

**Monthly Town Board Meeting**  
**June 6, 2013      7:30 p.m.      Town Hall**

**SALUTE TO THE FLAG**

**REVIEW OF MINUTES**

- Weekly Town Board Meeting of April 10, 2013
- Bid Opening (Town Wide Cleanup) of April 24, 2013
- Weekly Town Board Meeting of April 24, 2013
- Monthly Town Board Meeting of May 2, 2013
- Bid Opening ( Old Albany Post Road) of May 17, 2013

**COMMITTEE REPORTS**

1. Conservation Board
2. Recreation
3. Recycling
4. Planning Board
5. Zoning
6. Highway
7. Building & Land Acquisition
8. JLB Library

**AGENDA**

1. Roberto Muller to discuss the proposed resolution calling for the emergency evacuation zone around Indian Point to be extended from 10 to 50 miles.
2. Anthony Ruggerio and Megan Taylor to discuss Economic Development opportunities.
3. Resolution authorizing Supervisor Shea to sign the parade permit for the Philipstown LaCrosse Association for the Youth event scheduled for June 2, 2013 (Nunc Pro Tunc).
4. Resolution waiving the building permit fee for the Garrison Volunteer Fire Company to remove an interior wall on Upper Station Road.
5. Resolution adopting the Hazard Communication Program Policy for the Town of Philipstown as per New York State Department of Labor.
6. Code Enforcement Monthly Report.
7. Schedule Workshops/Meetings
  - Change Monthly Town Board from July 4<sup>th</sup> to July 11<sup>th</sup>
8. Any other business that may come before the Town Board.

**AUDIENCE**

May 16, 2013  
May 31, 2013

## **VACANCIES**

CV Park District Advisory Committee (3)  
CV Water District Advisory Committee (3)

## **APPROVAL OF VOUCHERS**

General      Highway      CVPD      CVWD

/

**RESOLUTION FOR PUBLIC HEALTH AND SAFETY  
REGARDING INDIAN POINT NUCLEAR PLANT**

WHEREAS, the nuclear disaster of Fukushima has resulted in widespread dispersal of radioactive material in the air, land and water, and President Obama of the United States and Nuclear Regulatory Commissioner Jaczko called for the evacuation of all Americans within a 50 mile radius of the stricken plants; and

WHEREAS, radiological contamination from Fukushima has extended 140 miles to Tokyo reservoirs, and the Indian Point Nuclear Power Plants are situated within twenty miles of the New Croton and Kensico Reservoirs in Westchester County and the various reservoirs located in Putnam County serving various communities as well as New York City with drinking water; and

WHEREAS, the New York State Emergency Evacuation Plans were thoroughly evaluated by former FEMA director and evacuation expert James Lee Witt and found to be inadequate to protect the public from radiological exposure; and that evacuation plan flaws and deficiencies remain unresolved; and

WHEREAS, the spent fuel rods at both Indian Point reactors are stored in warehouse-type buildings with commercially available steel roofs, have no independent electricity or cooling systems and are not constructed with the same containment capabilities and back-up systems used to protect the reactors; and

WHEREAS, new techniques and advances in seismology have disclosed additional information about the two fault lines near Indian Point and plant construction standards fall far below potential earthquake magnitude;

NOW, therefore, be it RESOLVED that the Town of Philipstown Town Board for the protection of its citizens and the Town's surrounding citizens, calls for the emergency evacuation zone around Indian Point to be extended from 10 to 50 miles; and be it further

RESOLVED, that the flaws and deficiencies identified in the James Lee Witt report be remedied; and be it further

RESOLVED, that full containment, as well as independent back-up electricity and cooling for the spent fuel pools be established and spent fuel rods be moved as quickly as possible into hardened dry cask storage which is more secure than the spent fuel pools, and be it further

RESOLVED, that the new seismological data be taken into consideration and infrastructure upgraded accordingly for the continued operation of Indian Point, including its spent fuel storage facilities; and be it further

RESOLVED, that these Resolutions be transmitted to Governor Andrew Cuomo of the State of New York; Commissioner Jerome M. Hauser, New York State Division of Homeland Security and Emergency Planning; and to Commissioner MacFarlane, Chair, Nuclear Regulatory Commission.

TOWN OF PHILIPSTOWN TOWN BOARD

Date of Approval: \_\_\_\_\_

Supervisor Richard Shea \_\_\_\_\_

Councilwoman Montgomery \_\_\_\_\_

Councilwoman Budney \_\_\_\_\_

Councilman Van Tassel \_\_\_\_\_

Councilman Merandy \_\_\_\_\_

## RESOLUTION FOR PUBLIC HEALTH AND SAFETY REGARDING INDIAN POINT NUCLEAR PLANT

Thank you for considering the attached Public Health and Safety Resolution regarding Indian Point Nuclear Power Plant.

The terrible tragedy at the Fukushima-Daiichi nuclear power complex in Japan brought home the disastrous consequences of a catastrophic release of high-level radiation from multiple reactors *or from spent fuel storage*. The common sense measures embodied in this resolution, if acted upon, would make us all safer, and are appropriate *whether the plant is closed or is relicensed and continues to operate*. These steps would make a catastrophic release less likely, and will better protect public safety if the unexpected happens.

Please bring this Resolution to your local community organization and/or to your municipal board or council to request that they adopt it and notify the public officials specified in it of their action. Please also send a copy to the organization specified below (Clearwater) so that we can track the progress of this effort.

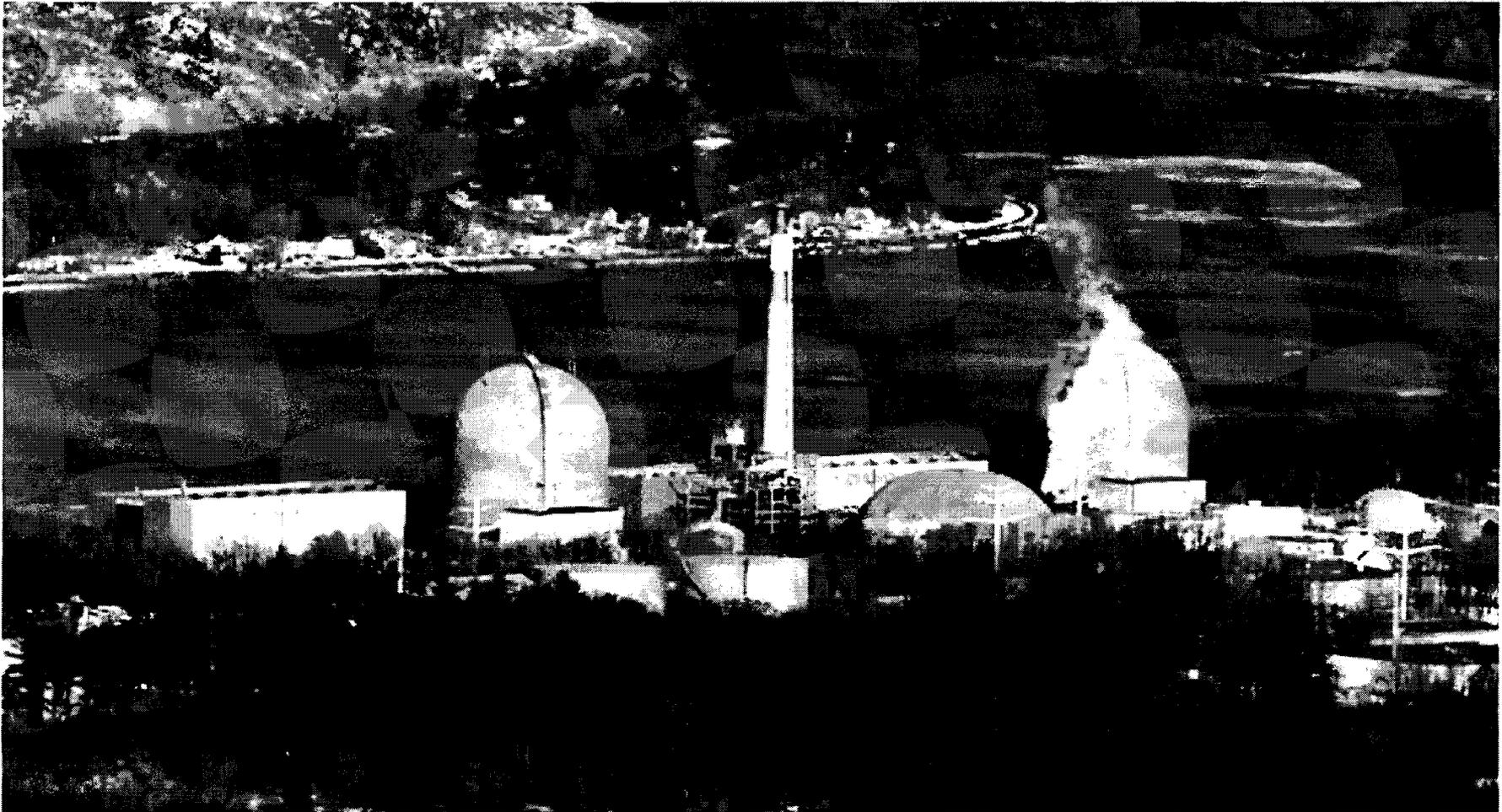
We have learned lessons from the Fukushima catastrophe about steps that could prevent or limit the damage if there were a serious accident or incident at Indian Point. In fact, the NRC has already announced policy changes such as requiring sufficient accident mitigation equipment to address multiple failures at the plant. Given the potential damage from a nuclear plant failure, "probably good enough" is not appropriate. Every known upgrade to minimize the probability that the unexpected will result in a large radiation release should be implemented. The specific protocols and material upgrades that are being requested in this Resolution would be applicable whether the plant stays open or is closed and decommissioned.

Please note that this Resolution is meant to be adopted by a municipal body (County Legislature, City Council or Town or Village Board) or by non-governmental organizations (such as a community organization, civic group, club, house of worship, etc.). This is NOT, however, a petition to be signed by individuals. (We do have a related petition and can make that available upon request.)

- **If you are a municipal board, once you have approved the Resolution for Public Health and Safety, please scan the signed document and send copies to:**
  - Governor Andrew Cuomo, State of New York
  - Commissioner Jerome M. Hauer, New York State Division of Homeland Security and Emergency Planning
  - Commissioner Allison Macfarlane, Chairwoman, Nuclear Regulatory Commission
- **If you are a non-governmental organization, please provide copies to all those listed above and to:**
  - Your municipal board
- **For both groups, please also send a copy to:**
  - Hudson River Sloop Clearwater, 724 Wolcott Ave., Beacon, NY 12508, or fax to 845-831-2821.
  - If you have questions or need help or more information, please contact:
    - Hudson River Sloop Clearwater:  
Manna Jo Greene: mannajo@clearwater.org (845) 265-8080 ext. 7113
  - IPSEC (Indian Point Safe Energy Coalition):
    - Marilyn Elie: eliewestcan@gmail.com (914) 954-6739
    - Gary Shaw: crotonshaw@aol.com (914) 400-4335

# **Indian Point Resolution for Public Health and Safety**

*"...whether the plant is decommissioned or  
is relicensed and continues to operate."*



There are three nuclear reactors at Indian Point: IP1 (retired in 1974), IP2 (active) and IP3 (active).

