

Docket, Hearing

From: gary shaw [crotonshaw@aol.com]
Sent: Tuesday, September 11, 2012 11:35 AM
To: Docket, Hearing
Cc: Siarnacki, Anne
Subject: Fwd: Letter in opposition to relicensing Indian Point

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 USNRC

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Resending because of addressing error

OFFICE OF SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF

-----Original Message-----

From: gary shaw <crotonshaw@aol.com>
To: hearing.docket <hearing.docket@nrc.gov>
Sent: Tue, Sep 11, 2012 9:55 am
Subject: Letter in opposition to relicensing Indian Point

Dear ASLB Judges and Ms. Siarnacki:

I am a resident of Croton on Hudson and I live between five and six miles from the Indian Point Nuclear Plant. I am writing to request that you give consideration to the unique realities of the risks presented by the Indian Point Nuclear Plant and withhold granting a new 20-year operating license.

As you know, the Indian Point Nuclear Plant sits amongst the highest population density of any nuclear plant in this country, with approximately 20,000,000 residents within 50-miles of the plant. New York is the financial capital of this country and much of the world. The property value alone within a 50-mile radius of Indian Point is multiple trillions of dollars, and the vast majority of New York City drinking water flows from reservoirs within 20-miles of Indian Point. Imagine the chaos and imagine the impact on the US economy if Indian Point experienced the unexpected and had a major radiation release in the Hudson Valley. This would dwarf the financial impact of the attack on 9/11/2001. These elements highlight the enormous risks should the low probability, high impact event occur at this aging facility.

Among the low probability, but high impact risks is seismic activity. Indian Point was built on the Ramapo Fault, to design basis standards from the 1960's. A few years ago, a second intersecting fault running from Stamford, CT into Peekskill, was identified by the Lamont Doherty Earth Observatory of Columbia University. The seismologists at Lamont Doherty estimate potential for a 7.0 magnitude event. This is especially relevant in light of the damage done to the North Anna Nuclear Plant by a 5.8 event in Virginia, in August 2011. It is my understanding that NRC stated at that time that the design basis assumptions of the g-forces transmitted through bedrock for Northeastern nuclear plants were meaningfully underestimated. At our local nuclear plant, there are potential combustible complications from the high pressure natural gas pipes that run right next to Indian Point and in a seismic event, additional explosive fire dangers cannot be ruled out.

I am well aware that the relicensing regulations are tightly drawn, and contentions filed in opposition to relicensing have been dismissed as out of scope. To disregard the magnitude of risk in scenarios that are certainly not beyond feasibility is an abdication of the primary charge of the NRC – to protect public health and safety. Strictly adhering to regulations that are not all encompassing is similar to the "just following orders" defense used and rejected at the Nuremberg trials. You must take responsibility for the decisions you render, even if they go beyond the imperfect regulatory standards. NRC has amended and granted exemptions from regulations that benefitted nuclear plant operators. You should be in the same position to be more inclusive in pursuit of public health and safety.

Among other reasons that, I believe, should preclude relicensing of Indian Point are inadequate policies for **preventing breaches of underground pipe systems**. I have attended many NRC annual plant review meetings, relicensing hearings, the inappropriately named Independent Safety Assessment panel hired by Entergy, and a meeting with NRC on the progress of remediation efforts after the radioactive leaks from the spent fuel storage were discovered in 2005. I have asked repeatedly how the operator will prevent further leaks from the more than one mile of buried and inaccessible underground pipes. I have never received a response from the operator nor the NRC. Without those answers, how can aging management be considered adequate?

Further, the issue of long-term storage of high level nuclear wastes in the New York Metro area is still unresolved. As you are aware, regulations regarding separation of spent fuel assemblies in the storage pools have been amended to allow for dense packing that increases the likelihood that a loss of power or loss of water will result in a much larger release of radiation if the unexpected happens. The operators should be mandated to move all viable (i.e., sufficiently cooled)

wastes to hardened dry cask storage to minimize the risk before any relicensing is approved. I am aware of the recent directive that an EIS regarding long term storage for each plant must be prepared within two years, but the agency should expedite the return to design basis standards for spent fuel storage pool configuration. You may not be aware that the spent fuel storage at Indian Point has the same design of hydrogen vents that failed at Fukushima Dai-ichi. This is not a small concern and warrants preventative measures.

Finally, it should be noted that analysis of US CDC county by county data shows that the three counties that surround Indian Point – Westchester, Rockland and Putnam – all have statistically significantly higher thyroid cancer rates than the nation overall. Further, recent reports from both Germany and France indicate that childhood leukemia rates are elevated around nuclear power plants. Again, I ask that you act in the best interests of public health and safety by not recommending new licenses for Indian Point.

I also hope that you will refer to the recently issued NYISO 2012 Reliability Report that states unequivocally that Indian Point 2 can be retired at expiration of the current license with no impact on regional grid reliability, and that only under a high demand scenario at the time that IP3's license expires would there be a shortfall for reliability, and even then the shortfall would be 750MW if no additional capacity was available between now and then. Capacity could come from transmission upgrades, energy efficiency initiatives, demand response policies or additional generation.

The essential question becomes, why take the risks associated with Indian Point if the plant is not really necessary for the electrical grid?

Thank you for your consideration.

With all due respect,
Gary Shaw
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