

NYSERDA
Waste & Facilities Management Committee
February 3, 2021
Clean Transcript

Chuck Bell:

I am the Chair of the NYSERDA Waste and Facilities Management Committee, and I call this meeting of the Waste and Facilities Management Committee to order. A notice of this meeting was provided to the Committee Members and the press on January 15th, 2021, and a revised notice was provided to the Committee Members on January 25th, 2021, and to the press on January 26, 2021. I would like to note that this meeting is being conducted by video conference and the Authority will be posting a video and transcript of this meeting on the web. To confirm that we have a quorum. I would like to ask Janice Dean, Secretary to the Committee to conduct a roll call of each of the Committee Members in attendance. Janice?

Janice Dean:

Thank you, Mr. Chairman, I'll first note your attendance. Then now take the remainder of the roll call. When I call your name, please indicate "present". Authority Chair, Richard Kauffman.

Richard Kauffman:

Present.

Janice Dean:

Sherburne Abbott

Shere Abbott:

Present.

Janice Dean:

And Kate Fish, without Kate. We do still have a quorum back to you, Mr. Chairman.

Chuck Bell:

Thank you, Janice. The first item on the agenda is the approval of the minutes of the June 23rd, 2020 meeting. A copy of the minutes was included with the January 15th, 2020 mailing. Are there any comments on the minutes?

Richard Kauffman:

I have none.

Shere Abbott:

None.

Chuck Bell:

Thank you. Hearing none may have a motion approving the minutes.

Shere Abbott:

So moved.

Richard Kauffman:

Second.

Chuck Bell:

When Janice calls your name, please indicate whether you're in favor of approving the minutes by stating "aye", or opposed by stating "no".

Janice Dean:

Thank you, Mr. Chairman, when I call your name, please indicate your vote. Chairman, Chuck Bell.

Chuck Bell:

Aye.

Janice Dean:

Authority Chair, Richard Kauffman.

Richard Kauffman:

Aye.

Janice Dean:

Shere Abbott.

Shere Abbott:

Aye.

Janice Dean:

The minutes have been approved.

Chuck Bell:

The next item is a report from Treasurer, Jeff Pitkin regarding the Authority's Fiscal Year 2021-22 budget for the West Valley Site Management Program and Radioactive Waste Policy and Nuclear Coordination activities. At the close of Jeff's presentation, the Committee will be asked to vote on a resolution recommending that the Board adopt the resolution approving the Authority's Fiscal Year 2022-20, I'm sorry, 2021-22 Budget. Jeff?

Jeff Pitkin:

Good morning all. The budget for the West Valley program for the upcoming fiscal year is about \$22.5 million. And that's funded from a state appropriation in the amount of \$20.5 million, which reflects an increase of \$2.3 million from the current year state budget funding. This includes an increase for the state share of potential federal funding and spending site, under both the cooperative agreement and the consent agreement, and specifically reflects funding that was approved in the COVID relief phenomena, this federal funding bill or federal fiscal year 20 and 21, and the amount about \$92 million. And that compares to a funding amount of about \$78 million for the project in the federal fiscal year 20. With respect to the low level radioactive waste site generation program included in the energy analysis program is the funding to meet the requirements under the low level radioactive waste management act for collecting information and providing regular reports to the governor and the legislature on a generation of the state, these activities are funded where the state appropriation in the

amount of \$142,500 which is some allocated from an appropriation provided to the department of health and ultimately collected through an assessment on the operating nuclear power plant licensees. And that amount was reduced by \$7,500. Often the current year budget in accordance with a Division of Budget directives for state budget funding submissions. And that reduction will be funded from general unrestricted revenues. With that. I'd be happy to utter any questions that you may have.

Chuck Bell:

Thank you, Jeff. Are there any questions or further discussion of this item?

Richard Kauffman:

So Jeff, in terms of a change in the Biden administration and Congress, I know it's still early days, but what do you, what, what are your early thoughts about additional funding or anything else that would have budget implications?

