

**Indian Point Nuclear Decommissioning Citizen Advisory Panel
November 5, 2020 via Zoom**

In Attendance:

Theresa Knickerbocker, Mayor Village of Buchanan
Linda Puglisi, Supervisor Town of Cortlandt
Joseph Hochreiter, Superintendent Hendrick Hudson School District
George Latimer, Westchester County Executive (joined by Susan Spear, Ellen Hendricks, Peter Loughran from the Executive team).
Tom Congdon, Executive Deputy NYS PSC
John Sippos, NYS PSC
Catherine Borgia, Westchester County Legislator
Colin Smith, Westchester County Legislator
Sandy Galef, Assemblywoman
Kevin Byrne, Assemblyman
Richard Becker, Councilman Town of Cortlandt
Mike Twomey, Entergy, Sr. Vice-President
Tony Vitale, Entergy Sr. Vice-President, IPEC/Entergy
Joseph Lynch, Entergy
Richard Burrioni, Entergy
Debra Milone, President, Hudson Valley Gateway Chamber of Commerce
William Smith, Utility Workers Union Local 1-2
Eileen Absenger, Village of Buchanan Representative
Al Liberatore, Teamsters Local 456
John O'Mara, Retired Engineer
Don Dwyer, Power through Cortlandt Representative, Area Realtor
Tom Carey, Westchester/Putnam Central Labor Board President
Manna Jo Greene, Hudson River Sloop Clearwater Environmental Director

Theresa Knickerbocker welcomed everyone to the Advisory Panel Meeting.
Supervisor Puglisi led the Pledge of Allegiance.

Mayor Knickerbocker stated the meetings haven't been held recently due to the pandemic. She noted that Supervisor Puglisi and she felt it was necessary to start up the meetings again via a Zoom, although it is not the best way to have this type of meeting - you don't get the same energy and back and forth conversations but it is important that we meet. The Entergy representatives were kind enough to do this for us this evening and give us an update to where things are. Thank you especially to Tony Vitale and Mike Twomey for being here.

As we all know the community advisory panel was established to enhance open communication, public involvement and education on Indian Point decommissioning issues.

Supervisor Linda Puglisi thanked Mayor Knickerbocker for chairing this important Panel and coordinating the meeting today. Zoom is difficult but we have to move forward and disseminate information to the community. We have an excellent panel and we have all been on a long journey together for the last 3½ years since the announcement of the closure of the IP nuclear plants. IP 1 has been closed for decades and IP 2 closed April

2020 and IP 3 will close this coming April in 2021. During the course of the journey we have had a local task force with many wonderful members of the community - all volunteers. We met monthly if not more often for the last years and it was a research paper for all of us: What happens when a nuclear plant closes, how long does it take to do the reclamation of the 240 acres, the dismantling of the reactors and what will we do about the lost jobs and revenues. We have been on this journey together and have accrued a lot of information. The local task force that started up early, right away, consisted of about 20 excellent representatives of the community. I am pleased to say that Theresa has assimilated some of the same people onto this Panel. We have had guest speakers and the County Executive George Latimer has attended the meetings as has our State Assemblywoman Sandy Galef and State Senator Peter Harckham and our County Legislators. We have had a core group of people at the local level because we work here, we live here, we raise our children here and we are the ones that are mostly affected by the closure of IP. This panel will have the responsibility at the local level to learn about the dismantling, review it, and monitor it, - we are going to do it and we will work hard to get that information out to our residents. It is difficult for our residents to go up to Albany to get the information. They need to get it from us here at the local level. We are the local officials that our residents look to for the answers to their questions. This panel, as we go forward, it is imperative that it is at the local level. Thank you Mayor Knickerbocker - it is a wonderful partnership that we have and I look forward to continuing our excellent work together for and with our residents and with our families.

Mayor Knickerbocker thanked the Supervisor and stated as always you are all about the community. Thank you for doing the overview of where we were and where we are now. All members introduced themselves.

County Executive Latimer stated that the county takes this very seriously. This is an important issue for the county. As I have said before, we want to be a good partner to the Village and to the Town on these issues and we will help to try to figure out what strategies to influence Albany where we can and then to do the unilateral things we can do at the county.

Richard Becker stated he is a Town of Cortlandt Councilman and Deputy Supervisor. He noted that we have learned a lot over the summer, via Port Cortlandt that many opportunities are going to come for our community and that some of them can be quite lucrative but still not right. So we have to work together and decide what is right and the proper fit and that will be a collaborative decision. I am happy to work with all of you so that we can move on and resolve all the upcoming issues we have to deal with.

Sandy Galef noted that she is the NY State Assemblywoman and later we will get to some of the legislation that we still have pending up in Albany that we want the governor to sign.

Nick Longo, representing Rockland County and Executive Ed Day, noted that he is very appreciative to be part of this panel and to share ideas and thoughts on the impending closure of IP.

John O'Mara, a retired engineer for the NYS DEC Region 3 with a background in chemical engineering and stated that he is not sure how he can assist but since the Mayor asked him to be on the panel, he is.

