

Meeting	Hudson River Drinking Water Intermunicipal Council
Date	Thursday, October 20, 2022 Quorum: 5:33 pm Adjourn: 6:38 pm
Location	Hybrid
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Supervisor Jay Baisley, Town of Poughkeepsie
Secretary	Shannon Harris, Town of Esopus
In Attendance	<ul style="list-style-type: none"> ● Gary Bassett, Mayor (VoR) ● Randy Alstadt (CoP) ● Bill Carlos (ToP) ● Nick Butler (ToE) ● Paul Malmrose, Technical Advisor (Engineering) ● Brad Barclay, Dutchess County Planning ● Devin Rigolino, Dutchess County Planning ● Rebecca Martin, Riverkeeper (Coordinator) ● Dan Shapley, Riverkeeper ● Michael Forgang, Department of Health ● Grant Jiang, Department of Health

Regular Business

1. Call To Order: 5:33pm
2. Roll Call & Quorum Determination.
 - a. **Voting members: Gary Bassett (VoR), Nick Butler (ToE), Randy Alstadt (CoP), Bill Carlos (ToP). Quorum (4 in-person)**
3. Approval of minutes and adjournment
 - a. **Motion to approve 9/15/22 minutes. Bill Carlos second. Motion carried**
4. Communications listed in the agenda
 - a. Diane Dintruff: FYI, the monthly Wallkill River Watershed Alliance meets via zoom on 9/29/22 at 7pm. The Wallkill feeds into the Rondout Creek and out to the Hudson River.
 - b. Diane Dintruff: “1) How are saltwater battery storage units expected to evolve? Will saltwater batteries become a safer, less disruptive, and less expensive power alternative especially for coastal urban areas than power grids? How does producing and moving power storage

units compare to moving power both locally and globally? 2) Will the US win the race to effectively utilize the 97% of the earth's water that is salt and begin to regain Climate Change leadership on the world stage?"

i. **GB:** Does anyone have any information on salt water batteries?

BB: I do not. **GB:** Can we respond to Diane that her questions are interesting and intriguing, but we do not have any information to reply?

c. Ulster County Legislature letter to PSC, DEC, US Nuclear Regulatory Commission: Concerns regarding decommissioning of Indian Point Nuclear Power Plant: "We share the serious concerns raised by residents and environmental groups regarding the decommissioning of Indian Point Nuclear Power Plant by Holtec International including their request to dump irradiated water containing radionuclide tritium and other contaminants into the Hudson River. We urge the Nuclear Regulatory Authority (NRC), the Decommissioning Oversight Board and the New York State Department of Conservation (NYSDEC) to ensure this blatant contamination of the Hudson River is prevented and all appropriate environmental safeguards are in place and strictly enforced."

i. **GB:** We've gone on record about Indian Point's decommissioning. Perhaps we should go on record again? **DS:** Clarify that the letter states "environmental groups". Riverkeeper is part of that decommissioning process, and release of irritated water we would not want in a perfect world. Quick overview, it's less than what was released when the plant was in operation. Tritium cannot be treated by any technology that we are aware of. Don't think there is any risk to the Hudson 7 intakes because of the distance it would have to travel North with the tide. Riverkeeper is not asking you to do this, and we weren't consulted by UCL. It is an issue that's been raised and discussed, but to calibrate the Hudson 7's expectations. I don't believe there are any risks to drinking water. **BB:** There was an initial issue where the plant was sold to Holtec to do the decommissioning. Concern that Holtec was not as large and strong a company. As I understand it, there is already Tritium that has leaked into the groundwater. It can't be totally eliminated but it's worth trying to minimize. **GB:** Has the

Dutchess County legislature created a similar letter? **BB:** They have not. **GB:** I don't think we need to respond, then. Does everyone agree with that? **Hudson 7:** Yes.

5. County representative update

a. Dutchess.

- i. Brad Barclay and Devin Rigolino shared Linda Fakhoury's (Dutchess County counsel) LOI letter to spend \$19,999.00. Linda included questions for the Hudson 7 to answer. **Don't send out until the legislature approves this. Think about who you'd like to use for an attorney.** **RM:** November is the last Hudson 7 meeting of the year. **GB:** Let's put it on the agenda in November. **BB:** In the future, you'll be following up with Devin and Linda. This is the last meeting that I'm attending, as the last day is October 21st.

b. Ulster

- i. Not present.

6. Public Comment.

a. None.

