, the -- the tritium is just a
5 radioactive form of water. So it evaporates just the
6 same as the non-radioactive water. I also looked at
7 the Three Mile Island plant after its accident. It
8 had over 100,000 gallons, close to a million gallons
9 of very heavily contaminated water, including lots of
10 tritium in that water.

11 What they did there was evaporate it
12 in boilers. So it went out to the air and while the
13 water the river may go both ways, the wind goes all
14 through all ways. So I'm not sure that's a better
15 solu -- it's a -- it's a less costly solution, but
16 I'm not sure it's a better solution.

17 The -- the one other plant that did
18 treat spent fuel pool water differently was Vermont
19 Yankee. They shipped it in like 250 truck shipments
20 out to Idaho and buried it in the ground.

21 CHAIR CONGDON: So Dave has already
22 done a fair amount of research on this -- on this
23 topic obviously, but Victoria's point is a good one.
24 And I think the, you know, you know, an agenda item
25 on a future meeting where we actually go into more

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2 depth on an alternatives, and look at what is the
3 best practice and -- and what has been done elsewhere
4 is something that I think Dave Lochbaum could do.

5 Dave, I'm -- I'm putting you on the
6 spot in a public meeting, but could I -- could I
7 enroll you in making a presentation on kind of the
8 alternatives analysis that Victoria suggested at a
9 future meeting?

10 BOARD MEMBER LOCHBAUM: Sure. That --
11 that information has already been gathered. It's
12 just assembling in a one presentation. No problem at
13 all.

14 CHAIR CONGDON: Thank you. Well,
15 that's very good. Tom, do we have any other hands
16 up? I'm sorry.

17 Assemblywoman Galef?

18 BOARD MEMBER GALEF: I just wanted to
19 say something. It is very off topic, but I wanted to
20 say to Manna Jo, how -- how important it was that she
21 was the founding like mother, the D.O.B. along with
22 some other people, but you know, that this is
23 probably going to be my last meeting because we're
24 going back to Albany in December.

25 So I just -- I just want to thank

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2 everybody for, you know, a wonderful, wonderful
3 group. I mean, it's really developed so nicely as
4 you said with community participation, great Board
5 members, we have a wonderful chair, one that pulls, I
6 -- I can't believe what you do, Tom. You pull
7 everybody together. You -- you get these ideas going
8 and -- and it's just been great.

9 So I think we're a model, well, we
10 know are a model for the State of New York, but we're
11 also a model for the nation, I would say. And so I
12 think everybody looks at what we're doing here.
13 There are a lot of plants closing, and there probably
14 will be more, so they will follow our prototype. So
15 congratulations.

16 CHAIR CONGDON: Thank you very much.
17 And Sandy, I did not know this is going to be your
18 last meeting. I was planning your last meeting in
19 December.

20 BOARD MEMBER GALEF: Well, the speaker
21 called us back.

22 CHAIR CONGDON: Uh-huh.

23 BOARD MEMBER GALEF: For what, I don't
24 know.

25 CHAIR CONGDON: Well --

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2 BOARD MEMBER GALEF: I don't know. We
3 may be in session, but I know you'll do it.

4 CHAIR CONGDON: Well, I want to thank
5 you for your involvement in this and for your
6 leadership, and for your friendship. You've been
7 just a wonderful member of the D.O.B, so active,
8 always with excellent questions. You're holding us
9 all to a high standard, and we'll miss you very much.
10 So thank you for your service.

11 With that, I think we can adjourn for
12 the evening. Thank you all very much.

13 (The meeting concluded at 9:11 p.m.)
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2 STATE OF NEW YORK

3 I, HOWARD HUBBARD, do hereby certify that the foregoing
4 was reported by me, in the cause, at the time and place,
5 as stated in the caption hereto, at Page 1 hereof; that
6 the foregoing typewritten transcription consisting of
7 pages 1 through 166, is a true record of all proceedings
8 had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 30th day of September, 2022.

11

12 HOWARD HUBBARD, Reporter

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