Tom Congdon, Executive Deputy at the Department of Public Service and the Chair of the IP NYS Closure task force. We are here to assist the Town and the Village and the County in transitioning to the future with a closed IP. We have been working collaboratively with all of you over the past few years and really appreciate the relationship we have formed. He stated that we have made a great deal of progress.

William Smith, VP Utility Workers Union Local 1-2 and noted that he represents the utility workers at the plant and looks forward to working with the Panel.

Catherine Borgia is the County Legislator. that represents the area surrounding the plant and stated that this is very important to us at the County level and very personal to Colin and me as the legislators that represent the immediate surrounding communities and added that she is a Cortlandt resident.

Mike Twomey - Entergy Senior VP, Federal Policy Regulatory and Gov't Affairs - he stated that he is here to represent the company's interests on this panel and we appreciate the ability to be involved in this important community platform.

Tony Vitale - Site VP at IP and a product of District 3 (HHSD), he stated that he is responsible for providing safe, clean and reliable electricity.

Al Libertore - Business Agent for Teamsters Local 456 that represents approximately 170 members at IP.

Joe Lynch - Director of Government Affairs for Decommissioning plants and will be the presenter tonight, representing Entergy.

Eileen Absenger - resident of Village of Buchanan

Tom Carey - Thanked Supervisor Puglisi and Mayor Knickerbocker and congratulated Sandy Galef and Kevin Byrne for their re-election and noted he was happy to help out in any manner.

Manna Jo Greene - the Environmental Director for Hudson River Sloop Clearwater and is also an Ulster County Legislator. Manna has 2 announcements regarding some educational events that will be of interest to the panel.

John Sippos - DPS in Albany.

Don Dwyer - A local realtor and parent of a Hen Hud student, a taxpayer and resident of Montrose.

Joe Hochreiter, Superintendent of Hendrick Hudson School District - and is happy and honored that the school district has a seat at this table for this very important work.

Kevin Byrne – Assemblyman Dist. 94. I have been able to listen in on the IP Closure Task Force meetings honored to be a part of this.

Richard Baronni – Entergy

Colin Smith – Westchester County Legislator

The Agenda was reviewed:

The approval of minutes of the January 15, 2020 meeting:

Manna Jo Greene corrected the spelling of her name (Greene). Manna asked to bring up several topics from the last meeting that needed to be addressed and approved the minutes as written.

Mayor Knickerbocker noted that we have quorum this evening so on a motion to approve the minutes for 1/15/2020

Supervisor Puglisi - motion

Richard Becker - 2nd

All in favor - aye

Mayor Knickerbocker noted that the minutes were approved.

Next was the approval of the revised Charter - we are increasing the numbers of the CAP members from 26-29, adding the Assembly member for the 94th District, Kevin Byrne and added the County Legislator for the 9th District Catherine Borgia. The Supervisor and I felt that they have both been active participants since the formation of the CAP and the IP site affects their constituents also and they expressed an interest to be a part of our panel.

Theresa asked to think about adding another member with scientific or environmental expertise - we will be taking resumes and choosing someone by the next meeting.

Please send any resumes to Marcus Serrano, Village Manager.

There was an error in the original charter regarding the retention of the records by the CAP secretary, Judi Peterson, rather than the Indian Point owner.

We are officially naming our website www.indianpointcap.com. You will be able to view all the information, including the minutes on that website.

Mayor Knickerbocker - on a motion

2nd

All in favor - aye

Theresa Knickerbocker, the Mayor of Village of Buchanan, introduced herself and noted she is also the Chairwoman of this Citizens Community Advisory Panel.

Supervisor Puglisi asked to mention that the homeowners group is called Power through Cortlandt. They are all terrific and I forgot to mention them earlier. Don Dwyer is representing them tonight because Mark Goodenow is not available.

Colin Smith joined the meeting also.

Update from NYS Department of Public Service:

Tom Congdon thanked the Mayor for having him at the task force meeting. He stated that since the State's task force met last we did file our annual report which all the

members have received. It is available on our website for those that haven't seen it - www.dps.ny.gov. This provides an overview of all the areas the task force has been working on from the work that the NYS Dept. of Labor has been doing with the employees affected by the plant's closure in terms of meeting one-on-one and developing individualized work plans for possible future employment and other needs to the work that we have been doing with all of you on other economic development opportunities - they are summarized in the report. Most notably the thing that our folks on the State task force track closely is the State Cessation program. This is the program at the State level under State law that provides financial assistance to taxing jurisdictions that are affected by reduction in property taxes paid when power plants close. That is a major issue with respect to the closure of IP and the phased down of the PILOT payments that paid to the County, Town, Village, School District, Verplanck FD and the library. There has been a very big focus by our task force on the availability of funds and to ensure that this program would be available to the IP communities when they become eligible and our State Legislators have been terrific each year on getting funding appropriated to the program but an issue that the State task force repeatedly raised was whether there would be enough certainty about funding for the 7 year period of financial assistance that the program allows for. In part because of the task forces advocacy, as well as, a need for addressing the long-term financial stability of the Cessation program for the rest of the State we developed a proposal to amend the State energy plan to reflect the importance of this program and to reflect the importance of having a new funding source that is a stable, recurring funding source. That State Energy Plan amendment was adopted in the Spring 2020. When it was proposed as DRAFT many of you filed comments in support of that and that was really helpful to the State Energy Planning Board to see the strong interest locally and ensure such a program had a funding mechanism.