Jeff Pitkin:

Maybe I'll let Paul address that, Paul you're you're on, right. Maybe Paul should address that first because he may have some deeper insights and vacations that he might have in department of energy.

Paul Bembia:

Sure, sure. Thank you, Jeff. And thank you Richard, for the question. So in terms of the, the new administration, there's at least there was some consideration of whether there could be some additional funding for the demonstration project as part of COVID relief that did not come through during the current year, but it is something that's a possibility for upcoming years. So we will be watching that closely, you know, that was part of the, the economic relief package after the 2008, 2009 economic situations, we can see that here, the increase that we're seeing in funding for the current year's money that was requested by the Department of Energy to begin the demolition of the may plant process buildings, our budget requests increase for this year is primarily related to that increased into WVDP.

Richard Kauffman:

But if there is an increase in the Fed's increase, then under the agreement we have should be, we would, would require an increase from the state, right?

Paul Bembia:

Yes, that is correct, that is correct.

Jeff Pitkin:

Yeah. And Richard we've, we've had discussions with Division of Budget staff on that from a timing standpoint, because of course we have a, you know, overlap between the federal fiscal year and the state fiscal year. So we, we would need to address any such of a kind of an I'll call it a non-anticipated increase in federal funding and assess how that would impact our state fiscal year funding amounts. So we'd work with Paul and work with the budget team to kind of work and ultimately Department of Energy to kind of work through that.

Richard Kauffman:

Ok Thank you.

Chuck Bell:

Any other questions for Jeff or for Paul? If there aren't any, I was just going to ask, are there any anticipated unanticipated effects of the COVID-19 pandemic on spending for the West Valley site activities and are these, are these incorporated in the budget?

Paul Bembia:

Yes. And, and those unanticipated and affects are actually decreases in the amount of work activities that we've done at the site over the past year. So we've again while our budget was increased or the federal appropriation was increased for federal, federal fiscal 2021, spending is actually at a lower rate. So right now the Department of Energy is looking at some other work activities that we need to complete towards the decommissioning to see if some of those work activities can be undertaken this year, rather than the main plant process buildings work. And I'll talk a little bit more about why that main planning process building work more in my presentation.

Chuck Bell:

Great. Thank you for that. Any further questions for Paul or for Jeff? Hearing none a resolution regarding a pro approval of the Authority's fiscal year 2021 - 22 budget was included in your materials. It is located at, at the last page of the budget package. May I please have a motion recommending that the board adopt the resolution approving the Authority's fiscal year 2021-22 budgets.

Richard Kauffman:

All of it.

Chuck Bell:

Thank you. May I have a second please? Maybe we've lost Shere.

Shere Abbott:

Sorry. Sorry, Second.

Chuck Bell:

Thank you, Shere. When Janice calls your name, please indicate whether you're in favor by stating "aye" or opposed by stating "no"

Janice Dean:

Thank you, Mr. Chairman, when I call each name, please indicate your vote. Chairman Bell.

Chuck Bell:

Aye.

Janice Dean:

Authority Chair, Richard Kauffman.

Richard Kauffman:

Aye.

Janice Dean:

Sherburne Abbott

Shere Abbott:

Aye.

Janice Dean:

And I see that member Kate Fish did join us through, through this budget discussion. Kate, this vote is an approval of the Budget resolution. If you have heard enough of the budget discussion to vote, please vote.

Kate Fish:

Aye.

Janice Dean:

This portion of the fiscal year 2120 - 2020, I'm sorry, 2021-22 has been recommended for approval. Thank you.

Chuck Bell:

Thank you. Next on the agenda is a status report on the West Valley Site Management Program activities. Paul Bembia will provide the report. Paul?

Paul Bembia:

Thank you, Chairman Bell. So today I have updates on the work activities at the West Valley Demonstration project, the state licensed disposal area, and again, I'll mention COVID impacts and status, and then brief updates on the supplemental EIS and amendment to the license for the nuclear service center. The GAO report that we've discussed a few times at the last meetings and federal appropriation for the West Valley Demonstration project.

