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Entergy off the hook for siren fines

By Abby Luby

BUCHANAN - The Nuclear Regulatory Commission ruled Tuesday, March 3, that Entergy, the owner of the Indian Point Power Plants, would not be fined for failing to complete a high tech emergency alert system on time.

In a statement by the regulatory agency the NRC said they had “decided not take additional enforcement action against Entergy over the problems that affected the installation of the new Indian Point siren system.”

Entergy was required to install a new emergency alert system after Congress passed the Energy Policy Act of 2005. The new \$30 million system replaces the older, 156-siren system with 172 new sirens which can be heard by over 300,000 residents in a 10 mile radius surrounding the Buchanan plants. The system also includes backup power in case of a power black out, and has two separate communications paths: radio and wireless cellular network with a radio activation method for sounding the sirens that will work within one to four minutes.

The new system was finally placed into service last August, almost two years after the original deadline. The troubling delays came from ongoing technical difficulties causing Entergy to more than three deadlines, one self imposed for November 2007. Entergy was fined twice by the NRC totaling \$780,000.

Under NRC regulations a daily fine of \$130,000 could have been levied against Entergy but never was. Tuesday’s announcement that Entergy would not be fined any further drew reaction from Westchester Emergency Services Commissioner Tony Sutton.

“We’re flabbergasted,” he said. “It leaves us scratching our heads and wondering what is regulatory about the NRC?”

Sutton said that Entergy had underestimated the scope of the project and the longer it took, the harder it was on emergency staffers from surrounding counties.

“After Entergy missed their second deadline there was a tremendous amount of staff from FEMA, New York State and each of the four counties who spent virtually no time on anything other than getting that siren system up and running. There was a huge financial burden that everyone took on because of Entergy’s inability to complete their system on time.”

Entergy spokesperson Jerry Nappi said the project had significant problems from early on but the company had learned how to adjust and complete the project.

“Management needed to get involved at a hands-on level and provided a higher level of attention and focus to get the project to completion,” he said. “The end result is that the community surrounding Indian Point has one of the most advanced siren systems in the world.”

Only one NRC commissioner, Gregory Jaczko, voted to impose additional fines on Entergy. Jaczko said in a statement that he was worried that the NRC decision not to fine Entergy would portray the regulatory agency as having lax oversight and it would send the wrong message to the public and other nuclear plant owners.

“It is true that Entergy finally did what they should have done from the beginning in this instance,” he said. “Finally giving this matter the attention it deserved all along does not, however absolve the licensee of its violation of NRC orders.”

However, the other three NRC Commissioners, including Chairman Dale E. Klein, voted to not fine Entergy. Klein said in a statement that “such an action would amount to no more than an expression of regulatory outrage.”

Last January, six months before completion, Entergy found corrosion in three of the new sirens. The deterioration was caused from neglecting to apply a protective gel when installing the new sirens but has since been repaired.

In November all but one of the 172 of the new sirens functioned properly during a four-minute, full-volume test.

The last siren test in February showed all sirens were working.