Now we are doing the next step; the State Energy Plan identified the problem and said that the State Public Service Commission in its oversight of utilities should establish that funding mechanism through our powers in terms of our oversight of the utilities. Through our powers of regulating the utilities we have established a number of public benefit funds for the clean energy programs that are administered by NYSERDA for example and this direction by the State Energy Planning Board was in effect telling the PSC to identify the appropriate mechanism for this other public benefit program this one administered by the Empire State Development agency. Following that direction we commenced a proceeding a couple of months ago to establish the funding mechanism; that is the next step in the process. We are now collecting public comments on our piece of this initiative. This is actually a public service announcement to all of you that we are accepting public comments on the proposal to use the PSC's authority over utilities to establish a stable recurring funding mechanism that will put to rest forever the concerns annual state appropriations for the program but instead have the program, have a stable source of funding that can be reviewed annually based on need. The public comment period is running through December 5th and I encourage all of you to visit our website and find the IP comment opportunity. We will also send our proceeding information to the Town and the Village so it can be posted. We would appreciate hearing from all of you.

Supervisor Puglisi:

Tom, thank you for being here and to your colleagues as well, for working with us on the State task force; it has been helpful. For the public edification if they do not know what the Cessation Fund is and how many other types of communities can tap into the funds that are in it - could you explain that.

Tom Congdon:

The way the program works is if a power plant closes in a community and as a result of the closure the tax payments paid by that facility are reduced by 20% or more that community is eligible to apply to the ESD (Empire State Development) for this financial assistance. In the first year of their tax loss they can become eligible after they show the loss occurred to receive 7 years of declining grant assistance starting at 80% of the loss and reducing each year by 10%. It starts 80% of the loss, then 70%, 60% and so on and the idea is over those 7 years this is funding that helps to take out the immediacy of the tax loss and allows the community's tax base to adjust to the new tax revenue situation. Ideally during that time there are other economic development opportunities and new taxpayers added to the rolls that help offset the loss. This is the State program to help ease the transition from such large taxpayers coming off the rolls.

Supervisor Puglisi: It also is not just for a community that has closing of nuclear plants; it could be coal, natural gas, hydro, as well. How many communities are now tapping into this fund?

Tom Congdon: There are 5 taxing jurisdictions affected by 2 power plant closures.

Supervisor Puglisi: I realize you are working on establishing additional funding or a mechanism as we go forward but can you tell us all how much is in this Cessation Fund as we speak.

Tom Congdon: Approximately \$30 million or so from the original \$69 million authorization through the various acts of the Governor through the budget process.

Supervisor Puglisi: There are other communities throughout the State that have closures of energy plants so it is not just for us, unfortunately. They are working on other mechanisms for adding to that fund but when you consider the school district will be losing close to \$24 million in revenue.

Joe Hochreiter: We have been in regular contact with Tom Congdon and his office.

(Dennis Malles from the Montrose Business Assoc., Geri Shapiro from Kristen Gillibrand's office, Pat Keegan from Nita Lowey's office, Lisa Hofflich, from Kristen Gillibrand's office have joined the meeting).

Mr. Joe Lynch, Director of Government and External Affairs, Entergy was introduced to present an update.

Joe Lynch:

I am the Director of Government Affairs for our Decommissioning sites. I just celebrated 13 years with Entergy and 39 years in the nuclear industry in various capacities. IP is the 6th plant that I have been working on relative to either transitioning to decommissioning or actual physically work decommissioning. I spent a lot of time operating these plants. Prior to IP I did spend some time at our VT/Yankee plant and the Pilgrim plant in MA transitioning them from operating plants to decommissioning. I also worked as a decommissioning manager at CT/Yankee and the site closure director

at Yankee/Ro in MA which were two major decommissioning projects in the North East part of the US.

(The PowerPoint was reviewed)

We did permanently shut down IP Unit 2 on April 30 2020 as we had planned. IP Unit 3's last refueling was in the Spring of 2019. Unit 3 will be permanently shutting down no later than April 30, 2021. Under Tony Vitale's leadership the team is focused on safe, reliable operations of Unit 3 through shut down while preparing Unit 2 for decommissioning. IP does remain subject to the NRC's oversight and regulation through what is now known as the Reactor oversight program and once Unit 3 shutdown the NRC will indeed have a role in overseeing decommissioning but the site will transition to the decommissioning inspection program rather than the reactor oversight program. On September 22, 2020 some of you may have participated in the NRC's virtual End of Cycle Public meeting to discuss IP's operational performance in 2019 and talked a little bit about the transition to decommissioning. During that meeting the NRC stated, IP's Units 2 & 3 operated safely and in a manner that preserved the public health and safety and preserved the environment. That certainly is high marks for the site. After the IP Unit 3 shut down, the next milestone will be the transfer of fuel from the reactor to the spent fuel pool. Once we've reached that milestone Energy will then notify the NRC that IP3 has been permanently defueled and has also permanently ceased power operations. That is a significant milestone because we are turning in our operating license at that point and in order for the site to operate in the future we would have to go through the licensing process all over again and meet the current standards. Upon permanent defuel, the site will implement the NRC approved Post-Shutdown Emergency Plan. It will look much like the emergency plan we have right now with multiple teams on 24/7 shifts. With the plant no longer operating the emergency plan will focus on the safe storage of the fuel so the type of events that would have been in the previous emergency plan having to do with plant operations would be different so the changes to the emergency plan would reflect those changes. That will also be the first staff reduction that we will see at the site.

