

RAS 14704

VILLAGE OF BUCHANAN

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DOCKETED
USNRC

November 15, 2007

November 30, 2007 (4:00 pm)

The Honorable Annette L. Vietti-Cook
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Docket No. 50-247/286-LR
ASLB 07-858-03-LR-BD-01

Dear Secretary Vietti-Cook:

We hereby request that the Village of Buchanan be granted Intervener Status and/or as a party to any proceeding concerning the re-licensing applications for the Indian Point 2 and 3 nuclear reactors, located in Buchanan (license renewal applications of Indian Point Unit 2 (DPR-26) and Indian Point Unit 3 (DPR-64)). The Village of Buchanan requests Intervener and/or party status pursuant to the Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders (Part 2 of Title 10 of the Code of Federal Regulations (10 CFR Part 2) and related regulations.

Please also consider this letter as a Hearing Request and Petition for Intervention pursuant to 10 CFR Part 2.309 et seq and related regulations.

The Village of Buchanan should be granted Intervener and/or party Status because it is host to the Indian Point nuclear power plant. Both Indian Point 2 and Indian Point 3 are located within the Village of Buchanan and are therefore subject to Village of Buchanan laws and jurisdiction. The Village of Buchanan provides municipal services to the Indian Point power plant. Indian Point 1 was built in Buchanan as the first peaceful atomic power plant in the United States in the 1950s. Subsequently, Indian Point 2 and then Indian Point 3 were constructed.

The Village seeks Intervener status primarily so that the re-licensing procedure takes into account the following factors:

1. The environmental and health benefits of Indian Point 2 and 3, particularly with respect to reducing the burning of fossil fuels to make electricity and reduced auto emissions because of less expensive mass transit (see 5.b and c, below);
2. The need for national energy self-sufficiency;

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SECY-02

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3. The economic benefits of Indian Point 2 and 3 with respect to the local and regional economies;

4. The tax benefits to local governments particularly to the Village of Buchanan, other municipalities in Westchester County and the City of New York, as well as Westchester County and the State of New York; and,

5. Financial benefits to:

- a) Residential and business rate-payers of Consolidated Edison who benefit from lower electric bills;
- b) Riders of the Metropolitan Transportation Authority trains including Metro North Railroad and the New York City subway system, whose fares would be higher without inexpensive electricity made at Indian Point 3 powering the trains;
- c) Roadways have less congestion due to commuters taking moderately price mass transit and,

6. Safety issues. I believe that the history of nuclear power in the United States, including at Indian Point, has been far safer than other methods of producing electricity.

I believe all of these factors are significant in deciding whether to grant re-licensing to Indian Point 2 and 3. These factors should therefore be considered by the Nuclear Regulatory Commission in determining whether the licenses of Indian Point 2 and 3 should be renewed.

The environmental and health benefits of Indian Point 2 and 3

One of the most significant issues facing our country today is the future of the environment, in particular with regard to global warming and other problems associated with the burning of fossil fuels. Given the increasing need for electricity, it is imperative that we increase the use of renewable energy sources such as nuclear power.

An article from The Sierra Club details the pollution released by coal-fired electric power plants. A copy of the article is annexed hereto and incorporated, by reference, to this letter. The statistics are indeed disturbing. If we continue to rely upon coal- and other fossil fuel burning power plants for electricity, the environmental and health effects will be devastating.

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The environmental and health problems are particularly disturbing in the Hudson Valley and New York City metropolitan area, where air quality is among the worst in the nation. If Indian Point was not re-licensed, the environment would suffer greatly.

Replacing Indian Point with equivalent gas and oil fuels would result in more than 14 million tons a year of additional air pollution. A 785-megawatt coal burning power plant burns about 9,200 tons of coal per day, or 18,400,000 pounds per day. This would have to be generated in the Hudson Valley and New York City, causing an increase in air pollution.¹

So-called 'alternative fuels' are not yet a realistic solution. As the Manhattan Institute pointed out, it would take 300,000 acres of Statue of Liberty-size windmills strewn across the landscape to generate as much power as Indian Point produces on 240 acres. Given the environmental and economic costs, it would make far more sense to replace fossil fuel burning plants rather than Indian Point, whenever alternative fuels become a viable source of electric production.

As discussed below, without Indian Point it is very likely that more commuters would drive to work rather than take trains, which use inexpensive electricity made at Indian Point. If more cars are on the roads, air pollution will increase.

The need for national energy self-sufficiency.

