



TOWN OF NORTH SALEM

Delancey Hall
266 Titicus Road
North Salem, N.Y. 10560

Office of the Town Clerk
Maria C. Hlushko

**RESOLUTION #172-23
TO OPPOSE THE DISCHARGE OF RADIOACTIVE WATER FROM INDIAN POINT
INTO THE HUDSON RIVER**

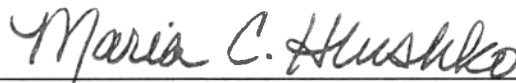
Motion made by Supervisor Lucas
Seconded by Councilman Kamenstein

RESOLVED, that the Town Board of the Town of North Salem hereby supports the attached resolution opposing the discharge of radioactive water form Indian Point into the Hudson River.

*** see attached ***

Supervisor Lucas - Aye
Councilman Aronchick – Aye
Councilwoman Daniels – Aye
Councilman Golisano – Absent
Councilman Kamenstein – Aye
Resolution Adopted.

I, Maria C. Hlushko, Town Clerk of the Town of North Salem, County of Westchester, State of New York, do certify that the above is a true and exact copy of a Resolution adopted by the Town Board of said Town at a meeting held on May 9, 2023.



Maria C. Hlushko, Town Clerk

RESOLUTION OPPOSING THE DISCHARGE OF RADIOACTIVE WATER FROM INDIAN POINT INTO THE HUDSON RIVER AND URGING THE NYS LEGISLATURE TO SUPPORT S.5181/A.5338 AMENDING THE ENVIRONMENTAL CONSERVATION LAW IN RELATION TO THE DISCHARGE OF ANY RADIOLOGICAL AGENT INTO THE WATERS OF THE STATE

WHEREAS, the company decommissioning the Indian Point nuclear power plant has announced its intention to release up to a million gallons of radioactive waste 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, Article 1 Section 19 of the New York Constitution states “Each person shall have a right to clean air and water, and a healthful environment,” and

WHEREAS, all New York government officials are constitutionally obligated to protect the constitutionally recognized environmental rights of all New Yorkers; and

WHEREAS, the discharge of radioactive wastewater into the Hudson River -- a waterway that supports drinking water, food and recreation for our region -- is inconsistent with the constitutional rights of the people to clean water and a healthful environment; and

WHEREAS, New York State Senator Pete Harckham and New York Assembly Member Dana Levenberg have introduced legislation, New York Senate bill S.5181/A.5338, 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

WHEREAS, while the North Salem Town Board strongly supports the concept, we feel that the fines are too low and would likely just be considered “the cost of doing business,” so the fines should be substantially increased; and

WHEREAS, while the North Salem Town Board believes it would be beneficial and in the public interest if the remedies in S.5181/A.5338 would be broadened to add the right to obtain an injunction by the NYS Attorney General, the NYS Department of Environmental Conservation and any municipality whose residents or environment is potentially affected,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of North Salem hereby strongly opposes the plan to release up to a million gallons of radioactive contaminated water over time from the Indian Point Nuclear Power Plant site into the Hudson River; and

BE IT FURTHER RESOLVED, that the Town of North Salem, in order to fulfill our obligation to protect the constitutional environmental rights of our residents, hereby urges the New York State Senate to pass S.5181 and the New York State Assembly to pass A.5338 - acts to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the waters of the State, and urges the governor to sign such legislation; and

BE IT FURTHER RESOLVED, that when drafting and finalizing such legislation, the fines should be substantially increased so that they can have an actual deterrent effect instead of simply being considered “the cost of doing business;” and that NYS Attorney General, the NYS Department of Environmental Conservation and any municipality whose residents or environment is potentially affected have the right to obtain an injunction; and

BE IT FURTHER RESOLVED, the Town of North Salem hereby requests that all relevant offices and agencies, including the Office of the Governor, the New York State Department of State, the New York State Public Service Commission, the New York State Department of Environmental Conservation, the Indian Point Decommissioning Oversight Board, and any others involved in decommissioning Indian Point take meaningful and enforceable action to fulfill their constitutional duty pursuant to Article 1 Section 19 of the New York Constitution to protect the environmental rights of all New Yorkers, actually do something about protecting the public safety and the environment instead of just issuing press releases; and

BE IT FURTHER RESOLVED, that the Town Clerk be authorized and directed to send a certified copy of this resolution to the Hon. Kathy Hochul, Governor of the State of New York; U.S. Senator Kirsten Gillibrand, U.S. Senator Chuck Schumer, EPA Region 2 Director Lisa F.

Garcia, NYS Senator Pete Harckham, NYS Assembly Member Dana Levenberg; NYS Assembly Member Chris Burdick, NYS Majority Leader Andrea Stewart-Cousins, NYS Speaker Carl Heastie, NYS Public Service Commission Chair/CEO Rory Christian, NYS Department of Environmental Conservation Commissioner Basil Seggos, NYS Department of Environmental Conservation Region 3 Director Kelly Turturro, NYS Department of Health Acting Commissioner Dr. James V. McDonald, NYS DOH Center for Environmental Health Dr. Gary Ginsberg, Director, NYS Indian Point Decommissioning Oversight Board Chairman Tom Congdon, U.S. Nuclear Regulatory Commission Chairman Christopher T. Hanson, and to such other persons as the Clerk in their discretion may deem proper in order to effectuate the purpose of this resolution.