Following a period of time for the fuel to cool in the SFP the site will then go through a second change to the emergency plan which is known as the Permanently Defueled Emergency Plan and that is yet to be approved by the NRC. That will be some months out into the future. That milestone will further reduce the amount of staff that we need for the emergency plan but it will still be a complete and robust emergency plan again focusing on the storage of fuel.

During these post-shutdown Emergency Plan periods, we will be going through the process of transferring the spent nuclear fuel from the SFP to the Independent Spent Fuel Storage Installation (ISFSI) and that will be occurring until all spent fuel is removed to dry cask storage.

In order to ensure that we're doing all the work we need to do to get ready for decommissioning. The site has formed a dedicated Decommissioning Planning Organization (DPO) and also a Corporate Oversight Organization that essentially brings in the people that had the experience at some of our other sites to oversee what is going on at IP. This group will support the readiness for decommissioning including key submittals to local, State and Federal authorities as well as the NRC through changes to the operating license and then other transaction activities. This team will be focused specifically on decommissioning milestones, separate from the staff that will continue to safely operate the IPEC Unit 3.

This Panel becomes a very important venue for sharing information and educating the public on the decommissioning process at Energy will be more than happy to present,

into the future to give you an update on where we stand. We've also formed a specific decommissioning website www.indianpointdecommissioning.com. This presentation, as well as key submittals and other information will continually be put onto that website for review and to keep up with the process of transitioning to decommissioning.

Part of the Charter of this Panel is to be given updates on the Nuclear Decommissioning Trust (NDT) Fund. The most recent combined balance of the IP NDT was \$2.36 Billion on September 30, 2020. The combined balance at the end of last year was \$2.187 Billion. The fund is growing despite the volatility in the market. Those investments for the fund are in generally very stable investments so you can see a small but continuous growth.

We also have an obligation on an annual basis to the NRC to provide them with an update on what is in the trust funds for each of the units and its total and we complete that every year on or about April 1st. That is on the previous year's performance. Entergy will continually update our federal, state, and local stakeholders on what is going on relative to decommissioning. We do that through local meetings. One of the limitations imposed by Covid-19 is face-to-face meetings, but we will continue to participate in virtual meetings. To update our stakeholders on key issues.

We have talked about this in the past and I know it is extraordinarily important to the company for all of the employees at the site but our commitment to our employees is very important to us. On May 29, 2020, a short time after the shutdown of IP2, approximately 90 employees either transferred to new positions within Entergy or accepted voluntary separations. We did not have a planned layoff however we offered people opportunities to pursue other positions within Entergy and people are also provided the opportunity to retire if it worked for them so that was one milestone earlier this year. That leaves us with about 770 employees, with about 750 at the site and 20 people work in White Plains and support the site.

As part of Energy's ongoing commitment to employees at IP the company previously announced a plan to find a position within the company for those qualified employees who are willing to relocate. To date about 150 employees have expressed an interest in transferring within the company. That is a very positive thing. There are not a lot of opportunities here in the North East but we do have a lot of opportunities in the South (TX, LA, MS). We are inviting people to look at opportunities across the entire Entergy sets of companies. We are also going to be putting together a phased approach of selecting people to remain at IP after the shutdown of Unit 3 and into these various decommissioning phases as Energy employees or potentially to be transitioned to CDI if we have a successful transaction with Holtec.

The various phases are driven by the emergency plan plus we will need a core group of employees to continually oversee the spent fuel pool and all of the functions that we will need into decommissioning.

The staffing of the first decommissioning phase (Phase 1) is ongoing and expected to be complete this quarter with the exception of Security. The Security organization has additional time per their contract to complete the selection process. When we are all complete for Phase 1 we expect 300 employees to be retained.

Energy is working closely with the NYS Dept. of Labor for the benefit of our employees. There have been numerous meetings and seminars providing different information and identifying resources to our employees. Recently the NYS Dept. of Labor held 2 virtual workshops about conducting on-line job searches and the use of their Job Zone tool for finding positions of similar skill sets. These are all on-going activities. Entergy is also working with the US Dept. Of Labor on additional benefits that may be available as a supplement to those available in NY and other states with Entergy employees. This

benefit is known as the Trade-Assistance Act. It's a federal benefit for different companies that have been shut-down due to the fact that there is foreign competition that might have influenced the shut-down. We were able to get these benefits for our employees in VT and MA. We have filed for this for the employees at IP.

