

**NYSERDA 70<sup>th</sup> Waste and Facilities Management Committee Meeting**  
**October 3, 2022**  
Clean Copy of Transcript

**Committee Chair Bell:**

Okay, good morning. I call this meeting of the Waste and Facilities Management Committee to order notice of this meeting was provided to the Committee Members on September 26, 2022, and to the press on September 29, 2022. The authority will be posting a video of this meeting on the web, so I would like each of the Members to please introduce themselves. I am Chuck Bell, Chair of the Committee.

**Chair Kauffman:**

I'm Richard Kauffman, Chair of the Authority.

**Sherburne Abbott:**

Shere Abbott, Member of the Committee

**Arturo Garcia-Costas:**

Arturo Garcia-Costas, Member of the Committee.

**Committee Chair Bell:**

Okay. Thank you so much. The first item on the agenda is the approval of the minutes of the June 28, 2022 meeting. A copy of the minutes was included with the September 26, 2022 mailing. Are there any comments on the minutes? Hearing none may I please have a motion approving the minutes?

**Sherburne Abbott:**

So moved.

**Arturo Garcia-Costas:**

Seconded.

**Committee Chair Bell:**

Thank you. All in favor, please say Aye.

**Members of the Committee:**

Aye.

**Committee Chair Bell:**

Any opposed? Motion carries. The first item on the agenda is a status report on the West Valley Site Management Program Activities. Brad Frank, and Andrea Mellon will present reports Brad.

**Brad Frank:**

Morning everybody. I'm Brad Frank, and I'll be providing a brief update today on the status of the main plant process building at West Valley. Specifically my comments are gonna focus on recently completed decontamination efforts within the building, the various readiness

assessments that occurred before demolition and the current status of the demolition. Next slide, please.

These photos are taken roughly 30 years apart, and they provide a stark visual of how much work has taken place to remove ancillary facilities in preparation for the careful three-year process that will be used to dismantle the remaining core area of the main plant process building. It's important to note the significance of the work performed in the past 30 years. In that timeframe, crews have removed seven miles of contaminated piping and well over 50 tons of contaminated material. Seven ancillary structures surrounding the main plant have also been demolished down to grade. Over 98% of the original contamination within the main plant has been removed. The remaining contamination is currently locked down with fixative, encapsulated with foam or stabilized within grout. The culminating impact of these activities is that the main plant is now in a position where it can be methodically demolished in a safe and compliant manner. Next slide.

In my last discussion with the Committee, I highlighted three areas that required additional decontamination prior to beginning demolition activities. When the slides are submitted, two of these areas were fully complete in the ventilation washroom photo on the right contaminated duct work has been cut up and removed from this highly contaminated high-dose cell. The photo shows that all the remains in the cell is a large metal ventilation scrubber. This, it's gonna be removed. Intact is part of the demolition. Once the cell is exposed to the air, the photo on the left shows the product purification cell. This is the cell where workers head to enter in supplied air and total encapsulation bubble suits to remove contamination from the walls. Using ultra height pressure nitrogen, the cells over 57 feet high and the photos taken from the floor. Looking up the photos shows the walls after the high-pressure nitrogen work was completed and the walls have been painted with a fixative. The white material that you see in a photo, the fixative will help keep the contamination stuck to the surfaces and not become mobile as dust particles during demolition. These activities have greatly reduced the amount of contaminated material that will be present in the building during demolition. The work activities were conducted in a very challenging spaces in terms of logistics and radiological conditions. And the safe completion of this work is a testament to the rigorous planning and careful execution by the crews. Next slide, please.

When I drafted the slides to work within the acid recovery cell was still ongoing. It has since completed. Now, the work in this cell consisted of cutting the floor with a large concrete saw prior to open air demolition. Now, this cutting will allow the contaminated concrete to be lifted out in place directly into waste boxes for transport. Negating the need for demolition crews to break it up in the smaller pieces once the cell is exposed to the air. The photo on the right shows a set up that was used to practice this work outside of the contaminated environment. It shows a concrete track saw that was being used on a non-contaminated slab of concrete, that the crews were able to practice and adjust their techniques to properly cut up the floor before bringing it in the saw into the contaminated environment. The photo on the left depicts where the acid recovery cell resides within the main plant is located directly behind the plastic sheeting. In the photo the sheeting allows for air to enter the cell and to be pulled through portable ventilation units. Now, this is done to ensure directional airflow when crews are actively cutting the contaminated floor and to ensure that the airborne contamination was captured on HEPA filters. Next slide, please.

