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Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

September 23, 2022

VIA EMAIL

Hon. Michelle L. Phillips
Secretary to the Commission
3 Empire State Plaza
Albany, NY 12223-1350

Re: Matter No. 21-01188 – In the Matter of the Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board.

Dear Secretary Phillips:

Please accept for filing in the above-captioned matter, Community Speaker September 22, 2022 Presentation to the Indian Point Closure Task Force and Indian Point Decommissioning Oversight Board. Should you have any questions regarding this filing, please contact me. Thank you.

Respectfully submitted,

Tom Kaczmarek
Executive Director
Indian Point Closure Task Force
Indian Point Decommissioning Oversight Board

Community Advocate Questions Presentation

New York State Decommissioning Oversight Board
September 22, 2022

Tina Volz-Bongar, Peekskill, NY



Presentation

Emergency Preparedness Questions

- Who I am
- Goal: Essential questions
- Context for concerns
- Federal Regulations
- My Top 10 Emergency Planning Zone “EPZ” Questions
- Community members who need advocacy and support
- Needed: Community education and participation in a Co-location
Emergency Response Plan

First Essential Question:

What is the Emergency Response Plan of a co-location incident of the Algonquin Pipelines and the Decommissioning of Indian Point site?

Second Essential Question:

Is this plan truly adequate and what will the New York State Decommissioning Board be able to do about it?