We do have regular All-Employee meetings either at the site or held virtually to provide information to the employees about the transition to decommissioning and future options.

A brief overview on Spent Fuel Management which is a key topic going forward as we transition into decommissioning. After shut down, all nuclear fuel in the reactors will be transferred to the spent fuel pool for initial cooling and then moved to dry cask storage on site. The dry casks are sealed metal containers with concrete over pack on them; fully enclosed. It is a system that does not use any moving parts, they are naturally cooled and they are a very passive device so natural circulation cooling - they sit on the pad and are designed for many years of storage. We have selected a Holtec system which is probably the system that is used by most of the plants in this country. Under federal law and by contract, the US Dept. of Energy is obligated to remove the spent nuclear fuel from the IP site and dispose of it in an NRC-licensed facility. That was to be Yucca Mountain but now the focus is on interim storage. Once we have a place for the fuel the Dept. of Energy will be obligated to move it from the site and free us from that obligation.

Currently there are 52 loaded casks at IP holding spent fuel assemblies on the site's ISFSI. By the end of 2021 there will be 58 fuel casks stored on the ISFSI. Currently we have on single pad configuration that makes up our ISFSI which has a capacity of 75 casks located within the protected area which is overseen by our security force. We will need a total of 125 casks to hold all the spent nuclear fuel generated during the operations of IP Units 1, 2, and 3. To accommodate that we are seeking to expand the ISFSI for dry cask storage. This is a very important prerequisite to decommissioning. You can't do a lot of physical decommissioning with fuel in the pools. The faster and safe way to get them to the pads the better it is to start the decommissioning. A second pad with a storage capacity of approximately 55 casks is planned to be constructed adjacent to the existing pad and is targeted to be completed in May 2022.

Holtec International has been Entergy's spent fuel service and spent fuel storage vendor at IP, Pilgrim, Palisades and VT/Yankee. They manufacture the casks but also provide the design and construction services to build these dry casks systems at our site. Holtec does provide 30 years of safe spent fuel management. The cask design has not experienced any leaks or failures. They bring not only the cask design and construction but build these installations and do an outstanding job. They also supply spent fuel storage and transportation services to over 130 nuclear sites worldwide.

Energy is seeking the approval to sell IP to Holtec. That started on 4/1/6/2019 when Energy and Holtec announced that they have reached an agreement pursuant to which Entergy will sell the subsidiaries that own IP Units 1, 2 and 3 to Holtec subsidiary for decommissioning. If approved, the sale, which would become effective after Unit 3 had been shut down and permanently defueled and it would include the transfer of the licenses, spent fuel, decommissioning liabilities and Nuclear Decommissioning Trusts (NDT) for the 3 units. The transaction closing is targeted for May 2021.

This transaction is subject to closing conditions, including approval from the NRC. The NRC is targeting to complete its review by the end of 2020. The companies have also requested an order from the NYS PSC disclaiming jurisdiction or alternatively approving the transaction. Closing is also conditioned on obtaining from the NYS DEC an agreement confirming Holtec's decommissioning plans are being consistent with applicable NYS environmental clean-up standards.

The benefits of the sale is that Holtec plans to initiate decommissioning at IP decades sooner than would occur if Entergy remained the owner and selected the maximum 60 year NRC SAFSTOR option. Holtec believes they can complete decommissioning in 12-15 years. Comprehensive Decommissioning International (CDI) is the Decommissioning General Contractor (DGC) for the Holtec fleet and plans to perform the decommissioning of IP. They would be the ones to accept the Energy employees that are selected for Phase I to be employees of CDI. They would bring the expertise, knowledge and the background that are needed to complete a successful decommissioning. A detailed timeline and cost estimate was provided in Holtec's Post shutdown Decommissioning Activities Report (PSDAR) and Site-specific Decommissioning Cost Estimate (DCE) which was submitted to the NRC on 12/2019. The projected Transaction Timeline, if we should receive the approval:

- Closure of IP announced January 2017
- Entergy and Holtec Sales Agreement announced - April 2019
- License Transfer Application filed with NRC - Nov. 2019
- Filed Petition with the NYS PSC - Nov. 2019
- IP Unit 2 shutdown - April 2020
- NRC Decision on LTA - December 2020
- IP Unit 3 shutdown - April 2021
- Projected sale completion between Energy & Holtec - May 2021

Questions from the Panel:

Supervisor Puglisi: I am glad you are working with the employees to help them get jobs or have good retirement plans or to be retrained so that perhaps they can be retained by the decommissioning company. Those questions were critical for us at the beginning. So Holtec is the only company that is being considered by Energy to the NRC for approval. Is that correct?

Joe Lynch: That is correct.

Supervisor Puglisi: Several individuals, environmental groups, State and local officials - we had questions about Holtec's ability to do the decommissioning and we are hopeful that those questions will be answered. Do you have knowledge that they will be before the NRC gives their approval?

Joe Lynch: I am aware that there have been a lot of questions that have been posed to the NRC as part of their review process. Certain entities have filed a request to intervene in that process and seek a hearing before the commission so we will see how that all plays out. I think the experience we had at VT/Yankee and at Pilgrim shows that there is a process that's involved but I can't comment on what the NRC will do with all of that but it is all considered.

