



HUDSON COUNTY, NEW JERSEY

BOARD OF CHOSEN FREEHOLDERS

ADMINISTRATION ANNEX

567 PAVONIA AVENUE, JERSEY CITY, N.J. 07306

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August 23, 2004

Mr. Sam Collins
Nuclear Regulatory Commission (NRC)
475 Alledale Road
King Prussia, PA 19406

Dear Mr. Collins:

Enclosed you will find a certified copy of a resolution which was adopted by the Board of Chosen Freeholders of the County of Hudson on August 12, 2004 entitled, "Authorizing the County of Hudson to join the coalition calling for the immediate closure and safe and orderly decommissioning of the Indian Point Nuclear Facility."

Very truly yours,

JEAN A. BYRNES, Clerk
Board of Chosen Freeholders

JAB:cs

Enclosure

**BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION**

No. 333-8-3004

**On Motion of Freeholder Board as a Whole
Seconded by Freeholder _____**

**AUTHORIZING THE COUNTY OF HUDSON
TO JOIN THE COALITION CALLING FOR THE IMMEDIATE CLOSURE
AND SAFE AND ORDERLY DECOMMISSIONING OF THE
INDIAN POINT NUCLEAR FACILITY**

WHEREAS, terrorists have made numerous credible threats to focus future attacks on Americas's infrastructure, including our nation's nuclear power plants; and

WHEREAS, the **National Governors Association**, in a September 19, 2002 report states "U.S. nuclear power plants are potential targets for terrorist attacks.... A terrorist attack on a nuclear facility should be viewed like a terrorist attack using a dirty bomb, but possibly more catastrophic due to the volume of nuclear material available for dispersion... The effects of a release over the long term could be dramatic unless the area was adequately decontaminated. For instance, the Chernobyl disaster saw an alarming increase in the number of cancer-related illnesses for children 10 years after the release;"and

WHEREAS, the **National Research Council**, in a July 2002 report, states that the threat risk to nuclear power plants is high with potential consequences"ranging from reactor shutdown to core meltdowns with very large releases of radioactivity." The report goes on to say: "Nuclear power plants may present a tempting high-visibility target for terrorist attack, and the potential for a September 11-type surprise attack in the near term using U.S. assets such as airplanes appears to be high. Such attacks could potentially have severe consequences if the attacks were large enough... Complete denial of the means to attack [nuclear power plants] from the air or ground using U.S. assets such as aircraft is probably not feasible... Given the public fear of anything 'nuclear' or 'radioactive,' even a minor terrorist attack could have greatly magnified psychological and economic consequences;" and

WHEREAS, according to a Al-Jazeera reporter's account of his interview with two Sept. 11 plotters and subsequent news report, AlQaeda considered striking U.S. nuclear facilities as it planned its assault on New York and Washington and has not ruled out nuclear attacks in the future; and

WHEREAS, with the arrest of Khalid Sheikh Mohammed in February 2003, a U.S. intelligence report stated that Mohammed "is actively involved in Al Qaeda planning in [the U.S.]... and he has directed operatives to target bridges, gas stations and **powerplants** in a number of locations, including New York City." In a March 3, 2003 New York Times article ("Qaeda Suspect Sound Asleep at Trails End Offers No Resistance to Arrest in Pakistan"), it was reported that "intelligence officials said they had penetrated his circle deeply enough in recent weeks to conclude that Mr. Mohammed was actively planning for terror operations inside the United States in the 'near term' as one official described it." The article went on to report: "One target was again New York City, the officials said, possibly involving the **revival** of a discarded plan that was first discussed in the months before the World Trade Center attacks on September 11, 2001. Mr. Mohammed had then considered attacks on the city's gas stations, bridges, hotels, and **power plants**, the officials said confirming a report in this week's issue of Newsweek." The New York Times reported that New York City remains on orange alert; and

**BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION**

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On Motion of Freeholder _____
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-Page 2-

WHEREAS, of the nation's 103 nuclear power reactors, the Indian Point plant is an especially inviting target given its proximity to the greater New York Metropolitan area – home to 20 million people and the world's financial center; and

WHEREAS, the Nuclear Regulatory Commission (NRC) has issued numerous alerts to nuclear plant operators and has acknowledged that nuclear facilities, including Indian Point, were not designed to withstand or repel a substantial terrorist attack; and

WHEREAS, an internal January 2002 Energy report found that only 19% of the plant's security guards felt they could adequately defend the plant after the terrorist attacks. According to plant guards, physical agility tests were lax and that weapons-training was inadequate. The guards also felt the security parameters set by the Federal government were insufficient. The internal report highlighted security lapses and recommended measures to bolster plant defenses at Indian Point 2, but many security officers believe that there has been little improvement at both units 2 and 3; and

WHEREAS, the complex and interconnected system of nuclear reactors, spent fuel storage structures, control rooms, and electrical switching equipment provides multiple target opportunities by which a sophisticated and determined terrorist attack could cause a catastrophic radiological event; and

WHEREAS, a meltdown or radiological fire could lead to tens of thousands of near-and long-term deaths and cases of chronic radiation sickness, devastate the region's economy, and render uninhabitable much of the Greater New York Metropolitan area; and

WHEREAS, the Radiological Emergency Preparedness Plan for the 10-mile emergency planning zone; is known to be wholly defective in its ability to evacuate area residents and workers in the event of anything but a minor radiological release; and

