

Indian Point report sparks faceoff between feds and New York State

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A new report on [Westchester County's Indian Point Nuclear Plant](#) is pitting the federal government against state regulators.

The federal [Nuclear Regulatory Commission](#) claims the plant does not adversely affect the environment and can run for 20 more years.

But the state Department of Environmental Conservation charges the 37-year old plant is killing 1.2 billion fish a year as it recirculates 2.5 billion gallons of heated water back into the [Hudson River](#).

Last April, state regulators denied plant owner [Entergy](#) a water quality certification required for a new license. The DEC insisted Entergy install a water cooling system to comply with the federal [Clean Water Act](#).

NRC project manager [Drew Stuyvenberg](#) said the fish-kill issue wasn't under NRC purview and wouldn't prevent license renewal.

"The state DEC is the specific legal authority on the Clean Water Act. The issue has the potential to hold up the relicensing process, but it's up to the state."

The NRC report comes as Entergy is phasing out electricity Indian Point supplies to [New York City](#), according to both [Con Ed](#) and the [New York Power Authority](#), which purchase electricity from Entergy. According to Con Ed's 2010 annual report, the amount of electricity sent to New York City by the nuke plant has declined significantly - from 875 megawatts in 2009 to an expected 360 megawatts over the next two years.

Entergy spokesman [Jerry Nappi](#) called the NRC report "an important milestone for ensuring operation of a major electric generating facility that is a critical component of [New York's](#) infrastructure."

[Jerry Kremer](#), chairman of the [New York Affordable Reliable Electricity](#) Alliance, also praised the report.

"This announcement is only further proof that the claims by opponents that the plant is an environmental hazard have always been false and outrageous."

The environmental group Riverkeeper, which wants Entergy to install a new cooling system, disagreed with the NRC report. "The decision whether Indian Point should continue to operate is far from concluded," said [Phillip Musegaas](#), an attorney for the group.

Entergy will be reviewed by the Atomic Safety and Licensing Board, an independent judicial panel chosen by the NRC. Public hearings are also scheduled. The final decision to relicense the plant is up to the NRC. Entergy's operating licenses expire in 2013 and 2015 for both units 2 and 3.

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