Before demolition began, there was a series of readiness assessments performed on site from April through June, 2022. The site's prime contractor conducted two formal in-depth assessments on their programs and procedures. These assessments involve both internal and external auditors. It wasn't simply a paper review. The auditors interviewed site employees from executive management down to frontline operators and observed activities in the field. In mid-August, the US Nuclear Regulatory Commission conducted a monitoring visit of the WVDP with four inspectors. The NRC spent the week reviewing data procedures, conducting work, walk downs, and interviewing site workforce. NRC concluded they did not identify anything of concern in regard to the protection of public health and safety. In particular, they noted the rigor and depth that the air monitoring system and network of samplers that will be used to monitor for emissions during demolition. US Environmental Protection Agency has also been deeply involved in demolition projects at the site since early 2017 when the air dispersion model for the vitrification facility was developed, the EPA has continued its involvement in, has reviewed the updates to the air dispersion model that will be applied to the main plant.

They have concluded that open air demolition can be accomplished in a safe and compliant manner. On September 6th, the DOE began their formal assessment of the contractors' readiness. This assessment was performed in accordance with DOE orders and directives for the start of a nuclear facility. A detailed review was conducted of the work construction package, supporting procedures, interviews of site personnel, and observation of various work activities that are directly applicable to the demolition. A few of the observed activities included rail car loading, radiation control technicians, conducting surveys, dust suppression operations, and waste packaging. DOE Cincinnati office was also present to evaluate the local DOE staff's readiness. I participated as observers in the DOE readiness assessment. We had full access to observe, document, and report back to management or observations. We identified no issues of concerns related to the systems and work controls that are in place to conduct this work safely. With proper execution, the job can be performed safely in a compliance with federal and State regulations. We will be working closely with UE and carefully monitor the demolition work, and we will immediately raise issues or concerns with UE management if they're identified. The photo on this slide shows a processor at work removing concrete blocks and a water mister in operation actively suppressing fugitive dust emissions. Next slide, please.

In order to conduct open air demolition safely, an extensive air monitoring program is in place. This program evolves real time continuous air monitors within the demolition zone, as well as more sensitive air samplers at the boundary of the WVDP. High volume air samplers are used further out at the boundary of the Western New York Nuclear Service Center. These high volume samplers are located roughly one to two miles from the main plant. The radiation levels from the real time instruments will be monitored constantly during demolition work by radiation safety staff. If radiation levels increase, work will be slowed or stopped with the intent of preventing significant release of radioactive material. The most sensitive ambient air monitors, which require longer sample times are at the boundary of the center. And these are used to verify emissions remain well below regulatory standards. Next slide please.

Demolition of the plant will also require management of significant quantities of a water both applied for dust suppression and precipitation. Waters collected by berms and storm drains and routed to holding tanks where it will be sampled and decisions are made, whether the water can

be processed through the site's lagoon system and discharged, whether it requires additional filtering before it can be discharged or whether it cannot be discharged, it must be shipped offsite for treatment and disposal. The water management system is manned to 24/7 in part and to provide coverage for off hour precipitation events. Next slide, please.

Viewing as contractor continued to meet regularly with the public and the Members of the citizens task force. In late August, DOE held a third town hall meeting with the residents of the town of Ashford, where they detailed the approach to demolition and the environmental monitoring that will be used utilized throughout the operation. The site's contractor clearly detailed the expected schedule, highlighting the demolition will not be rushed, but will instead take roughly three years from start to finish. Demolition commenced on the 21<sup>st</sup> of September that the overall approach that all demolition will be to work sell by sell from south to north. Again, this process is gonna take roughly three years to complete. The photo displayed captures the first few minutes of main plant demolition, the milestone event that has required decades of detailed and demanding work to achieve to achieve. Now, thanks for your time, and I'll stand by for any questions.

**Committee Chair Bell:**

Thank you so much, Brad. Why don't we hear from Andrea next and then we'll ask for questions. Andrea.

**Andrea Mellon:**

Good morning. My name is Andrea Mellon, and I'm here to update you on two projects at the State licensed disposal area. Next slide, please.