Next slide please.

Okay. So for the West Valley Demonstration project, first in terms of the COVID status when I briefed the Committee in June, most of the work at West Valley demonstration project was on hold and keeping with New York State and federal COVID-19 work restrictions. In July, those work restrictions started to be lifted and demolition and other work activities at the West Valley Demonstration project began to ramp back up. October, the decontamination work and the main plant process building had resumed and pretty much all of the onsite activities were back up and running. In November, however, Western New York was experiencing some of the highest COVID-19 rates in the state. And we began to see some positive cases occurring in the West Valley Demonstration project workforce. As a result, a review of the work activities on site were undertaken and DOE suspended all work activities that involved the close contact of personnel where proper COVID controls couldn't be maintained, and that does include all work that requires respiratory protection equipment.

Other on-site work is continuing where COVID 19 controls could be properly maintained. Most of the DOE and the CHBWW the contractor office staff are continuing to telework. So for the decommissioning activities, demolition work has progressed to the point where only the main plant process building and one support facility that will be moved under this contract remain. The decontamination work in the main plant, there's decontamination work in the main plant process building that must be completed before the demolition work on that building can begin. And again, that work is presently on hold due to the COVID-19 work restrictions, and merely because of the restrictions

on respiratory protection CHBWV had planned to initiate the demolition of the main plant process building towards the end of 2020, but now it looks like that work may begin closer to the end of 2021.

The next slide, please.

So, the aerial photograph on the left it probably looks familiar, it's a photograph I have been using to show the Committee progress on the demolition work on the main plant complex facilities and buildings. When you, the facilities are red that you see there are facilities or buildings that have already been demolished, the purple area kind of right in the middle is, is what I kind of call the core area of the main plan process building. And then there are two additional buildings you see there that are shaded in kind of gray or white, and I'll, I'll talk about those momentarily for me. When you visited the site, the three red shaded facilities towards the top of that photograph had been demolished, and then also the laundry facility, which is a small facility right down at the bottom of the photograph. That facility, I believe, had just been demolished some.

So since your visit to the site the main plant office building, which is on the, the left side of the, the main plant area there, that office building has been demolished and the two large facilities towards the bottom of the photograph, the utility room and the utility room extension are also, have also not been demolished. So if, if you kind of look at the photo in your mind's eye, you take away all the red shaded facilities, you see that really all that we have left now is the core area of the main plant process building, and then those two white shaded facilities the, the white shaded facility on the left is called load in load out, and that will remain during demolition activities that will be used for support activities and logistics, equipment storage, and that kind of thing during the demolition, and then on the right is the old fuel receiving and storage facility. And that is really just kind of a sheet metal shell building that's over the top of the old fuel storage pool. The, the in-ground and underground facilities are going to be removed during the phase one B work. And so, that building is staying up over the top of the storage pool just to keep precipitation from accumulating in the pool until that pool is removed.

Okay. Okay. So the photo on the right shows the main plant process building as it exists today quite a bit different probably than when you were, when you visited the site and just all the way at the left of that photo, you see a little bit of that load in load out facility, and again, that's the facilities, facility that will be used for logistics [inaudible].

Next slide, please.

I think during the time I've showed you facilities, I haven't really showed you too much of the work going on inside the main time inside the main plant process building. And that's critically important work because that is work that's removing contaminated systems and piping and is, that's the work that needs to be done in order to allow the building to be demolished safely. So these photos are showing an activity. It's the high pressure nitrogen decontamination work in one particular cell called the PPC South of product purification cell. And I think we had talked about this a little bit when the Board members visited the site. I think the DOE director had talked about this, this work hadn't yet begun but the planning was underway for it. And so I wanted to just take a minute to, to show you a network activity.

