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Issue Alert: Government Agencies Raise Major Concerns on DEC's Indian Point Actions

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Executive Director**

The New York State Department of Environmental Conservation's (DEC) call to use Best Technology Available, and by implication sizable cooling towers, at power plants that provide 54 percent of New York's electricity will have major economic and environmental ramifications.

DEC's draft policy proposal, which was first released in March 2010, purports to lower the mortality of fish eggs and larvae in New York State's water bodies. By the DEC's estimate, that rule will cost \$8.5 billion. This is equivalent to \$435 for every man, woman, and child throughout New York State in the midst of a recession that has caused a budget crisis in Albany and high unemployment.

DEC's "test case" for its ambitious new policy is the Indian Point Energy Center in Westchester, where it has denied a water quality certification permit and effectively ordered that massive cooling towers be built. The DEC's decision in this regard is running into a buzz saw of concern and opposition – from other government agencies.

In amicus briefs just filed with the DEC, a wide range of government agencies have raised significant concerns with the policy to the Administrative Law Judge reviewing this matter. They include: the New York City Economic Development Corporation; the Town of Cortlandt; and the New York State Department of Public Service.

Also, a hearing is scheduled for Tuesday, July 20, to provide the public with an opportunity to comment on the Indian Point proposal specifically.

Below is a small sampling of the government agencies' concerns.

City of New York/New York City Economic Development Corporation

"PlaNYC established a City goal of a 30% reduction in greenhouse gas emissions by the year 2030. That target is already an ambitious one; any loss of more than 2000 megawatts of greenhouse gas-free nuclear output, even for a limited period of time, would place this

critical City goal at potential risk. In addition, as production alternatives on the very large scale needed to replace the output of Indian Point would inevitably involve fossil-fueled generation, an increase in air pollutants such as CO₂, NO_x S0₂ would inevitably be seen in and around the City. This fact would raise additional issues for the City as it is already the case that historically underserved communities have typically borne a disproportionate share of air quality concerns associated with electric power production.”

Town of Cortlandt

“The towers would double the industrial profile of Indian Point immediately adjacent to the Hudson River, disturbing 22 acres of riverfront land. Within a five-mile radius, these towers would impact more than 50 places defined as scenic resources of statewide significance or other places that contribute to overall scenic beauty of a coastal area. During operation in "wet" mode, which may occur in order to save energy, the towers would emit large and highly visible vapor plumes which could exceed 2,600 feet in length downwind and more than 1,200 feet in height above the cooling tower.”

New York State Department of Public Service

“Another part of the BTA determination relates to the cost of the technology in question. Joseph Lochner, a chief in DPS’s Office of Accounting and Finance will testify concerning the applicant’s ability to absorb the requisite cost. Leka Gjonaj a licensed professional engineer in the State of New York and David Wheat and Thomas Paynter (economists with a masters and doctors degree, respectively) will testify concerning societal costs of the technology in question. These costs include impacts on system reliability, electric energy market price estimates, electric capacity market price estimates and increased air pollutant emissions associated with various construction and operating scenarios.”

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About New York AREA: Founded in November 2003, the New York Affordable Reliable Electricity Alliance (New York AREA) is a diverse group of more than 100 business, labor, and community groups whose mission and purpose is to ensure that the New York metropolitan area has an ample and reliable electricity supply, and economic prosperity for years to come. New York AREA helps to educate policy makers, businesses, and the general public regarding the necessity and importance of safe, low-cost, reliable, clean electricity. Entergy, owner of Indian Point, is a member of New York AREA.

For additional information visit: www.area-alliance.org.