

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY
Minutes of the 73rd Waste and Facilities Management Committee Meeting
Held on October 4, 2023

Pursuant to a notice and agenda dated September 21, 2023, the seventy-third (73rd) meeting of the Waste and Facilities Management Committee (“Committee”) of the NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (“Authority”) was convened at 11:30 a.m. on Wednesday, October 4, 2023, at the Authority’s Albany Office located at 17 Columbia Circle, Albany, New York and the NY Green Bank (“NYGB”) Office located at 1333 Broadway, Suite 300, New York, New York. The two locations were connected by videoconference.

The following Members of the Committee were present:

Charles Bell, *Vice Chair of the Authority and Committee Chair* attended from Albany

Richard Kauffman, *Chair of the Authority* attended from NYGB

Sherburne Abbott attended from NYGB

Arturo Garcia-Costas attended from Albany

Also present were Doreen Harris, President and CEO; John Williams, Executive Vice President for Policy and Regulatory Affairs; Pam Poisson, Chief Financial Officer; Anthony J. Fiore, Chief Program Officer; Peter J. Costello, General Counsel and Secretary to the Authority; Janice Dean, Deputy Counsel and Secretary to the Committee; and various other staff of the Authority.

Committee Chair Bell called the meeting to order and noted the presence of a quorum. Notice of this meeting was provided to the Committee Members on September 21, 2023 and to the Press on September 25, 2023.

Committee Chair Bell indicated that the first item on the agenda concerned the approval of the minutes of the seventy-second (72nd) Committee meeting held on June 26, 2023.

Whereafter, upon motion duly made and seconded, and by unanimous voice vote of the Committee Members, the minutes of the seventy-second (72nd) Committee meeting held on June 26, 2023, were approved.

Committee Chair Bell indicated that the next item on the agenda was to receive a report on the status of the West Valley Management Program activities and asked West Valley Program Manager Brad Frank to present this item.

Brad Frank provided the Committee with an update on the demolition of the Main Plant Process Building and reported that work is being conducted to safely dismantle the reinforced concrete walls of the rooms and hot cells that make up the building. In addition, Brad Frank reported that the debris, over 9,100 tons of waste, have been transported by rail and truck to out-of-state low level-radioactive waste disposal facilities, and the U.S. Department of Energy (“DOE”) released a draft request for proposals (“RFP”) in September seeking a contractor to perform the next phase of the cleanup, removal of the source of the groundwater plume, the lagoon system and the Main Plant’s below grade cells, which is expected to last over a decade.

In response to an inquiry from the Chair regarding the RFP scope of work, Brad Frank explained that the scope of work is the last phase or the last portion of Phase One, but that Phase Two decisions are yet to be made.

In response to an inquiry from the Chair regarding the location of canister storage, Brad Frank confirmed that canisters are being stored on site.

In response to an inquiry from the Chair regarding the status of negotiations with DOE as to high level waste and a defense classification, Brad Frank indicated that there has been no progress on those discussions, but that NYSERDA staff continue to frequently raise the issue in the hope of opening up a pathway for transuranic waste disposal; John Williams indicated that he and the President will soon visit the site and will raise this issue.

In response to an inquiry from Member Abbott regarding wastewater, Brad Frank stated that there are 12 different frac tanks where wastewater is stored and that it goes into the lagoon system.

In response to an inquiry from the Chair regarding recent radiation sensor activity, Brad Frank indicated that the sensors picked up radiation in early spring on the northwest side of the facility that was consistent with wind direction and stated that both detects were below any regulatory thresholds.

In response to an inquiry from Vice Chair Bell regarding timeframe, Brad Frank stated that the demolition of the above grade building will take two years to complete.

In response to an inquiry from the Chair regarding a potential federal government shutdown, Brad Frank stated that work will not stop and indicated that the contractor has kept a robust carryover to allow work for another three (3) to four (4) months without impact.

Committee Chair Bell indicated that the next item on the agenda was a status report on nuclear coordination activities and asked Senior Advisor for Policy and Regulatory Affairs Alyse Peterson to discuss this item.

