

May, 2004

Coalition Files Legal Rationale in Fight Against New Reactor at Grand Gulf

NAACP – Claiborne County * Nuclear Information And Resource Service * Public Citizen * Sierra Club – Mississippi Chapter

Entergy is Disregarding Environmental Justice in Application, Groups Say

PORT GIBSON, Miss.— A coalition of environmental, consumer, and human rights organizations today filed its reasons why the U.S. Nuclear Regulatory Commission (NRC) should deny Entergy Nuclear's application for a permit to site more nuclear power plants near its existing Grand Gulf power station in Port Gibson, Miss.

Exelon is seeking an Early Site Permit, which would allow the company to qualify a new but unspecified reactor design for the site under the permit and “bank” the site for 20 years, during which time it could apply for a separate combined license to construct and operate a pre-approved so-called “advanced” reactor design.

The coalition, which filed to intervene in the NRC application process in February, is charging Entergy of disregarding environmental justice issues and other national environmental policy and public safety requirements. The proposed reactor would be located in Claiborne County, which is 84% African American with 32% of its residents living at or below the poverty line.

“Due to financial strains facing our county today, the necessary civil defense to protect against an accident or sabotage at Grand Gulf is not available,” said A.C. Garner of the NAACP Claiborne County Chapter and former county civil defense director. “Adding another reactor to Grand Gulf will only complicate an overwhelming situation for our sheriff and fire department and the county hospital.”

When Grand Gulf first opened in 1985, Claiborne County was to receive 100% of the nuclear station's assessed property tax as revenue. In 1986, the Mississippi State legislature drastically cut Claiborne County tax revenues when it enacted a law that shares the assessed value of the nuclear electrical generating station with 44 other Mississippi counties based on each county's kilowatt usage from the reactor. None of Mississippi's other electrical generators shares the assessed property tax outside the county of those facilities. Grand Gulf is the only electrical generating station in Mississippi that requires federally qualified radiological civil defense preparedness and infrastructure be in place for a 20-mile wide evacuation planning zone, namely Claiborne County and a portion of Tensas Parish, Louisiana, and a 100-mile wide radiation protection zone in the event of a nuclear accident or a terrorist attack.

“Entergy fails to consider how a discriminatory state tax policy has an uneven and adverse impact on this minority and poor community,” said Paul Gunter, director of the

Reactor Watchdog Project with Nuclear Information and Resource Service. “This not only raises very serious concerns about adding another nuke to this site but about the lack of protection from the one that’s there now.”

The coalition also charged that Entergy’s application is deficient because it does not adequately regard other significant national environmental policies and public health and safety requirements.

Currently, 47,000 metric tons of irradiated nuclear fuel is piling up at operating reactor sites around the country because of the lack of a scientifically accepted and proven permanent high-level radioactive waste storage facility. The proposed Yucca Mountain nuclear waste dump in Yucca Mountain, Nev., appears to be more uncertain every year; most recently, the dump’s 2010 opening date was cast further into doubt by the April 30, 2004, U.S. General Accounting Office report “Yucca Mountain: Persistent Quality Assurance Problems Could Delay Repository Licensing and Operation.”

“Despite concerns about the lack of a safe and permanent disposal solution for our nuclear waste problem, the DOE is helping to fund efforts to build new nuclear power plants,” said Wenonah Hauter, director of Public Citizen’s Critical Mass Energy and Environment Program. “Allowing more plants to be built when we cannot dispose of the waste they have already produced is like continuing to run the tap in a bathtub that is already overflowing with water. We’re drowning in waste and it just doesn’t make sense.”

As part of the NuStart Energy Development consortium, Entergy announced last week it is applying for \$400 million from the government to help prepare a combined construction and operating license for a future nuclear plant. According to NRC’s rules, Entergy does not need to choose a site nor pick a construction date in order to apply for taxpayer dollars.

“Even the new nuclear power reactors don’t meet the market test,” said Rose Johnson, chairwoman of Sierra Club Mississippi Chapter. “If they are so affordable how come they consistently go to U.S. taxpayers at every turn of the process?”

Public Citizen and NIRS are also filing joint contentions with other environmental organizations on the Early Site Permits in Mineral, Va., and Clinton, Ill., where power companies have also filed applications. To read about the intervention for Grand Gulf, please go to <http://www.citizen.org/cmep/GGintervention>.