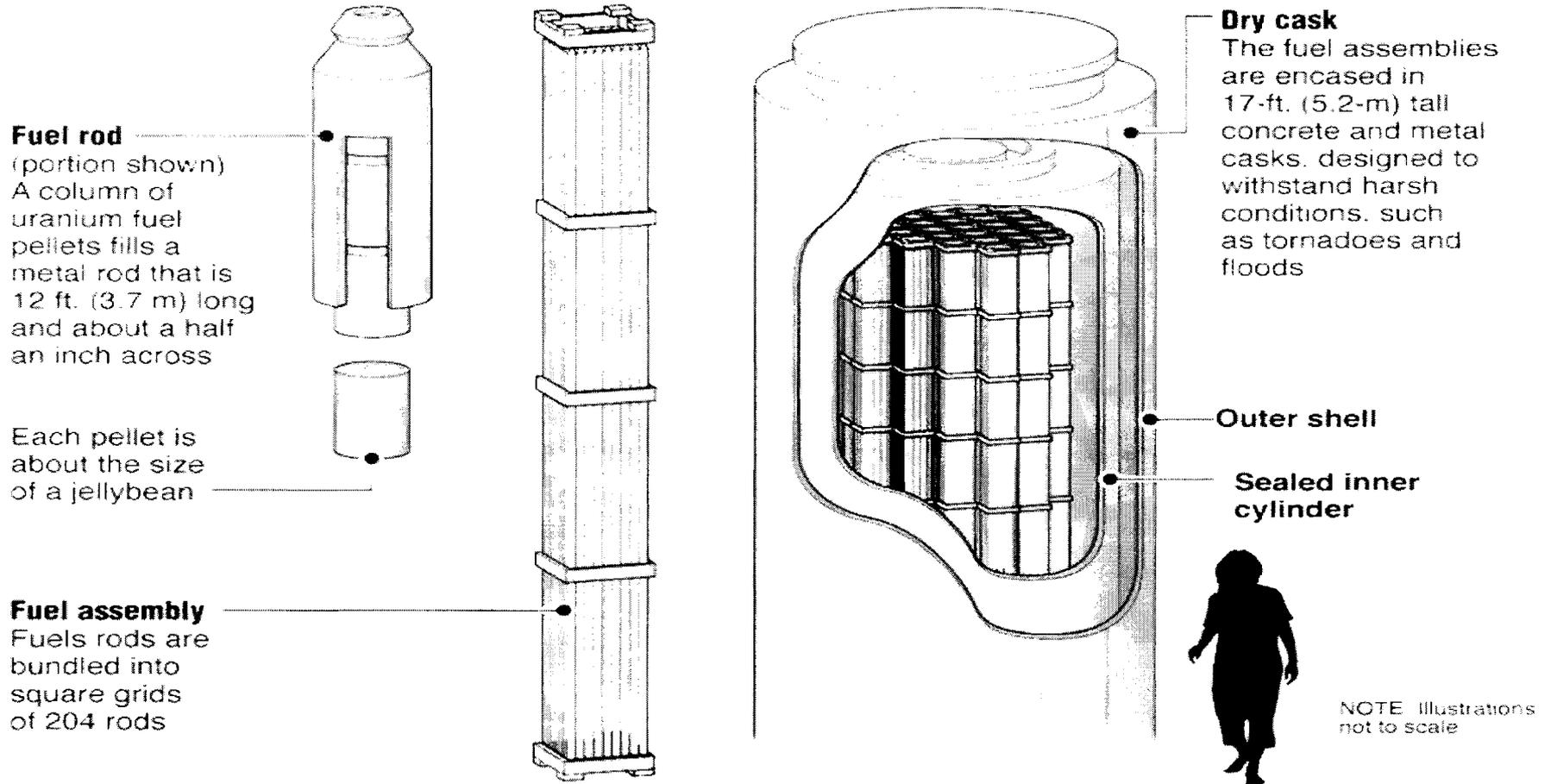
IP1 did not have adequate emergency reactor core cooling.



Irradiated (Spent) Fuel Assemblies are temporarily stored in 40-foot-deep pools adjacent to each reactor building.

# Dry cask storage

When nuclear fuel is spent or no longer useful for generating electricity, it is placed in pools of water and boric acid for at least five years until it is cool enough to be moved into long-term storage. Critics have questioned the safety of such pools and want to see more spent fuel moved into bunkerlike dry casks, which they say are safer.



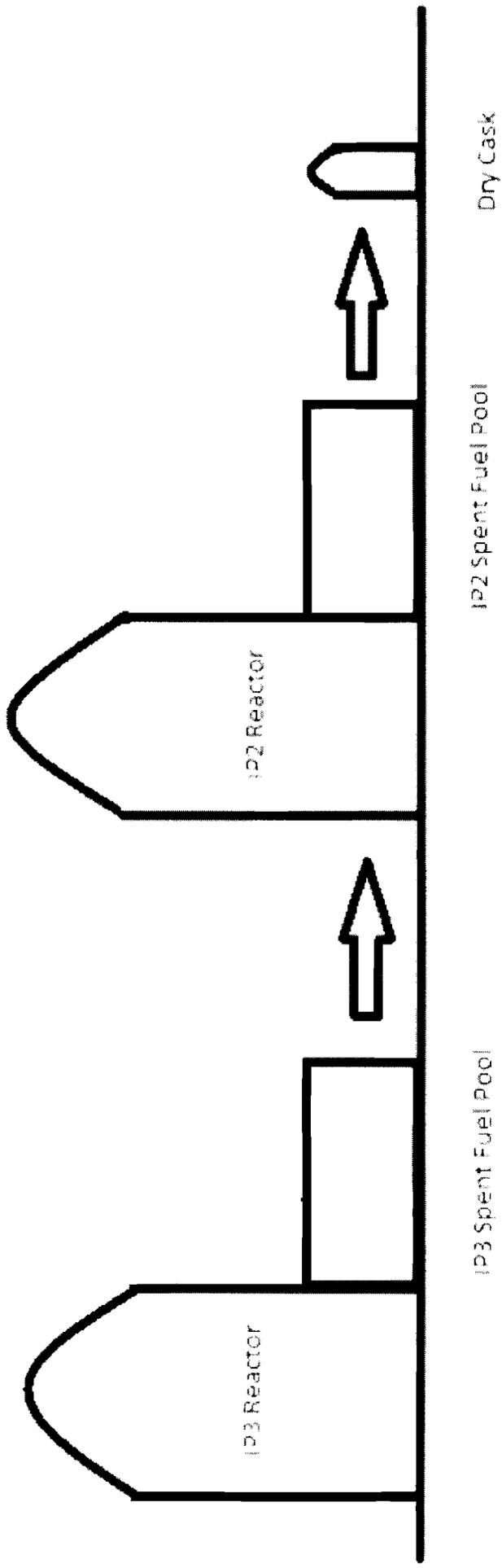
Source: Exelon Corp., Westinghouse Electric Co., U.S. Nuclear Regulatory Commission  
Graphic: Chicago Tribune

© 2011 MCT

204 rods per assembly; 24 - 72 assemblies per cask

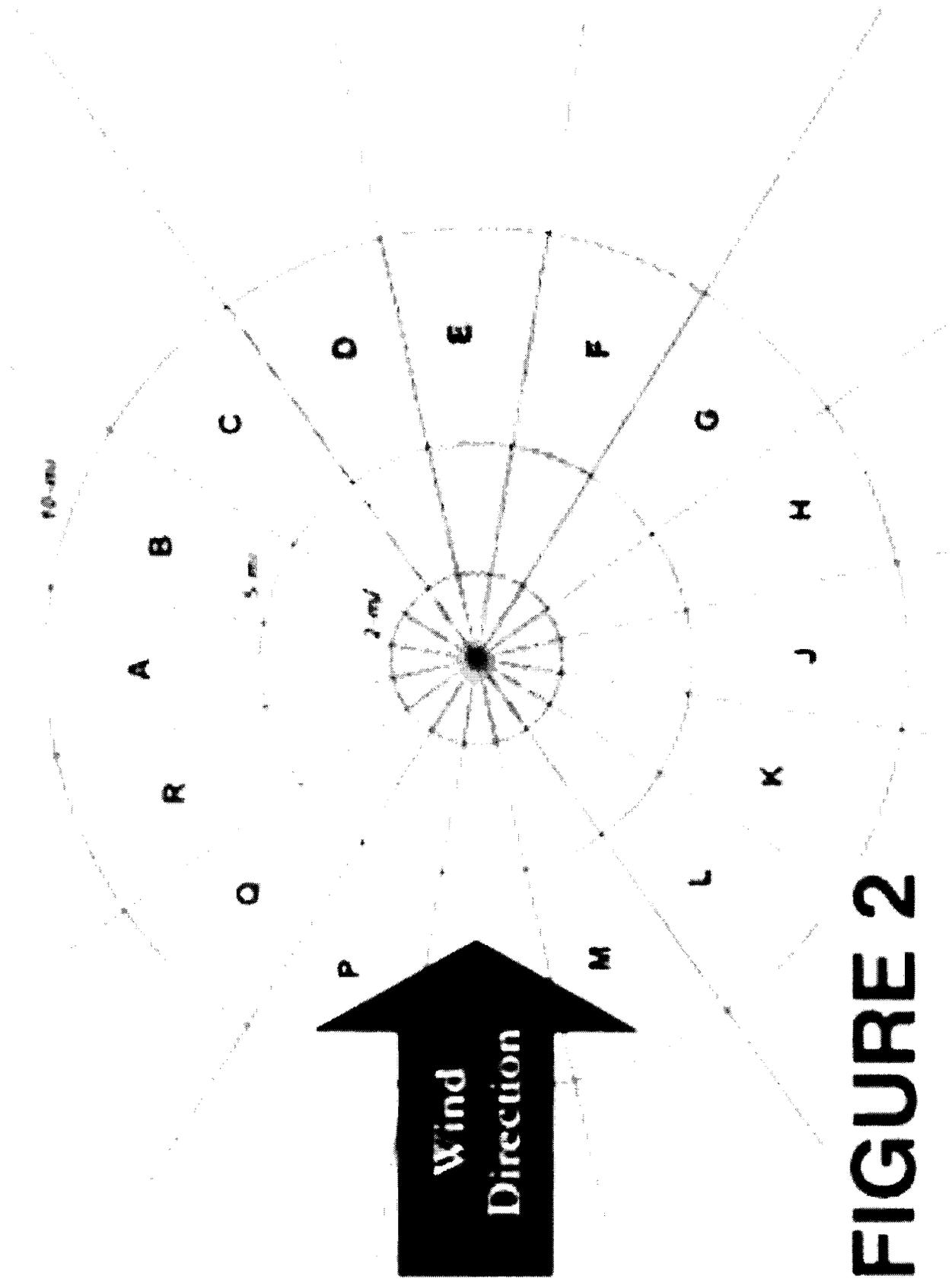


Dry-Cask Storage Containers at Indian Point.