The diagram on the left, I included there it's, you're looking at the back of the plant, and I put that in there just to give you a sense of, of one of the complexities of working in that facility, and that's just it's physical configuration. The cell is about 16 feet long, it's eight feet wide, and it's over 50 feet tall. So the workers kind of acquainted to working in an elevator shaft. They're very high levels of

contamination in this cell. So the operators were fully encapsulated bubble suits. There's pressurized, pressurized breathing air that's supplied to them using air lines, and it actually takes about an hour and a half to get them dressed out, to get ready to go into this site, to do this work. The photo all the way over on the right, you see two workers in that cell, the red and blue structure behind the worker in the back there is called the mass climber. And that's a lift system that carries the operators to the top of this five story tall cell. So in the photo, the work platform is, is up at the top of the photograph. So that comes down they go up in the work platform and that listen to the cell.

So in the center photo here's an, that's a photo of an operator taking samples to check the decontamination levels after a high pressure nitrogen decontamination work's been done there. You can see there, there's kind of some rough parts about the wall. And so those are the areas where the nitrogen decontamination work had completed. So the nitrogen is it 50,000 pounds per square inch. So it actually removes the contamination. It removes the paint and about an eighth inch of the concrete from the, the wall surface. Let's see, also in the center photo that you see a large structure over the head of the operator there, and that's actually the nitrogen decontamination unit. So, what it is, it's, it's a sealed box. It gets sealed to the wall and the high pressure nitrogen nozzle passes back and forth within that box until the areas clean. There are two vacuum systems in the box to remove the debris, the binds, the contamination, and the nitrogen as that system is operated. Oxygen is then disconnected. It's moved to the next section of the wall and the process starts all over again. So the method is removing about 90 to 95% of the contamination on the wall. And again, this work must be completed before the main plant demolition can. So with that, I was going to shift over to the SDA. So are there any questions before I do that?

Kate Fish:

Hi, Paul, this is Kate. Thank you so much for these ongoing updates. Just a quick question out of my endless curiosity about this. I'm assuming that the workers, you know, can be in the same space now, just because they're operating under totally different kind of air systems. There's no potential cross contamination of breath, is that right? So that they're protected from COVID.

Paul Bembia:

Yeah that's right. While they're in the room, they are totally independent supplied air systems. One of the issues with with dressing them out with having, helping them get dressed out again, it takes about an hour to an hour and a half to get them in this equipment and are support crews that have to get them all dressed out. There are parts of that process when the operator cannot be in like a surgical mask for COVID protection. And so we, we could have a situation where you may have an operator who's non-symptomatic, who may have COVID, and so he that he, or she would be breathing out and, and the support crews who are there with them could potentially be exposed. And so that was a vulnerability in this particular work activity that they could not find a good solution for. And that's why the the respiratory protection activities have been suspended for now because of COVID. While they're there on supplied air. You know, they are being protected for veer from very high levels of contamination in that room. COVID is certainly not going to be a problem in that situation, but it's when they're getting in and out of that protective gear that COVID becomes the problem.

Richard Kauffman:

Paul, I am going to ask you again. So the question I have is the, is the decontamination activities that are happening in the main process building are they different than the decontamination activities that were done in the other buildings? This nitrogen system

Paul Bembia:

The nitrogen system wasn't necessary in the other buildings because the contamination in the other buildings hadn't been as high. And what also happens is the contamination will actually diffuse through the paint and into the concrete. So this is actually a, a method that is known as concrete scaffolding. So they actually intend here not only to get the contamination and the paint off, but they are actually trying to get that first eighth of an inch, and can even go deeper if they need to to get the contamination out of those outer layers of concrete. For the, the other main facility that the, the highly contaminated facility that was demolished before was the VIT facility. That facility was lined with stainless steel plates to avoid that contamination from penetrating into the wall so that wasn't needed here. This is part of the original reprocessing facility. They didn't use steel, steel and stainless steel liners there. And that's why this particular, this particular room with the high levels of contamination really required this kind of very aggressive approach to decontamination

Richard Kauffman:

And this, this nitrogen approach has been used elsewhere, or is this being invented here?