Reports and Actions on Old Business

1. Hudson 7 Priorities

a. Hudson 7 coordinator position

i. Update on MOA

1. **GB:** All seven municipalities MOA's are in. The county's vote is soon (Ulster, 11/17 and Dutchess, 11/3). **BB:** The funding is already in the 2022 operating budget. **GB:** We need to finish this prior to the end of the budget cycle. **BB:** At least invoice the money. We are talking about \$19,999, money in excess of the three year commitment. We'll move quickly on the legal funds. **RM:** Will Dutchess County send out the RFP? **BB:** The letter of interest should come from Hudson 7, but recommend the Hudson 7 think about who they want to send to. We want this done fairly quickly. **RM:** What is this document known as? **BB:** Letter of Interest (LOI). **GB:** The Hudson 7 including the county would be the one voting on who we would use. **BB:** The County would administer the money to the lawyer the Hudson 7

chooses. We won't have a vote until after signing the MOA. **BC:** How are we getting it out? **GB:** We need to send it out to attorney's who can do it for us. **PM:** Hudson 7 wasn't able to hire Tighe and Bond because you couldn't do a contract with us. With a full scale operation, would you be able to compensate an engineer? **GB:** We need to be a 501c3 first, which includes a treasurer. We have only asked the counties to help the Hudson 7 to pay for a coordinator. **BB:** Hiring the legal counsel will help to set up what the Hudson 7 would need to have contracts and accept funds. Have an attorney help to create that framework. **GB:** Short timeline. We're coming down to the last month. Let's think about attorney's. **BB:** Linda might have time next week if you want to get quick amendments back to her.

ii. NYS Drinking Water Source Protection Program

1. **GJ:** We made progress on the preliminary contaminant map, and will show it during the DWPS2 upcoming meeting which they have yet to set up. Discuss how to engage the other municipal representatives and best way to share what we've been working on and collect input. We can help to find funding opportunities for an engineering study. **GB:** Do you have to go through a review process at the DOH to release the maps? **GJ:** Because the Hudson 7 is so important to the state, we want to make sure we have everything in order before we proceed on the mapping effort. Some admin checks we need to do. **There isn't a timeline right now, but I hope to have an answer by mid-next week.** Is Devin taking over Brad's role? **BB:** Yes, Devin is.

2. Hudson River Drinking Water Source Issues

a. Champlain Hudson Power Express

- i. **GB:** Jen White sent an update that the results will be a longer process. Some tests take longer than others. **RA:** There is so much we are trying to get testing for, I'm not surprised. They did testing around the area where they jet plowed to get baseline background, and then during the plow and they are finding hits. There are going to be some contaminants found.

The information I got from Sean was limited. He asked Dottie asking “If we find Flurine at a value at .2 micrograms per liter is that a problem?” I told her not to answer that. When we get the data, we’ll review to see if there is an impact. **GB:** I’ve explained to everyone. What we want is the raw data so that we can give it to Randy and Dottie so that you can look at the raw data. We’re going to share the data with all municipalities. Paul asked if we should send it to other labs. **RA:** I wouldn’t do that. It’s a qualified lab hired by Normandeau, not TDI. They are knowledgeable and professional. They are not interested in messing with the data. **NB:** (*unintelligible*) **GB:** The question was TDI hired Normandeau. People are questioning me, how much we trust. **RA:** It’s a professional company, we worked with them on the barge. I feel comfortable the data will be the best they can get us. That we are already getting information from Sean, they are being up front. If we didn’t believe something, we could go directly to Normandeau. **BC:** They sampled where they jet plowed? **RA:** We need to coordinate where the sample was taken and where the plow was at the same time. **GB:** Waiting to correlate time of sample. **NB:** It was three different depths as well. **RA:** They did so much, we need them to put that together so that we can review it and come up with our questions. If it’s 1.5 x background data, then it’s a bad thing. The background data is none. We’ve got to work through it. **RM:** They had said the report would be ready in a couple of weeks, and we’re saying we’re not surprised it is taking longer. Why? **RA:** The chemicals we are testing take special equipment. The coordination of the samples and location need to get done. **BB:** Randy, I wanted to ask, do you know between the different treatment plants, are there different tolerances? **RA:** Poughkeepsie is more sophisticated, the others are conventional. We don’t want any of this stuff. We may need to get the health department involved. We’re not going to let this go through the plant. This could be the thing that kicks the ball. If they are showing that they are going to kick stuff in our plants that we can’t handle, and we shouldn’t have to handle it, it might be the thing that kills it. **GB:** We don’t say that until we do the analysis. **PM:** No questions at this time. I agree with