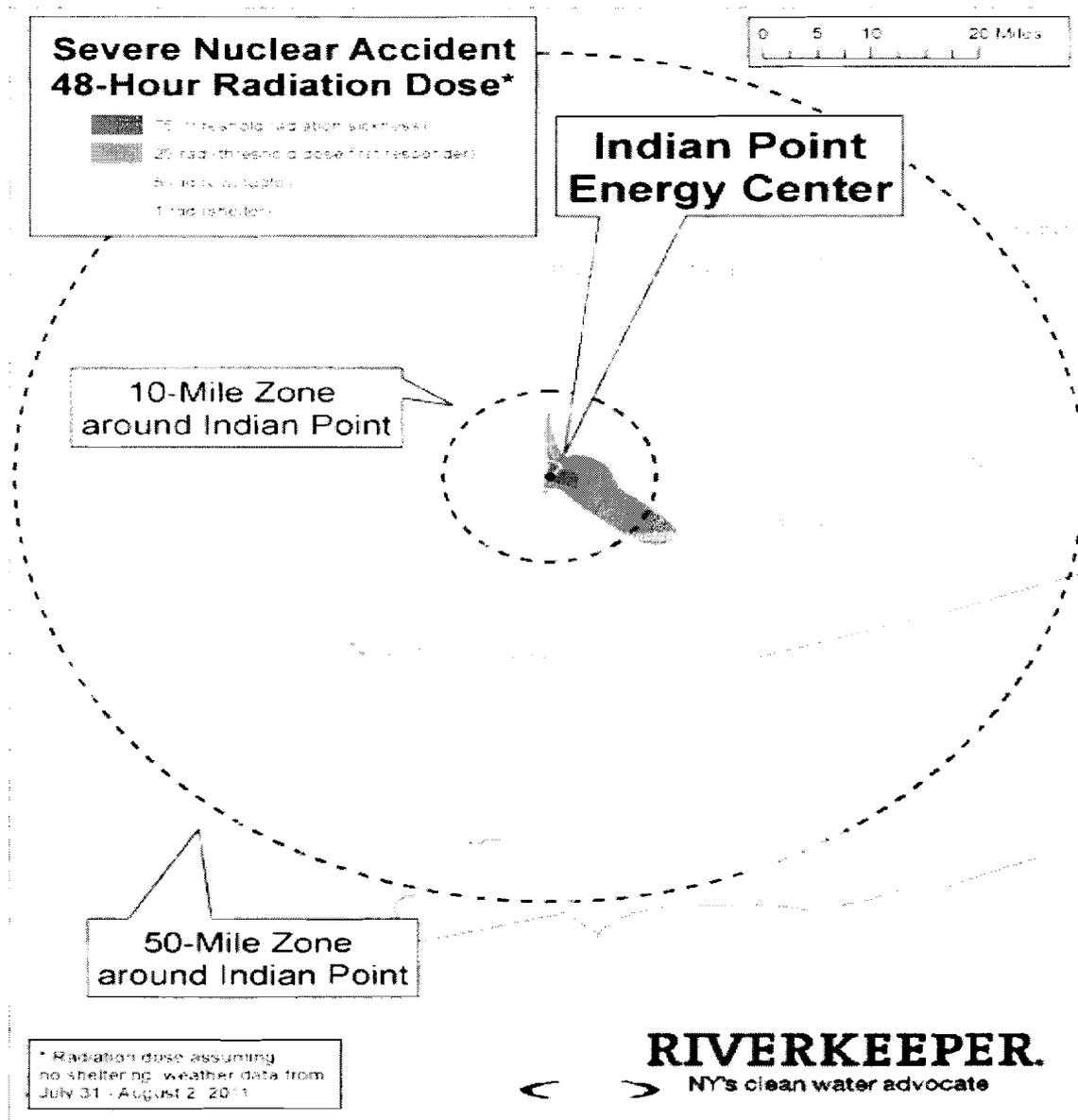


**IP3 crane is too small to move spent fuel into  
dry cask storage.**

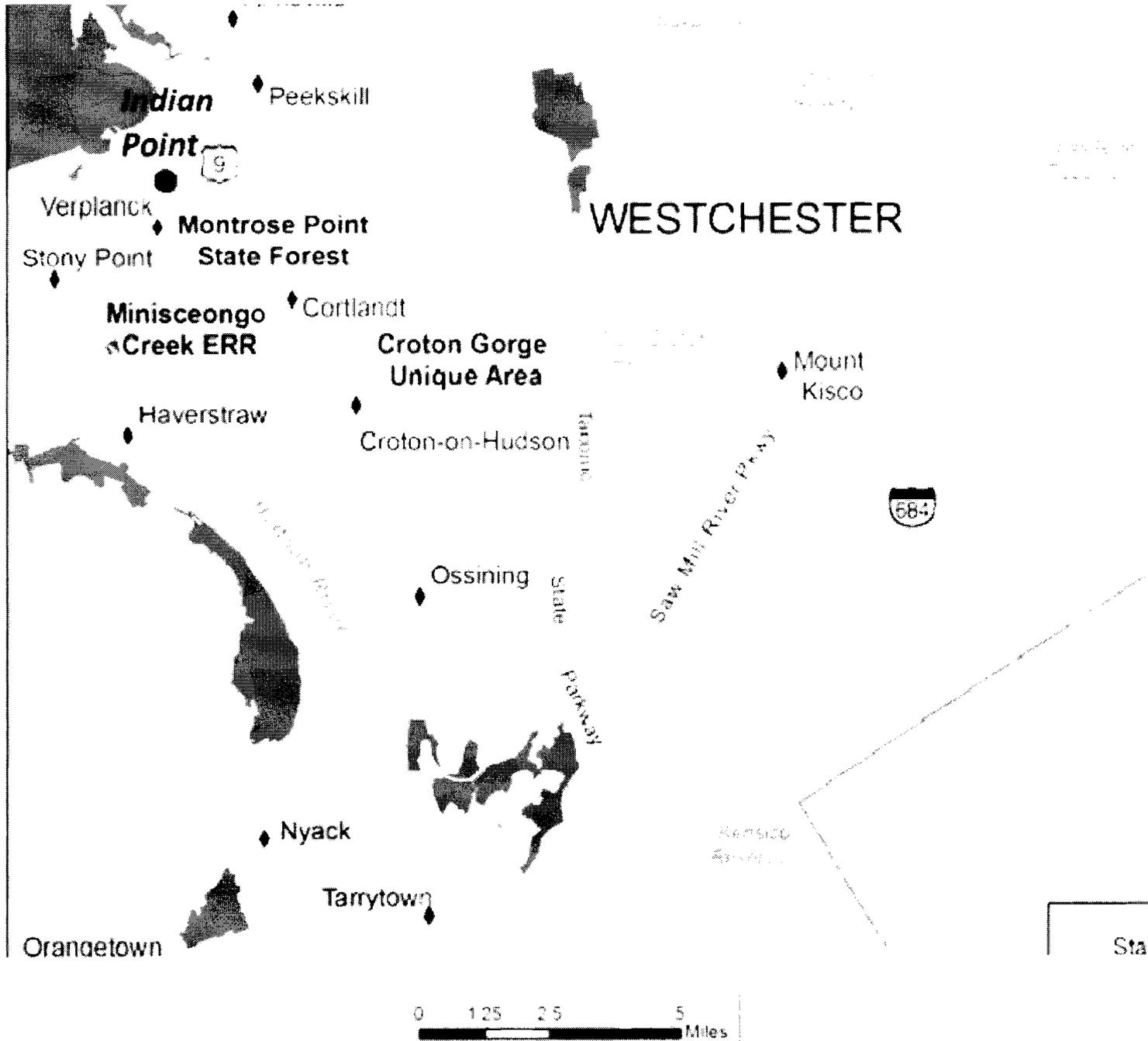
**What if there is an accident?**

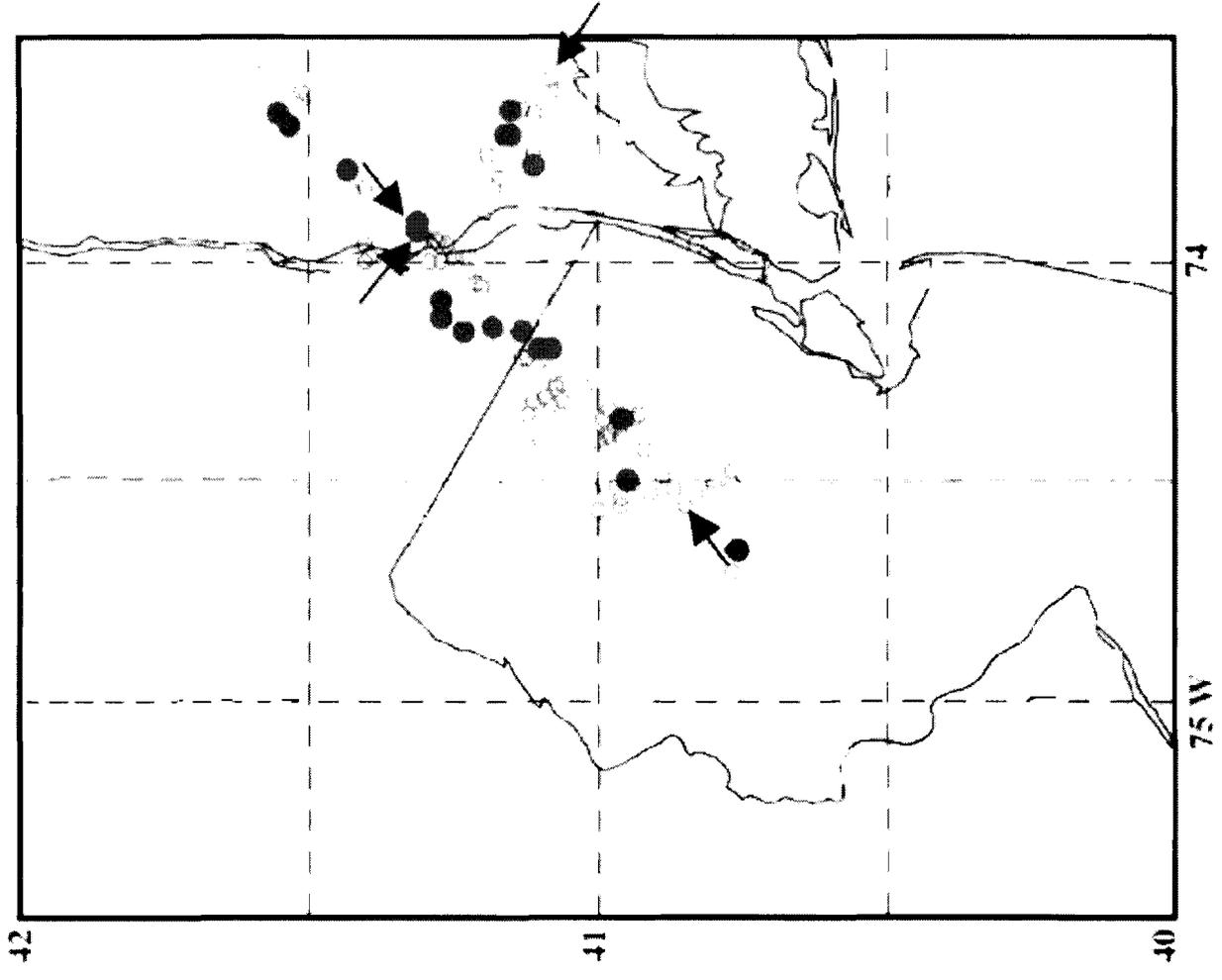


**FIGURE 2**



**“If [Fukushima] happened in the U.S., we would go out to 50 miles,”  
- Bill Borchardt, the NRC’s executive director for operations**





Ramapo Fault Line and Peekskill to Stamford Fault Line

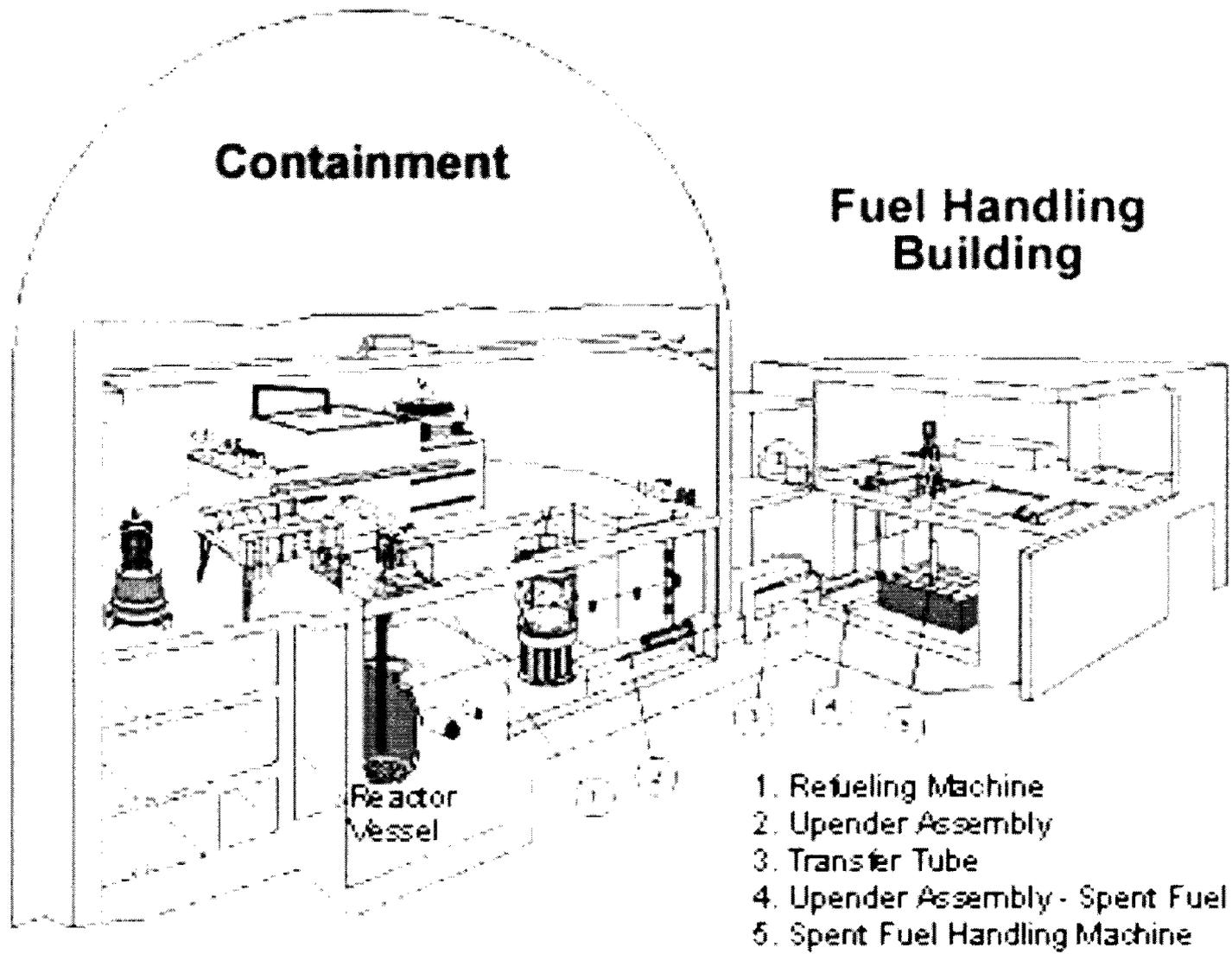


"I think it is insane to have a three-unit reactor on the Hudson River in Westchester County, 40 miles from Times Square, 20 miles from the Bronx ... [Indian Point is] one of the most inappropriate sites in existence."

