STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

The Honorable Gerald L. Lynch
The Honorable David L. Prestemon
Administrative Law Judges
New York State Public Service Commission
3 Empire State Plaza
Albany, NY 12223

July 31, 2008

Re: PSC Case No. 08-E-0077 - Entergy Nuclear Fitzpatrick LLC, Entergy Nuclear Indian Point 2 LLC, Entergy Nuclear Indian Point 3 LLC, Entergy Nuclear Operations, Inc., NewCo, and Entergy Corporation - Joint Petition for a Declaratory Ruling Regarding a Corporate Reorganization, or, in the Alternative, an Order Approving the Transaction and an Order Approving Debt Financing

Dear Judges Lynch and Prestemon:

The Office of the Attorney General submits this letter brief in response to arguments contained in Entergy's e-mail sent to Your Honors on the afternoon of Friday, July 18, 2008 concerning the applicability of the New York State Environmental Quality Review Act (or SEQRA) and to further explain this Office's position concerning the required level of environmental review. Given the serious and significant environmental issues implicated by the proposed reorganization and assumption of debt, the Public Service Commission must examine Entergy's request through the preparation and review of an Environmental Impact Statement.

In its July 18 e-mail submission, Petitioner Entergy continues to misinterpret the New York State Environmental Quality Review Act, a Legislative directive applicable to all State agencies – including the Public Service Commission and the Department of Public Service. "The primary purpose of SEQRA is 'to inject environmental considerations directly into governmental decision making.'" *Akpan v. Koch*, 75 N.Y.2d 561, 569 (1990), *quoting Matter of Coca-Cola Bottling Co. v. Board of Estimate*, 72 N.Y.2d 674, 679 (1988). To this end, SEQRA mandates the preparation of an Environmental Impact Statement (or EIS) when a proposed project "may have a significant effect on the environment." ECL § 8-0109(2). Because the operative word triggering the requirement of an EIS is "may," there is a relatively low threshold for the preparation of an EIS. *Omni Partners, L.P. v. County of Nassau*, 237 A.D.2d 440, 442 (2d Dep't 1997). An EIS is required if the action may include the potential for even one significant adverse environmental impact. *See* 6 NYCRR § 617.7(a)(1); *Chinese Staff & Workers Ass'n v. New York*, 68 N.Y.2d 359, 364-365 (1986); *West Branch Conservation Ass'n v.*

Planning Bd., 207 A.D.2d 837, 839 (2d Dep't 1994).[1]

Moreover, SEQRA requires lead agencies to examine all environmental effects of a proposed action: the New York State Department of Environmental Conservation's SEQRA regulations direct agencies to evaluate all potential short- and long-term effects, direct and indirect effects, cumulative effects, and other associated environmental effects that are reasonably related to the contemplated action. *See* 6 N.Y.C.R.R. §§ 617.7(c)(2), 617.9(b)(5)(iii)(a).

The Office of the Attorney General (and other participants such as Westchester County, Riverkeeper, and Oswego County) have identified a number of significant environmental impacts that may result from Entergy's proposed corporate reorganization and debt financing. The massive restructuring and debt financing at issue here does not fall within the so-called "Type II" category of actions under DEC's SEQRA regulations or PSC's supplemental SEQRA regulations. *See* 6 NYCRR § 617.5, 16 NYCRR § 7.2(b). Accordingly, the impacts require a thorough analysis through the preparation of an Environmental Impact Statement along with a meaningful opportunity for public comment on such analysis.

Site Decontamination and Restoration

Moreover, the proposed corporate name change and debt issuance will complicate the decontamination of the Indian Point facilities. Entergy claims that it "currently address[es]" any radioactive subsurface contamination in various decommissioning cost evaluations and that those evaluations "include[] costs to remediate any potential radioactive material from the subsurface below the land on which the facility is located." *See* July 18, 2008 Entergy e-mail from Gregory Nickson to Your Honors, at ¶ 2. Of course, that is quite different from stating that Entergy has actually *deposited* money into the decommissioning funds to *match* such costs. In any event, given Entergy's confidence in its projections, it should be willing to subject their authors (and their assumptions) to cross-examination in a formal evidentiary proceeding before Your Honors.

