

Clearwater's Contributions to Closing Indian Point and Why

1960's: Even before the Sloop was built, Clearwater's founders actively opposed siting a nuclear power plant so close to NYC and the greater metropolitan area.

September 11, 2001: The morning after 9/11 then executive director Andy Mele and I arrived at the Clearwater office in Poughkeepsie, looked at each other and both simultaneously said "Indian Point!" Had the plane from Boston, which turned south over the Hudson headed to NYC gone down 60 seconds sooner and aimed at Indian Point's unprotected fuel pools, we would have truly seen a Fukushima scale disaster -- or worse -- on the Hudson. We reached out to a local teacher and activist, Marc Jacobs, Marilyn Ellie of WESTPAC and a few others who had been concerned about Indian Point and founded the Indian Point Safe Energy Coalition (IPSEC). We also organized one of the first conferences on the dangers of nuclear power, particularly regarding Indian Point, at the Desmond-Fish Library in Garrison. We have since organized many technical briefings, conferences, regional forums, and Congressional briefings -- often targeted at elected officials and decision-makers, but also well-attended by community members and the public-at-large.

Opposed Relicensing Application: On April 30, 2007,¹ Entergy, the owners of Indian Point, applied for a 20-year relicensing. Clearwater actively opposed a forty-year-old plant, which had a long history of equipment failures and other problems to be relicensed for another 20 years of operation.²

- Indian Point's safety issues included a steam boiler tube rupture, transformer explosions, siren failures led to planned and unplanned shutdowns and releases, as well as ongoing leaks of radioactivity into air and water.
- Long-term radiation exposure from nuclear plant emissions increases cancer risk.
- Indian Point's "once-through" cooling system, along with the thermal pollution it generated, killed 300 billion Hudson River fish, eggs and larvae each year.
- The nuclear energy industry emits 4-5 times more carbon dioxide than renewables.
- While operating, Indian Point created nearly 2,000 tons of highly radioactive waste, which, without a national repository for disposal, built up on site.
- Indian Point contaminated air, groundwater and the Hudson River with both planned and unplanned releases, as well as ongoing leaks of radioactivity.

One of Clearwater's contentions was accepted for hearing. It was a unique contention on Environmental Justice and the disproportionate impacts that an accident or incident at Indian Point would have on communities of color and low-income, including the inmates who were incarcerated at Sing Sing Prison in Ossining. We often say that we "won-lost" that contention with the Atomic Safety Licensing Board deciding that Clearwater did such a good job on this contention that neither the Nuclear Regulatory Commission nor Entergy had to do an Environmental Justice Study that would include potential mitigations. It was a nice compliment, but that undertaking cost Clearwater \$15,000, while relieving the responsible parties of this requirement, leaving the problem documented, but unaddressed.

¹ <https://www.nrc.gov/reactors/operating/licensing/renewal/applications/indian-point.html#application>

² <https://www.nrc.gov/docs/ML0735/ML073520042.pdf>

NDCAP: Slowly over time Clearwater built the reputation as an organization that brought fact-based information to help decision-makers make informed choices both regarding relicensing and, more currently, regarding the safest possible decommissioning of this aging facility, which closed today. As a result of the education we provided and the trust we built when the Endicott was formed, Clearwater's Environmental Action Director, Manna Jo Greene, was selected to represent the environmental community on that body.

Decommissioning Oversight Board: Over the past 4 years, Clearwater joined with IPSEC and the members of Unity for Clean Energy, a Grassroots coalition of organizations that met monthly at Stony Point and are now meeting virtually. We worked with an environmental attorney who researched the best examples nationally and to learn from the failures to create a draft of legislation that would form a Community Oversight Board. When we brought that draft to NYS Assemblymember Sandy Galef and NYS Senator Peter Harckham, they wisely decided it should be a statewide Decommissioning Oversight Board made up of all the departments and agencies that had jurisdiction or information that would be important to safe (as safe as possible) decommissioning of New York's nuclear power plants. The Decommissioning Oversight Board will also include first responders, labor, and other community representatives. These would vary from Indian Point to the three nuclear power facilities that continue to operate in Western New York, who will have their own local and regional participants on their DOB.

This legislation had widespread support in both houses of the New York State Legislature. Ultimately Governor Cuomo added the DOB to other valuable legislation regarding Indian Point closing and assigned it to the New York State Public Service Commission to create and facilitate it. It is urgent that this body be convened as soon as possible.

License Transfer Agreement: Most recently Clearwater offered powerful public comment opposing the license transfer from Entergy to Holtec.

- **Why not Holtec:** See: [BACKGROUND INFORMATION FOR THE EESI CONGRESSIONAL BRIEFING: TOWARDS AN EVIDENCE-BASED NUCLEAR ENERGY POLICY Gaps in Research, Regulation, Policy, and Practice in the U.S. Nuclear Industry, and What Policymakers Can Do to Bridge Them](#)
- **The Joint Proposal:** Instead of convening the Decommissioning Oversight Board to review the many questions, concerns and comments that people had raised during the public comment hearings and posted on the PSC webpage on the license transfer, the New York State Public Service Commission, the Office of Attorney General, Riverkeeper and other parties announced for comment by April 29 a settlement agreement for a Joint Proposal that would allow the license transfer from Entergy to Holtec. It included a series of financial and other protections, but did not address many serious onsite safety considerations or the impact of later transporting 2,000 tons of highly radioactive waste across the country over insufficient roads, overpasses, bridges, and tunnels to Holtec's proposed Consolidated Interim Storage (CIS) Facility and the environmental injustice impacts on the First Nation and Latinex communities there, who have already been burdened for decades with atomic testing, uranium mining and processing and now proposed storage of much of the nation's nuclear waste.. This is another example of a win-lose decision.