



TOWN OF CORTLANDT

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**Re: PUBLIC COMMENTS AND TESTIMONY OF JAMES
F. CREIGHTON BEFORE THE NUCLEAR
REGULATORY COMMISSION ON JULY 29, 2021
REGARDING INDIAN POINT PSDAR AND
DECOMMISSIONING**

As a resident living just a few miles away from Indian Point and as a Councilman in the Town of Cortlandt, I submit these comments in connection with the NRC's review of the PSDAR that has been submitted in connection with the decommissioning of the Indian Point Energy facility. Many of my comments have already been made by other speakers (particularly Senator Pete Harckham and Assemblywoman Sandy Galef and County Legislators Smith and Borgia as well as Cortlandt Supervisor Linda Puglisi) during the Government to Government session earlier today as well as in the written public comments. Nevertheless, let me point out a few brief items of great concern.

Decommissioning in our neighborhood is incredibly important and we have only one chance here (and of course throughout the country) to get this right. Emergency response is critical and I am very concerned that there will likely be a request made to reduce safety protocols in light of the company's likely perception that the risk of a serious accident is reduced since the units are no longer operating. This would be a serious mistake. Our fire fighters ^{side security} and emergency planners need more support, not less. The risks associated with a serious accident are increasing (not decreasing) as the decommissioning activities take place since the level of activity is increasing and it is a level of activity that is not routine. Take a look at how many gas main breaks there are when ConEd does a gas main project on our local streets. Should it happen? No, but it does. We must plan and be prepared for every possible scenario. You have said your charge is to have the right level of oversight for a safe decommissioning – this is not a time to cut back on safety and security.

We also need to be assured that the financial aspects of the numbers provided in the PSDAR are accurate. I do not understand where some of the numbers come from for items like "spent fuel management" and "construction ^{project} management" etc. – the trust funds are funds we the taxpayers and ratepayers paid over the years, and it would appear that all companies are entitled to a reasonable fee and return on their investment, but it looks a lot like the costs that are included in the PSDAR were pulled

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from thin air to essentially spend out the trust fund. We should have a financial expert review the numbers and compare them with similar activities in other decommissioning plants to be sure that the numbers are realistic and will not unnecessarily spend down the trust fund. We appreciate that Holtec would like to do a "fast-decommissioning" and we very much want the property returned to a productive state as soon as safely possible. But the ratepayer-financed decommissioning trust fund is OUR money and we especially do not want any corners cut in decommissioning procedures to maximize profits. We want the job done right, as quickly and safely as is reasonable. We also need to be assured that we will not be left holding the bag to clean this site up again later or to finish the job if Holtec walks away or if the trust fund is extinguished.

Earlier today your Board pushed back on the federal ownership of the nuclear fuel. The decommissioning trust fund should not be used for purposes other than decommissioning, and I am worried about Holtec's ^{plan to} reimburse ~~to~~ itself for spent fuel handling out of the DTF. At Indian Point, this could seriously deplete funding for actual decommissioning activities such as dismantling the plant and remediating the site. As a matter of course, Holtec like other decommissioning companies will likely seek ^{from} or sue the Department of Energy to recover spent fuel management costs, since no geologic repository exists as yet. We do not want to see the DTF funds and DOE money to pay Holtec twice -- they deserve to be paid, but not out of our ratepayer funds in the trust fund. We need to know that the ratepayer-financed decommissioning trust fund is not used for anything other than full decommissioning and complete clean up of the site. Anything else poses a clear fiscal danger to New York State and our community. We want Holtec to be successful and not to deplete the decommissioning fund and then leave the work half done and walk away leaving New Yorkers -- the State and municipalities, ratepayers and taxpayers -- left to bear the costs and risks.

Finally, the cleanup must remediate known contamination of radioactive isotopes leaking from the plant into the groundwater and the Hudson River. Contamination cleanup should go well beyond the nominal depth of 3 feet and to clean up the groundwater contamination along with the structures on site. In order for the successful release of the site to productive use, full cleanup and remediation of subsurface soils and groundwater is completely necessary so that our community is not being left with the impacts and costs of unremediated contamination at the site.