As disclosed by public filings, Entergy has set aside only paltry funds for the decontamination of the Indian Point site and its subsurface radioactive plumes and the restoration of the site to a "greenfield". At present, the Indian Point facilities have two known separate, subsurface radioactive plumes.[2] It appears that these plumes have been in existence for quite some time. One contamination plume flows from the spent fuel facility connected to the Indian Point Unit 1 reactor, while the second plume flows from the spent fuel facility connected to the Indian Unit 2 reactor. These radionuclide plumes collectively contain strontium, tritium, cesium,

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[1]The Legislature authorized DEC to promulgate regulations to implement the State Environmental Quality Review Act. *See* ECL § 8-0113(1).

[2]Maps of the plumes – prepared by Entergy's consultant and released to the public in January 2008 – are attached to this letter. *See* Hydrogeologic Site Investigation Report, GZA GeoEnvironmental, Inc., Jan. 7, 2008 at Figure Nos. 9.3, 9.4.

cobalt, and nickel. Both of these spent fuel facilities were constructed and operated by the Consolidated Edison Company, which sold its Indian Point facilities to Entergy in 2001. Entergy publicly acknowledges that these two plumes flow into the Hudson River.[3] In addition, on or about April 7, 2007, a steam pipe connecting Indian Point Unit 2 and Indian Point Unit 3 cracked and vented tritium up through the ground and blacktop.[4] In short, the subsurface radionuclide contamination at Indian Point is one of the worst of such situations in the Nation. It cannot be gainsaid that these plumes will require extensive and expensive decontamination. The decontamination work at the Haddam Neck reactor in Connecticut likely will pale in comparison to the remediation that will need to take place at Indian Point. As previously noted by this Office,[5] publicly-available information about the Indian Point decontamination/ decommissioning funds indicates that they are, and will continue to be, inadequate to accomplish this critical environmental remediation task. For example, in a March 29, 2007 letter, Entergy Nuclear Operations publicly disclosed that as of December 31, 2006, Indian Point Unit 1 had just $254 million in its decommissioning fund, while Indian Point Unit 2 had only $303 million.[6] Each of these totals accounts for less than half of the money expended thus far to decontaminate

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[3]*See* April 30, 2007 Entergy License Renewal Application, Environmental Report, at 4-87 (stating that Entergy and the Nuclear Regulatory Commission have concluded that "...there appears to be some level of contaminated groundwater that discharges into the Hudson River...").

[4]This was not an isolated event. During the recent March 2008 fuel outage for Indian Point Unit 2, hundreds of gallons of tritium-contaminated water leaked from a hose that became uncoupled. *See* April 28 and 30, 2008 Indian Point Condition Reports Nos. CRIP2-2008-01490, CR-IP2-2008-01533. The recent closure of the Barnwell Low Level Radioactive Waste Disposal site in South Carolina will increase the storage of such waste at in Westchester County at Indian Point Unit 1. *See* NRC Press Release 07-146 ("Barnwell is currently the nation's only commercial disposal option for certain wastes, and its closure could force licensees to store waste on-site until other disposal options become available. ").

[5]*See* July 14, 2008 OAG Letter Brief filing, at 3.

[6]*See* March 29, 2007 letter from John Herron, Entergy Nuclear Operations, Inc., to U.S. Nuclear Regulatory Commission, re Status of Decommissioning Funds, ML070950209. Entergy intimates that the NRC's 20-year-old formula is more than ample to ensure that sufficient trust funds have been deposited to cover the costs of decontamination, decommissioning, and restoration of the Indian Point to an unrestricted-use greenfield. *See* July 18, 2008 Entergy e-mail from Gregory Nickson to Your Honors, at ¶¶ 2, 3. The reality, however, is quite different. When the NRC promulgated its simplistic decommissioning fund regulation (10 C.F.R. § 50.75) back in 1988, it had not yet acknowledged that significant subsurface decontamination could develop at power reactor sites. Thus, the formula – which has remained unchanged over the past 20 years and is pegged simply to a reactor's thermal output – underestimates the expense to decontaminate sites, such as Indian Point, that contain significant subsurface radiological contamination. Only in the past few years, has the NRC staff begun to recognize the significance of the challenge posed by subsurface contamination and the related implications for decommissioning. While NRC Staff recently noticed a proposal to make minor changes to decommissioning planning regulations (73 Fed. Reg. 3812), it has not yet promulgated any meaningful regulatory changes to prevent such decontamination or require an increase in decommissioning funds for power reactor sites. Nor does Entergy's citation to SECY-07-0197 advance its cause. Indeed, that document confirms the NRC's *laissez faire* attitude towards verifying actual balances in trust funds. *See* SECY-07-0197 (November 7, 2007) at p. 6, ML072610606. Ultimately, if Entergy, Enexus, their affiliates, or successors lack sufficient money to thoroughly decontaminate the Indian Point site, the responsibility to remediate the site will pass through to the taxpayers or the ratepayers.

