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Arguments start on Indian Point license renewal

By Abby Luby



File Photo

Indian Point Nuclear Power Point

Groups opposed to renewing Indian Point Nuclear Power Plant's operating license will have a chance to argue their cases in public next week.

Starting Monday, a panel of three judges will ask state and local governments and environmental organizations about contentions that they filed last November against the re-licensing application made by Indian Point's owner, Entergy Nuclear.

The judges make up the Atomic Safety and Licensing Board Panel, an independent judicial arm of the Nuclear Regulatory Commission (NRC), the federal oversight agency for nuclear power plants.

The myriad contentions against renewing Entergy's operating license generally claim that the 40-year-old plant is no longer safe. Three years ago, leaks of radioactive tritium and strontium-90 from the spent nuclear fuel pools were found in the groundwater beneath Indian Point and in the Hudson River. Also, Entergy has missed two deadlines in the past year to fix the failing siren system that alerts people within 10 miles of the plant of emergencies.

"The aim here is to allow the judges to gain a better understanding of the issues that have already been submitted in the contentions," said Neil Sheehan, spokesperson for the NRC. "If there is new information it has to be filed under a separate motion."

Entergy seeks a 20-year extension of its current 40-year operating license set to expire in 2013 and 2015 for Unit 2 and 3 reactors. The new license will allow the Buchanan facility to stay on line until 2033 and 2035. The re-licensing process, which could take up to two years, was started in April 2007 when Entergy submitted its 2,500-page application to the NRC. The NRC has never denied a license renewal application by a utility company.

Margo Schepart of the Westchester Citizens Awareness Network, a grass roots organization seeking to shut down the plant, said that filing contentions was difficult, expensive and required legal consultation.

"The NRC tried to knock us out every step along the way and now we made it through their hoops," she said. "We look forward to meeting the panel of judges face to face." The NRC has consistently said that the re-licensing process looks only at how aging plants are

managed and whether operating components within the plant can keep the utility running safely. In 2007, Westchester County Executive Andy Spano petitioned the NRC to change the relicensing criteria to include emergency evacuation plans, proximity to dense population areas and vulnerability to terrorist attacks. The NRC denied the petition and Spano appealed it to the United States Court of Appeals where it is still pending.

Two bills currently in Congress propose that a mandatory Independent Safety Assessment review (ISA) of Indian Point be a condition for a new operating license. The ISA would be done by specialists not connected with the utility or the NRC. One bill is sponsored by New York Senator Hillary Clinton (D-N.Y.). The Congressional bill was introduced over a year ago by Rep. Maurice Hinchey (D-Middletown) and was co-sponsored by Reps. Eliot Engel (D-Bronx), Nita Lowey (D-Harrison), and Christopher Shays (R-Conn.) and John Hall (D-Dover Plains). The bill is still in the Committee on Environment and Public Works.

Several counties and municipalities that have already passed ISA resolutions supporting the pending congressional bill include Westchester and Rockland County, Croton, Ossining, Beacon, Putnam Valley, Ramapo and Cortlandt.

The NRC has claims that the plant already undergoes independent assessments by independent contractors not connected with the oversight agency.

Spearheading the opposition for New York State at the hearings will be Attorney General Andrew M. Cuomo, who will be joined by five other states attorneys general from Connecticut, Delaware, Illinois, Kentucky and Vermont. Scheduled to appear before the panel on Monday are Westchester County and the State of New York; Tuesday: The Town of Cortlandt, the State of Connecticut and Riverkeeper; Wednesday: Hudson River Sloop, Clearwater and Connecticut Residents Opposed to Relicensing of Indian Point (CRORIP); Thursday: Westchester Citizens' Awareness Network, Rockland County Conservation Association, Public Health and Sustainable Energy and the Sierra Club.

The judges for the Atomic Safety and Licensing Board Panel are Lawrence McDade, chairman; Dr. Kaye Lathrop and Dr. Richard Wardwell.

The sessions, open to the public for observation only, will be held at the Richard J. Daronco Courthouse, 111 Dr. Martin Luther King Blvd. in White Plains. They are scheduled to start at 9 a.m. most mornings and run to 5 p.m. The judges can continue the discussion into the next day, if needed.