Paul Bembia:

It was used for coding, coding, stripping, and other situations. It had been used in the main plant in other areas of the main plant before. But, but this particular application with very high levels of alpha contamination is the first time it's being done within the DOE systems. This is a technology that, that is being shared.

Richard Kauffman:

Okay. Thank you,

Shere Abbott:

Paul. Thanks so much, always very interesting. It's a question about the timing. So the nitrous, how, what is the expected total time this is going to take?

Paul Bembia:

Yes. So right now as it's,

Shere Abbott:

It's kind of interesting to, to, to gauge,

Paul Bembia:

Right. So so it is a, again, it kind of a new application in that. The unique, one of the unique situations is just, again, the very high levels of alpha contamination in this room. So early on, when they started this work activity, they would basically do one, one box attachment to the wall. They would do the decontamination activities. The operators would be in there for about two hours. That's about the time limit that you want someone in there. So they would do pretty much just one shift a day and one box move per day. So there's only about 10 square feet that is done every time within that box. So there right now DOE is anticipating that it will take at least through the end of the summer to do all of the rest of this, the work in this cell. Right now, again, because the work is still going on and due to the COVID restrictions, we're kind of in a day-to-day schedule slip right now, you know, for, for the initiating the start a main plant demo based on the, the restrictions are on the respiratory on this work. So, so as long as you know, that the COVID restrictions, it will keep like a day-to-day push out for beginning, they planted them.

Shere Abbott:

Hmm.

Chuck Bell:

So Paul, the material that is removed from the wall what is the classification of that type of waste that we'll have with once that is removed and processed for disposal?

Paul Bembia:

The contamination here has a relatively high concentration in plutonium. So some of this could end up being transuranic waste. What will probably happen with it is you know, it's vacuumed out of here, it goes into a cyclone separator so that the fines are, are sorted from the larger particles. They probably would want to solidify that material into a grout. And so they'll have to look at the concentration of the material once the certifications done as to whether it's stringent waste or low level waste.

Chuck Bell:

And so for that waste to okay, so they'll have to sort of sort that out the, but do we have a path for disposal or it will be packaged and retained onsite until there is a viable path for disposal?

Paul Bembia:

Low level waste can be disposed of onsite. So the department tries very hard not to generate transuranic waste. So, you know, again, if I'm through the solidification process it turns out it can be disposed of as low-level waste then that would certainly be the path that they would use.

Chuck Bell:

Thank you.

And one other question is, as we look at this building how much of the building is below grade level, are there as a couple stories of basement below the grade level?

Paul Bembia:

Yes. There's two primary areas where they're below ground cells and decontamination work has been completed in those cells and the Department of Energy, the WVDP actually is grouting those cells filling those cells with grout right now. Because as the demolition activities that are occurring above ground, they're going to need access over the top of those cells. So the plan for those cells will be for that the second phase of phase one B of the, the demolition, the demolition activities will be to remove those below ground cells.

Chuck Bell:

Thank you. And then after this cell is completed, are there additional cells that need to be decontaminated?

Paul Bembia:

Yes. there's another one called the vamp washroom and we're in the same situation with that where respiratory protection is needed for that as well. Once the work activities start back up when that the COVID restrictions are lifted work can start in parallel on both of those, and there's not as much work in that washroom that needs to be done as there is. And the this nitrogen combination work in PPC.

Chuck Bell:

Great. Thank you. Are there any, additional questions or comments for Paul?

Okay. Hearing none. Thank you very much, Paul, for your report. Next on the agenda is a status report on the Nuclear Coordination Program. Alyse Peterson will present the report. Okay.

Paul Bembia:

I'm sorry. I just wanted to mention, quickly, we didn't quite finish the SDA parts.

Chuck Bell:

Oh, I'm so sorry. You're right. You were in the middle, please.