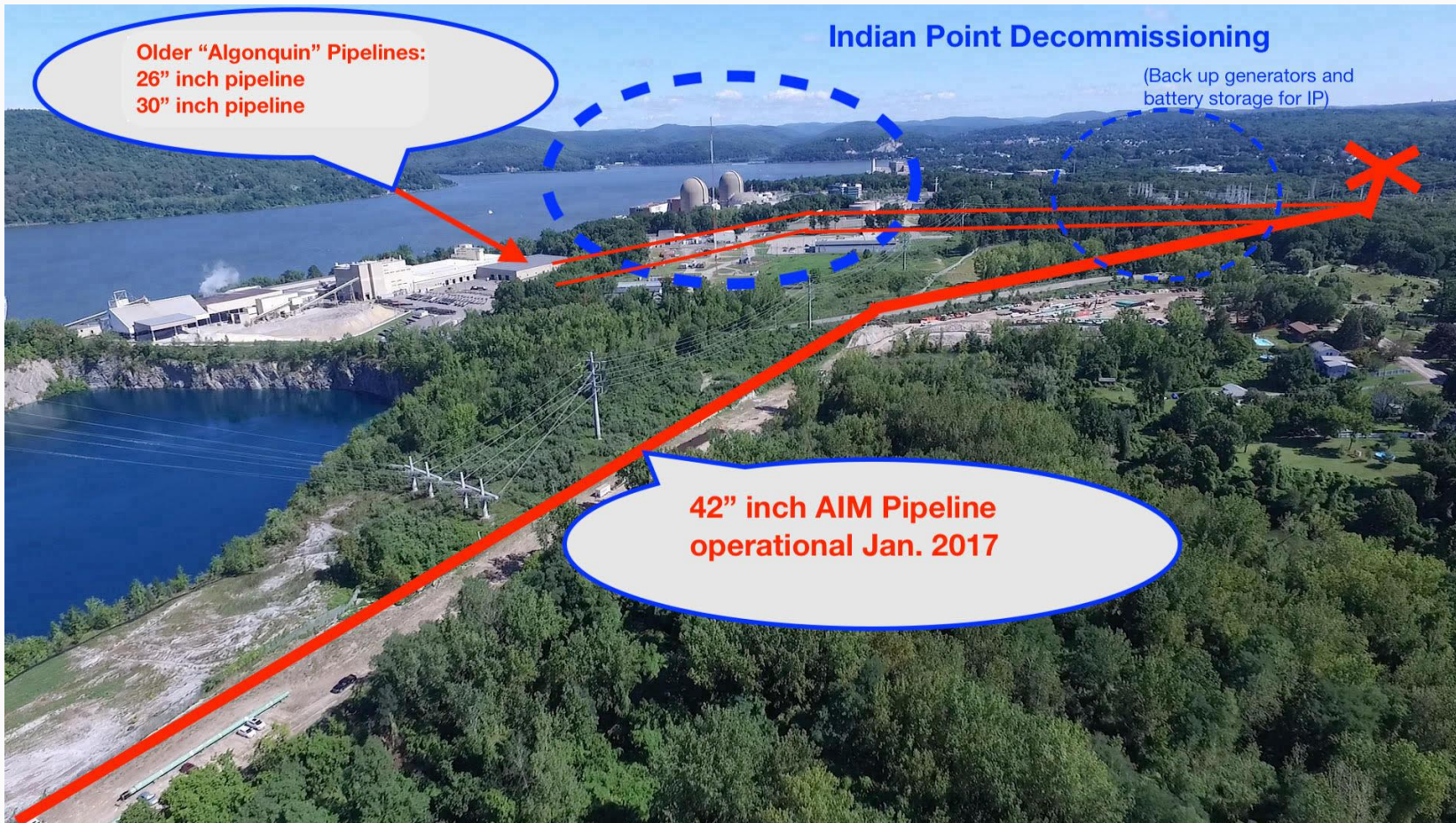
Indian Point Decommissioning

(Back up generators and
battery storage for IP)

Older "Algonquin" Pipelines:
26" inch pipeline
30" inch pipeline

42" inch AIM Pipeline
operational Jan. 2017

CO-LOCATION OF INDIAN POINT AND AIM PIPELINES



Pipeline Incident Example: Danville, KY - 30" pipe



Pipeline Incident Example: Danville, KY



Pipeline Incident Example: Danville, KY



Indian Point Incident Example: Transformer fire



Examples of emergency events

- **Extreme Weather Events:** For instance, the 2 “100 Year Hurricanes” Irene and Sandy
- **Loss of power**
- **Earthquakes**
 - Vicinity to two fault lines
- **Cybersecurity threats**
 - Hacking and ransom of the Colonial Pipeline
- **Terrorism**
 - Indian Point target in 9/11



Example emergencies: Were these risks properly assessed...?

9/11

- The World Trade Centers were built to withstand the impact of jets
- The impact of burning jet fuel was not thoroughly accounted for

UVALDE School Shootings

- Chain of command break down (which lead to deadly inaction)



How did we get here?

Failure of Federal Agencies and accountability

- **FERC: Approval of the high pressure AIM Pipeline next to Indian Point**
 - **NYS Agencies Risk Assessment May 2018 Recommendations**
- **NRC: Asking Entergy to do the “risk analysis” who used a faulty risk model designed for “reverse engineering.”**
 - **NRC Office of Inspector General came back and said, no, a proper risk analysis should be done.**
 - **NRC said it’s own OIG was mistaken, and everything is okay, however...**
- **PHMSA under federal DOT commissioned a Risk Assessment from Oak Ridge Nuclear Labs over a year ago – CURRENT STATUS**
 - **Whatever the results of the Risk Assessment are, DPS will be accountable for assessing these and making sure these are incorporated into the Emergency Response Plan**
 - **An estimated 1134 Requests posted, on the DPS docket asking Secretary Pete Buttigieg and NYS Public Service Commission Chair Rory Christian to issue a Corrective Action Order (CAO) to stop the flow of gas in the pipelines and purge them**

FEMA Hazard Mitigation Plan

- Westchester County completed an extensive Hazard Mitigation Plan in 2021, with each municipality completing their own inventory on emergency and evacuations– these are updated every 5 years

