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Public Service**

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

February 2, 2023

VIA EMAIL

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

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

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, an update regarding New York State oversight of decommissioning activity at Indian Point. 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



Indian Point Decommissioning Oversight Board

NYS Oversight Updates

Indian Point Closure Task Force and Decommissioning Oversight Board

February 2, 2023 | 6:00 PM
Cortlandt Town Hall | Zoom

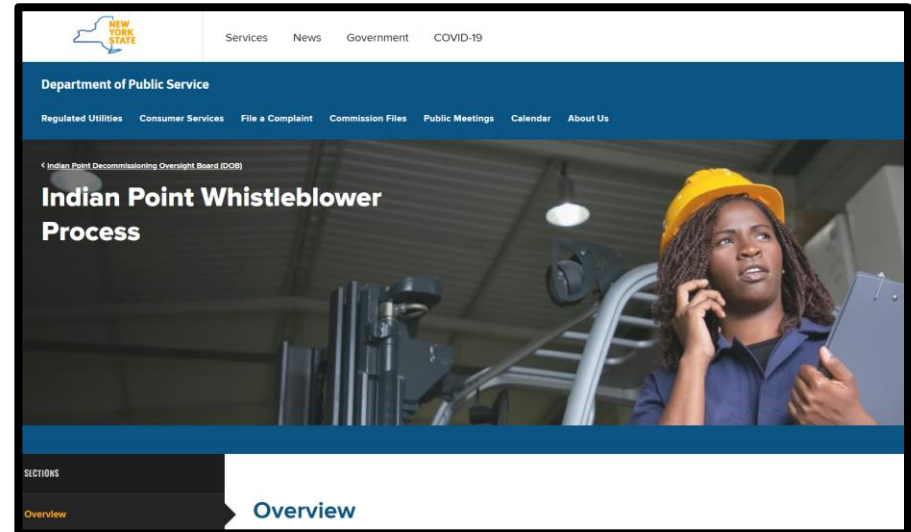
Indian Point Tip Line

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

Email: IP.Tips@dps.ny.gov

Phone: 518-486-1487

[Webform](#)



Indian Point
Decommissioning
Oversight Board

Monitoring Updates

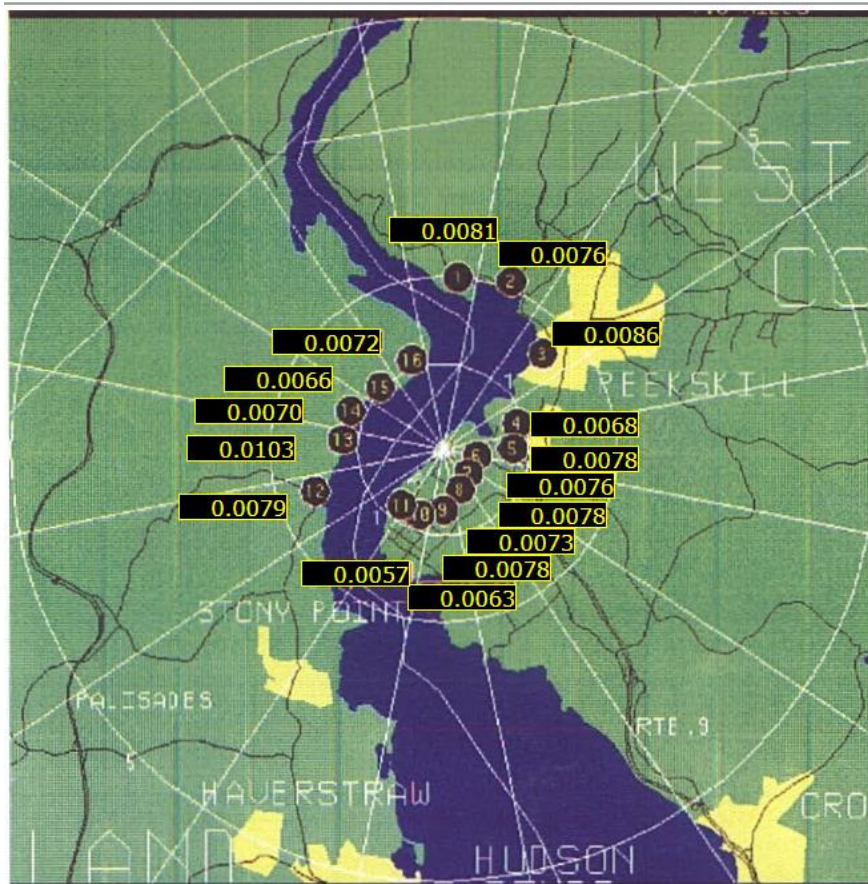
- Continuous monitoring (15 second intervals)*
- Secure, closed data feed to County & State
- 16 monitors located near Indian Point site
- Monitoring program through spent fuel transfer (required under PSC Order 19-E-0730)
- Monitor Nos. 8 and 9 Approx. 1,200ft and 1,300ft from BV school