Paul Bembia:

I apologize. I'll go a little quicker cause probably today. Nope, no problem. So quickly on the SDA. So next slide please.

Okay. So COVID situation for the SDA. Our West Valley staff has primarily wor-, teleworking, but all of our monitoring maintenance and inspection work is continuing. We've been reporting to the SDA and the WVDP to oversee and conduct all of our work activities. So the SDA is continuing to be managed safely and in compliance with all regulations just wanted to also give you a quick update on the trench 14 water infiltration project. I've been talking to the Committee quite a bit about that. When I briefed you in June, I reported that the investigation was complete and we're working on the design for the mitigation activity. So, design is now complete, been reviewed by the regulators and the Department of Energy. And no concerns have been identified. We do expect to begin that work in April or at least, you know, whatever it stops snowing. So April may so that we'll move forward. Trench 14 is continuing to increase at about an inch per year. And with that rate, there is no threat of a release from the trench today. We can move to the next slide.

So the SDA is the large membrane covered feature in the center. I'm going to zoom in with the next slide on that area that's outlined by the blue box there. Thank you. So the figure on the left is the area, in the blue box. There's a lot on their cell just briefly call out a couple of things. Transport G the trenches are shown on here as the kind of brownish rectangles. Trench 14 is the lower most Trench shown on this figure, that area that's shown with circled with the white circle is, is it's an area called the hardstand. It was a, a waste staging area for the N-, NRC licensed disposal area before the waste was placed in there. And that area, interestingly is not covered by the membrane cover.

The other thing is to point out are the blue lines on here, and hopefully you can see those, those are groundwater contour lines and the black label that's, are the monitoring Wells that we installed. During our investigation. What we found through that investigation is that the higher, highest water levels throughout this area are at the old, the hardstand the white circle area. So what we see there is that we're, we're likely gaining infiltration and precipitation and snow mill into that old hardstand area. We have a groundwater gradient that is flowing towards trench 14, and we also identified a a permeable geologic unit in that area. It's like a peat moss deposit that appears to be transmitting the water from the, the the high groundwater area at the hardstands Trench 14. Over on the right is a diagram of the plan to mitigate and we'll Insta install a sheet pile wall to provide a groundwater barrier on the Northern end of Trench 14, and that'll also cut off that permeable peat deposit. And in addition to cutting off the flow path, and we're going to extend the permeable synthetic cover over that old hardstand area and the rest of the area between the SDA and the NDA that's not covered. So we'll both cut off the source of

the water into the area, and the permeable geologic deposit that's, that's moving the water towards trench 14. So when we get those in place, we feel like we'll have an effective approach to stop the water from moving into trench 14. We're going to keep a lot of those Wells in place. So we'll have an extensive monitoring program to be able to confirm the efficiency the, the engineer engineered remedy action. Next slide please.

So quickly on the environmental impact statement network is continuing, we've been working on model-, model development to extend that PPA downstream and out until the water intakes of Lake Erie. We are continuing to work on the issues with the Department of Energy in regard to the content in the analysis for the PPA.

Next item is the license NRC license for the center, early last year NYSERDA applied to the Nuclear Regulatory Commission for an amendment to our license and that, and then it will provide some clarity in regard to NYSERDA's authority to, to sorry, I'm rushing, it'll provide some clarity in regards to this. NYSERDA's authority under the license to protect workers in public health and safety, and it's also going to allow us to update our radiation safety plan for that area. This is we're also working with the NRC, DOE, NNSA to identify restricted material in the license. The license contains a lot of information on the repressing plant that can't be made available to the public. So once the, the license has been reviewed by NNSA we'll be able to have a version of the license that we can make available for our stakeholders. And then item here is on the GAO. Yep.

Kate Fish:

Can I ask a quick question? How are you, are, are you engaging the, the reservation, the tribe that's downstream from this?

Paul Bembia:

We we had public meetings when we did the scoping EIS scoping at the Seneca nation. We do expect that we'll be doing some culturally specific land use scenarios and the environmental impact statements. So we do expect to engage them pretty closely when we get to the SEIS.

