WESTCHESTER COUNTY BOARD OF LEGISLATORS

800 MICHAELIAN OFFICE BUILDING
148 MARTINE AVENUE
WHITE PLAINS, NEW YORK 10601
(914) 995-2821
FAX: (914) 995-3884

THOMAS J. ABINANTI
Legislator, 12th District

Chairman
Committee on the Environment
Special Committee on
Solid Waste & Recyclables
Member
Committee on Budget & Appropriations
Committee on Legislation
Committee on Health

July 15, 2004

Statement to the Nuclear Regulatory Commission (NRC)

Hearing on Dry Cask Storage at the Indian Point Site
Peekskill, New York

Welcome to Westchester County. I would like to thank you for coming to Westchester to listen to our community's concerns regarding Indian Point.

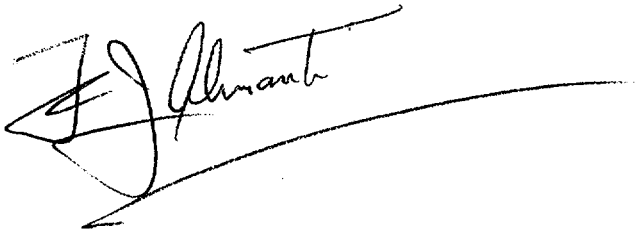
We hope that you will now accept an invitation to the meet with our County Board of Legislators to discuss our concerns.

Too often those who regulate view the objects of their regulation and the communities in which they are located as objects and statistics. By coming here this evening, you've seen the people, how they live and how they work. You've seen firsthand what you could never have seen by just reading reports. You've seen the narrow one-lane Route 9 that serves two lanes of traffic and serves as the main evacuation route for so many who live and work around Indian Point. You've seen the traffic congestion in off-hours and the dangerous roads that lead across Bear Mountain Bridge. You've seen that the lines on the map really are not lots of roads, but small country lanes leading to nowhere.

So now you understand why to our community safety is the first priority and why there must be zero tolerance for error. Even a false alarm at IP could create panic, chaos and numerous injuries and deaths.

So, we ask that you take our concerns about the proposed dry cask storage system very seriously. In today's environment, a minor mishap with a *cask* could cause many *caskets*!

Thank you.



Additional Questions/Comments from Westchester County Legislator Tom Abinanti:

1) Even if Yucca Mountain were to open in 2015, the waste shipments from Indian Point to Yucca Mountain would take place over the course of three decades. This means that spent fuel will remain onsite at Indian Point until the late 2030's/early 2040's. In the interim, shouldn't the emphasis be on fortifying both the wet (i.e. pools) and dry (i.e. casks) spent fuel storage systems? How can this best be accomplished? Shouldn't a robust containment structure be constructed over the storage pools? Shouldn't the dry casks, which are proposed to be stored on an open concrete pad, be concealed from line-of-sight and an attack from the air? Why are the following measures not being considered – soil berms, aboveground bunker system, beamhenge?

2) How much additional spent fuel waste would be produced if Indian Point were re-licensed for an additional 20 years of operation? Where would that waste be stored? Isn't it true that Yucca Mountain, if it were to open, has limited capacity and wouldn't even be able to accept the spent fuel waste from Indian Point produced during its initial 40-year licensing period?

3) Industry and government officials have spoken out about manufacturing and design flaws associated with Holtec's Hi-Storm 100 casks. There is an official within the NRC who has raised concerns about Holtec. The former Governor of Utah, Mike Leavitt, who is now head of the EPA, called on the NRC last summer to investigate the concerns raised about Holtec's quality assurance problems. Due to concerns over the Holtec cask, Nuclear Management Company (NMC) selected a different cask manufacturer for the plants NMC manages. What is being done to address the numerous concerns raised about the quality assurance of Holtec's dry casks?

4) Why did Entergy select the Holtec cask over other models? Isn't the Hi-Storm 100 cask one of the least expensive models available today? **Entergy and Holtec are part of a consortium, which is hoping to construct a temporary storage site in Utah. Is this the reason why Entergy has a contract with Holtec to use the company's casks at each of Entergy's nuclear power plant sites?** Is Holtec a good fit for Indian Point? Won't Entergy have to make modifications to the spent fuel pool building in order for the casks, when in the vertical position, to be moved back out?

5) Which site-specific characteristics has Entergy taken into consideration with respect to the impact that the construction of the dry cask storage system will have on the environment?

6) Entergy **must employ structural security measures** – such as soil berms, beamhenge (steel cable system), aboveground bunkers, and containment buildings – **to protect the dry casks. Entergy's proposal involves storing the casks on an open concrete storage pad with no overhead protection! THIS IS UNACCEPTABLE!! WHY NOT GIFT WRAP THEM AS WELL!!** Soil berms, above-ground bunkers and containment buildings can be used to **shield the casks from line-of-sight so that the casks are not as vulnerable to acts of terrorism involving hand-held weaponry (i.e. anti-tank missiles) or aircraft.** Entergy must construct a robust, containment structure over the irradiated fuel pools. The buildings that currently house each irradiated fuel pool at Indian Point do not serve as containment; nor are they fortified structures capable of repelling a terrorist attack.

7) I respectfully request the NRC NOT TO RELICENSE IP 2 & 3, because the site is located in such a densely populated area (an NRC regulation for **new** plants/licenses).

8) With regards to the dry cask system Entergy has chosen – their justification is that it is an "NRC-approved" company/system. The problem is that the "NRC-approved" list of companies/systems is all **pre 9/11**!! That is <u>unreasonable</u> and **<u>irresponsible</u>**!! That means that not one of those systems was designed with even the <u>thought</u> of repelling a terrorist attack! Now that there is such a system available, what possible reason could you have **<u>not</u>** to require an upgraded system (being that Entergy won't do the right thing if they are not federally mandated to do so)?

PLEASE RESPOND TO ME IN WRITING AT YOUR EARLIEST CONVENIENCE.