The first project is the Trench 14 Water Infiltration Control Project. And during the last few meetings, we discussed this project and the project was completed to prevent ground water from the NRC license disposal area, hard stand from traveling south and into the northern section of Trench 14. This project was broken out into two discrete construction activities, the first being the installation of a sheet pile wall to cut off the groundwater flow from the north, traveling south and into the trench. And then the second was an impermeable cover placed on top of the NRC license disposal area hard stand to prevent rain and snow from percolating into the hard stand and becoming contaminated, the groundwater, the GM membrane cover works to shed the water to the north and south of the SDA and manage it as clean water. This project was completed in October of 2021, and we've been collecting water level data since then at 38 locations. And I will update you in a couple slides on our initial results. Next slide, please.

So, the photo you see, the larger photo here on the left is the SDA with a blue box around the extent of the Trench 14 Water Infiltration Control Project. The lower photo you see is the installation of that subsurface sheet pile wall. That wall was installed between the SDA and the hard stand. And again, the purpose of that wall is to provide a barrier for the water traveling south towards Trench 14. Think of it as a backstop like you would in baseball or in softball, preventing the ball from leaving the field of play. So this prevents that water from traveling south and into Trench 14. Next slide please.

So in the upper left hand photo, you see the installation of the geo membrane cover and the drainage necessary to manage that clean rain and snow and divert it away from the SDA. This helps NYSERDA to avoid the cost of having to treat store and dispose of contaminated water. The bottom right photo is showing the completion of this project. And since project's completion the water elevations have decreased in the area of the sheet pile wall and the geo membrane cover, specifically Trench 14, has changed from a recent decrease increasing trend, which has been observed from 2011 through 2021, back to its historic decreasing trend, which was in place prior to 2011. This is an expected condition and means that there is a reduction in groundwater traveling south and into Trench 14. It also means that there is a net loss in water in Trench 14, and that the water is still percolating down through the bottom of the very dense material in the trench. We'll caution that the water elevations are still variable and that the entire trench system is still going through an calibration based on the activities for this project. And so additional time is needed. We also need to determine what the seasonality is for this activity to definitively draw conclusions on the efficient efficiency of this project. Next slide, please.

So, earlier this year, I spoke about the SDA North Slope, and in the photo on the right hand side with the white arrow pointing at the North Slope, we discussed this activity. I mentioned that NYSERDA would be conducting a geotechnical investigation of the North Slope soils to help determine if this soil movement was the first surficial shallow movement soils, or if this represented deeper, more competent soil movement. And I also mentioned that based on the geotechnical investigation, NYSERDA would work with our engineering support services contractor to develop a design to help stabilize the slope, and that we would implement it later this year. Next slide, please.

The geotechnical investigation was completed in June of this year. There were 22 soil borings installed in the slope, and they were a combination of hand owner locations installed to a depth of about five feet and mechanically driven probe locations, which were installed to a depth of up to 34 feet in the center section of the slope. We also installed instrumentation at the top, middle, and bottom sections to help measure any soil movement and to identify water elevations within the slope. During this measurement process, and NYSERDA observed movement in the upper five feet portion of the soils in the middle section of the slope. This is consistent with the loose soils that were pushed over the side of the North Slope during the construction of the SDA trenches In the mid-1960s, there has been no movement in the deeper, more competent soils observed. In addition to this surficial soil movement, water has also been identified in the slope from precipitation events. And there steepness of the slope really work to make sure that once that soil starts to move, we have water moving and you have a steepness condition that the accelerates the loose soil movement. Next slide, please.

So this is a, a photo taken from NYSERDA's drone looking at the North Slope in the lower left hand side, you still see the drill rig that was used at the bottom of the slope to install the soil borings. In the middle section of the photo, you see the workers installing soil borings using a tripod. And the reason that we did not use the drill rake in the middle section in the upper section of the slope was that it's too heavy. And once you start to see the soil movement, we did not wanna create a condition that exacerbated the soil movement. So we used a lighter soil boring activity, which took a bit more time, but was safer for the slope. And at the top of this photo, you see the initial soil movement area and scarp with a secondary soil movement area to the right.

Also, during the soil boring activity, NYSERDA identified an area of elevated or contaminated activity in the lower southwestern section of the slope. So this would be in the lower right hand side of this photo. And based on the analytical data collected in comparing it to current SDA trench data, we know that this is legacy contamination from when the SDA trenches overflowed or seeped in 1975. And this contaminated area will be removed during the mitigation activity. Next slide, please.

