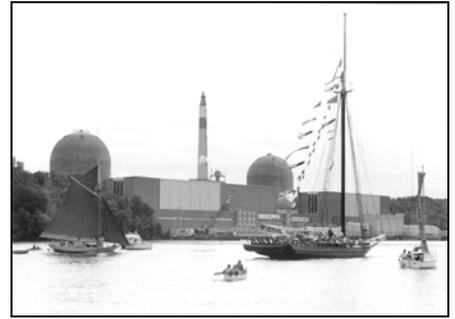


**Public Comment offered at NRC's Environmental Scoping Meeting
for
the Site-specific EIS on Entergy's Application for
Relicensing of Indian Point 2 & 3,
September 19, 2007,
at Colonial Terrace, Cortland Manor, NY
by
Manna Jo Greene, Environmental Director,
Hudson River Sloop Clearwater, Inc.**



NRC's Mission: The Nuclear Regulatory Commission's primary mandate is *"to protect public health and safety and the environment,"* and further NRC is required to incorporate *"any new and significant information"* into its findings.

Role of Government: For a democracy to work the roles and responsibilities of Government, Industry and the Public must be carefully defined and balanced. The role of corporations is to provide goods and services at a reasonable profit. For a free enterprise system to function optimally, requisite checks and balances demand that our regulatory agencies exercise the utmost **rigor**, and err on the side of protection, not leniency.

Taking a Holistic Approach: Everything in our environment is interconnected. The NRC has wide discretion, and should use it to be **inclusive**, and not exclude *any* relevant information. The more information it receives from the public for serious consideration, the better the NRC can do its job. In this regard, Clearwater thanks the NRC for extending the deadline for filing to intervene. The additional time will allow interveners to better prepare and refine their petitions, which will ultimately provide NRC with much more valuable information.

History of Relicensing: When the 40-year licenses were granted to currently operating nuclear power plants, it was assumed that 40 years was the reasonable life of (then experimental) nuclear power plant. About 18 years into the relicensing process, however, the nuclear industry realized that they could recoup 20 years more on their investment, and persuaded the NRC to promulgate relicensing regulations, which have since been systematically narrowed due to industry pressure and active lobbying. This process is part of a larger pattern of the erosion of public rights by corporations, a trend that is based on corporation's superior ability to pay to protect their interests. (Again, this imbalance of power requires that regulatory agencies take increased responsibility to assure that the public's interest is protected.)

Plant Location: More than thirty-five years ago Clearwater opposed the original siting of Indian Point in an area of such a dense population, so near New York City. Our early predictions of increasing population density have since been greatly exceeded. The NRC cannot grandfather in this site – and while our Congressional delegation is trying to get the Atomic Energy Act amended – the NRC must use its discretionary power not to avoid looking at population and all its implication (*"see no evil, hear no evil, speak no evil"*), rather it must direct its attorneys to ascertain how they can look freshly at the concerns raised here today and those submitted in written comment to assure the highest possible level of public protection.

Emergency Evacuation: In a post-9/11 world, to ignore the findings of the Witt Report that concluded that emergency evacuation from a serious incident or accident at Indian Point is virtually impossible – and to remedy this by downsizing the evacuation zone from 17.5 miles to a 2-mile wedge with sheltering in place – is the height of denial.

Leaking of Radioactive Materials: To say that the leaks at Indian Point are “being handled” by ongoing monitoring and investigation (which is, of course, necessary), but then to deny that the leaking is symptomatic of an aging, deteriorating facility is cavalier at best. This plant should not be relicensed until all the leaks are identified, contained and fully remediated. Protocols for testing the effects of radioactive materials on public health and the environment by Entergy, the NRC, NYS Department of Environmental Conservation and NYS Department of Health -- and the conclusions they have drawn about “minimal impacts” based on flawed assumptions -- are very questionable. These must be challenged and protocols must be enhanced.

Overcrowded Fuel Pools: The overfilling of spent fuel rods into facilities designed for far fewer pieces of spent equipment is unacceptable. This problematic storage of high-level radioactive waste material greatly enhances the possibility of a fuel pool fire, which could lead to a full meltdown, again in a region that lacks a viable evacuation plan (it really IS all connected).

Aging Infrastructure: NRC must require that all infrastructure subject to aging be tested and replaced, again erring on the side of caution. We cannot afford to allow a 20-year extension to become a human experiment in how long aging infrastructure will last, to learn which parts will fail first. For example, the recent transformer explosion at Indian Point 2 was not detected on routine inspection, nor prevented by current maintenance protocols. An **Independent Safety Assessment** is needed to assess this facility before a new permit extending its license for another 20 years is granted.

Alternative Energy: A sustainable energy portfolio of energy efficiency and an array of renewables (solar, wind, geothermal, tidal) is the alternative to the nuclear power produced by this increasingly failing facility. Investment of infrastructure into more sustainable, fossil-fuel free sources of electrical generation by 2013 and for the 20 years thereafter will be substantial. These must be reliably estimated and evaluated.

Environmental Justice: Finally, I want to shed a different perspective than has been offered here today on the question of environmental justice by pointing out that the mining, enrichment, processing and manufacture of uranium into active fuel rods, which emit radioactivity and heavy metals, and the ultimate disposal of resultant high- and low-level radioactive waste, has historically had its greatest impacts in poorer communities of color and on Native American people in Mississippi, Louisiana and Tennessee, New Mexico, Nevada and elsewhere. Yucca Mountain has not yet opened, but if it ever does, it will be the most extreme example of environmental injustice the nuclear industry has perpetrated.

Thank you for allowing Clearwater this opportunity to offer comment. Extensive written comments are being prepared and will be submitted by October 12.