Kate Fish:

Okay. Okay. Thank you.

Paul Bembia:

GAO report was issued in January. The report States that DOE has made significant progress on the WV-, WVDP cleanup, but notes that some critical decisions remain. Those critical decisions are the phase two decisions for the remainder of the decommissioning work. And the report also calls on Congress to resolve the lack of the disposal path for the transuranic waste, including the possibility that that Congress ammend appropriate federal legislation to create the legal pathway for disposing of the transuranic waste. Last slide, please. This is on the federal appropriation. I think Jeff already mentioned this for federal fiscal 2020, the the West Valley Demonstration project appropriation is \$92.4 million. This is about 17 million higher than the 75 million authorization in the West Valley Reauthorization Act. And again, that money was provided to fund the effective and safe demolition, the main plant process clue. And that concludes my report.

Richard Kauffman:

I forgotten, but the who's the, the leachate that, that, that work that needs to be done. Who's paying for that?

Paul Bembia:

For the, the leachate remediation work that transports that is NYSERDA's project and the Department of Energy and NYSERDA split on that is NYSERDA pays 70%, the Department of Energy pays 30%.

Richard Kauffman:

Okay. So you say construction is going to begin this year?

Paul Bembia:

That's correct.

Richard Kauffman:

Okay. So I, so did we talk about that in the budget already?

Paul Bembia:

We do have that in our budget for this year. I'm not quite sure I understand your question

Richard Kauffman:

Well, so how, I guess what I'm, what I'm asking is the magnitude, what's the tot-? What do we estimate that total project cost is going to be?

Paul Bembia:

About \$750,000?

Richard Kauffman:

Oh, really? That's all it's going to cost.

Paul Bembia:

Yeah.

Richard Kauffman:

Wow. Okay. That's good.

Chuck Bell:

Are there other questions or comments for Paul? I want to ask does the, the Government Accounting Office report did where we did we submit comments and reply to the findings, or are we generally in accord with the, did we feel that they gave a fair presentation of the underlying issues? Do we have any concerns about the, the report?

Paul Bembia:

We do feel that they, they provided a fair presentation of the issues. We feel that they provided a fair presentation of NYSERDA's concerns, and NYSERDA's positions on the defense waste issue. And we did meet with GAO, I would say about four or five times, and we did review a draft of the report and provide technical comments on it.

Chuck Bell:

Great. Great. Okay. Thank you very much for that. Okay. Any further questions or comments for Paul? Paul, thanks very much. I appreciate your report and sorry that I interrupted you prematurely, but

thank you for all the great work that you're doing out on the site. Next on the agenda, we have a status report on the Nuclear Coordination Program, and Alyse Peterson will present that report. Alyse?

Alyse Peterson:

Hey good morning everyone, given our time constraints. I'll just give you a very quick update on Indian Point. As you're already aware, Indian Point unit two was permanently shut down last spring, and all of the fuel in the reactor was removed and placed in the spent fuel pool. The unit three reactor is scheduled for permanent shutdown this coming April. Fuel removal from unit three should be needed in May that will be followed by formal notification to NRC of the shutdown and defueling. With that certification submitted, they can never put fuel in the reactor again, that was results in permanent check-out. So following this, then we can expect physical decommissioning actions for the whole site to commence. That's going to start with dismantling and segmentation of the unit three reactor vessel and its internal components.