- *Robert Ryan, the NRC's Director of the Office of State Programs, 1979.*

# We ask for:

- A more realistic evacuation plan that will protect the public within 50 miles of Indian Point,
- Full containment and independent back-up power for the spent fuel pools,
- Prompt transfer of spent fuel from the fuel pools to dry cask storage, and
- Consideration of new seismological data in the relicensing process.

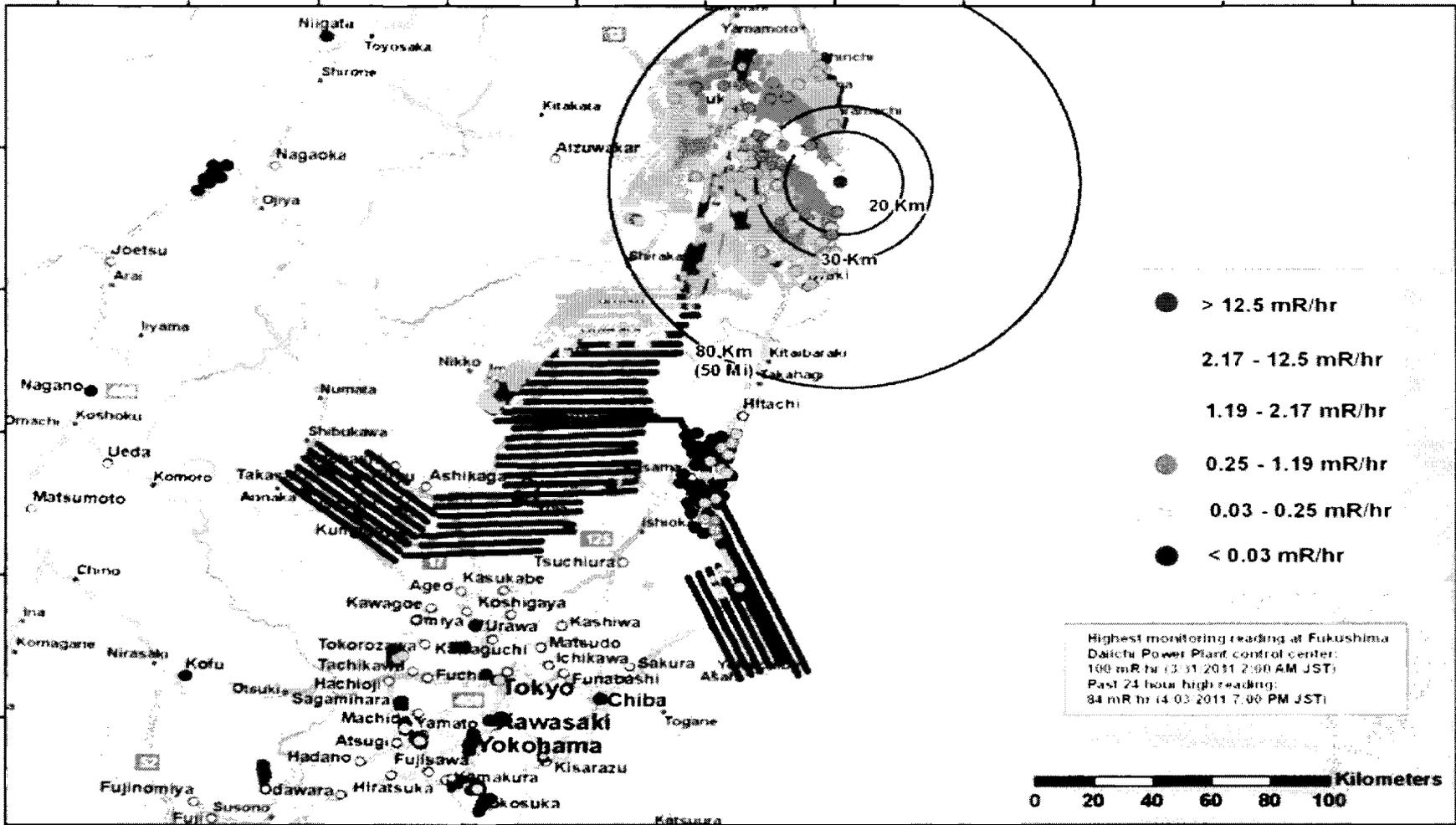


Reactor Building and Spent Fuel Pool Building



# Ground Based and Aerial Monitoring Results FUKUSHIMA DAIICHI JAPAN

Data from (March 30 - April 03)

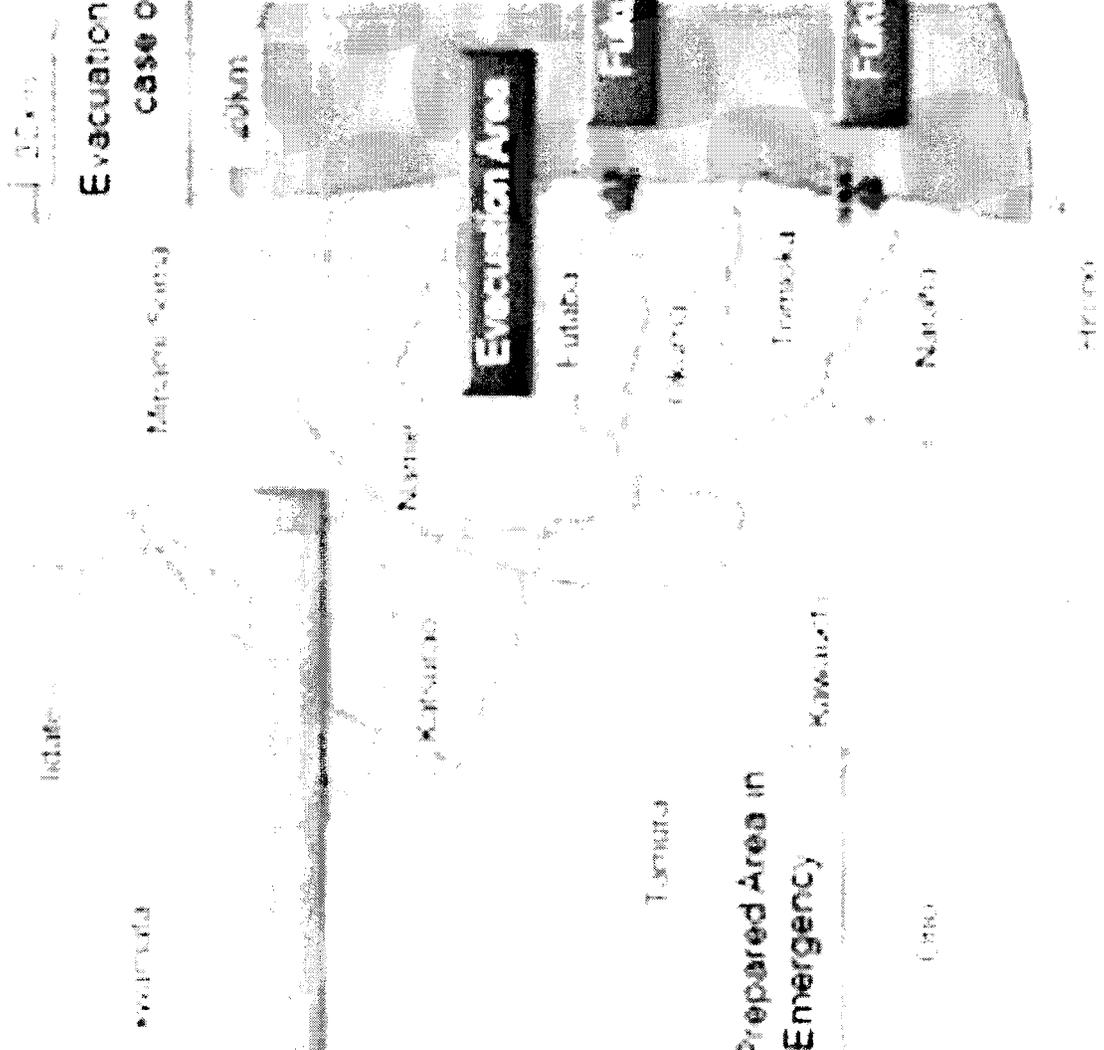


Map created on 04032011 2340 JST

Name: NIT Combined Flights Ground Measurements 30Mar\_03Apr2011 Results

**“If this happened in the U.S., we would go out to 50 miles,” Bill Borchardt, the NRC’s executive director for operations**

