

From: [Jay Forbes](#)
To: [Docket, Hearing](#)
Subject: [External_Sender] Holtec Application
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Attachments: [Comments on Indian Point Decommissioning Transfer.docx](#)
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Gentlemen: Rather than trying to recreate the wheel, I would like to submit the exhaustively researched concerns of my colleague at CCoHope Indivisible, Joel Gingold, a retired nuclear engineer and political activist.

My apartment in Peekskill has a balcony offering an unimpeded and close view of Indian Point and so my concern regarding Holtec and the NRC in the matter of decommissioning is heightened by proximity to a clear and present personal danger.

For the safety of us all I urge action in stopping the transfer of ownership to so unreliable an operator as Holtec.

Thanks for your consideration. Jay Forbes

I strongly urge the Nuclear Regulatory Commission to deny the application for the transfer of ownership of the Indian Point Energy Center to Holtec. As a practicing nuclear engineer working in the commercial nuclear power industry for nearly sixty years, I fully appreciate the complexities of the decommissioning process and harbor grave doubts over whether it can be safely and efficiently completed by Holtec, as proposed.

First, there are serious questions regarding Holtec's business ethics, whether they be bribery at the Tennessee Valley Authority, failed promises at its Orrville facility in Ohio, or misrepresentations in its application for tax benefits in New Jersey. This situation alone should disqualify Holtec from acquiring Indian Point.

At San Onofre in California, where Holtec has been retained to manage the spent fuel, a contractor reported an apparent near accident involving a dry cask filled with spent assemblies. The contractor also alleged the site was understaffed and its supervisors often replaced with less experienced managers. This does not generate confidence that Holtec is capable of safely executing major decommissioning work.

Despite the fact that Holtec has never decommissioned a large nuclear power plant, it now proposes to perform several such decommissioning operations simultaneously, including, not only Indian Point, but also Pilgrim in Massachusetts, Oyster Creek in New Jersey, and Palisades in Michigan. It would clearly be prudent to wait until Holtec has successfully decommissioned a single plant before authorizing it to undertake additional projects. Especially since Holtec has not demonstrated its ability to successfully manage multiple projects of this magnitude. The potential risks in decommissioning are too great to rely on other than successful performance in an initial project before authorizing additional endeavors.

It is far from clear that Holtec employs sufficient qualified senior staff to supervise such simultaneous efforts, much less the large number of specially trained technical workers whose services will be required. The nature of the work is such that it can only safely be performed by such skilled and experienced specialists. And the work will be more complicated, and probably more time consuming, than that at other reactors because of the absence of a rail spur at Indian Point.

But my principal concerns are financial. Holtec has estimated the total cost of decommissioning at \$2.3 billion. However, in essentially every completed nuclear plant decommissioning, unanticipated circumstances arose which not only increased the cost above the initial estimate, but extended the time required to complete the project. So today, we cannot accurately know what the ultimate cost of this project will be.

The fund established for decommissioning Indian Point reportedly contains about \$2.1 billion and Holtec claims that earnings achieved through investing the fund will make up the difference, and I presume, any additional unforeseen expenses. But there is no guarantee that such earnings will be adequate to complete the operation and Holtec has offered only unsubstantiated promises that adequate funding will ultimately be available.

To perform the decommissioning, Holtec has formed Comprehensive Decommissioning International (CDI), a joint venture with SNC-Lavalin. Through this device, the parent companies are insulated from financial responsibility for the project. Thus, should funds prove inadequate and CDI file for bankruptcy, the decommissioning will lie unfinished and, most likely, the taxpayers of New York will be forced to pay for the balance of the effort.

Thus, if NRC does approve the transfer of Indian Point to Holtec, the parent company (ies) should not be absolved of financial responsibility and Holtec should be compelled to provide any additional monies, beyond those in the decommissioning fund, needed to complete the work, independent of the status of CDI.

The intended financial arrangements also offer precisely the wrong incentives. As proposed, Holtec's profits will be enhanced by any money remaining in the decommissioning fund when the work is completed. Thus, there is every incentive for Holtec to cut corners, employ less-qualified staff, and rush through various phases of the work in order to complete it before the decommissioning fund is completely depleted.

Holtec has requested permission to use several hundred thousand dollars from the decommissioning fund for spent fuel management. This should be denied regardless of what other rulings are made by NRC. The decommissioning fund was established for decommissioning alone, and with grave concerns already existing over the adequacy of that fund, any use of it for any other purpose will only exacerbate the fiscal concerns already expressed.

Finally, the State of New York intends to establish a Community Oversight Board (COB) to monitor the contractor's performance. Should NRC agree to the transfer of Indian Point to Holtec, the order granting that transfer must require Holtec to cooperate fully with the COB, or any other duly constituted oversight body. As a minimum, Holtec should be compelled to share with the board, plans, procedures, documents, etc. associated with the decommissioning process, fully answer all reasonable questions raised by the board on the project, conduct periodic site visits to view the progress of the work and any problem areas, and guarantee that any expert consultants retained by the board will have access equivalent to that of the board itself.

The case against Holtec is strong, whether the considerations are technical, fiscal, or ethical. The NRC will best fulfill its obligations to the citizens of our area by denying the application for the transfer.

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