

NORTH COUNTY NEWS

July 19, 2007

Cuomo, Spano team up against IP license renewal

BY ABBY LUBY

County Executive Andrew Spano has received support from state Attorney General Andrew Cuomo in Westchester's appeal of its federal lawsuit challenging the Nuclear Regulatory Commission's (NRC) denial of the county's petition to revise the re-licensing criteria for Indian Point.

Spano's petition, filed last year, asked that the NRC include population density and evacuation procedures, especially in the aftermath of 9/11. The county executive cited the changing population from a rural area in the 1970s when Indian Point first operated, to what is now a heavily populated metropolitan area of about 21 million people.

The petition was denied by the NRC and Spano countered by suing the federal agency. Last week Westchester found legal support from Cuomo and Connecticut Attorney General Richard Blumenthal, who also filed briefs to Spano's case now pending in the United States Court of Appeals, Second Circuit. By having additional briefs, it adds legal weight to the suit filed by Spano.

The New Jersey Environmental Federation and the New Jersey Chapter of the Sierra Club also have pledged to back the appeal.

"I am very grateful to Attorney General Cuomo who has put the tremendous efforts of his office to help us to protect the public," Spano said last week in a press statement. "Both of us feel that the process must be changed so that there is a level playing field between the public and the nuclear industry. So far, the NRC has never denied a renewal. They must reset their priorities when public safety is at stake."

Spano added that the NRC should also look at emergency evacuation plans in a fast-breaking scenario such as a terrorist attack.

Entergy Nuclear, owner of the 40-year-old Indian Point nuclear plants in Buchanan, has applied to renew the existing operating licenses for Reactor Unit 2 and Reactor Unit 3. The licenses run out in 2013 and 2015, respectively. If the license application is approved, the plants will continue to operate until 2033 and 2035.

Neil Sheehan of the NRC said the re-licensing process only looks at structural problems of aging nuclear power plants.

"We look at the way Entergy will manage key safety systems and structural components," Sheehan said, adding that other NRC departments already examine issues like evacuation and safety outside the plant.

The re-licensing process can take up to as much as two years and doesn't consider the location of the plant and local population density, security and susceptibility to a terrorist attack, acceptable emergency warning and evacuation plans, geographic and seismic issues.

Opponents applaud Cuomo

Lisa Rainwater, policy director of the environmental group Riverkeeper, said Cuomo's office has continued to show concern over the NRC's oversight process.

“There are issues at hand that the federal government is failing to address about Indian Point,” said Lisa Rainwater. “We have repeatedly called on the NRC to include emergency planning, population increases and risk in terrorist attacks in their relicensing criteria.”

Marilyn Elie, member of the Indian Point Safe Energy Coalition, a grassroots group trying to shutter the plant, said she was glad the county has the support of the state. “It’s really great that the state attorney general is getting involved in this issue because, in this instance, the county has no power.”