Evacuation Prepared Area in  
case of Emergency

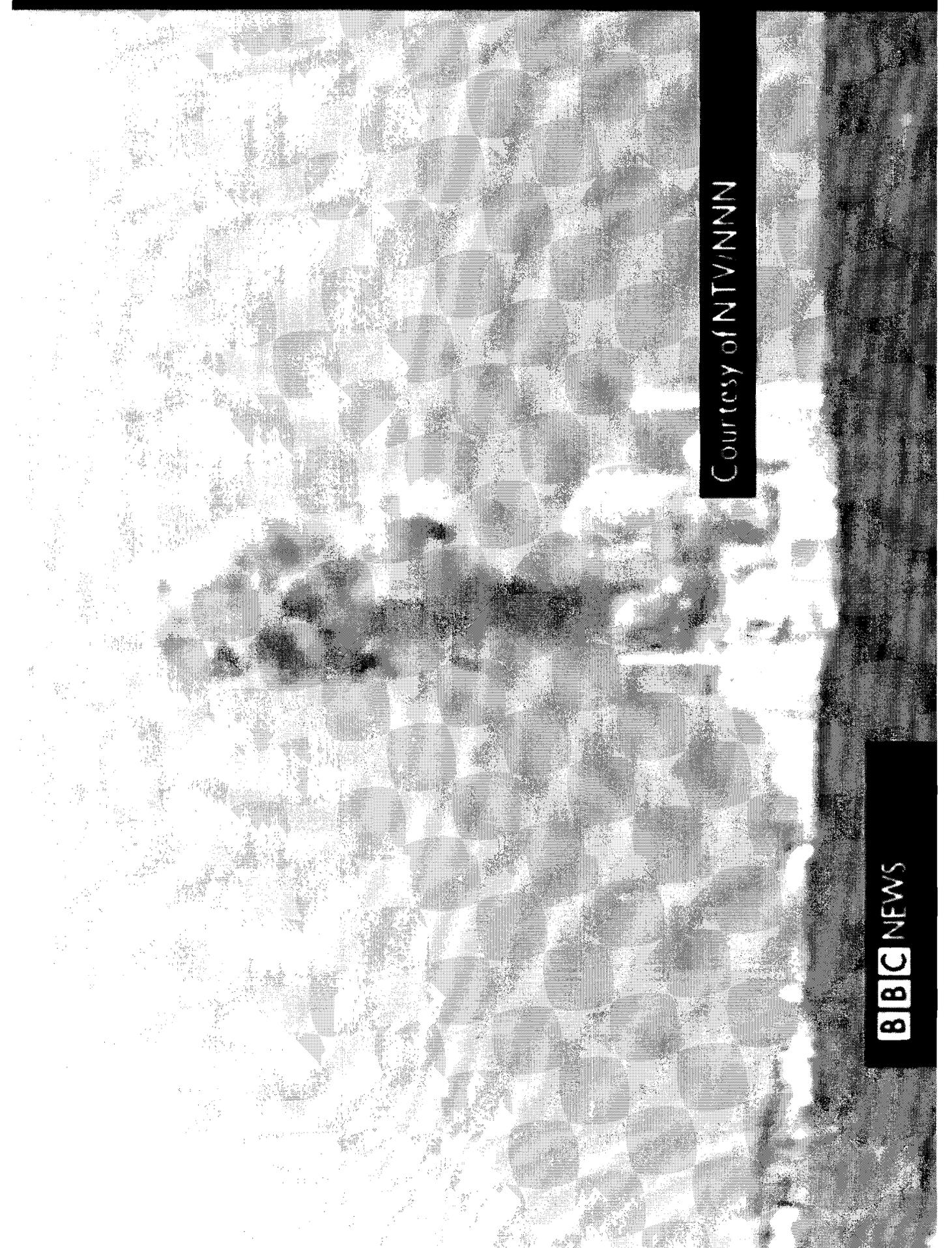


Evacuation Prepared Area in  
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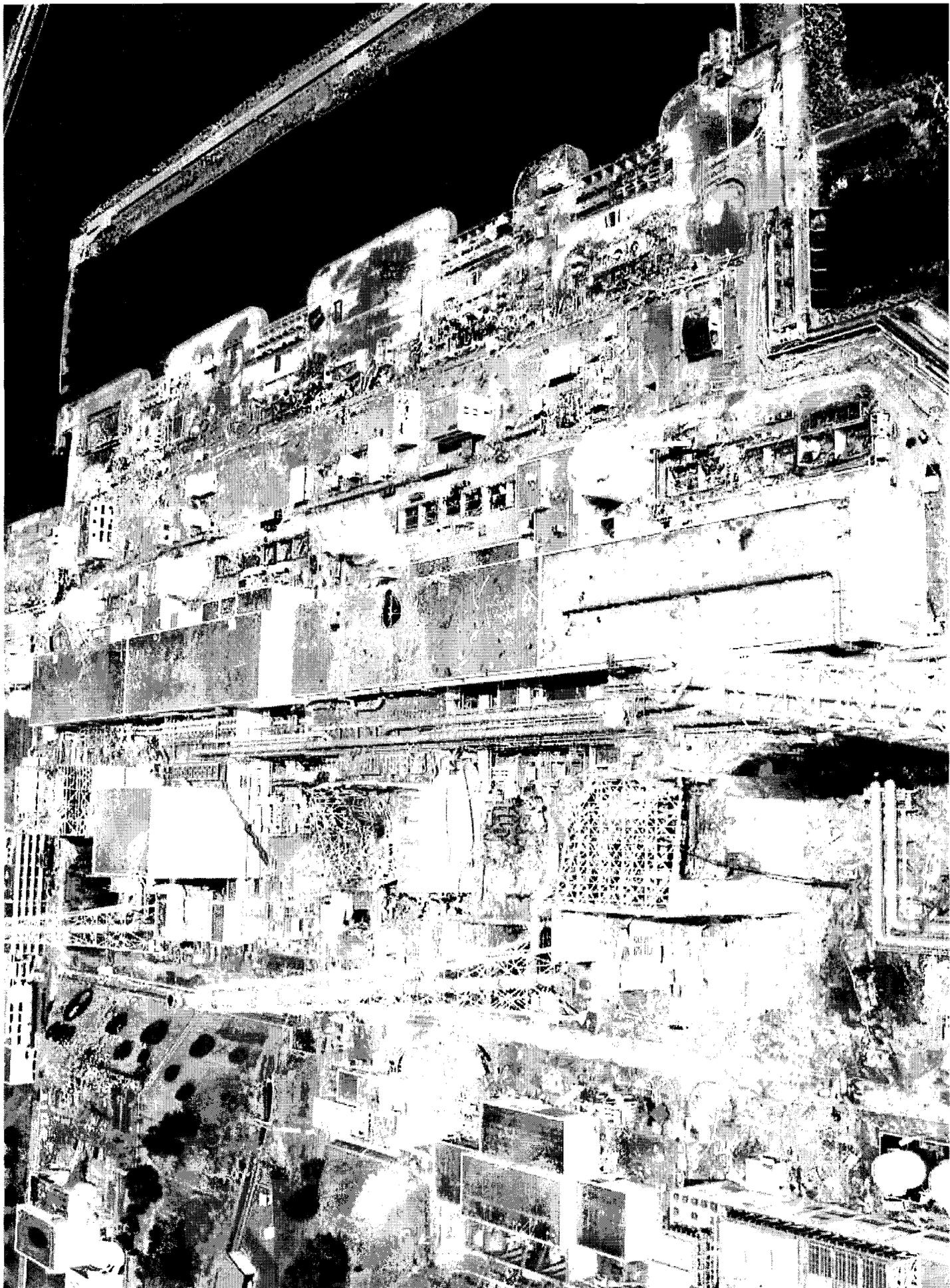


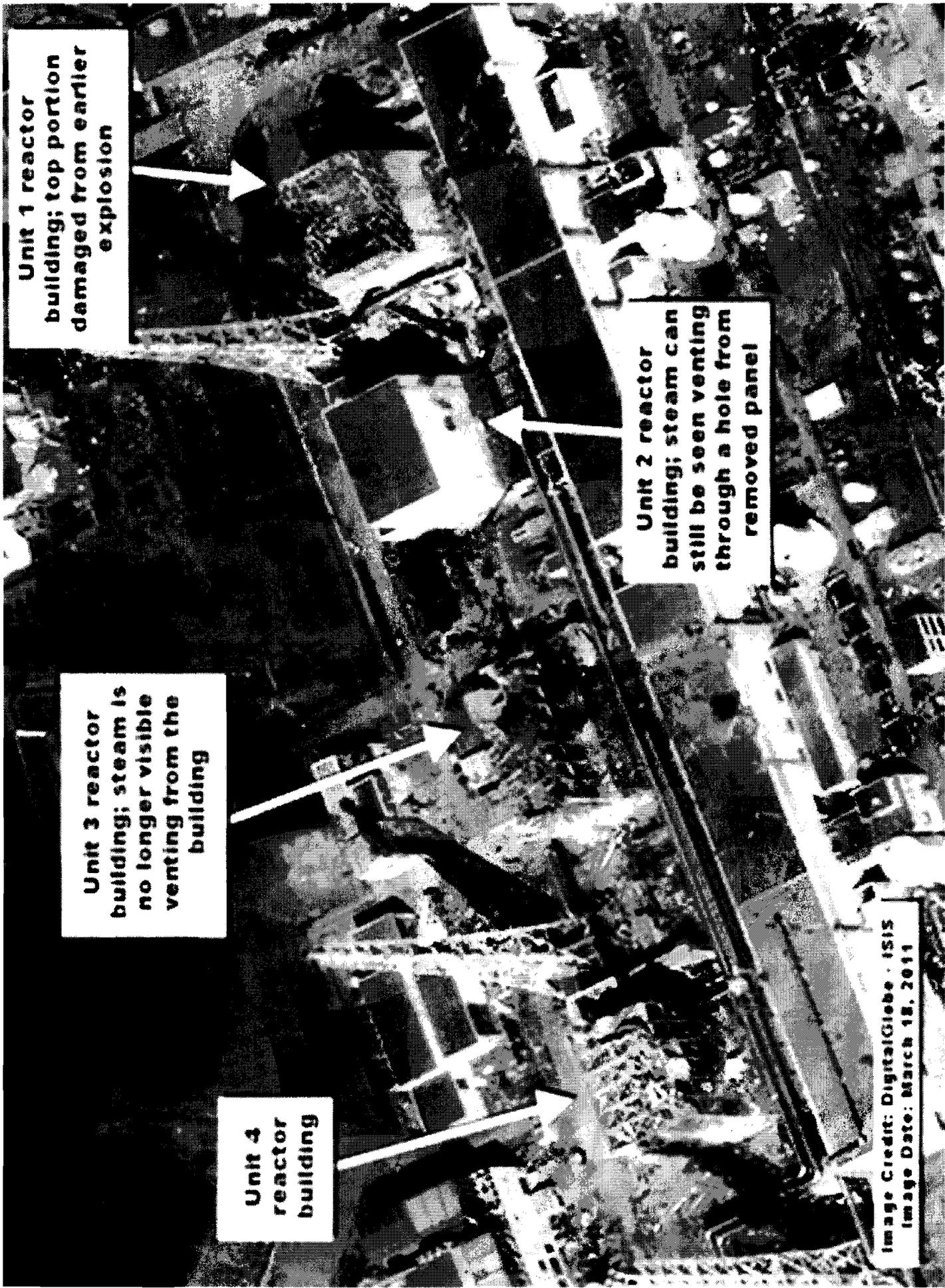
Fukushima Daiichi Reactors 1 - 4



Courtesy of NTV/NNN

**BBC** NEWS





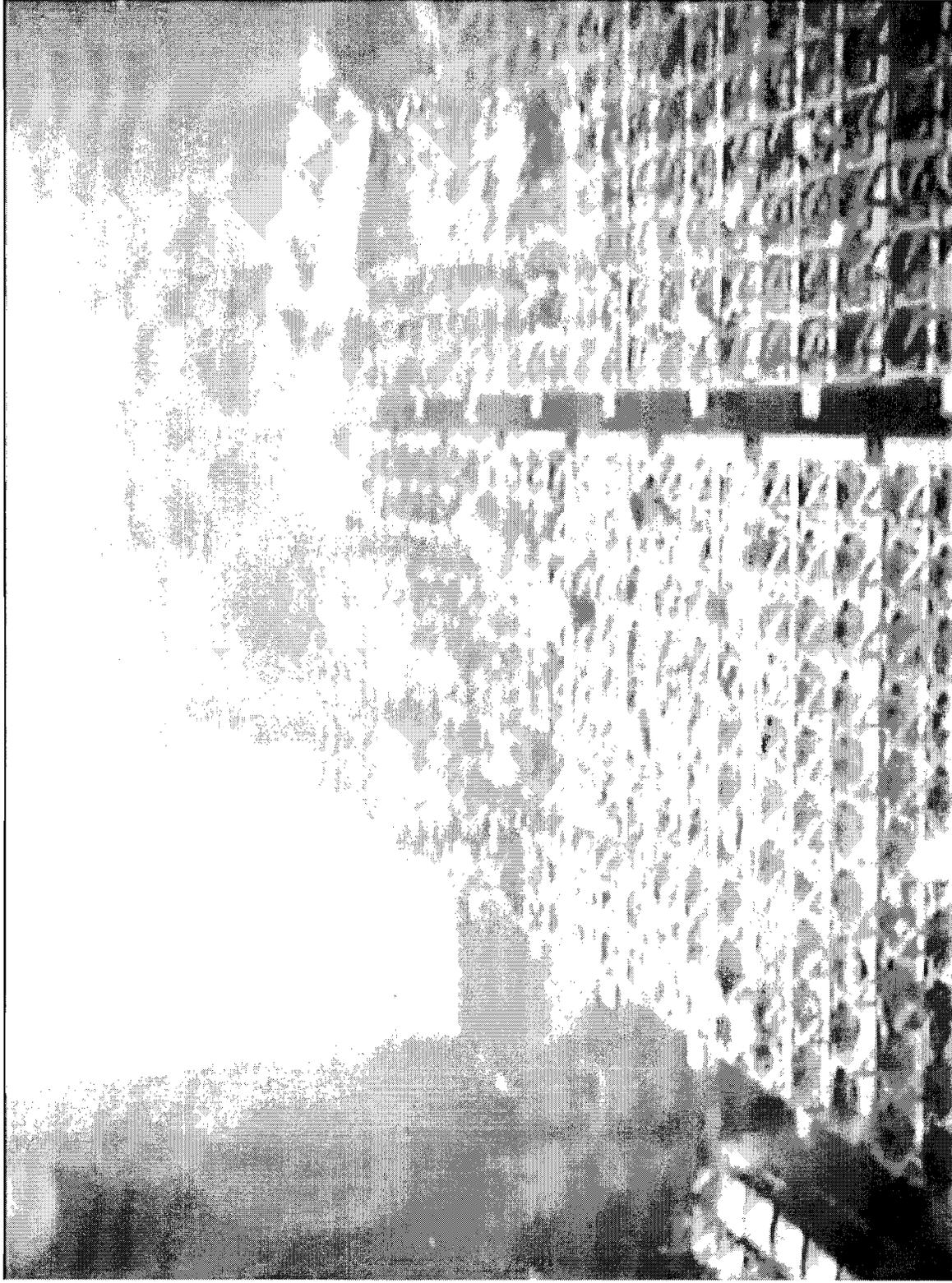
**Unit 1 reactor building; top portion damaged from earlier explosion**

