

Indian Point Closure Task Force

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2017 Chapter 58
2017 SB 2008C
PART RR

Section 1. Indian Point closure task force. 1. (a) On February 28, 2017, the governor announced the appointment of a task force to address the closure of the Indian Point nuclear power plant in Westchester County and to provide guidance and support to affected local municipalities and employees (the "task force"). The task force was formed to partner with local governments to address employment and property tax impacts, develop new economic opportunities, evaluate site reuse options, and identify work force retraining programs and opportunities. The task force will also monitor the closure, and related decommissioning and site restoration issues, coordinate ongoing safety inspections and review reliability and environmental concerns, among other issues. Recognizing the importance of establishing such task force in law, there are hereby established the following provisions pertaining to membership, purpose, and duties of the task force. Members shall be appointed as follows:

(i) At the discretion of the governor, staff of the executive chamber, including but not limited to members of the governor's offices of energy and education;

(ii) The chairperson of the public service commission or his or her designee(s);

(iii) The commissioner of environmental conservation or his or her designee(s);

(iv) The secretary of state or his or her designee(s);

(v) The commissioner of taxation and finance or his or her designee(s);

(vi) The commissioner of labor or his or her designee(s);

(vii) The commissioner of economic development or his or her designee(s);

(viii) The commissioner of the division of homeland security and emergency services or his or her designee(s);

(ix) The president of the New York energy research and development authority or his or her designee(s);

(x) The chairperson of the New York power authority or his or her designee(s);

(xi) The mayor of the village of Buchanan or his or her designee;

(xii) The superintendent of the Hendrick Hudson school district or his or her designee;

(xiii) The supervisor of the town of Cortlandt or his or her designee;

(xiv) One member to be appointed by the temporary president of the senate from the district representing the aforementioned local governments;

(xv) One member to be appointed by the speaker of the assembly from the district representing the aforementioned local governments;

(xvi) One member, to be appointed by the governor, shall be a representative of a labor union whose members are employed at the Indian Point nuclear generating facility;

(xvii) One member, to be appointed by the governor, shall be a representative of a labor union whose members are employed at the Indian Point nuclear generating facility through contracted service providers;

(xviii) One member, to be appointed by the governor, shall be a representative of a labor organization whose members represent public employees in the impacted geographical region; and

(xix) The chairperson of the task force may appoint local elected officials and municipal officers, as defined by section 800 of the general municipal law, from the impacted geographical region.

(b) The members appointed to the task force established by the governor prior to the effective date of this act shall: (i) satisfy the initial appointment requirements of subparagraphs (i) through (xv) of paragraph a of this subdivision; and (ii) be ex-officio members of the task force established pursuant to this section.

2. Task force members shall receive no compensation for their services but may be reimbursed for actual and necessary expenses incurred in the performance of their duties.

3. The chairperson of the task force shall be the chairperson of the public service commission or his or her designee. The task force shall meet no less than three times each year.

4. Vacancies for task force members appointed pursuant to subparagraphs (i) through (xix) of paragraph a of subdivision one of this section shall be filled in the manner provided for in the initial appointment.

5. The task force shall be authorized to hold public hearings and meetings to enable it to accomplish its duties.

6. The task force may consult with any organization, educational institution, other governmental entity or agency or person including, but not limited to, the nuclear regulatory commission and the New York independent system operator, in the development of its report required by subdivision nine of this section.

7. The department of public service and all other agencies of the state or subdivisions thereof, including public authorities and public benefit corporations acting within the scope of their statutory purpose and authority and with the appropriate consent of their respective boards or governing bodies may, at the request of the chairperson, provide the task force with such facilities, assistance, and data as will enable the task force to carry out its powers and duties.

8. The purpose of the task force shall be to assess the impacts of the Indian Point nuclear generating facility closure on the state and local municipalities and evaluate ways of addressing and mitigating anticipated impacts, including, but not limited to those on real property tax collections or payments in lieu of taxes, public safety, labor, and decommissioning and site restoration programs, strategies, and timelines, as well as spend fuel storage issues. The task force will also monitor impacts on electric reliability and rates.

In addition, no later than April 30, 2018, the task force shall produce a study evaluating the future reuse and reutilization options of the land where the facility is located. Such study shall consider all aspects of possible uses of the lands and buildings at such facility, together with such other and further information that the task force and the entities with which it shall consult, shall choose to include. In examining such reutilization, the study shall further consider the infrastructure currently at and near such facility, the costs and measures that would need to be taken by the owners of the facility, regulators and/or governmental bodies in order to achieve any such reutilization, and any other factors that the task force and the entities with

which it shall consult, shall choose to include in its considerations.

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9. No later than April 30, 2018, and annually thereafter through 2023, the task force shall make available for public comment and then submit to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate committee on energy and telecommunications and the chair of the assembly committee on energy, a report containing the following:

a. an assessment of:

(i) anticipated impacts related to the closure, including, but not limited to impacts on real property tax collections or payments in lieu of taxes, electric reliability and rates, public safety, labor, and the future use of the land where the facility is located;

(ii) workforce retraining programs and opportunities in other energy related employment sectors for affected workers, including training in renewable energy and an evaluation of access to employment with other utilities and power plants in the state;

(iii) all sources and potential sources of generating capacity, including transmission upgrades, energy efficiency, fossil fuel derived energy, and renewable energy;

(iv) workforce retention; and

(v) programs implemented to retrain persons employed at the Indian Point nuclear generating facility, such analysis, shall include the number of retraining programs, the content of the retraining programs, the employment outcomes of individuals retrained, and any other information deemed appropriate by the task force;

b. an assessment of compliance with any and all federal, state and local laws, regulations and rules related to the closure and decommissioning of a nuclear generating facility;

c. a listing of any enforcement actions initiated for any actual or alleged condition at the nuclear generating facility;

d. recommendations for the projects to be selected pursuant to the community fund established in the agreement related to Indian Point entered into by the state of New York on January 9, 2017, and an assessment of the progress and effectiveness of projects selected;

e. recommendations related to short term and long term programs the state of New York could establish to provide support and guidance to the affected local municipalities, and the implementation of such programs; and

f. any information or data the task force deems appropriate.

S 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, 2024.