<https://www.westchesterhmp.com/>

- Each municipality does an inventory of their emergency assets – codes and infrastructure – which impact Emergency response
- Indian Point and Algonquin Pipelines hazards are not included
- FOR EXAMPLE: Peekskill’s Police station and Emergency Services post don’t have a back-up power, only Peekskill Middle School

Experts point to flaws in Indian Point Emergency EPZ Plan

- Issues raised in **James Lee Witt report**
- U.S. Government Accountability Office (GAO) Report in 2013 “***NRC Needs to Better Understand Likely Public Response to Radiological Incidents at Nuclear Power Plants***”
- Findings of the **Disaster Accountability Project**

The Disaster Accountability Project

- **Surveyed Jurisdictions in 10-Mile Radius vs. 50-Mile Radius about Emergency Evacuation Plans**
- **Conclusion:** Most Jurisdictions Are Not Planning and Do Not Possess Emergency Evacuation Plans for the Indian Point Plant

Essential Findings of Witt Report, Disaster Accountability Project, and others

The 10-Mile Plan does not:

- provide the structures and systems necessary to protect the public from radiation exposure
- address the impact of response of the 40-mile radius
- consider the reality and impacts of spontaneous evacuation, not only orchestrated response plans.

Emergency Planning Zone (EPZ) – Indian Point & Algonquin pipelines



NRC & Indian Point:

Local authorities must provide information on radiation and protective actions to residents within the 10-mile zone on an annual basis.

– 10 CFR 50 Appendix E Section IV.D.2

AIM PIPELINES & ENBRIDGE:

Federal Emergency Planning are REQUIREMENTS, under the Code of Federal Regulations (CFR), not simply “guidelines”

CFR § 192.615 Emergency plans.

(a) Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:

- (1)** Receiving, identifying, and classifying notices of events which require immediate response by the operator.
- (2)** Establishing and maintaining adequate means of communication with appropriate fire, police, and other public officials.
- (3)** Prompt and effective response to a notice of each type of emergency, including the following:
 - (i)** Gas detected inside or near a building.
 - (ii)** Fire located near or directly involving a pipeline facility.
 - (iii)** Explosion occurring near or directly involving a pipeline facility.
 - (iv)** Natural disaster.
- (4)** The availability of personnel, equipment, tools, and materials, as needed at the scene of an emergency.
- (5)** Actions directed toward protecting people first and then property.

CONTINUED

CFR § 192.615 Emergency plans (CONTINUED)

(a) CONTINUED

(6) Emergency shutdown and pressure reduction in any section of the operator's pipeline system necessary to minimize hazards to life or property.

(7) Making safe any actual or potential hazard to life or property.

(8) Notifying appropriate fire, police, and other public officials of gas pipeline emergencies and coordinating with them both planned responses and actual responses during an emergency.

(9) Safely restoring any service outage.

(10) Beginning action under § 192.617, if applicable, as soon after the end of the emergency as possible.

(11) Actions required to be taken by a controller during an emergency in accordance with § 192.631.

(b) Each operator shall:

(1) Furnish its supervisors who are responsible for emergency action a copy of that portion of the latest edition of the emergency procedures established under paragraph (a) of this section as necessary for compliance with those procedures.

(2) Train the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.

(3) Review employee activities to determine whether the procedures were effectively followed in each emergency.

CONTINUED

CFR § 192.615 Emergency plans (CONTINUED)

(c) Each operator shall establish and maintain liaison with appropriate fire, police, and other public officials to:

- (1) Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;
- (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;
- (3) Identify the types of gas pipeline emergencies of which the operator notifies the officials; and
- (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.

[Amdt. 192-24, 41 FR 13587, Mar. 31, 1976, as amended by Amdt. 192-71, 59 FR 6585, Feb. 11, 1994; Amdt. 192-112, 74 FR 63327, Dec. 3, 2009]

2020-2022 EDITION

Are you ready?