Supervisor Puglisi: So I am glad to hear that you are going to have some involvement in answering some of the questions - that would be helpful to us at all levels. The jobs issues are critical, the environmental issues are also very important to us - it abuts the Hudson River and there are 33 wells on the 240 acre campus. We want to make sure that Entergy, before they transfer over and before they are approved, make sure that these water bodies and environmental issues are going to be addressed and made sure that Holtec will be making sure that those critical issues are going to be part of their process.

Joe Lynch: We certainly understand that and one thing that is very important for the potential transaction is to work with the DEC on the cleanup standards and that is an ongoing activity.

Supervisor Puglisi: Tom Congdon knows that there was a consultant company retained by the State - DL English - they developed a report - the reason I bring it up is when we talk about economic growth and jobs - in that report DL English stated that there were some corner parcels of the 240 acres that could be developed sooner, rather than later. Mr. Twomey had stated earlier that Entergy was not going to say yes to that question at that time. I was wondering if Energy has reconsidered that - we are looking for environmental growth and those 60 acres that the report stated upon research and assessment could be developed soon rather than later. Do you have any comments?

Mike Twomey: We don't have a different answer at this point. We have to know how the decommissioning plan is going to be done and we won't know that until we know whether the transfer to Holtec is approved or not. We did not necessarily agree with every conclusion in the DL English report. Once we know if Holtec will be the owner then we can develop an appropriate report if we are the owner - then we can address that question. If Holtec becomes the owner, that is a question for them. If Holtec becomes the owner the decommissioning will take place much sooner than if Entergy remains the owner. The best opportunity for reuse is if Holtec is the owner. Holtec's current timeline is around 15 years.

Mayor Knickerbocker: This is important as we all know for our community, for economic development, for our tax base, for our schools, the town, the village - we are all taking some serious hits on our revenue.

Sandy Galef: Mr. Lynch - I must say I was kind of confused - you spent a lot of time on the presentation on how you spoke about the Community Advisory Board and how you were going to share information, educate the public, you will do updates on the IP trust fund, and you spoke about the employees. At the same time you are saying in May that you are out of the business - so you spend all this time saying that Entergy will be so involved but I don't see where there involvement is unless Holtec won't be the owner. I am confused about that. There have been a lot of questions about Holtec and our federal reps have requested a Public Hearing locally for the public to be able to comment about this transfer but would you be asking the NRC to allow us to have a local meeting with local input on the transfer. I don't understand all the things you were saying when you will be walking away.

Joe Lynch: I apologize for the confusion but I speak for Entergy and that these are our plans going forward and at this point whether we have a sale to Holtec is up to the NRC and NYS. I wanted to talk in the context of what Entergy plans would be going into the future. Obviously if we sell the plant those would change. I know that Holtec has said to this panel, earlier, they intend to have the same engagement. You know what Entergy has done in the past to stay in contact with the local community and we will continue to do that for as long as we own the plant. Regarding the hearings we will follow the NRC process - the NRC has experience in reviewing these applications and they have been asked in the past to take into consideration opinions and interventions by other groups and have addressed those so I would expect them to do the same here.

Sandy Galef: At this moment we are not aware that they are going to do that but would you as a company urge the NRC to have this public dialogue.

Joe Lynch: We do make the NRC aware of what is going on locally. They take the end of cycle meetings very seriously.

Manna Jo Greene: I would like to thank the presenter for a very clear presentation. I mentioned earlier that I had reviewed the minutes from the previous meeting and I had asked several questions of Joe Delmar from Holtec and he was unable to answer them. Given your background I would like to ask you because they are still very relevant. How long the fuel would stay in the fuel pool given the fact that there is quite a bit of high burn out fuel that has been in use at IP and most of the scientists that we are in communication with have concerns that the fuel could be very, very hot. Other than NRC guidelines does Entergy have a sense of an appropriate time-line for high burn out fuel? There is a lot of other fuel that can be moved in the cycle of 6 casks full per year. How long should the high burn out fuel stay in the fuel pool before it is safe to move?

Joe Lynch: I am not knowledgeable specific to high burnout fuel. I do know that the amount of time that the fuel has to cool in the spent fuel pool to meet regulations is a calculation based on the plant design and the type of fuel you have. For a pressurized water reactor that can range anywhere from 12-18 months. At VT/Yankee which is a boiling water reactor, we had to wait 16 months. It is complicated and I am not an expert but each cask is loaded with a mixture of fuel based on its age and its energy content. The period of time for cooling can range from 1-1 1/2 years and that calculation for IP will be done before we are allowed to put any of the new fuel into casks.

Manna Jo Greene: There are concerns that the canister that goes inside the concrete cask - will it be inspected - you mentioned that it is sealed? In the more robust canisters that are in use in Germany and Europe the lid is bolted, not sealed so if it was necessary a repair could be done and with the canisters that go into the concrete casks there is some history of scraping and that can compromise the integrity of these thin-walled canisters. Will there be an over pack - I know that dry cells are very expensive but will there be an over pack available on site - there is none at Oyster Creek and should there be a problem it would take several days to get one there. I ask you these questions because I wasn't able to get any answers from Holtec.

