

1038--B

Cal. No. 594

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. JAFFEE, COLTON, ENGLEBRIGHT, KAVANAGH, ROBERTS, HOOPER, ABINANTI, ROSENTHAL, MILLMAN, OTIS, GOTTFRIED -- Multi-Sponsored by -- M. of A. BRENNAN, BUCHWALD, COOK, GLICK, LIFTON, McDONOUGH, MONTESANO, ORTIZ, PAULIN, RIVERA, ROBINSON -- read once and referred to the Committee on Energy -- ordered to a third reading -- committed 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 -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

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

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

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1 S 2. 1. In addition to the study required under subdivision 1 of  
2 section 6-108 of the energy law, the board shall undertake a separate  
3 study to evaluate the potential impact of the closure and discontinua-  
4 tion of operations by IPEC 2 and IPEC 3. Such study shall include, at a  
5 minimum, an assessment of each of the following: (a) an examination of  
6 strategies to replace energy otherwise produced by Indian Point Energy  
7 Center. The assessment shall examine: (i) additional installed electric  
8 generating capacity; (ii) distributed electric generation, especially  
9 generation using renewable or innovative energy resources; (iii) intra-  
10 state electric transmission system upgrades; (iv) demand response, ener-  
11 gy conservation and efficiency; and (v) energy storage technologies  
12 energy efficiency measures.

13 (b) the potential economic impacts, including but not limited to state  
14 and local tax revenues and employment directly and indirectly associated  
15 with the facility. The assessment shall examine: (i) the municipalities  
16 where the facility is located; (ii) the downstate region, as defined in  
17 subdivision 2 of section 6-102 of the energy law; and (iii) New York  
18 state.

19 (c) a plan for workforce redeployment.

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

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

31 S 3. The board shall issue the report required in section two of this  
32 act no later than March thirty-first next succeeding the date on which  
33 this act shall have become a law. Copies of such report shall be  
34 provided to the governor, the temporary president of the senate, the  
35 speaker of the assembly, the chair of the senate committee on energy and  
36 telecommunications and the chair of the assembly committee on energy.

37 S 4. This act shall take effect immediately.