This is a figure from our mitigation design, and it's been updated since the PowerPoint presentation was provided. The right-hand side of this is a south, or is a south hall road that has been eliminated from this design. And it means that we will be reducing the amount of soils that need to be excavated from 5,000 cubic yards to about 3,600 cubic yards. And those loose soils will be removed. The contaminated area that's about 200 cubic yards will be removed. It will be placed at the SDA where it can be sampled, containerized, and shipped offsite. The remaining loose soils will be taken to the NYSERDA buffer area so that they don't interfere with any SDA operational activities. Also, in this figure, you see vertical lines from the top of the slope to the bottom of the slope with a darker band at the bottom of the slope.

The vertical lines are sheer keys or drainage channels that are being installed to help move that groundwater from the slope down to the darker band or the header trench where it will be mitigate or will be metered out into the surrounding wetlands. Finally, after the loose soils are removed, the drainage pathway has been created. The slope will be reconfigured to reduce the steepness of the slope and engineering rock will be installed to lock it in place to help eliminate movement. And I also wanna mention that NYSERDA provided this design to DEC and they provided very valuable comments that helped to improve this design package. It also, they also helped to expedite the regulatory review and support here so that this work could move forward in a safe and expedited manner. Next slide, please.

This is the last of my slides. It's showing a photo of the removal of those loose soils. So in the center section of this photo, you see the excavator removing those loose soils and placing them in the dump truck that's directly above or to the right of the excavator. We are nearing completion on the removal of those loose soils, and that is the largest duration portion of this project. The drainage features the sheer keys that I spoke about, and the header trench will be completed by the end of October and the slope grading site restoration, and the demobilization will be completed by the end of November. Again, the contaminated soils be sampled by the end of this year and will be packaged and disposed of next field season. And a future update will be provided at the completion of this project. And I'm happy to take any questions.

**Committee Chair Bell:**

Thank you so much. So does the Committee have questions for Brad or for any questions from New York City?

**Chair Kauffman:**

So, I've got a, a question. The leche, the, it's the, as the declined. Where is it going?

**Andrea Mellon:**

It's a great question. So the leche the groundwater is decreased coming into the trench, but there's still a net loss from the trenches where it's percolating down through that very dense bottom of the trench. So we do see a decrease in each of the trenches of about one to 1.2 inches a year.

**Chair Kauffman:**

It stays, it's just going all over in the trench.

**Andrea Mellon:**

It's actually moving out from inside of the trench. It's percolating out through the bottom of the trench.

**Committee Chair Bell:**

Other questions from New York City?

**Arturo Garcia-Costas:**

Yeah, I have a question. In terms of the high-volume air sampling, if work stoppage is triggered by such what, how does the community, does the community notified that that work stoppage has happened? And, and what's the procedure? And also you've talked about the, the outreach to the town. Does that include the Seneca nation that's close by? Are they part of the meeting with the town of Asheville? I think you said it was called?

**Brad Frank:**

Yeah. Great questions. I'll start with the community outreach. The Seneca Nation they have Membership on the Citizens Task Force. So they're routinely informed as Members of the CTF on a monthly basis of activities of site. As far as the high-volume air samplers, those are on the about a mile to two miles from the main plant. Those samples take two weeks to acquire, and they also take a, a week or more to get the sample results back. Those won't be used to stop work on site. The, the sampling that'll be used to stop or meter work on site will be the real-time air samplers. And those are located directly in the demolition zone and just outside the demolition zone. So those feed the control room in a time manner where we have radiation control technicians and radio radiation engineers watching the results, and they're able to meter or stop work if the need were to arise. And on a monthly basis the DOE will be providing feedback to the community on the progress of demolition.

**Arturo Garcia-Costas:**

Thank you.

**Committee Chair Bell:**

Great. Any other questions from New York?

**Sherburne Abbott:**

So this isn't a question, it's sort of, maybe it's a question in there somewhere, but there it's more of a common No, this is a great teaching moment, right? So this, this is, this is a, you, you all have done an amazing job in part learning by do it right? And, and the, the, with existing technology. So we go back to the sixties and we fast forward to now the technology available to

do this is very different than when you start. So, so if you had AI and data analytics and robotics and all the stuff that we have now, can you imagine writing a story that would tell a, a different process? Something that where there's, you know, where the, the, the implications for human health are an environmental ban contamination are less where the, where the where the, the, the time of, of doing this decontamination is condensed into a shorter period of time where the safeguards are improved because you're not using the human element. I mean, are, is there a story that could be applied to future demolition projects using what we know from this learn by doing, but also applying the idea that now we have a whole bunch of different technologies that that could be applied in, in new ways. And just seems to me that you have this incredible wealth of, of, of corporate knowledge that, that that could be applied to that sort of case study question. Always look at, I use this as a case study in one of my classes. By the way,

**Brad Frank:**

That's an outstanding.