WHEREAS, the Radiological Emergency Preparedness Plan does not protect citizens residing and working outside of the 10-mile emergency zone, approximately 20 million people living and working within the 50-mile radius; according to a 1982 NRC-commissioned study, the 50-mile radius around a nuclear power plant is known as the "peak" injury zone; and according to Federal emergency regulations, the 50-mile radius is known as the Ingestion Zone - the area within which people could be at risk if they eat or drink contaminated food or water; and

WHEREAS, a Governor Pataki commissioned study of the radiological Emergency Preparedness Plan for Indian Point, conducted by James Lee Witt Associates, found that: (1) The plans are built on compliance with regulations, rather than a strategy that leads to structures and systems to protect from radiation exposure; (2) The plans appear based on the premise that people will comply with official government directions rather than acting in accordance with what they perceive to be their best interests; (3) The plans do not consider the possible additional ramifications of a terrorist caused release; (4) The plans do not consider the reality and impacts of spontaneous evacuation; and (5) Response exercises designed to test the plans are of limited use in identifying inadequacies and improving subsequent responses. Witt Associates stated "...it is our conclusion that the current radiological response system and capabilities are not adequate to overcome their combined weight and protect the people from an unacceptable dose of radiation in the event of a release from Indian Point, especially if the release is faster or larger than the design basis release"; and

**BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION**

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-Page 3-

WHEREAS, any benefits that the Indian Point plant provides are greatly outweighed by the risks; and

WHEREAS, the implementation of comprehensive energy efficiency and conservation measures and the ability to draw power from New England - which has an energy surplus - can easily "replace" the electricity once provided by Indian Point, thus avoiding the risk of brownouts or significant increases in energy bills; and

WHEREAS, an immediate closure of Indian Point, especially, if taken in concert with other safety measures described below, would substantially reduce the risks and consequences of an attack or accident, both in the near and long term; and

WHEREAS, a rapidly growing confederation of government, business, civic and environmental leaders have called on the Nuclear Regulatory Commission to: (1) order an immediate closure of Indian Point's Unit 2 and Unit 3 reactors (2) mandate immediate deployment of security measures sufficient to repel a terrorist attack on the reactors, spent fuel pools, control room or electrical equipment; and (3) separate and apart from above, order the immediate transfer of the plant's irradiated spent fuel rods (older than five years) from wet pool storage to a hardened onsite storage systems; and

WHEREAS, over 300 elected officials, including 11 members of Congress in 3 states, are calling for the shutdown of the Indian Point nuclear power plant.

BE IT HEREBY RESOLVED, that the County Executive and the Freeholders of the County of Hudson join the coalition in calling for the immediate closure and safe and orderly decommissioning of Indian Point; and

BE IT FURTHER RESOLVED, that the County of Hudson opposes the re-licensing of Indian Point 2 and Indian Point 3 when their current licenses expire in 2013 and 2015, respectively, and that the NRC prohibit Energy Corporation's Indian Point 2 and 3 from being re-licensed, and to make this finding as soon as possible; and

BE IT FURTHER RESOLVED, that the appropriate authorities seek an assessment of alternative means of providing our region with a sufficient supply of power, including the feasibility of converting the Indian Point site to an alternative electric generating facility and implementing and enhancing comprehensive energy efficiency and conservation measures; and

BE IT FURTHER RESOLVED, that the appropriate authorities seek an assessment of the number of jobs retained for the safe and orderly decommissioning of the Indian Point facility and develop ways of mitigating Plant closure impacts on ther Indian Point labor force; and

BE IT FURTHER RESOLVED, that the NRC must take prompt action to permanently retire the Indian Point facility and take all measures necessary to minimize the risks associated with the terrorist threat to the Indian Point Nuclear Power Station, and therefore the protection of the County of Hudson and the greater New York Metropolitan area; and

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COUNTY OF HUDSON
RESOLUTION**

No. _____

On Motion of Freeholder _____
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-Page 4-

BE IT FURTHER RESOLVED, that the County Executive is authorized to take all action in furtherance of this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Governor James E. McGreevey, the Riverkeeper Inc, the Indian Point Nuclear Power Station and the NRC.

Freeholder	Aye	Nay	Abst	N.P.	Freeholder	Aye	Nay	Abst.	N.P.
Cifelli	X				O'Dea	X			
Dublin	X				Rivas	X			
Dugan	X				Chairman Vega	X			
Fitzgibbons	X				Velazquez				X
Liggio	X								

It is hereby certified that at a regular meeting of the Board of Freeholders of the County of Hudson held on the *17* day of *August* A.D. 2004, the foregoing resolution was adopted with *8* members voting in the affirmative and *0* in the negative.

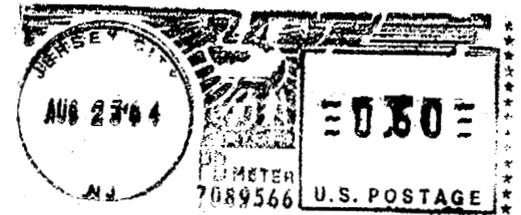
Jan A. Byrne, Clerk

APPROVED AS TO LEGAL FORM

BY: _____
DONATO J. BATTISTA
HUDSON COUNTY COUNSEL



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