Randy, we have to know when and where the sample was taken. They weren't able to get samples at the end, because they had to get them to the lab. The Hudson 7 river was running very turbid, as you remember we had that rain storm. It will be hard to tell the difference. **DS:** One thing to flag, the construction will occur before the lab results would be in. **GB:** We have a meeting on Monday for the subcommittee who is reviewing the data and to hear directly from them. I agree with Randy that they are not hiding anything. **BB:** The subcommittee is great, I would ask if Devin wanted to be on that committee, could he be added? **GB:** I wouldn't mind. **RM:** We ought to extend that invitation to Europa then as well.

b. Salt front update

- i. **PM:** We've had three meetings so far with good attendance. The meeting on the 28th, Randy presented data to show that the salt front had reached the P WTF in August. Thank goodness we got that big rain storm, as it dropped quickly after that. We presented a scope of work to the DEC. First, a hydraulic model to see where the salt front will be based on climate; the second, how the salt will impact habitat; and third, we recommended an engineering study to determine if we get salt in the area, what do we do? One of the big points is that if we had to go to Reverse Osmosis (RO), that's spending \$70m. Do you want to create another reservoir? Purchase water from NYC? It all has to be sorted out. Jim Tierney (DEC) was helpful. The first two stages are important and part of what the DEC should be doing. Ken Kosinski will take over to look at developing a scope with USGS. For them to fund an engineering study is too far ahead for them to do that. He sent the request over to Christine Wheeler at DOH, Bureau of Water Supply Protection. DOH cannot fund studies. We have to look at how we can fund this. We won't have the modeling results for two years, we have time to look for funding. **BC:** How much funding? **PM:** \$150k, we estimate it to be. For all three phases, about \$450k (\$250k for hydraulic model, \$150k for Tighe & Bond and remainder for habitat). They are ball park numbers. Estimate for Joint hearing in February. **NB:** Did you say DOH can't fund? **PM:** DOH, and DEC doesn't feel like it's in their realm of . **GB:**

DEC can't fund it because it's not a construction project and DOH can't because it's not a water quality issue in the plants. Muddy middle. **GJ:** DOH does administer some funding, mostly to infrastructure improvement projects. Part of the DWS funding, if an engineering study is done and determines capital improvements are needed, DWSRF funding can be applied (such as a plant upgrade). Eligible projects include exploration and infrastructure that deals with water quality. The tricky thing is getting the engineering study funded. We'll keep looking for those. **PM:** Jim Tierney thinks there will be unique solutions for each plant, and I don't agree with that. There will need to be a collaboration. There are a lot of things that have to be thought about, and it's going to have to be a joint solution. **GB:** Another meeting? **PM:** the next meeting will be held by the DEC. They are planning to have a meeting in six weeks to review the scope they developed with USGS. They'll include us. **BC:** Make sure to let me know. **BB:** There is climate change money, the state's got climate change programs. I don't think it is that big of a task to bring this forward to the state to identify a funding source. **PM:** That's where I started. They hadn't planned on that, only sea level rise and how to fortify the infrastructure. The regulatory agencies totally missed this issue.

c. Esopus Creek Committee updates

- i. **PM:** The DEC/DEP has proposed a new IRP. The one in existence now is from 2013. They are changing the operational releases if the water reaches a certain turbidity, or flushing the Esopus. All that would be gone. They are saying now that Ulster County should make those decisions, not DEP. UC is not qualified, has the teams or the expertise that DEC/DEP has. Pawning off the liability to Ulster County and not blaming the DEP. DEC asked for comments by 11/2. Thanks to Riverkeeper, we had an organizational meeting. We are asking them for an extension and separate meeting that would just deal with this with senior people leading that presentation. NYC is doing some crazy stuff. **RM:** All of the organizations who are engaged in the ARWG have signed on to this letter request.

d. Other

- i. Website business.

1. **RM:** Hudson 7 website for another two years. On 11/2, you will have to renew. The c/t of Pok \$129.75 for two years to keep the website going. Decided back on 11/2020 that the v/t of Rhinebeck for the next two years, and the Hudson 7 would rotate the responsibilities because you don't have an entity to pay. The total this year is \$129.75 for 2023/2024. **BB:** This is the kind of thing that goes away with the new set-up. **GB:** Will reach out to Elizbeth to get her input and speak with him Bill. **BC:** I'll write a check!

Adjournment: 6:38pm Bassett/Carlos