**Sherburne Abbott:**

It doesn't have, it doesn't have to, it doesn't require an answer. I just think that it's, it is, it, it is an, it's a, it's a NYSERDA asset in some respects that is very different than the problem of the, the ways meant. And I think it that's, that's a story that could be told really nicely in some ways.

**Brad Frank:**

No, I completely agree. In the DOA here in West Valley they're gonna use the demolition of the main plant for lessons learned across the complex. This is the most robust air monitoring system that they've had in place for a demo project. So it's gonna be outstanding info.

**Arturo Garcia-Costas:**

I'm understanding Shere's, I'm, I'm sorry. Chuck, if I'm understanding Shere's point though, the, the notion of this as being a case study for broader application across the United States

**Sherburne Abbott:**

DOE.

**Arturo Garcia-Costas:**

And for DOE and, and, and just federally I think that that's really very worth looking into if the federal regulators have actually commented in those site visits about how, how good it is.

**Committee Chair Bell:**

Well, thank you. I think we're nearing the end of our time here. I wanna congratulate the West Valley staff on progress on these projects and particularly on the North Slope activity that you've got so much work done by end of October. Just wanted to quickly ask Brad, at the end of the three years what is that site gonna then look like? Like what's the next picture gonna look like? Is it gonna basically look like a parking lot or will they'll still be significant where significant work to, to be done after the three-year period?



**Brad Frank:**

Yeah, at the end of the three years, it's just gonna be the end of the beginning. They, once the meat plant is down to grade the DOE is then gonna come in and dig up all the below grade cells and the contaminated soils that surround them. So that's another 10 years of work beyond that. And that's not even addressing the phase two decisions that are in front of us.

**Committee Chair Bell:**

Okay. Thank you. Thank you. And then just one other question. And in the oversight that DOE provides worker health and safety is a priority and I'm sure for NYSERDA as well. So just, just wanting to ask, so nobody's ever done a project exactly like this one before. But how is it going with worker health and safety there at the West Valley site?

**Brad Frank:**

It's going very well. For the DOE side of the house. They have an outstanding work and health safety track record. It is like for us, for NYSERDA, it's always number one for them as well. Health and safety must come first in this line of business. You can't get the work done unless your, your workers are safe.

**Committee Chair Bell:**

Okay. Terrific. Well, thank you so much for your reports.

**Janice Dean:**

Checking. Do you mind if I just pipe in a note that we've got a five to 10 minute presentation from Alyse? I know we are at time. Do the Members want to go ahead with that? We are in a lunch break following this meeting for 30 minutes.

**Committee Chair Bell:**

Are there any objections to going ahead with the report? Okay. hearing none, I'm sorry for that. Next on the agenda, we have a status report from Alyse on the Nuclear Coordination Program. Alyse Peterson will present this report. Alyse, we'd like to give the floor over to you, please.

**Alyse Peterson:**

Thank you. And, and thank you for being willing to, to stay to hear from me. I'll try to make this as quickly, quick as I can. Today I'll be giving you an update on the Indian Point Decommissioning and brief you on some activities with the US Department of Energy and the US Nuclear Regulatory Commission and also other States. Indian Point first. as you know, the Indian Point site is now owned by Holtec and has entered decommissioning. Physical decommissioning actions are ongoing with demolition of various storage tanks and accessory buildings that are no longer needed to support the decommissioning activities. Two critical path activities governing the overall decommissioning schedule are one, the, the transfer of spent fuel out of the unit two and unit three spent fuel pools into dry cast storage and two segmentation of both reactor vessels.

On that transfer of spent fuel, Holtec has expanded the Indian point in independent spent fuel storage installation known as an ISFSI pad to accommodate the fuel from units two and three. At unit two, there are 896 fuel assemblies requiring 28 dry casts. At unit three, there are 1,280 fuel

assemblies that will require 41 dry casks unit two spent fuel pool has already begun. That started in August for unit three, they're in the process of installing and testing the new crane that's gonna be needed to facilitate fuel transfer. Holtec does anticipate starting to remove fuel from unit three in February of next year. And all fuel from both units should be in dry cask by the end of 2023. For vessel segmentation, preparations are nearly complete. And they included removing ancillary equipment and piping enlargement of some containment dome exit areas installation of large gantry saws at both units removal of reactor vessel heads and, and flood up of the reactor cavities.