Joe Lynch: A lot of the questions you ask do go back to the cask designers. The Holtec system that we are using is an NRC licensed design, it is very safe. Holtec has not had any failures. There is also technology recently used in Maine/Yankee that allows you to go inside of these canisters through the vents - they have vents that allow air to go in the bottom and exit out the top. They have robotic devices that can now inspect between the inner canister and the outer over pack to see if there is any degradation going on. It is a pilot program but it is addressing the questions of how you can assure yourself that the inner canister is not degrading over time despite the fact that it is metal that is designed for a long life. Regarding the scraping- I know there was an issue at San Ofre where a Holtec cask was being lowered into it's over pack and there was scraping along the way because it didn't go in straight. I can tell you that it is a completely different system used in CA. It is an underground system and we are an above ground system. In addition to the inspections that are done at Holtec at the factory before they are

shipped to the site for use we do our own inspections to make sure that the canisters are meeting our quality requirements - they meet the design requirements for what we purchased. That will not change going forward; that is the way we do things in our business - we have a 2nd check for ensuring there was no damage during transportation and prior to these casks being used in service we do a very careful inspection. We are a learning organization: we hear about things that happen at other sites and we make sure that we change our process to address them. At VT/Yankee we had heard about some things that were going on in CA and before we continued loading casks at that particular project we stopped and made sure we learned what was happening and moved on with the loading campaign. Hopefully that gives you some background on how we do business and select the vendors that are licensed for this type of casks and how important this is.

Manna Jo Greene: When I was talking about the over pack I wasn't talking about the concrete cask I was talking about having an emergency...if there were a problem if this was scraping, if there was some other need to put a damaged canister, is there a over pack on site during decommissioning that can accept a canister if there is a problem.

Joe Lynch: Not to my knowledge - as far as having one on-site I have heard presentations that would be a solution for addressing a potential issue but to date we have not had one of those. I would refer back to the designer and manufacturer to find out what their plans are.

Manna Jo Greene: There is a lot of concern in the community about the Algonquin pipeline - there was a risk assessment done and community members have reached out and tried to get a definitive answer. There is going to be heavy equipment on-site and I know that many members of the community feel it would be a lot safer if the pipeline that is running under the site were shut down. There is no mention of it in the PSDAR and we have other questions and issues.

Joe Lynch: Recently the inspector general had identified some concerns about the analysis that was done in the event that there was a need to shut the pipeline down because of a breach somewhere. There were questions regarding the analysis that Entergy had done in support of our safety analysis - we went back and re-evaluated and changed some assumptions to be more conservative and provided that information to the NRC. They did a follow up inspection and found the work that we had done to reanalyze that event to be acceptable. The pipeline runs adjacent to the plant. It is not under any of the commodities or any of the areas that will be disrupted by decommissioning but needs to be recognized in the planning process.

Manna Jo Greene: There have been concerns recently that Holtec is under charges of criminal investigation in NJ. In the township of Lacey, where Oyster Creek is the town asked that Holtec go through a proper planning process and they went ahead and built their concrete pad and had to have an injunction and a stop work order which they ignored. Finally through the courts they were put into place. I am very concerned with the transfer to Holtec with their history. I think that is something the panel should look into.

Mayor Knickerbocker: The second pad that will be built will be done completely according to engineering specs. They are going through the proper process currently

and our engineer will be observing it and will be done in a professional and proper manner according to all engineering specs that are approved through the Village. I think we need one session that revolves around the spent fuel casks so we can have someone come in to discuss that. Thank you Joe Lynch you did a phenomenal job.

Tom Carey: There are a lot of questions regarding Holtec - the Attorney General is interested in Holtec and several times our Assemblywoman Sandy Galef asked about public hearings. I would like to reiterate that and request some public hearings from Holtec. They seem to be absent when we have these meetings or they never get back to us with answers. They have reached out to 2 building trades regarding the decommissioning and that was only because of national agreements. We want Holtec to come and speak to the entire building trades in regards to this decommissioning project. I want to go on record and request public hearings from Holtec. I think they need to come to the table. These Zoom conferences are very difficult because you don't get that face-to-face interaction that we would need during this process.

Supervisor Puglisi: I want to add that at our last Panel meeting in January, there was only one rep from Holtec present and he was new to the company and he didn't have answers to the questions that were asked. We need them to come back.

Mayor Knickerbocker: The last meeting was just a presentation of the PSDAR. Going forward this panel should think of the questions ahead of time so they have the proper people there to answer the questions, especially regarding the spent fuel casks.