**Unit 2 reactor building; steam can still be seen venting through a hole from removed panel**

**Unit 3 reactor building; steam is no longer visible venting from the building**

**Unit 4 reactor building**

**Image Credit: DigitalGlobe - ISIS  
Image Date: March 18, 2011**



Fukushima Daiichi Reactor 4 - Irradiated Fuel Pool



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**WITT**

A S S O C I A T E S

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***Review of Emergency  
Preparedness of Areas Adjacent  
to Indian Point and Millstone***

**Witt Associates  
1501 M St, NW  
Washington, DC 20005**

March 7, 2003

***Prepared By***

Witt Associates, 1501 M St, NW, Washington, DC 20005.

***Prepared For***

Power Authority of the State of New York

***Prepared Under***

Contract for New York State Nuclear Plan Review, 4500058472

This report documents work by author, JLWA and contracted with and/or requested by: an agency of the State of New York. The author's opinions findings, conclusions, and/or recommendations are provided solely for the use and benefit of the requesting party. Any warranties (expressed and/or implied), unless explicitly set forth herein, are specifically waived. Any statements, allegations, and/or recommendations in this report should not be construed as a New York State position, policy, or decision, unless so designated by other documentation. The report was based on the most accurate data available to author at the time of publication, and therefore is subject to change without notice. The use of trade names in this report does not constitute an official endorsement or approval of the use of such commercial products.

## **EXECUTIVE SUMMARY**

On August 1, 2002, Governor George E. Pataki announced a comprehensive and independent review of emergency preparedness to be performed by James Lee Witt Associates (JLWA) for the area around the Indian Point Energy Center ("Indian Point"), and for that portion of New York in proximity to the Millstone nuclear plant ("Millstone") in Connecticut. James Lee Witt Associates subcontracted with Innovative Emergency Management ("IEM") for portions of the review. The review encompassed many related activities that were designed, when taken together, to determine whether the existing plans and capabilities of the jurisdictions involved are sufficient to ensure the safety of the people of New York in the event of an incident at one of these plants, and how those existing plans and capabilities might be improved. In addition to an outreach effort into the surrounding communities, the review included recent exercise results and public information efforts, current radiological emergency response plans, and the data underlying the response plans, such as population data, the methodology of evacuation time estimates, alert and notification system specifications, Off-site accident impact analysis methodologies, and communication capabilities.

It should be noted that we were not asked to look at the safety of the plants themselves, the availability of alternate energy sources, the economic and environmental costs and benefits of the plants, or other factors relevant to an overall picture of the plants within their respective communities. Consequently, nowhere have we taken a position on the future status of the plants.

During our review we were frequently asked whether we were under constraints. We were guided by our experience and were unconstrained in our recommendations.

### **Major Findings**

#### **Plans and Exercises**

- 1 The plans are built on compliance with regulations, rather than a strategy that leads to structures and systems to protect from radiation exposure.
- 2 The plans appear based on the premise that people will comply with official government directions rather than acting in accordance with what they perceive to be their best interests.
- 3 The plans do not consider the possible additional ramifications of a terrorist caused event.
- 4 The plans do not consider the reality and impacts of spontaneous evacuation.
- 5 Response exercises designed to test the plans are of limited use in identifying inadequacies and improving subsequent responses.

These planning problems are more serious because of the large population concentrations near the Indian Point plant, and when the effectiveness of the plan requires a degree of public and responder confidence that is largely absent. Thus the consequences of the five general findings above are more serious for the communities around Indian Point than for New York jurisdictions closest to Millstone.

## **Regulations**

The Nuclear Regulatory Commission ("NRC") has stated as recently as November 18, 2002, that a preliminary assessment of the capabilities of, and compliance by, the State and its jurisdictions by the Federal Emergency Management Agency ("FEMA"), based on the September 24, 2002 exercise, indicates the Off-site emergency plans are adequate to protect public health and safety. While under the current regulations that may be technically true, we are concerned that when plans and exercises, which omit such things as a realistic consideration of spontaneous evacuation and the unique consequences of a terrorist attack, still meet NRC and FEMA regulations, then those regulations need to be revised and updated on a national basis. We believe any plant adjacent to high population areas should have different requirements than plants otherwise situated, because protective actions are more difficult and the consequences of failure or delay are higher. The standard, to minimize the radiological dose to the public, would remain the same; its accomplishment necessitates higher requirements in some communities than others.

Some may look at our findings, conclusions, and recommendations and read them, incorrectly, as an indictment of FEMA or the State and its jurisdictions, and their staff and leadership. FEMA has recognized the need to change in the direction of a more performance-based approach in its exercise program. Although the change does not go far enough, it began with a multi-year strategic review of the Radiological Emergency Preparedness Program, and resulted in a new exercise methodology developed prior to 9/11 and published in the Federal Register on September 12, 2001. This beginning of a change in exercise theory to focus on performance outcomes was not found in the planning and exercising practices of the State of New York and its jurisdictions however. We hope our recommendations will accelerate both regulatory and cultural changes.

Also, while we do have many recommendations for further change that impact on the systems and practices of FEMA and others, we recognize that these systems and practices were developed in a different environment. Simply stated, the world has recently changed. What was once considered sufficient may now be in need of further revision. We hope that those at all levels of government with emergency management responsibilities will consider our suggestions in a manner that is consistent with their high standards and professional experience.

## **Major Conclusions**

### **Indian Point Safety**

In our report we discuss significant planning inadequacies, expected parental behavior that would compromise school evacuation, difficulties in communications, outdated vulnerability assessment, the use of outdated technologies, lack of first responder confidence in the plan(s), problems caused by spontaneous evacuation, the nature of the road system, the thin public education effort, and how

these issues may impact an effective response in a high population area. None of these problems, when considered in isolation, precludes effective response. When considered together, however, it is our conclusion that the current radiological response system and capabilities are not adequate to overcome their combined weight and protect the people from an unacceptable dose of radiation in the event of a release from Indian Point. We believe this is especially true if the release is faster or larger than the typical exercise scenario. Should our recommendations be successfully implemented it is possible that an improved exercise program will demonstrate that a different conclusion is warranted.

### **Millstone Safety**

Although most of the problems mentioned above also apply to those New York jurisdictions near Millstone, their consequences are significantly less for reasons detailed in the report. The response system and capabilities of those jurisdictions, though inferior to those near Indian Point, should be able to protect New York citizens from an unacceptable dose of radiation in all but the most extreme event. Implementation of our recommendations should dramatically increase that margin of safety.

## **Major Recommendations**

### **Plans**

Plants adjacent to high population areas should have different requirements than plants otherwise situated, because protective actions are more difficult and the consequences of failure or delay are higher. Many of our specific recommendations are designed to assist the State and its jurisdictions in meeting the higher requirements we believe need to be developed primarily at the Federal level.

Also, the plans appear to be based on the assumption that people will comply with official directions. We recommend the implementation of a continuous effort that assesses existing attitudes and expected behaviors, and planning (and public education) that is based on the results of these efforts.

The plans are designed to allocate responsibilities for emergency functions. The current format and structure does not easily allow integration of information such as evacuation time estimates, what segments of the public believe and intend, and risk and threat assessments. The plans should discuss and evaluate strategies for protecting people in a variety of scenarios.

## **Terrorism**

There are unique aspects of a terrorist caused incident that should be considered in planning and exercising. For example:

- The possibility of multiple obstructions of evacuation routes that are additive to those that would occur in a "normal" evacuation. Because they can be assumed to be deliberately designed to cause disruption, they may also be more difficult to address than normal evacuation problems.
- The possible targeting of responders.
- The possibility that spontaneous and/or shadow evacuation may be more of a problem than it would be in a non-terrorist event.
- The probable presence of a crime scene that may significantly change the communication and coordination aspects of a disaster response, as occurred in Oklahoma City.
- The probable diversion of those required to respond to the attack from response related law enforcement activities such as the safe evacuation of the affected populace.
- The probable involvement of agencies, such as the FBI, in both on site and off site activities in ways planners who now refuse to contemplate the unique implications of the terrorist threat have not yet considered.

It is important to note that a terrorist event need not result in a release for some of the above possible consequences to come into play. The unique aspects of a terrorist event should not be dismissed by simply asserting that they are covered in current plans and exercises.

## **Communications**

As is often the case in emergency response, interoperability and other communications shortcomings among the response agencies and jurisdictions hinders effective response, especially in areas of hilly terrain. The adjacent counties should have a priority in any communications project the State may undertake.

Also, municipalities within and beyond the ten-mile planning zone should have access to direct notification and information on current plant conditions and projections. A one-way flow of information supplementing current notification processes would help local officials get ahead of problems and retain public confidence.

## **Ten-Mile Emergency Planning Zone**

There is a likelihood of significant unnecessary evacuation within and beyond the ten-mile zone. Such an evacuation has serious public safety implications. Planning at all levels of government must reflect this likelihood.

## **Public Education**

Because evacuation is often assumed to be the only effective protective action, and because spontaneous evacuation is a problem for public safety, training relative to sheltering-in-place is necessary, well beyond the ten-mile zone. Also, effective public education must be designed

and initiated if aspects of the plan that are sensitive to public response are to be effective. Because many essential personnel indicate they will take care of their families, instead of focusing on their response activities, training on emergency family protection should be a component of this public education effort.

## **Exercises**

We observed the full-scale exercise of Indian Point held in September 24, 2002 but there was no comparable Millstone exercise for us to observe. The exercise program, of which the September 2002, exercise was a part, simply does not measure the performance outcome of the emergency response system. The results of the exercises are not as reflective of the status of preparedness as some consider them to be.

The exercise program uses a functional approach to exercise evaluation. The concept is to outline every function to be performed, analytically break down each function, and review the performance of the system using the functions and the points of review. The notion is that each atomized function can be reviewed separately and can be judged on its own merit.

The current approach to exercises is valuable in improving specific parts of plans. But an emergency response system should not be viewed functionally. It is a system where each part is connected to the whole. The system includes warning, dose assessment, protective action recommendations, instructions to the public and so forth. A break in the chain of activities may mean that the goal is not met.

The State should work with FEMA and others to develop a performance outcome-based exercise program distinctly different from the functional exercise approach. A functional approach examines each activity against regulations, guidance, or plans and looks for compliance. An outcome-based approach looks for the effects of the actions on the community.

## **Exercise Scenarios**

The implications of a release faster or larger than those now being addressed also need to be considered. The low end of the time range specified in NUREG 0654 (as low as one-half hour) is not being sufficiently exercised. In addition, the participating organizations need to focus on measuring how quickly the population is being affected versus the speed with which protective actions are being accomplished. Similarly, in the case of larger releases, we cannot verify that the larger end of the accident spectrum is being accommodated. The vigorous debate about whether a terrorist event actually increases the probability of such releases, about which we did not offer an opinion, should not detract from the need to address faster and larger releases.

