



## Legislation Details (With Text)

**File #:** Res 1286-2000      **Version:** \*      **Name:** Con Ed Radiation Leak, Prohibit ratepayers recovery  
**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Finance

**On agenda:** 4/12/2000

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling upon the State to act immediately to prohibit Con Edison from recovering from its ratepayers costs related to the February 15, 2000 radiation leak at its Indian Point 2 Nuclear Facility.

**Sponsors:**

**Indexes:**

**Attachments:** 1. Committee Report

Date	Ver.	Action By	Action	Result
4/12/2000	*	Committee on Finance	Hearing on P-C Item by Comm	
4/12/2000	*	Committee on Finance	P-C Item Approved by Comm	Pass
4/12/2000	*	City Council	Introduced by Council	
4/12/2000	*	City Council	Referred to Comm by Council	
4/12/2000	*	City Council	Approved, by Council	Pass

Res. No. 1286

..Title

Resolution calling upon the State to act immediately to prohibit Con Edison from recovering from its ratepayers costs related to the February 15, 2000 radiation leak at its Indian Point 2 Nuclear Facility.

By the Speaker (Council Member Vallone) and Council Members Berman, Malave-Dilan, Freed, Nelson, Stabile, DiBrienza, Fisher, Foster, Harrison, Koslowitz, Leffler, Michels, Pinkett, Quinn and Robinson.

Whereas, On February 15, 2000 a leak occurred in a tube in a steam generator used in Con Edison's Indian Point 2 Nuclear Facility which reportedly resulted in a release of radioactive water into the generator as well as the environment surrounding the plant in Buchanan, New York; and

Whereas, According to news reports in the aftermath of the leak and subsequent shut-down of the plant, the tube which cracked was in one of the four steam generators used in the plant which Con Edison had continued to use in spite of concerns over, and litigation surrounding, the quality of the generators; and

Whereas, Con Edison alleged in a lawsuit against the manufacturer of the generators in the early 1980s that the generators and their tubes were prone to cracking and corrosion, and in the wake of the controversy obtained four new generators in the late 1980s which the utility company never used to replace the ones which were the subject of its concerns and litigation; and

Whereas, According to news reports and testimony at a New York State Assembly Energy Committee Hearing, all other nuclear operators except for Con Edison that had been using the same type of generators as those at issue in the litigation had already replaced those generators; and

Whereas, According to news reports, Con Edison has announced its intention to begin passing onto its consumers - most of which are New York City residents -- the cost of replacing the power normally produced by the Indian Point 2 facility, estimated at an average of \$600,000 per day; and

Whereas, To allow this cost to be passed onto New York City ratepayers both saddles them with an unfair financial burden and allows a public utility to avoid responsibility for its decisions, and could even provide a disincentive for it to exercise greater caution in the future when making decisions as to the upgrading and replacement of components; and

Whereas, The State Assembly has already adopted legislation which would prevent Con Edison from recovering these costs from its ratepayers and the State Senate is currently considering similar legislation, S7094; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State to act immediately to prohibit Con Edison from recovering from its ratepayers costs related to the February 15, 2000 radiation leak at its Indian Point 2 Nuclear Facility.