

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

_____	)	Docket Nos. 50-247-LR
In the Matter of	)	and
	)	50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.	)	
	)	
(Indian Point Nuclear Generating Units 2 and 3)	)	
_____	)	March 20, 2011

DECLARATION OF DREW CLAXTON REGARDING  
HUDSON RIVER SLOOP CLEARWATER, INC.'S COMBINED REPLY TO  
NRC STAFF AND ENTERGY'S ANSWER TO AMENDED ENVIRONMENTAL  
JUSTICE CONTENTION

I, Drew Claxton, do hereby state as follows:

1. I reside at reside at 601 Kissam Road, Peekskill, NY and have lived in Peekskill NY for 40 years. In 2000, I founded the Hudson Valley Chapter of Citizens for Equal Environmental Protection (CEEP), an environmental justice organization that works to ensure that low-income and minority communities in Peekskill and surrounding areas in the Hudson Valley are represented in the regional planning decisions that affect their environment, quality of life, and health. In 2001, I was elected to serve as Councilwoman on the City of Peekskill Common Council and am now serving my third term. As a City with population that is 48% Hispanic and African American and 4% other ethnic minorities, Peekskill qualifies as what the NY State Office of Environmental Justice calls a potential environmental justice area (PEJA). In addition, CEEP has found that our Peekskill community, as compared to higher income Westchester communities, shoulders a disproportionate share of environmental burdens.
2. In 2001 and again in 2010, CEEP did a study of environmental and health burdens in and around Peekskill. Peekskill includes or is in close proximity to multiple pollution sources, including the Westchester County's sewage treatment plant that treats sewage for Peekskill, Cortlandt and Yorktown and for which the County is pushing to extend district boundaries to include other higher-income northern-Westchester communities (e.g., Somers), the Wheelabrator/RESCO incinerator which burns much of Westchester County's garbage, the Indian Point nuclear power plants, an ash landfill, a waster transfer stations, and a number of other industrial uses requiring hazardous waste permits. See Attachment 1-EJ Map of Westchester County. We have also found that Peekskill has what appears to be a relatively low health status, including a disproportionately high rate of low-birth weight babies and asthma hospitalizations.

3.) For the past two years I have also actively served the Peekskill Environmental Justice Council as we completed the Peekskill Community-based Environmental Justice Inventory (CBEJI).

<u>Peekskill Demographics</u>	Peekskill	NYS
Population (2000 Census) <sup>1</sup>	22,441	18,976,457
<u>Ethnicity</u> <sup>2</sup>		
Hispanic/Latino	0.22	0.15
Black/African-American	0.26	0.16
Non-Hispanic White	<u>0.48</u>	<u>0.68</u>
	0.96	0.99
Median Income <sup>3</sup>	\$57,343	\$54,422
Median Home Value <sup>4</sup>	\$285,900	
depreciation since '09 <sup>5</sup>	6.04%	
Cost of living r/t US average <sup>6</sup>	26.80% Higher	
Unemployment Rate <sup>7</sup>	US = 10.2%	7.20%
Recent job loss <sup>8</sup>		8.30%
		2.79%

4. With regard to Indian Point, I have serious concerns about the feasibility of evacuating area residents in the event of a nuclear accident or incident at Indian Point.

- **School Districts.** The City of Peekskill has a number of pre-school, Head Start, and day care centers, which do not have their own means to transport children to safety. In addition, the Peekskill City School District (in which, based on income, 67% of all children receive free or reduced lunches) are organized based on the Princeton Plan where children of the same age, not the same neighborhood, attend the same schools. Therefore, it is often the case that children from the same family attend different elementary schools. The Princeton Plan is also in effect for public schools in the Village of Ossining, which is also a low-income and high minority community. Where the children of most Westchester school districts are transported to only one location, children from Peekskill City Schools and Ossining Village Schools are transported to different locations based on the schools that they attend. This makes it more difficult for

<sup>1</sup> <http://www.clrsearch.com/Search?query=&type=community>

<sup>2</sup> *ibid.*

<sup>3</sup> *ibid.*

<sup>4</sup> *ibid.*

<sup>5</sup> <http://www.bestplaces.net/find/>

<sup>6</sup> *ibid.*

<sup>7</sup> *ibid.*

<sup>8</sup> *ibid.*

Peekskill and Ossining parents to reunite with all of their children, and particularly hard if they do not have their own private transportation.

- **Nursing homes, assisted-living facilities, group homes and shelters.** The City of Peekskill, includes or is in close proximity to a number of nursing homes, assisted living facilities, and low-income senior citizens housing. In addition, the City of Peekskill, as compared to higher-income communities in Westchester, have a higher proportion of physically and/or mentally disabled persons living in group homes. We are also home to the JanPeek Shelter for homeless individuals. These populations are harder to evacuate during crisis.
  - **Hospitals.** The Hudson Valley Hospital Center and FDR Veterans Administration Hospital and Nursing Home at Montrose are within 10 miles of Indian Point. As a Veteran of the U.S. Air Force myself, this concern for the safe evacuation of our veterans is near and dear to my heart.
  - **Correctional facilities and jails.** Finally, within or bordering the 17.5 mile radius of the peak fatality zone around Indian Point, there are a number of local jails, the Westchester County Jail, and the Ossining Correctional Facility (Sing Sing) which house EJ populations and are near enough to Indian Point to disproportionately impacted by the inability to evacuate.
  - **Disproportionately less private transportation.** As compared to higher-income communities, the City of Peekskill has a larger percentage of residents without private transportation, who are similarly more difficult to evacuate.
5. Given the recent disaster in Japan, the Nuclear Regulatory cannot be dismissive of potential environment justice matters, especially as they relate to human health and the environment and to evacuation of institutionalized populations.
6. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.



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Drew Claxton

Executed in Peekskill, New York  
this 20th day of March, 2011