Large shadow evacuation, especially for a terrorist event, should be included. These scenarios should be selected for their ability to test varying concepts for protecting people. A broader part of the community, including those publicly skeptical of the plans, needs to be involved in the development of the exercises as well as be able to participate and observe the exercises.

## **Response Management Technologies**

The Indian Point region is using old technologies in a number of areas. The hazard assessment process uses 25 to 30 year old map overlays for determining the area at risk. The hazard information specific to the dose assessment is communicated via phone or fax to the State and Counties. Plume information is currently not available through operable automation systems that can show the State and counties the precise areas that are at risk. Assessments do not integrate with population data and do not show the time that various zones would be at risk.

In providing warning to the people, there is an over-reliance on outdated sirens and the Emergency Alert System. Newer technologies, such as tone alert radios, have not been widely implemented.

When making protective action decisions, officials must consider what has happened, how it could affect people, the time windows available for actions, action alternatives, and the resources and constraints attendant on each action alternative. Currently, the protective action decision-making process is very simplistic, and there is virtually no technology support for these decisions.

We recommend that the Emergency Operations Centers (EOCs) and the technology supports for protective actions be significantly upgraded.

## **Public Review**

On January 10, 2003 James Lee Witt Associates completed the draft review. Because of the importance of the subject to the citizens and stakeholders in the area, and because we thought consideration of comments would improve the report, JLWA thought it appropriate that the public have an opportunity to provide comments on any aspect of it. The State concurred in this assessment and approach.

The comments received are recorded and discussed in a new appendix, Appendix K.

FEMA also commented on our draft report. Although it was sent two weeks after the close of the comment period, and not to us, we requested additional time from the State so that we could address their comments. We requested the additional time, and it was granted, because FEMA is the federal agency with purview over many of the issues we discuss, and we felt they and others should have benefit of our responses in their subsequent actions and decisions. Our consideration of the FEMA report can be found in a second new appendix, Appendix L.

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- ∑ Commissioner Jerome M. Hauer, New York State Division of Homeland Security and Emergency Planning
- ∑ Commissioner Allison Macfarlane, Chairwoman, Nuclear Regulatory Commission

∑ **If you are a non-governmental organization, please provide copies to all those listed above and to:**

- ∑ Your municipal board

∑ **For both groups, please also send a copy to:**

- ∑ Hudson River Sloop Clearwater, 724 Wolcott Ave., Beacon, NY 12508, or fax to 845-831-2821.

∑ If you have questions or need help or more information, please contact:

- ∑ Hudson River Sloop Clearwater:  
Manna Jo Greene: [mannajo@clearwater.org](mailto:mannajo@clearwater.org) (845) 265-8080 ext.

7113 ∑ IPSEC (Indian Point Safe Energy Coalition):

- Marilyn Elie: [eliewestcan@gmail.com](mailto:eliewestcan@gmail.com) (914) 954-6739
- Gary Shaw: [crotonshaw@aol.com](mailto:crotonshaw@aol.com) (914) 400-4335

To Whom It May Concern,

Thank you for considering the Indian Point Resolution for Public Health and Safety!

Please visit the following links to information referenced in the Resolution:

1) First, a short ABC article about the 50-mile evacuation radius:

<http://abcnews.go.com/blogs/politics/2011/03/nrc-chair-no-water-in-the-spent-fuel-pool-at-unit-4/>

2) The James Lee Witt Report on Evacuation Preparedness: See accompanying Executive Summary

3) The findings from the 2008 Columbia University study that discovered a second fault line within one mile of Indian Point:

<http://www.earth.columbia.edu/articles/view/2235>

And a brief video in which two of the researchers explain some of the information:

<http://soundshore.lohudblogs.com/2011/03/30/video-lamont-doherty-seismologists-discuss-indian-point/>

and lastly,

4) A link to a 36-minute-long documentary titled "Eyewitness Fukushima: First Responders Conference" that compares and contrasts evacuation preparedness in Fukushima and in the vicinity of Indian Point:

<http://vimeo.com/42215560>

Again, thank you for considering all of this!

Sincerely,

Indian Point Safe Energy Coalition

P.S. Here are the addresses for the intended recipients of the Resolution:

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Jerome M. Hauer, Commissioner  
NYS Division of Homeland Security and Emergency Services  
1220 Washington Avenue  
State Office Campus  
Building 7A Suite 710  
Albany, NY 12242  
[518-242-5000](tel:518-242-5000)

Allison M. Macfarlane, Chairman  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16G4  
Washington, DC 20555-0001

May 17th, 2013

Dear Philipstown Town Board,

**Subject: Indian Point Resolution for Public Health and Safety**

Good evening! The goal of this resolution before you is to better ensure public health and safety *whether Indian Point Nuclear Power Plant is decommissioned or is relicensed and continues to operate.* While most people think about the reactors and their unique shape, it is the high-level radioactive waste that contains most of the radioactive material on the nuclear plant site. Because we will be dealing with the storage of this radioactive waste from Indian Point long after the plant has ceased operations, there are certain measures that we can take to protect our community in the future.

Indian Point, located in Buchanan, NY has two operating reactors: Indian Point 2 (IP2) and Indian Point 3 (IP3). Indian Point 1 (IP1) was retired in 1974 because it did not have an adequate reactor core cooling system. Adjacent to each reactor is a spent fuel building housing radioactive waste in 40-foot deep pools. These pools were built as temporary storage facilities, but they now hold four times more waste than they were designed for. Furthermore, unlike the reactors themselves, the buildings housing the waste storage pools are warehouse-type buildings with commercially available steel roofs, which provide neither a containment structure nor independent back-up systems to prevent a release of radiation into the atmosphere. **This resolution calls for hardened and reinforced full containment, as well as independent back-up electricity and cooling systems for the spent fuel pools. This is what the reactors have and since most of the plant's radioactive mass is in its waste-storage buildings, those buildings should be made safer.**

Once the nuclear fuel is used up, it still generates enormous heat and must sit in circulating cool water for five years, after which point it may be moved into safer "Dry-Cask Storage Units," which are concrete vaults containing steel cylinders filled with an inert gas that surrounds the nuclear waste, keeping it cool. There are currently 19 casks at Indian Point; until this year, however, these casks only contained waste from IP1 and IP2, and it took over 30 years and many leaks of radioactive elements, such as Strontium 90, to get the operators to remove spent fuel from IP1. Furthermore, due to poor design, the IP3 pool does not have a crane strong enough to move a dry cask, so fuel must first be moved from the IP3 pool to the IP2 pool, which *does* have a large enough crane for transfer to dry-cask storage. Rather than periodically moving waste out of the IP3 pool, however, the various plant operators – formerly Con Edison and the New York Power Authority and now Entergy have let the spent fuel pile up to the point where there is no more room for hot waste coming out of the reactor. Faced with this dilemma, Entergy has finally started moving waste out of the IP3 pool into the IP2 pool for eventual transfer to dry-cask storage. **This resolution calls for the plant owner to better ensure public health and safety by moving its high-level radioactive waste into safer dry-cask storage as promptly as possible, rather than increasing the density in the storage pools and thus the severity of an accident if something were to go wrong at the plant.**

**What if there is an accident?** The current "key-hole" evacuation plan calls for evacuating a two-mile radius around the plant as well as ten miles in the direction of the wind. Former FEMA director and

evacuation expert James Lee Witt, however, evaluated this plan and has found it to be inadequate to protect the public from radiological exposure for a number of reasons, including the high population density in the vicinity of Indian Point, the inadequate roadways and the likelihood that many people outside the evacuation zone will also evacuate. This could be further complicated if an accident at Indian Point were to occur during rush hour or a major storm that shuts down critical evacuation routes. Also not taken into account in the evacuation plan is that both the New Croton and Kensico Reservoirs, which are critical feeds for the New York City drinking water supply, are located five and fifteen miles, respectively, from Indian Point in the direction of the prevailing winds. Fallout maps from both Chernobyl and Fukushima Daiichi, however, show that radioactive isotopes were distributed by prevailing winds well beyond ten miles and did not conform to the plume model that is used in the current evacuation plan for Indian Point. Unfortunately, there is no assurance that such a large release would not happen here. For example, Bill Borchardt, the NRC's Executive Director for Operations said, "If Fukushima happened in the U.S., we would go out to 50 miles." **Thus, this resolution calls for the extension of the emergency evacuation zone from a 10-mile radius to a 50-mile radius and for the flaws and deficiencies identified in the James Lee Witt report to be remedied.**

Lastly, when Indian Point was first constructed, we knew about the existence of the nearby Ramapo Fault Line. In 2008, researchers from Columbia University's Lamont Doherty Earth Observatory discovered a second fault line running from Peekskill, New York to Stamford, Connecticut; this fault line intersects the Ramapo fault one mile from Indian Point. Indian Point was designed to withstand a magnitude 5.8 earthquake at a distance of 35 miles; however, researchers from Columbia have reported that a 7.0 magnitude earthquake could occur near the power plant, and despite this information being made available to the Nuclear Regulatory Commission, the regulatory agency will not consider the new seismological data in establishing safety standards for the plant. **This resolution calls for the NRC to consider this new information and accordingly require an upgrade of infrastructure for the continued operation or decommissioning of the plant, including its radioactive waste facilities.**

In summary, I will finish with a quote from Robert Ryan, the NRC's former Director of the Office of State Programs: *"I think it is insane to have a three-unit reactor on the Hudson River in Westchester County, 40 miles from Times Square, 20 miles from the Bronx . . . [Indian Point is] one of the most inappropriate sites in existence."* Despite Mr. Ryan's objections, however, we will hand off the waste from this plant to future generations long into the future.

Please support this resolution to better ensure the health and safety of our community and the approximately twenty million other residents who live within a 50-mile radius of Indian Point.

Sincerely,

Presenter: Roberto Muller

Email: rafaelsanluissan@gmail.com

Indian Point Safe Energy Coalition and Hudson River Sloop Clearwater, Inc.

3

**PARADE PERMIT**  
**TOWN OF PHILIPSTOWN**

1. This Parade Permit is issued to:
  - a. Applicant: Timothy Donovan, Chairman
  - b. Person other than applicant proposing to hold Parade:

Philipstown LaCrosse Association for Youth

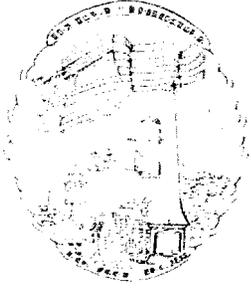
2. Date and starting: June 2- 11:45 A.M.
3. Minimum Speed: Walking
4. Maximum Speed: N/A
5. Maximum Interval of space to be maintained between the units of the Parade:  
Various - Walking
6. The portions of the streets to be traversed that may be occupied by the Parade:  
Upper Station Road from 9D to bottom of road
7. The maximum length of the parade in miles or fractions thereof:  
1/2 Mile
8. Ending time: 6:00 P.M.
9. The provisions to be made for any sanitary facilities and for collection and disposal of any garbage, refuse or waste from the parade route or area at the conclusion of the Parade.  
Porto-John, hose w/water, garbage bags removed
10. Such other information as the Supervisor shall find necessary to the enforcement of the parade Law of the Town of Philipstown

**NOTICE:**

- A. A Permittee hereunder shall comply with all permit directions and conditions and with all applicable law and ordinances
- B. Possession of permit. The parade chair or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

  
SUPERVISOR, TOWN OF PHILIPSTOWN

5/14/13  
DATE



## Town of Philipstown

Code Enforcement Office  
238 Main Street, PO Box 155  
Cold Spring, NY 10516

Office (845) 265- 5202 Fax (845) 265-2687

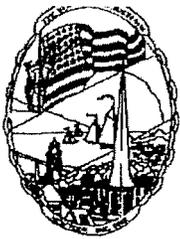
4

# Memo

To: Town Board  
From: Kevin Donohue, Code Enforcement Officer  
Date: 4/15/2013  
Re: Request to waive building permit fee for Garrison Volunteer Fire Company

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The Garrison Volunteer Fire Company has applied for a building permit to remove a interior wall at the Upper Station Road and would like to request the Town Board to waive the building permit fee.