Richard Becker: I am listening to the presentations which I agree were quite excellent tonight. I am trying to get to the heart of what has been troubling me and that is the decommissioning is based on a lot of trust for this community: trust for Entergy, trust for Holtec, trust for the NRC. Although I have no reason to be suspect, I don't feel reassured. There is a deep-down questioning on whether financial considerations, time considerations, availability of equipment and expertise may subvert what should be the correct way of proceeding. I am a physician and work at a hospital; the hospital is regulated by Medicare and other government agencies. The joint commissions come in to monitor quality independent of government agencies and independent of the hospital itself - just to make sure the hospital and everyone is doing the right thing. I think that is what is missing in this process - the hiring of an independent agency that is experienced in decommissioning that could be telling us if things are being done correctly. That is not a knock against Holtec or anyone but I do have that insecurity and there is only one chance to do it right. One thing that goes wrong would be catastrophic to this community forever. Maybe as a Board we should be looking into an independent agency to protect our rights and advise us.

Supervisor Puglisi: We do want to put a scientist on this Panel.

Mayor Knickerbocker: I do not know if the other facilities have had an independent agency overseeing operations.

Richard Becker: I will look into it and see if I can find anything out and report back.

Supervisor Puglisi: I think this new member could help us in this regard as a start.

Mayor Knickerbocker: Holtec will be on our next agenda.

Catherine Borgia: I know we don't always talk about what happens to dry cask storage over the decades but that is something I am curious about from the manufacturer about what is their long-term expectation on how these will perform and if something should go awry.

Jim Creighton: I wanted to follow-up on something - we met this morning at the Chamber of Commerce meeting. Could you just describe for the Panel the current limits that you are expected to be cleaning up the property under the decommissioning and how that might be increased through the negotiations with NY State either through the Attorney General or someone else? Will it be available to be used as a park or for residential use of something else?

Supervisor Puglisi: That was the DL English report I asked about earlier.

Joe Lynch: The NRC clean-up standards for radiological decommissioning is 25 millirem per year. Were a member of the public to live on the site after decommissioning is completed the NRC has a process that you have to follow to ensure that all pathways (meaning if you drink groundwater, if you utilize the soil or if you are just living on the property) all of those pathways combined cannot exceed a total dose to the public of 25 millirem per year. I am not aware if the State of NY is seeking something more conservative.

Jim Creighton: Could you describe the standard that was negotiated in MA under the Pilgrim agreement and I think you mentioned the AG's office in NY might be the appropriate agency to negotiate that.

Joe Lynch: Yankee/Ro which is a site that was under my direction for clean-up. We cleaned that site up to a 10 millirem standard. So we went from the 25 required by the NRC to a 10 millirem standard and the reason for that is the MA Dept. of Health already had that standard in the regulations for a site that was State Licensed to operate in MA of which Yankee/Ro was. We sold Pilgrim to Holtec and in the agreement with the Commonwealth of MA are going to clean up to a similar standard at Pilgrim but I want them to confirm exactly to what they agreed to.

Jim Creighton: I would love for you to clean up to that level to that here in Cortlandt, as well.

Theresa Knickerbocker: Con Edison bought the property in 1955. Unit 1 went on-line in 1962, but the original agreement was that the property would be returned back to a park-like area. It was a park before Con Ed came in. I would have to check the Village agreements at that time.

We will schedule a meeting with Holtec in the near future.

Again, I would like to congratulate Kevin Byrne and Sandy Galef on their re-election. I would like to thank all of you for your time and dedication. This is very important to our communities and that we get this information out to our residents. With Zoom it is easier to access.

Sandy Galef: We heard at an NRC meeting in September - somebody said that Holtec was going to be approved. The deadline for approval is Dec. so we should meet with them prior to that.

Manna Jo Greene: We have two educational events and many of you have attended our previous events. One on Nov, 13th - it is a Congressional briefing and I will send that information to everyone on the Panel. A regional one that will focus on IP and the decommissioning and it is an update from last year as to what has changed over the year, on Nov. 20th.

Sandy Galef: There were Bills passed on June 10th dealing with IP in the Senate with Senator Harckham and in the Assembly. They have not gone to the Governor for his approval but I would encourage you to reach out to the Governor's staff. Assembly Bill 10398 - which is about the spent fuel and when they cease operations at IP then the spent fuels and the dry casks would be assessed and that would be money coming back for taxes. The other is regarding prevailing wage if they are hired to require Holtec to employ people that have been at IP over these years if they have the capabilities to continue in that role. We want it to protect those people. Assembly Bill 10107 which is Tax Exemption and that is all about allowing the communities to have a PILOT with a formerly generated nuclear power plant. The Bill that was passed many years ago was just for a power plant that was in operation. I think there is something going on right now but I am not sure what Holtec will do. We want to make sure in the law it protects you to get a PILOT. Please call my office 941-1111 for more information.

Mayor Knickerbocker: Keep us informed, Sandy if there is any movement with those Bills. I guess the Governor has to call for them first. Please let us know when there is movement. We do have a huge petition.

Sandy Galef: The Governor has to do something by the end of the year. You want to start the effort. Please have everyone email their support.

Supervisor Puglisi: Sandy you and Sen. Harckham have been working on these which we appreciate and did you pass this in June? Why does it take so long for the Governor to reach out since this is so important?

Sandy Galef: I hope the reps from the PSC can assist with this also. He does it in his own way and manner.

Tom Congdon: We will let the Governor's office know of the interest in these Bills.

Motion to adjourn, second with all in favor saying aye.

