

Opposing The Discharge Of Contaminated Water From Indian Point Into The Hudson River And Supporting New York State Senate Bill S5181 and Assembly Bill A5338 Amending The Environmental Conservation Law To Prohibit The Discharge Of Any Radiological Agent Into New York State Waters

Referred to: The Energy, Environment and Sustainability Committee (Chairwoman Greene and Legislators Hansut, Levine, Maloney, and Stewart)

Legislators Phil Erner and Kevin Roberts offer the following:

WHEREAS, the company decommissioning the Indian Point nuclear power plant has announced its intention to release water from onsite radioactive fuel waste pools into the Hudson River; and

WHEREAS, to date there has been no specific reporting of the radionuclide contents of this water which is heavily contaminated from the storage of the nuclear fuel waste; and

WHEREAS, pre-release filtration to remove these isotopes has been presented as a solution to reduce the content of these carcinogenic contaminants to a level “as low as reasonably achievable”; and

WHEREAS, the National Academy of Science has indicated that there is no verifiable safe level of these isotopes when they are ingested or inhaled and such pre-release treatment would not remove tritium, also carcinogenic, from the water; and

WHEREAS, any contaminants in the Hudson present the risk of entering the food chain; and

WHEREAS, there are community members who depend on fish from the river as a food source, and in addition there are seven communities upriver who source their drinking water from the Hudson; and

WHEREAS, since the river is an estuary that flows from south to north as well as from north to south this fact must be considered; and

WHEREAS, the river also serves as a source of recreational activities and represents an economic resource that will be endangered by this reckless action; and

WHEREAS, New York State Senator Harckham and Assemblymember Levenberg have introduced S5181 and A5338, respectively, to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the waters of the State and meeting violations with fines of \$25,000 per day, \$50,000 per day for a second violation, and \$150,000 per day per violation thereafter; and

Resolution No. 201 April 18, 2023

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WHEREAS, while we strongly support the concept, we feel that the fines are too low and would likely be treated as “the cost of doing business”; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby strongly opposes the plan to release over a million gallons of contaminated water from the Indian Point Nuclear Power Plant site into the Hudson River; and, be it further

RESOLVED, that the Ulster County Legislature hereby urges the New York Legislature to pass and the Governor to sign Senate Bill S5181 and Assembly Bill A5883 - an act to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the waters of the State; and, be it further

RESOLVED, that when finalizing such legislation, fines for violations should be substantially increased to a level with the weight and force to act as a significant deterrent; and, be it further

RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to New York Governor Hochul, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, and all Ulster County elected Assemblymembers and Senators,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(1 Abstention: Legislator Greene)
(Absent: Legislator Fabiano)

Passed Committee: Energy, Environment and Sustainability on April 6, 2023

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 18th Day of April in the year Two Thousand Twenty-Three, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21st Day of April in the year Two Thousand Twenty-Three.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature