S T A T E O F N E W Y O R K

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I N A S S E M B L Y

January 20, 2012

Introduced by M. of A. JAFFEE, N. RIVERA, P. RIVERA, COLTON, MONTESANO, BOYLAND, ENGLEBRIGHT, KAVANAGH, ROBERTS, HOOPER, ABINANTI -- Multi-Sponsored by -- M. of A. BRENNAN, COOK, GLICK, GOODELL, LIFTON, LINARES, ORTIZ, PAULIN, REILLY, ROBINSON -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to mandating a study of energy-efficient and sustainable forms of power to replace power generated by Indian Point units 2 and 3

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent and findings. The legislature hereby acknowledges the uncertainty of future operations of the Indian Point Energy Center in Buchanan, Westchester County, pending unresolved issues, including New York state's issuance of a state pollutant discharge elimination system permit pursuant to article 17 of the environmental conservation law and a water quality certificate pursuant to section four hundred one of the federal Clean Water Act and a reactor license renewal by the federal Nuclear Regulatory Commission. Due to the uncertainty over the continued operation of Indian Point Energy Center's reactors (IPEC 2 and IPEC 3) beyond 2013 and 2015 respectively, the legislature declares the need for a comprehensive plan in the event the facility is retired. The legislature further declares that the state energy planning board, ("the board") established pursuant to article 6 of the energy law should be responsible for such study.

S 2. 1. In addition to the study required under subdivision 1 of section 6-108 of the energy law, the board shall undertake a separate study to evaluate the potential impact of the closure and discontinuation of operations by IPEC 2 and IPEC 3. Such study shall include, at a minimum, an assessment of each of the following: (a) an examination of strategies to replace energy otherwise produced by Indian Point Energy

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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Center. The assessment shall examine: (i) additional installed electric generating capacity; (ii) distributed electric generation, especially generation using renewable or innovative energy resources; (iii) intrastate electric transmission system upgrades; (iv) demand response, energy conservation and efficiency; and (v) energy storage technologies energy efficiency measures.

(b) the potential economic impacts, including but limited to state and local tax revenues and employment directly and indirectly associated with the facility. The assessment shall examine: (i) the municipalities where the facility is located; (ii) the downstate region, as defined in subdivision 2 of section 6-102 of the energy law; and (iii) New York state.

(c) a plan for workforce redeployment.

(d) the potential environmental impacts. The assessment shall include: (i) a site remediation plan; (ii) a plan for the removal, transportation and disposal of nuclear waste stored at the site; and (iii) the implementation costs associated with the site remediation and nuclear waste removal, transportation and disposal plans.

2. The board and any contractors it may retain for such purposes shall consult with entities that have resources and expertise to assist in such study, including, but not limited to, the BSO, federal agencies, departments and commissions, public utilities, municipalities in the region the facility is located and any other electric company or trade organizations.

S 3. The board shall issue the report required in section two of this act no later than March 31, 2013. Copies of such report shall be provided 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.

S 4. This act shall take effect immediately.