**Town of Philipstown**  
 Code Enforcement Office  
 238 Main Street, PO Box 155  
 Cold Spring, NY 10516  
 Office (845) 265- 5202 Fax (845) 265-2687

091211



**APPLICATION FOR BUILDING AND ZONING PERMIT**

Tax Map # 60.18-1-3 Date Received: \_\_\_\_\_

Construction Located at: Upper Station Road Garrison or Cold Spring

Owner: Garrison Volunteer Fire Co. Phone Number: 845 424-4406

Mailing Address P.O. Box 252; Garrison, NY 10524

Authorized Agent: James M. Copeland AIA Phone Number: 845 424 4810

Mailing Address 1949 Route 9D Garrison, New York 10524

Description of Work: Removal of Non Load Bearing Wall

Occupancy Classification: \_\_\_\_\_ Construction Classification: \_\_\_\_\_ Number of Stories: 2 Building Area: \_\_\_\_\_ sqft

New Const: \_\_\_\_\_ Addition: \_\_\_\_\_ Repair/Replacement: \_\_\_\_\_ Alteration: \_\_\_\_\_ Change in Use: \_\_\_\_\_ Demolition:

Heating Appliance: \_\_\_\_\_ Electrical, Mechanical, Plumbing: \_\_\_\_\_ Wood Stove: \_\_\_\_\_ Oil or LP Tank: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Located within Special Flood Hazard Zone: \_\_\_\_\_ Located within 100feet Wetland/Watercourse: \_\_\_\_\_

Area of Land Disturbance: - 0 - sq.ft. Estimated Value of Construction \$ - 0 -

**Putnam County Licensed # for Home Improvement, Plumbing, HVAC, LP Gas and Electrical Contractor only (PCL#)**

Design Professional: James M. Copeland AIA Phone 845 424 4810

General Contractor: NA Phone \_\_\_\_\_ PCL# \_\_\_\_\_

Subcontractor: NA Phone \_\_\_\_\_ PCL# \_\_\_\_\_

Subcontractor: NA Phone \_\_\_\_\_ PCL# \_\_\_\_\_

I hereby make application for a permit and all information entered above is true and accurate. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of this application for a permit. I understand that as the permit holder, I shall immediately notify the Code Enforcement Official of any change occurring during the course of the work and further understand that if the Code Enforcement Official determines that such change warrants a new or amended permit, such change shall not be made until and unless a new or amended permit reflecting such change is issued.

[Signature] Owner/Authorized Agent Signature Date 4/12/13

Make Checks Payable To: **Town of Philipstown (Office Use)**  
 Chargeable footage: \_\_\_\_\_ sqft. FEES \_\_\_\_\_ Received Date \_\_\_\_\_ 2011

When the application for permit has been examined and the proposed work is deemed in compliance with the applicable requirements of the Uniform Code, Energy Code and the Code of Town Philipstown, the Code Enforcement Official shall endorse this application by signature and date which herby authorizes the issuance of said permit when payment of FEES are received and duly recorded.

[Signature] Code Enforcement Officer Signature Date 4/15/13 BUILDING PERMIT NUMBER: \_\_\_\_\_

## **HAZARD COMMUNICATION WRITTEN PROGRAM**

### **29 CFR 1910.1200, Hazard Communication Standard, Appendix C**

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#### **I. GENERAL**

The purpose of this instruction is to ensure that the Town of Philipstown is in compliance with the OSHA Hazard Communication Standard (HCS 29 CFR 1910.1200).

The Safety Coordinator is the overall coordinator of the facility program acting as the representative of Supervisor Richard Shea.

In general, each employee in the facility will be apprised of the substance of the HCS, the hazardous properties of chemicals they work with, and measures to take to protect themselves from these chemicals.

#### **II. LIST OF HAZARDOUS CHEMICALS**

The Safety Coordinator will maintain a list of all hazardous chemicals used in the facility, and update the list as necessary. The hazardous chemical list will be updated upon receipt of hazardous chemicals at the facility. The list of hazardous chemical is located at the Philipstown Highway Department and the Town Hall.

#### **III. MATERIAL SAFETY DATA SHEETS (MSDS"s)**

The Safety Coordinator will maintain a Material Safety Data Sheet library on every substance on the list of hazardous chemical in the Office of the Highway Superintendent. The MSDS will consist of a fully completed OSHA Form 174 or equivalent. The Safety Coordinator will ensure that each shop maintains an MSDS for hazardous materials used in that area. MSDS"s will be readily available to all employees.

The Safety Coordinator is responsible for acquiring and updating MSDS"s. The Safety Coordinator will review each MSDS for accuracy and completeness and will consult with the Safety Coordinator if additional research is necessary. All new procurements for the facility must be cleared by the Safety Coordinator. Whenever possible, the least hazardous substance will be procured.

MSDS's that meet the requirements of the HCS must be fully completed and received at the facility either prior to, or at the time of receipt of the first shipment of any potentially hazardous chemical purchased from a vendor. It may be

necessary to discontinue procurement from vendors failing to provide approved MSDS's in a timely manner.

#### **IV. LABELS AND OTHER FORMS OF WARNING**

The Safety Coordinator is designated to ensure that all hazardous chemicals in the facility are properly labeled. Labels should list at least the chemical identity, appropriate hazard warnings, and the name and address of the manufacturer, Imported or other responsible party. The Safety Coordinator will refer tot the corresponding MSDS to verify label information. Immediate use containers, small containers into which materials are drained for use on that shift by the employee drawing the material, do not require labeling. To meet the labeling requirements of HCS for other in-house containers, refer to the label supplied by the manufacturer. All labels for in-house containers will be approved by the Safety Coordinator prior to their use.

The Safety Coordinator will check on a monthly basis to ensure that all containers in the facility are labeled and that the labels are up to date.

#### **V. TRAINING**

Each employee who works with or is potentially exposed to hazardous chemicals will receive initial training on the HCS and the safe use of those hazardous chemicals. Additional training will be provided for employees whenever a new hazard is introduced into their work areas. Hazardous Chemical training is conducted by the Safety Coordinator.

The training will emphasize theses elements:

- A summary of the standard and this written program;
- Hazardous chemical properties including visual appearance and odor and methods that can be used to detect the presence or release of hazardous chemicals;
- Physical and health hazards associated with potential exposure to workplace chemicals;
- Procedures to protect against hazards, e.g., personal protective equipment, work practices, and emergency procedures;
- Hazardous chemical spill and leak procedures; and;
- Where MSDS's are located, how to understand their content, and how employees may obtain and use appropriate information.

The Safety Coordinator will monitor and maintain records of employee training and advise the facility manager on training needs.

#### **VI. CONTRACTOR EMPLOYERS**

The Safety Coordinator, upon notification from the Supervisor, will advise outside contractors of any chemical hazards which may be encountered in the normal course of their work on the premises.

## **VII. NON-ROUTINE TASKS**

Supervisors contemplating a non-routine task, e.g., boiler repair, will consult with the Safety Coordinator and will ensure that employees are informed of chemical hazards associated with the performance of these tasks and appropriate protective measures. This will be accomplished by a meeting of supervisors and the Safety Coordinator with affected employees before such work has begun.

## **VIII. ADDITIONAL INFORMATION**

Further information on this written program, the hazard communication standard, and applicable Material Safety Data Sheets is available at the Highway Department, Fishkill Road, Cold Spring, New York or by calling 845-265-3530.

TOWN OF PHILIPSTOWN TOWN HALL  
HAZARDOUS MATERIAL LISTS

CLOROX CLEAN-UP

HP LASER JET PRINTER CARTRIDGE CE505A

HP LASER JET PRINTER CARTRIDGE C4096A

KONICA MINOLTA TONER TN511

OCE IMAGISTICS TONER IM2020

WITE-OUT

**TOWN OF PHILIPSTOWN HIGH AY DEPT.  
HAZARDOUS MATERIAL LISTS  
JANUARY 1, 2013**

**A**

ACETYLENE

ANTIFREEZE

AEROSOL BRAKE PARTS CLEANER

AEROSOL ICE MELT COMPOUND – ZEP ICE MELT

AEROSOL LUBRICANT

ANTI-SEIZE COMPOUND ( FOSTER CO)

ANTI-SEIZE COMPOUND (AMREP INC)

ANTI-SPLATTER

ASPHALT CONCRETE

AUTOMATIC TRANSMISSION FLUID

**B**

BLACKTOP – COLD PATCH

BLACKTOP – HOT MIX

BEE SPRAY- AEROSOL

**C**

CARBURETOR CLEANER

CABLEFREE

CALCIUM CHLORIDE (LIQUID)

CALCIUM CHLORIDE (DRY)

CITRUS HAND CLEANER

CITRUS SPRAY CLEANER

COATED CULVERT PIPE

CONCRETE MIXED UNHARDENED

CORRO AEROSOL CLEANER

CUTTING OIL

D

DIESEL FUEL

DYNA 143°

E

ENVIROBRINE – DUST CONTROL TANK

F

FIRE EXTINGUISHERS

G

GASOLINE

GLASS CLEAR

GLASS & HARD SURFACE CLEANER

GRINDING WHEEL

H

HEATING FUEL

HYDRAULIC OIL SERIES III 10W

HYDRAULIC OIL JOHN DEERE

## I

ICE MELT – ZEP

## J

## K

KERKAY GLASS AEROSOL CLEANER

KEROSENE

## L

LIQUID ELECTRIC TAPE

LEAD SOLDER

LUBRICANTS

## M

MANUFACTURED SAND

MIXED GASES - ARGOMIX

MOTOR OIL 10W – 40W

MOTOR OIL SERIES III 30 W

MOTOR OIL NON-DETERGENT 30W

## N

## O

OGL - OPEN GEAR LUB

OXYGEN, COMPRESSED GAS

## P

PARTS CLEANER SOLVENT – DYNA 143

PENETRATING GREASE

PENETRANT SPRAY

PROPANE

Q

QUICK STICK TRIM ADHESIVE

R

RED GREASE

RTV BLUE SILICONE

RUST PENETRANT

S

SALT AWAY

SAFETY-KLEEN 105 SOLVENT

SEAL TITE DIELEC SILICONE LUBRICANT

SHOWCASE 40410000 – BLACKTOP REMOVER

SNIPER – AEROSOL WASP AND HORNET SPRAY

SPRAY BRAKE CLEANER 619

STARTING FLUID

STEAM CLEANING COMPOUND

STONE

SUPER SET SOLDER

T

U

V

W

WASP AND HORNET KILLER SPRAY

X Y Z



# Town of Philipstown

Code Enforcement Office  
238 Main Street, PO Box 155  
Cold Spring, NY 10516

Office (845) 265- 5202 Fax (845) 265-2687

## MONTHLY REPORT for May 2013

1. Fees Collected	<u>\$ 12,646-</u>
2. Total Number of Permits Issued	<u>22</u>
3. New One- or Two-family dwellings:	<u>1 Application fee</u>
4. New Commercial/Industrial buildings:	<u>-</u>
5. New Hazardous (H) occupancies:	<u>-</u>
6. New Multi family occupancies:	<u>-</u>
7. Additions, alterations or repairs residential buildings	<u>4</u>
8. Additions, alterations or repairs commercial buildings:	<u>-</u>
9. All other permits (pools, sheds, decks, plumbing, HVAC, etc.)	<u>18</u>
10. Number of Certificates of Occupancy :	<u>17</u>
11. Number of Stop Work Orders issued:	<u>0</u>
12. Operating permits issued	<u>0</u>
13. Operating permits issued hazardous materials	<u>0</u>
14. Operating permits Hazardous processes and activities	<u>0</u>
15. Permits issued for the Use of pyrotechnic devices:	<u>0</u>
16. Inspection of public assembly :	<u>0</u>
17. Inspection of commercial occupancies	<u>0</u>
18. Inspection of buildings with 3 or more dwelling units:	<u>0</u>

Projects of Significance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_