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Missing the 'Point'

Entergy omits info on re-license application

By Abby Luby

Information was omitted by Entergy in their application to re-license the Indian Point Nuclear Power plants.

The application to extend their operation for an additional 20 years is for reactor units 1 and 2 whose current licenses expires in 2013 and 2015, respectively. Entergy, the owner of the Buchanan based plant, submitted the application in April to the Nuclear Regulatory Commission (NRC), the federal oversight agency.

According to the environmental report section of the 2,500-page application submitted by Entergy on April 30, the company claims that the spent fuel pool in Unit 2 has not leaked since the 1990s and that recent findings of groundwater contaminated with tritium is from the older leaks.

Omitted was the fact that wells near Unit 2 were tested in 2000 when Entergy purchased the plant from Con Edison and at that time no leaks or groundwater contamination was detected. The wells were tested again in October of 2005 after cracks were found in the spent fuel pool, which resulted in a high concentration of tritium in the ground water, indicating that a new leak occurred sometime during 2000 and 2005.

This evidence was never mentioned in Entergy's re-licensing application in keeping with their claim that there were no new leaks, a conflicting assertion to the NRC who in their March 16, 2006 Special Inspection Report on groundwater contamination at Indian Point, said the leak was new.

Entergy's application is posted in its entirety on the NRC's website at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.htm>.

“It’s a question for Entergy—why they included some things and not others,” said NRC spokesperson Diane Screnci. “We’ve received it [the application] and we are looking at it initially. If there is more information we need to conduct the technical review then we will ask for more information.”

Studying the report is policy analyst and attorney Phillip Musegaas of the environmental group Riverkeeper. Musegaas said that Entergy intentionally picked specific information to go into the environmental report of the re-licensing application.

“What they’re doing throughout this report is choosing data to support their position and ignoring the current data,” he said. “Ignoring pieces of information goes against the NRC regulations that requires applications to be complete and accurate.”

A June 4 letter to the NRC from Musegaas and Riverkeeper co-counsel Victor Tafur counters Entergy’s assertion that the leak is old because groundwater monitoring clearly indicated a tritium leak occurred at Unit 2 between 2000 and 2005. That would render the leak new.

“The facts simply do not support Entergy’s assertion that the IP2 pool is no longer leaking or has not leaked since the 1990s,” they stated in the letter.

No mention of spent fuel pool search

Entergy’s claim that the leaks are old is based on their inability to find the source of the leaks in the liner of the Unit 2 spent fuel pool, the 40-foot-deep pool that stores used radioactive fuel assemblies.

Also omitted from the re-licensing application was the fact that Entergy could only check 60 percent of the Unit 2 spent fuel pool liner. Last year Entergy hired divers to search the liner but could not reach the smaller spaces between the numerous storage racks near the bottom of the pool resulting in an incomplete search.

In their re-licensing application Entergy didn’t include any plans to complete their search for leaks in the pool liner but Entergy spokesman Jim Steets said they are still pursuing ways to find the source of the leak.

“There are some areas of the spent fuel pool we have not visually inspected but we now have a vendor who is designing a camera that can do inspections in those very small areas that we haven’t yet seen.” Steets said data indicates the leaks are old.

“We’re increasingly of the belief and growing in confidence that there is not an active leak in the pool,” he said. “We have a lot of data based on sampling from the many wells we’ve installed around the pools that tell us this leakage near IP2 was a one-time event.”

Structural status of aging plant

Neil Sheehan, an NRC spokesman, said the re-licensing process only looks at structural problems of aging nuclear power plants and unless the irradiated water leaks are caused by actual cracks in the spent fuel pool, the NRC won’t consider the leaks relevant.

“We haven’t made a determination if we will look at that [spent fuel pool

cracks],” said Sheehan. “If it’s an aging management issue and if there is cracking on the exterior wall of the spent fuel pool, that could be raised as a contention.”

Sheehan said the re-licensing process, which can continue as long as two years, looks only at how Entergy has managed an aging plant. “We look at the way Entergy will handle key safety systems and structural components,” he said.

Aquatic information also omitted

Entergy also choose to ignore data from a 2003 Environmental Impact Statement (EIS) by the New York State Department of Environmental Conservation (DEC) on aquatic ecology in the Hudson River.

The 2003 study said that the plant’s use of Hudson River water to cool their generators was having a negative impact on the river’s ecosystem by killing billions of fish and plants each year. Also harming aquatic life is the tremendous amount of hot water poured into the tidal estuary, said the report.

In the re-licensing application, Entergy does reference the EIS about the decline in bay anchovy but omits the DEC’s findings on declining fish populations of American shad, white perch, Atlantic tomcod and rainbow smelt.

“Entergy ignores the 2003 DEC conclusions and they relied on a 1999 draft EIS report done by Con Edison which was inconclusive about the impact on fish,” said Musegaas. “Those older conclusions drawn by the industry say that they are not having an impact on the fish.”

Entergy references the 1999 study at least 11 times in their re-licensing application, Musegaas said.

Sheehan said that the upcoming scoping meeting on the environmental section of the re-licensing application will examine those issues.

“We will look at what the impact will be on aquatic life and plant life in the area,” he said. “A large part of the information in the environmental review will include the decision-making process.”

The NRC can also impose conditions such as requiring a program that takes fish samples every month to determine whether there is an impact on aquatic species.

Current problems not considered part of re-licensing

The public has scrutinized the NRC for not considering safety issues, especially since the plant is in a densely populated area and the 30-year-old evacuation plan is seen as unworkable. Also of concern is the failure of Entergy to locate the source of leaking irradiated water with isotopes Tritium and Strontium-90, a missed deadline for getting a new siren system up and running and more recently a malfunctioning water valve in one of the steam generators.

Sheehan said those issues will not be examined as part of the re-licensing process because Entergy and the NRC deals with those issues on a day-to-day basis.

“It’s understandable why people would want to raise those issues,” he said. “But these issues already have gotten a significant amount of attention and will continue to get attention.”

In a statement emailed to the North County News Congressman John Hall (D/Dover Plains) said new legislation has been introduced that would require older power plants applying for license renewal to meet the same safety standards as new plants. Hall cosponsored the legislation, known as The Nuclear Power Licensing Reform Act of 2007 with Congressman Maurice Hinchey and Congresswoman Nita Lowey.

“The Nuclear Power Licensing Reform Act will help to make sure that no corners are cut in the re-licensing process,” said Hall in his email. “This legislation has been referred to the House Energy and Commerce Committee where it is awaiting action.”

The NRC has never turned down a nuclear plant’s relicensing application, Hall said.

See page 19 for NRC meeting information.