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



Monitoring Updates

Reuter-Stokes Map

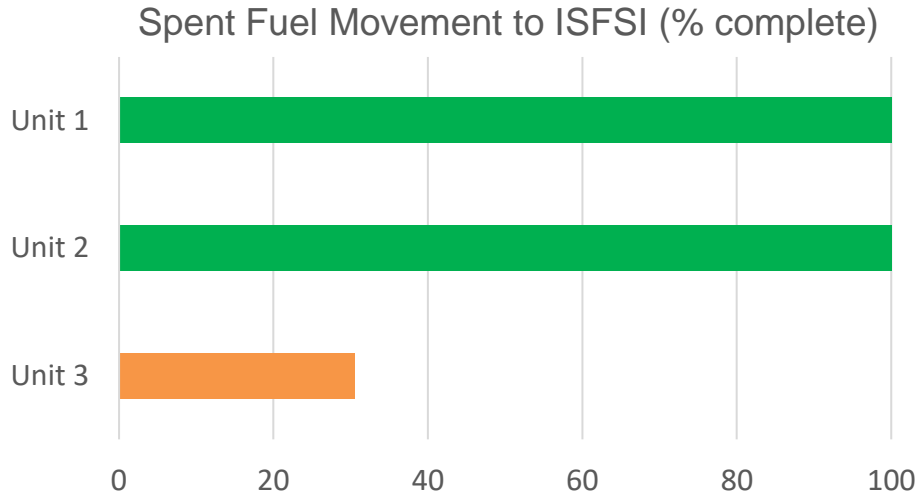


Offsite Radiation Monitors

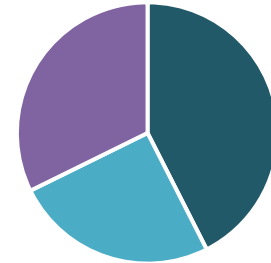
Current Time: 1/24/2023 8:17:48 AM

TAGNAME	VALUE	TIMESTAMP
RADMON1.MID	0.0081	1/24/2023 8:16:02 AM
RADMON2.MID	0.0076	1/24/2023 8:16:02 AM
RADMON3.MID	0.0086	1/24/2023 8:16:02 AM
RADMON4.MID	0.0068	1/24/2023 8:16:02 AM
RADMON5.MID	0.0078	1/24/2023 8:16:02 AM
RADMON6.MID	0.0076	1/24/2023 8:16:02 AM
RADMON7.MID	0.0078	1/24/2023 8:16:02 AM
RADMON8.MID	0.0073	1/24/2023 8:16:02 AM
RADMON9.MID	0.0078	1/24/2023 8:16:02 AM
RADMON10.MID	0.0063	1/24/2023 8:15:02 AM
RADMON11.MID	0.0057	1/24/2023 8:16:02 AM
RADMON12.MID	0.0079	1/24/2023 8:16:02 AM
RADMON13.MID	0.0103	1/24/2023 8:16:02 AM
RADMON14.MID	0.0070	1/24/2023 8:16:02 AM
RADMON15.MID	0.0066	1/24/2023 8:16:02 AM
RADMON16.MID	0.0072	1/24/2023 8:16:02 AM

Spent Fuel Movement Progress



Fuel Assembly Location



- Fuel Assemblies at ISFSI June 2021
- Unit 2 Assemblies moved since June 2021
- Fuel Assemblies remaining in Unit 3 Spent Fuel Pool

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

ISFSI Dry Cask Totals:

Unit 1:	5 Casks	160 Fuel Assemblies	100% Complete	(9/19/2008)
Unit 2:	63 Casks	2016 Fuel Assemblies	100% Complete	(2/1/2023)
Unit 3:	18 Casks	576 Fuel Assemblies	30.5% Complete	(4/14/2021)

Holtec has loaded and transferred 32 casks from 6/2021 to 1/2023



**Indian Point
Decommissioning
Oversight Board**

DPS Oversight Activities

- Agency staff – including State Inspector – performed reviews of Holtec filings:
 - Emergency Plan Revision 22-01
 - Proof of Financial Protection 10 CFR 140.15 date December 12, 2022
 - Unit 2 License Amendment: Permanently Defueled Tech Specs to Modify Staffing Requirements following Transfer of Spent Fuel to Dry Storage dated August 2, 2022
- Completed Joint Proposal compliance review for 2022
- Reviewed containment hatch violation corrective actions
- Reviewed corrective actions associated with Rad Worker Practices.
- Reviewed Oak Ridge National Laboratory Updated Safety Review and Assessment publicly issued December 16, 2022
- State regulators have been present at all Holtec monthly project meetings, and Holtec has provided the information required under the Joint Proposal at each meeting.