Alyse Peterson provided the Committee with an update on the Indian Point decommissioning and reported the removal of all remaining spent fuel rods from the spent fuel pools in November will prompt a step-down in Nuclear Regulatory Commission oversight. In addition, Alyse Peterson also noted that all low-level radioactive waste from the site continues to be shipped to Texas, and that a Remedial Investigation is ongoing under an agreement with the Department of Environmental Conservation under which Holtec will perform a series of environmental investigations with the goal of eventual site restoration.

Next, Alyse Peterson noted that Governor Hochul's signed legislation restricting discharges of any radiological substance into the Hudson River in connection with the decommissioning of a nuclear power plant, unless such discharge is federally preempted. Alyse

Peterson indicated that this bill only relates to Indian Point and was put forward in response to Holtec's intent to discharge treated water that meets NRC discharge requirements from Indian Point spent fuel pools to the Hudson.

In response to an inquiry from the Chair regarding the release of treated water, Alyse Peterson stated that she believes that it is the same issue as the water discharge in Fukushima.

In response to an inquiry from Vice Chair Bell regarding the comparative level of radioactivity in the water at Indian Point versus that at Fukushima which may be significantly higher, Alyse Peterson indicated that she is unaware of the levels of Fukushima, but indicated that the levels at Indian Point are low.

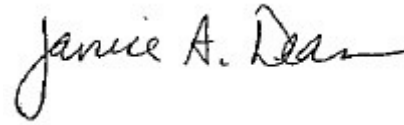
In response to an inquiry from Vice Chair Bell regarding potential future uses of the site upon eventual site reuse, Alyse Peterson explained that Holtec owns the site and can determine its use, and indicated that local municipalities have expressed interest in productive use of the site.

Lastly, Alyse Peterson provided an update on low-level waste reporting activities and noted that a recent federal court case of the Fifth Circuit has invalidated interim nuclear storage, a cornerstone of current nuclear waste disposal planning, and indicated that additional litigation may be likely.

Committee Chair Bell indicated that the last item on the agenda was other business. There being no other business, Committee Chair Bell called for a motion to adjourn.

Whereafter, upon motion duly made and seconded, and by unanimous voice vote of the Committee Members, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink that reads "Janice A. Dean". The signature is written in a cursive style with a long horizontal flourish at the end.

Janice A. Dean
Secretary to the Committee



NYSERDA

KATHY HOCHUL
Governor

RICHARD L. KAUFFMAN
Chair

DOREEN M. HARRIS
President and CEO

NOTICE OF MEETING AND AGENDA

September 22, 2023

TO THE MEMBERS OF THE WASTE AND FACILITIES MANAGEMENT COMMITTEE:

PLEASE TAKE NOTICE that the seventy-third (73rd) meeting of the WASTE AND FACILITIES MANAGEMENT COMMITTEE of the NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (the “Authority”) will be held at 17 Columbia Circle, Albany, New York, and at the NY Green Bank Office located at 1333 Broadway, New York, New York, on Wednesday, October 4, 2023, commencing at 11:30 a.m. for the following purposes:

1. To consider the Minutes of the seventy-second (72nd) meeting of the Committee held on June 26, 2023.
2. To receive a status report on West Valley Site Management Program activities.
3. To receive a status report on nuclear coordination activities.
4. To transact such other business as may properly come before the Committee.

Members of the public may attend the meeting at any of the above locations, or via the video conference which can be accessed at <https://www.nyserdera.ny.gov/About/Board-Governance/Board-and-Committee-Meetings>.

The Authority will be posting a video and a transcript of the meeting to the web as soon as practicable after the meeting. The video and transcript will be posted at <http://www.nyserdera.ny.gov/About/Board-Governance/Board-and-Committee-Meetings>.

Janice A. Dean
Secretary to the Waste and Facilities
Management Committee

New York State Energy Research and Development Authority

Albany
17 Columbia Circle, Albany, NY 12203-6399
(P) 1-866-NYSERDA | (F) 518-862-1091
nyserdera.ny.gov | info@nyserdera.ny.gov

Buffalo
726 Exchange Street
Suite 821
Buffalo, NY
14210-1484
(P) 716-842-1522
(F) 716-842-0156

New York City
1359 Broadway
19th Floor
New York, NY
10018-7842
(P) 212-971-5342
(F) 518-862-1091

**West Valley Site
Management Program**
9030-B Route 219
West Valley, NY
14171-9500
(P) 716-942-9960
(F) 716-942-9961