BE INFORMED



MAKE A PLAN



BUILD A KIT



BE PREPARED

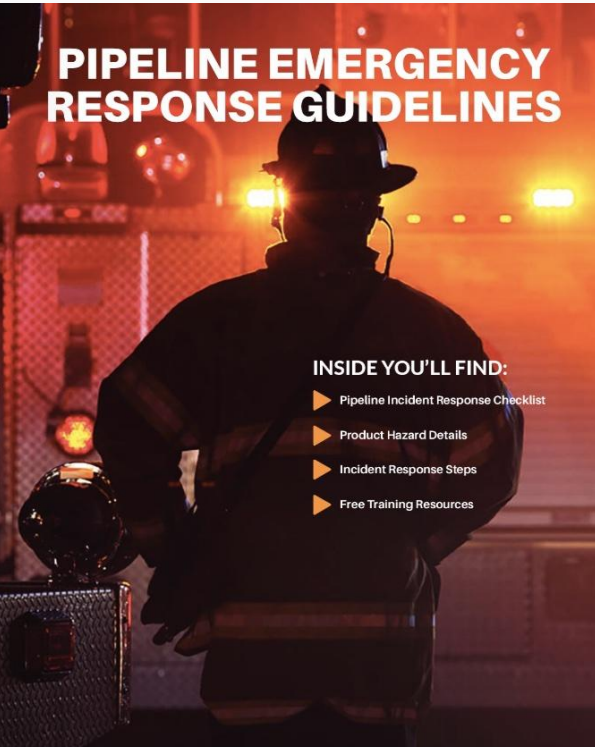
Westchester
gov.com

WESTCHESTER COUNTY

INDIAN POINT EMERGENCY GUIDE

Be Prepared for an Emergency at the
Indian Point Nuclear Power Plant
Llame al 211 para obtener este folleto en español


PIPELINE EMERGENCY RESPONSE GUIDELINES



INSIDE YOU'LL FIND:

- ▶ Pipeline Incident Response Checklist
- ▶ Product Hazard Details
- ▶ Incident Response Steps
- ▶ Free Training Resources

2022 EDITION



Pipeline Association
for Public Awareness

Orchestrated Emergency Response Plans

TOP TEN QUESTIONS for the EPZ Emergency Response and Evacuation Plan:

1. Are Holtec workers and first responders in the EPZ being trained with a program such as the TRAINING MODULE from the Pipeline Association for Public Awareness?
2. There are differences in emergency protocols between a GAS PIPELINE RUPTURE and a RADIOLOGICAL RELEASE EMERGENCY. Who will make the decisions about which protocols to follow? How will the community know the difference between a GAS PIPELINE RUPTURE and RADIOLOGICAL RELEASE EMERGENCY and which set of protocols to follow?
3. How will the public be educated in the best PREPARATION of protocols of a GAS PIPELINE RUPTURE and a RADIOLOGICAL RELEASE EMERGENCY?
4. What are the emergency response plans to reach out and educate different vulnerable populations in the community? The Hispanic community, seniors and economically disadvantaged people who may not have access to regular media? Schools and Day Care Centers? Do the emergency response plans themselves include these groups?
5. How will the public know whether “to evacuate” or “shelter in place”?

CONTINUED

6. How will the public know NOT to use their cell phones or cars in case of a gas rupture emergency?
7. If cell phones and emergency communication devices shouldn't be used (static electricity can ignite gas), how will the public receive and follow emergency response instructions?
8. What kind of monitoring is in place for gas releases and ruptures and radiological releases?
9. In case of evacuation of a gas pipeline rupture, how are residents notified about vapor clouds?
10. With a potential vapor cloud at Indian Point, what would be the impact to fuel rods in casks and/or canisters? What would be the result?

ADDENDUM:

Will DPS look at the recommendations of the National Transportation Board in the Danville, KY gas pipeline rupture and make sure their recommendations are being applied in the AIM pipelines/Indian Point emergency protocols?

For instance, integrity management of the pipelines...?