DPS Oversight Activities – State Inspector

Notable on-site observations:

- U2 Fuel Transfer activities (SFP and ISFSI)
- Fire water flow testing
- U3 SFP HI-Lift crane activities

Tracking corrective actions associated with:

- Industrial safety
- Procedure Compliance
- Fire System Repairs



DPS Oversight Activities – State Inspector

Attended:

- Holtec Morning Meetings
- NRC Entrance and Exit Meetings
- Holtec Monthly Safety Meeting for station employees
- Holtec/Enbridge quarterly coordination meeting
- Offsite Response Emergency planning meetings



Federal Engagement

- Holtec exemption & license amendment request for Permanently Defueled Emergency Plan (PDEP) – State comments submitted to NRC on November 22, 2022. NRC hosted a public Informational Webinar on November 30.
- Holtec license amendment request to eliminate cyber security plan requirements. [ML22140A126](#) State review is in progress.
- Holtec license amendment request to revise technical specifications following transfer of all spent fuel into dry cask storage. [ML22214A128](#) State review is in progress.



DEC Oversight Activities

Administrative Consent Order Requirements

Citizen Participation (CP) Plan

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

Scoping Work Plan

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

Remedial Investigation (RI) Work Plans

- Investigations will be conducted in a series of RI Work Plans.
- Approved work plans will be announced via fact sheet distributed to the public.
- Work plans can be found linked at the bottom of DEC's Indian Point Decommissioning web page:
<https://www.dec.ny.gov/chemical/126311.html>



DEC Oversight Activities – Facility Permits

State Pollutant Discharge Elimination System (SPDES)

- SPDES # NY0004472 – Governs Discharges from Main Facility
 - Expired on April 30, 2022. Holtec submitted a timely renewal application. Facility continues to have coverage under the existing SPDES permit pursuant to the State Administrative Procedure Law.
 - NYSDEC undertaking a review of the permit application to determine if a permit modification is necessary.
 - Once NYSDEC review is complete, a **Draft SPDES Permit will be provided for public review and comment in accordance with NYSDEC regulations.**



DEC Oversight Activities – Facility Permits

SPDES # NY0250414 – Governs stormwater discharges from a transformer vault

- Permit expires 3/31/23. Holtec submitted a timely renewal application.
- Draft renewal Permit was noticed in the Environmental Notice Bulletin for a 30 day public comment period ending on September 9, 2022.
- Based on the nature and volume of discharge, this permit is eligible for an administrative renewal, with no permit changes.
- NYSDEC's Policy on Environmental Justice and Permitting (CP-29) does not apply to administrative renewals of SPDES permits, where no material changes to the existing permit are proposed.
- This permit is separate and distinct from the more comprehensive facility SPDES permit (SPDES No. NY0004472).
- Based on the comments DEC received on SPDES permit No. NY0250414, DEC will combine both permits into a single SPDES permit. No further action will be taken on the administrative renewal of SPDES permit No. NY0250414 at this time. The permit renewal applications will be subject to all applicable public notice procedures and a comment period once DEC's review is complete.



DEC Oversight Activities – Facility Permits

Major Oil Storage Facility (MOSF) License

- DEC will oversee closure and assessment of all tanks associated with the MOSF license on site in accordance with relevant regulations

Air State Facility (ASF) Permit

- ASF permit issued 11/21/2014 for two oil-fired combustion turbines, three oil fired boilers and multiple internal combustion engines that provided emergency power. Modification issued 3/10/22 for the installation of a seasonal boiler to meet heating needs during the remaining stages of decommissioning.



Dust Mitigation

Village Permitting:

- State regulations prohibit air pollution under 6NYCRR part 211.1, which set standards about dust (among other pollutants) that is generated from any activity including demolition;
- Village will directly incorporate the State standards described in part 211.1 into demolition permit process.

Community Air Monitoring:

- Request for proposals (RFP) issued January 9, 2023 seeking environmental consulting services to develop and implement a Community Air Monitoring Plan (CAMP) to be in place during the heavy demolition phases of decommissioning at Indian Point



Employment and Labor Relations

New York State Department of Labor (NYSDOL) continues ongoing engagement with affected Entergy employees re: re-employment services, assistance with Unemployment Insurance questions and help navigating the process.

- Prior to the start of the decommissioning, **93** employees were provided re-employment services including dedicated workshops to help prepare employees with their job search efforts.
- To date, **14** employees have been provided Unemployment Insurance assistance.
- Additional outreach efforts by NYSDOL included:
 - Job placement services mailing was sent to all 308 affected employees.
 - Conducted calls and sent emails to connect and provide assistance if needed.
 - Updates:
 - **25** – Interested in NYSDOL re-employment services
 - **16** – Returned to work
 - **13** – Retired



Employment and Labor Relations

- NYSDOL received a WARN for Holtec on 10/31/2022, indicating that layoffs for 30 employees will occur on February 15, 2023.
 - [WARN: Indian Point Energy Center \(IPEC\) subsidiary of Holtec International; Holtec Decommissioning International, LLC - Mid-Hudson Region](#)
- NYSDOL worked with Holtec's HR Representative to schedule 2 virtual Rapid Response Orientations for the affected employees.
- The orientations took place on January 25th at 9am and January 26th at 3pm to accommodate the employees' work schedules. Materials provided to HR Representative for affected employees unable to attend.
- NYSDOL continues to share virtual workshop information along with details on upcoming in-person and virtual career fairs. This information is being shared by Holtec with the employees directly

