

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY  
Minutes of the 69<sup>th</sup> Waste and Facilities Management Committee Meeting  
Held on June 28, 2022

Pursuant to a notice and agenda dated June 16, 2022, the sixty-ninth (69<sup>th</sup>) meeting of the Waste and Facilities Management Committee of the NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (“Authority”) was convened at 1:30 p.m. on Tuesday, June 28, 2022, 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 NYGB

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

Sherburne Abbott attended via video conference

Arturo Garcia-Costas attended from NYGB

Also present were Doreen Harris, President and CEO; John Williams, Vice President for Policy and Regulatory Affairs; Peter Costello, General Counsel and Secretary to the Authority; Pam Poisson, Chief Financial Officer; 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, after Secretary Janice Dean conducted a roll call. Chair Bell indicated that the meeting notice and agenda were forwarded to the Committee and the press on June 14, 2022.

Committee Chair Bell indicated that the first item on the agenda concerned the approval of the minutes of the sixty-eighth (68<sup>th</sup>) meeting of the Committee held on January 25, 2022.

Whereafter, upon a motion duly made and seconded, and by unanimous voice vote of the Committee Members, the minutes of the sixty-eighth (68<sup>th</sup>) meeting of the Committee held on January 25, 2022 were approved.

Committee Chair Bell indicated that the next item on the agenda was to consider a resolution recommending approval of the Waste and Facilities Management Committee Charter. This item was presented by General Counsel and Secretary to the Authority, Peter Costello.

General Counsel and Secretary to the Authority Costello stated that pursuant to the Public Authorities Accountability Act of 2005, the Committee is responsible for periodically reviewing its Charter, determining whether amendments need to be made, and making recommendations to the full Board of Directors for consideration and approval. A full copy of the current Committee Charter was included in the meeting package. Peter Costello noted that Counsel's Office continually monitors relevant guidance from the New York State Authorities Budget Office, the Comptroller's Office, and legislation, and that staff reviews the Charters of other State authorities, including the New York Power Authority, the Long Island Power Authority, the Dormitory Authority and the Environmental Facilities Corporation. He stated that management is not recommending any changes to the Waste and Facilities Management Committee Charter at this time.

Whereafter, upon a motion duly made and seconded, and by unanimous voice vote of the Committee Members, the following resolution was adopted.

Resolution No.

RESOLVED, that the Authority's Waste and Facilities Management Committee Charter as presented to the Members for consideration at this meeting, with such non-substantive, editorial changes and grammatical changes as the President and Chief Executive Officer, in their discretion, may deem necessary or appropriate, is recommended for adoption and approval by the Board.

Committee Chair Bell indicated that the next item on the agenda was to receive a report on the West Valley Site Management Program and asked its Director, Paul Bembia to discuss this item.

West Valley Director Bembia provided an update to the Committee on two items: (1) the North Slope of the State Licensed Disposal Area, and (2) Progress toward the demolition of the Main Plant Process Building at the West Valley Demonstration Project.

With respect to the first item, Director Bembia reminded the Committee of a prior update at the January Committee meeting regarding West Valley staff closely monitoring soil slumping on the North Slope of the State Licensed Disposal Area (SLDA), with plans to conduct a soil and slope characterization activity in spring 2022 to provide information needed to stabilize the slope. Director Bembia reported that such activity began in early May 2022 and was completed on June 9, 2022, and included the collection of soil cores to identify the soil types on the slope, the collection of samples for the analysis of the physical properties of the soils, and installation of monitoring devices to provide information on the depth of soil movement and the presence of groundwater within the slope. In addition, Director Bembia stated that various combinations of those activities were conducted at twenty-one (21) locations across the North Slope.

Director Bembia continued to report that the engineering contractor evaluated the data and concluded that the slumping is shallow, occurring in the top three (3) to five (5) feet of soil. Director Bembia reported that the data confirms that soil slumping occurs in the soil that was pushed onto the North Slope during the construction of trenches, as was described in the January meeting, and that the engineering firm is now preparing a design for stabilizing the slope, expected to be completed and approved in August 2022.

Lastly, Director Bembia noted that his team has been working very closely with the Department of Environmental Conservation (DEC) on this item, with DEC staff visiting the site regularly to observe the slope in person, and that DEC staff is also briefed every two weeks on the work project, including information on the progress and the schedule status. In addition, he noted

that DEC staff has provided valuable input on the monitoring and characterization work, and their suggestions have been incorporated into NYSERDA work activities.

In response to an inquiry from Chair Kauffman regarding cost share for this project, Director Bembia responded that NYSERDA will pay seventy percent (70%) and the Department of Energy will pay thirty percent (30%), and indicated that there is \$1.4 million in this year's budget for the construction activity.

With respect to the progress toward the demolition of the Main Plant Process Building, Director Bembia stated that during the January Committee meeting, Brad Frank provided a report, and that work was focused on reducing contamination in two areas of the main plant process building at that time. Director Bembia reported that since then, the decontamination work in one of those areas has been completed and work is now focusing on the final area, the product purification cell, which is being decontaminated using high pressure nitrogen to remove the contamination on the walls. Director Bembia reported that work in the product purification cell is continuing to move forward in a safe and deliberate manner and should be completed this summer, and that once that work is complete, the demolition of the plant process building is expected to begin by the end of 2022.

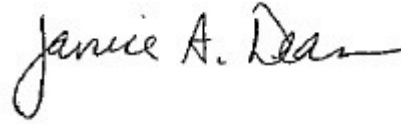
In response to an inquiry from Member Garcia-Costas regarding communication with stakeholders and the Seneca Nation regarding the final stage of demolition, Director Bembia responded that NYSERDA and the Department of Energy have extensive outreach programs and that numerous public meetings have addressed this demolition.

In response to an inquire from Committee Chair Bell, Director Bembia responded confirming that his team is sharing any comments with the DOE and that his team will also be participant observers of DOE's readiness review.

Committee Chair Bell indicated the next 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