I also previously briefed you on Entergy's proposed sale of the entire site to limited liability subsidiaries of Holtec International for decommissioning, and also the federal and state proceedings that are, that are going forward for the associated license transfer for that sale. NRC staff did approve the license transfer on November 23rd. It will take effect after the property transfer between the two companies is needed. That same day, November 23rd, and NRC also approved an exemption request five, a plan to allow use of decommissioning trust fund monies or post costs associated with spent fuel management and site restoration. There does still remain an open proceeding for state approval of the proposed sale at the Public Service Commission and NYSERDA, and the other state agencies did submit comments to that proceeding as well. Throughout this entire decommissioning planning and licensed transfer process. NYSERDA has continued in our role as the state's nuclear coordinator and liaison to the NRC. We've been coordinating the state's review of technical proposals, submitting legal papers in both the federal and state proceedings to express the state concerns and seeking financial assurance measures to help protect Holtec's ability to complete decommissioning, should the company experienced financial hardship or the existing decommissioning trust funds prove to be insufficient with the law, the NRC license transfer review now completed. We look forward to decision-making by PSC in the state proceeding. If the proposed ownership transfer is approved, it would take effect after shutdown of unit three, this April. That concludes my, my report. Thank you.

Chuck Bell:

Thank you. Are there any questions or comments for Alyse?

Richard Kauffman:

Alyse, you know, you talked about comments, how concerned are you about this transfer?

Alyse Peterson:

So th-, th-, the state certainly is concerned. If, if you I'm wondering if I should be, since the comments go into the legal realm, I'm wondering if I should be throwing this over to, to Janice to respond to your question.

Janice Dean:

Thanks, Alyse. Richard, I think we put our position forward in those papers which are publicly available as noted in our last meeting, but primarily we just want to make sure that in the event of a bankruptcy of the corporate parent or other strains on the company's ability to undertake an, an effort of this magnitude, which is according to their plans going to encompass six Northeastern facilities at

once, that we have proper financial assurance and a buffer that will account for unexpected expenditures or a faster than usual drawdown of funds, if the cleanup process does not go as they planned. I will note that the NRC who does have authority to impose additional financial assurance did not believe that that financial assurance was warranted in this case. And they do have a team of financial experts who did review this with that eye, and so while we may have a different lens through which we look here it is at least some comfort that federal experts looked at this model and did approve it, not only at this facility, but at two others as well with another pending. So I don't know if that entirely answers your question, but I would say. Okay

Richard Kauffman:

Thank you.

Janice Dean:

Sure.

Chuck Bell:

Thank You. Thank you, Janice. Any further questions for Alyse, for Janice?

Okay. I thank, thank you so much for your report report, Alyse. Next on the agenda, the members will consider a resolution to enter into private session. May I have a motion recommending approval to convene in private session for the purpose of discussing attorney client privilege matters?

Shere Abbott:

So Moved.

Richard Kauffman:

Second.

Chuck Bell:

Thank you. When Janice calls your name, please indicate whether you're in favor by stating "aye" or opposed by stating "no".

Janice Dean:

Thank you, Mr. Chairman, when I call each name, please indicate your vote. Committee Chair, Chuck Bell.

Chuck Bell:

Aye.

Janice Dean:

Authority Chair, Richard Kauffman.

Richard Kauffman:

Aye.

Janice Dean:

Sherburne Fish, I'm sorry Sherburne Abbott.

Shere Abbott:

Aye.

Janice Dean:

And Kate Fish. I'm sorry.

Kate Fish:

Aye. I approve. And I'm honored to be mixed up with Shere.

Janice Dean:

That's been approved. At this Members, terminate participation in this WebEx and log onto the private session, the link for which was provided in your calendar invite and for the members of the public who are watching this WebEx, we will return to open session shortly.

Chuck Bell:

Great. Okay. So this meeting is reconvened in open session. No action was taken during the private session. The members were briefed on ongoing legal issues relating to the Authoritarian Authority's, statutory obligations and lease obligations at Indian Point and members are satisfied with ongoing work being done on this matter. The final agenda item is other business. Is there any other business? Thank you. Hearing none. May I have a motion to adjourn please?

Kate Fish:

So moved.

Shere Abbott:

Second.

Chuck Bell:

Thank you. All in favor, please say, aye.

{Members in Unison}

Aye.

Chuck Bell:

Any opposed? The meeting is adjourned. Thanks very much to the staff for all your help and support in preparing for this meeting.