Segmentation it should commence soon and will continue through 2023. In addition to tracking physical decommissioning activities, NYSERDA under our role as the State's Nuclear Coordinator and Federal liaison continues to respond to potential technical, financial and regulatory issues. We recently led State participation in a US Department of Energy Assessment of Indian Point spent fuel infrastructure, and also reviewed a highly technical exemption request made by Holtec to the NRC regarding spent fuel. I'll just give you a little bit of detail on each of those for that DOE assessment. DOE is actually performing site assessments at all the nuclear power plants across the country. This is to support planning for the eventual removal of spent fuel and transport to disposal or interim storage when that disposal or interim storage is made available thus far, DOE has completed assessments at 18 nuclear plants earlier this year.

DOE approached me at here at NYSERDA to arrange State participation in the field portions of the assessment for Indian Point. I assembled a State team comprised of myself and representatives from DOH, DOT, DPS and the State Police. The assessment was a detailed hands-on information gathering event that included site inventory evaluation of physical onsite infrastructure, offsite heavy haul trucking and railroads and infrastructure, as well as State transportation permitting inspection processes and experience. The assessment report which DOE anticipates issuing sometime this fall will identify options for transporting the fuel from Indian Point and will also identify any infrastructure or informational gaps. NYSERDA will continue to engage with DOE as it proceeds in its planning related to spent fuel. Last spring in response to DOE's request for information, we provided input supporting DOE's consent based siting initiative for an interim storage facility.

Our input included discussion of how New York defines disadvantaged communities, the importance of engaging with State and other stakeholders in the siting process, and the importance of removing barriers to stakeholder participation. DOE also works directly with the Northeast Regional High Level Radioactive Waste Transportation Task Force, of which Paul Bemba is New York's alternate representative. And following this July's onsite assessment at Indian Point DOE invited me to join their working group that's focused on providing technical assistance and funds to States and tribes for training for the, to support transportation of spent fuel and high-level radioactive waste in emergency situations. So we have a really good cooperative relationship with DOE on this. And I think that's gonna only grow and be enhanced in the future. Moving on to Holtec's exemption request that I've referenced earlier. As you know, spent fuel in Indian Point spent fuel pools must be loaded into dry casks and stored on site for eventual removal by DOE.

Loading of those casks is strictly governed by an NRC license noted, as known as a certificate of compliance. And that's based on the design of the individual task. Holtec has run into a technical issue involving neutron source assemblies that are attached to some of the startup fuel assemblies that are currently sitting in the spent fuel pools. These challenges are going to make loading the casks difficult for Holtec under the, the conditions of the current license. So Holtec has requested an exemption to allow a change, both in what can be placed in, in, in the individual cask and what and in what can configuration those things can be placed. Specifically Holtec is requested to increase the number of neutron source assemblies in any individual task from one to five. That's a huge increase. And they've also asked for a change to be able to place those neutron assemblies closer to the outside of the cask than normally per minute.

NYSERDA performed a thorough technical review of this proposal and identified concerns regarding radiation dose rate potential worker exposure and in particular we're also concerned about the potential for Holtec's proposed loading of these additional neutron source assemblies to cause challenges when it comes time for DOE to remove the casks from the site. It's all well and good to load the casks and leave them on site, but eventually they will need to be transported offsite and we need to keep that in mind. So with that in mind, we've recommended NRC look at these concerns and do additional analyses and calculations in light of that. So that's all I have for Indian Point. Before I move on, are there any questions on any of the Indian Point issues?

**Committee Chair Bell:**

Are there any questions or comments for Alyse?

**Arturo Garcia-Costas:**

So, just to be clear, we are actually opposing the, what the company wants to do in a five to one increase for the casks, or we suggesting that we're withholding judgment until the feds do the analysis about transportation later on.

**Alyse Peterson:**

So we have not opposed the exemption. We are simply recommending that it may make sense to do these additional analyses on the front end rather than waiting in until it's time for transportation to find out whether there are issues. If there are issues, it could result in those casks needed to needing to be unloaded and the materials then loaded into new and different casks. That's a huge effort that would result in a, a great, great deal of potential dose have a lot of potential you know, potential for mishaps and also cost a great deal of money that would have to come in out of decommissioning funds presumably. So what we have done is simply recommend that these analyses be done prior to NRC granting the exemption because it's possible that a slightly lesser exemption might serve the purpose, serve Holtec's purposes now, and also avoid any difficulties later on.