Ongoing instability in the Middle East, Nigeria and South America has caused huge price increases in oil, gasoline and natural gas. And it is apparent that some 'oil money' to the Middle East has been eventually used to fund terrorism and fund those who preach hatred of the United States and democratic values worldwide. It is obvious that we must work towards energy *independence* and nuclear power is certainly one of the most important ways of achieving that independence.

Nuclear power is an increasingly important part of our energy supply given the concerns about the environment and foreign-energy dependency. Many European countries rely on nuclear power to avoid burning fossil fuels and reduce their dependency on foreign energy sources. Nuclear power is one of the 'alternative energy' sources that must be utilized to reduce dependency on fossil fuels, especially from foreign sources.

¹ Some anti-Indian Point groups have argued that electricity could be imported to the Hudson Valley and New York City from out-of-state power plants. This argument is greatly flawed. First, the electricity would be produced at power plants burning coal or other fossil fuels, so other parts of the country would be subjected to more pollution. Such narrow-minded thinking has no place in the effort to improve our environment. Furthermore, that air pollution would travel to New York. Second, there is not nearly enough capacity to transport enough electricity to replace power now made at Indian Point. Efforts to increase power lines have been fought by residents and their elected officials. Recently Congressman John Hall joined with residents of Orange County in opposing construction of a new power line.

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The economic benefits of Indian Point 2 and 3

Indian Point produces 2000+ megawatts of electricity, nearly the output of the Hoover Dam. As such, it provides 20-40 percent of the New York metropolitan region's energy needs, depending on time of year and usage levels.

The Hudson Valley and New York City would be in the vulnerable, and untenable, position of largely "importing" electricity. When California tried this a few years ago the results were disastrous and are still reverberating in the state. (Also see footnote 1.)

When Indian Point 2 was shut down in the summer of 2002, electric rates for Con Edison customers increased approximately 20%. One could only imagine the increase in electric rates if Indian Point 2 and/or 3 were shut down. The impact on the area's economy would be devastating.

Tax and Financial benefits

Indian Point pays \$34 million in annual property taxes. In addition, Indian Point supplies many cities, villages, and towns in Westchester County with cost savings of 20 percent or more on electricity. Shutting down Indian Point would increase electric costs for homeowners, businesses and all levels of government.

The Metropolitan Transportation Authority uses electricity from Indian Point to power Metro-North commuter trains and the New York City subway system. Without this inexpensive power, commuter train and subway fares would increase. The fare increase would place a greater economic burden on those who must use these trains. A fare increase would hurt those with lower and fixed incomes disproportionately.

In addition, a fare increase would discourage many from using mass transit. As a result there would be more cars on the road, leading to increased traffic problems. Traffic congestion already imposes huge costs to the national – and local - economy. Increased traffic would also add to air pollution concerns.

Safety issues

One of the least known facts about nuclear power is that it is one of the safest ways of producing electricity. The history of nuclear power in the United States demonstrates a great safety records. The NRC charged with overseeing the safety of nuclear power is dedicated solely to nuclear plants. There is no such agency that solely oversees the safety at fossil fuel burning power plants.

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We thank you for your consideration of the foregoing. Should you wish to discuss the foregoing or related issues, do not hesitate to contact the undersigned.

Very truly yours,



Daniel E. O'Neill
Mayor



James Seirmarco, M.S.
Liaison to Indian Point

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2007 copies of the foregoing Petition to Intervene from the Village of Buchanan have been served upon the following persons by First Class Mail:

Office of the Secretary (original and two copies)
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New York City
Economic Development Corporation
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Washington, DC 20555-0001

Administrative Judge
Kaye D. Lathrop
Atomic Safety and Licensing Board Panel
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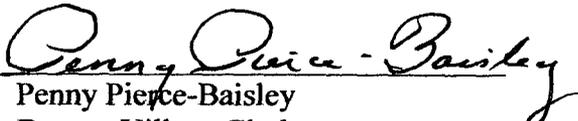
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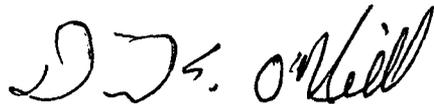
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Penny Pierce-Baisley
Deputy Village Clerk
Village of Buchanan



Sworn before me this 23rd day of November, 2007

DANIEL E. O'NEILL
Notary Public, State of New York
No. 020N5027620 *Westchester*
Qualified in *Queens* County
Commission Expires May 9, *2010*