**Arturo Garcia-Costas:**

And if NRC does not do the initial analysis, would we oppose the exemption?

**Alyse Peterson:**

Well, we, the, we've not, we've not addressed that question internally. I think that we you know, John can jump in if he wants, but I, I think historically NRC has, has not always taken New York's comments fully to heart, and we, we fully expect them to approve the exemption. I don't know if it will be a lesser approval or an approval with conditions. John, do you wanna add anything to that?

**John Williams:**

Yeah, thanks, Alyse. I think we, we need to see the response from NRC before we kind of make any determinations, how we would advance beyond that, and also working with our other State agency partners as well.

**Committee Chair Bell:**

Thank you. Thank you, John. So back to you, Alyse.

**Alyse Peterson:**

Okay. my last two items are first the NRCS decommissioning rule making. I, I've briefed you periodically over the last few years on this rule making. It's, it's to update the regulations governing decommissioning of nuclear power plants. The current rule is decades old and truly in need of an update. You may recall that NYSERDA led a multi-agency review effort submitting substantial comments at each step of this rulemaking process in the areas of emergency planning and response security. The adequacy of decommissioning trust funds, financial assurance, use of decommissioning trust funds for non-decommissioning purposes, and the State's role in review and approval of the post shutdown decommissioning activity report. NRC issued a draft rule for comment earlier this year. Regrettably, in that draft rule NRC clearly chose not to incorporate nearly any of the State's previous input. So in August, NYSERDA submitted final State comments reflecting our previous concerns and noting a lengthy dissent by NRC Commissioner Barron wherein the Commissioner stated that the rule shifts costs to State and local governments and fails to include other needed stakeholder support and cited NYSERDA comments in support of the idea that additional protections are needed.

That's it on the rule making. This has been a long process. So I, I think we should see something hopefully within 2023, bringing the rule making to a conclusion. Moving on to my very last topic, and that has to do with our role as State Liaison Officer. I'd like to just give you a very quick example of some of the national advocacy and coordination that we do under our State Liaison Officer role. NRC periodically holds a National State Liaison Officer Conference, bringing together SLOs from all 50 States to discuss issues of importance under NRC jurisdiction. Historically, that conference takes the form of the NRC providing the State representatives with information, and then giving those States opportunity to ask questions and engage in some discussion with NRC. At my request the 2022, this year's SLO conference earlier this year, included a first ever State only breakout session.

And this was designed to give the State representatives a private opportunity just to discuss the NRC related issues amongst ourselves as opposed to discussing them just directly with NRC. Within the, the conference I organized and moderated that session in discussion topics included the DOE, consent-based sighting initiative the nuclear power plant, emergency exercise

communications and also regulation of future fusion plants. Those discussions were led by the States of Vermont, Wisconsin, and Connecticut respectively. Under my moderation, I'm pleased to say that this session was a great success. So much so that NRC has decided to make the, a State only breakout session, a standing part of its SLO conference agendas going forward. In, in addition, the other State SLOs found the session so useful and informative that they requested. I host similar sessions periodically informally, of course, but independent of the formal NRC conference. To that end, I will be hosting an informal State only meeting via WebEx this fall. All 50 States are invited. I've I believe about 30 States will be in attendance and I'll be able to report on any significant outcomes of that collaboration next time I report to you. So that concludes my report. Are there any final questions for me?

**Committee Chair Bell:**

Any questions or comments for Alyse?

**Arturo Garcia-Costas:**

No questions, but I wanna congratulate you for that initiative. Which is changing the game, and that's, that's really impressive.

**Alyse Peterson:**

Okay. Thank you.

**Committee Chair Bell:**

Great. Thank you so much, Alyse. Really appreciate it. The final agenda item is other business. Is there any other business that the Members like to bring before the Committee? Hearing none, may you please have a motion to adjourn.

**Arturo Garcia-Costas:**

So moved.

**Committee Chair Bell:**

Second.

**Sherburne Abbott:**

Second.

**Committee Chair Bell:**

All in favor say aye. Aye.

**Members of the Committee:**

Aye.

**Committee Chair Bell:**

Opposed? Thank you. The meeting is adjourned.