and decommission the single reactor at the Connecticut Yankee Haddam Neck site.[7]

What's more, Entergy has a poor track record of protecting decommissioning funds. Withdrawals of the trust fund under 10 C.F.R. § 50.82(a)(8)(i)(A) are limited to legitimate decommissioning activities consistent with the definition of decommissioning. Your Honors and PSC Staff may take formal notice of the fact that Entergy recently attempted to leverage decommissioning funds for current plant operating obligations at another reactor in its fleet. Specifically, Entergy sought to divert funds from the decommissioning fund for the Vermont Yankee reactor to pay for the ongoing management of spent fuel. *See* July 16, 2008 NRC Safety Evaluation of Entergy's Proposed Fuel Management Program, ML081700564.[8] This sort of attempted creative financial "restructuring" raises concerns about Entergy's (and Enexus') long-term commitment to the thorough and complete decontamination of the Indian Point site and its return – as promised to Westchester County – to a "greenfield".

Given Entergy's attempts to withdraw money from the Vermont Yankee decommissioning trust fund for unauthorized purposes, and the immense debt that Entergy proposes to saddle Enexus with, it is reasonable to assume that Enexus will resist efforts to increase monies deposited in the Indian Point decommissioning funds and to return the site to an unrestricted-use greenfield. Authorizing Entergy to spin off Indian Point to a thinly-capitalized and debt-laden Enexus will make it all the more difficult to ensure that New York ratepayers and taxpayers do not get stuck with a bill to decontaminate and decommission Indian Point. This environmental impact must be examined through the preparation and review of an Environmental Impact Statement.

Entergy's Plan to Terminate the Agreement to Pay $432 Million to NYPA

To begin with, according to public statements made by Entergy, these effects could include the termination of significant financial payments to NYPA that, in turn, could impact NYPA's ability to play an effective role in implementing the State's 15 x 15 Program to promote energy efficiency and conserve energy. Moreover, Your Honors may take formal notice of the undisputed fact that the New York State Public Service Commission and the Department of Public Service has recently taken steps to increase the aggregate System Benefit Charge to secure

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[7]Similar concerns have been raised about the decommissioning fund for another Entergy owned facility. According to an article in the Rutland Herald, Vermont Yankee estimates its decommissioning costs at between $700 and $800 million, a figure which excludes decontamination costs which may arise from radioactive contamination, yet it currently has only $440 million in its decommissioning trust fund for the facility. *See* Susan Smallheer, *Lawyer Urges Spinoff Review*, Rutland Herald (Apr. 14, 2008), available at http://www.rutlandherald.com/apps/pbcs.dll/article?AID=/2008041 l/NEWS02/804110367.

[8]The NRC found that: "Entergy VY plans to use funds from the decommissioning trust fund to cover spent fuel management costs." However, 10 C.F.R. § 50.75, requires that licensees provide decommissioning funding assurance for decommissioning costs. Such costs do not include spent fuel management costs under 10 C.F.R. § 50.54(bb). Accordingly, the NRC rejected Entergy's proposal to withdraw funds from the Vermont Yankee decommissioning fund.

more funds to promote energy efficiency and conserve energy as part of their responsibility to achieve the objectives of the State's 15 x 15 Program. As set forth in the PSC's June 23, 2008 order, the modification of the System Benefit Charge will produce approximately $340 million to be used for energy efficiency and conservation. *See* PSC Proceeding No. 07-M-0548 - Energy Efficiency Portfolio Standard, *Order Establishing Energy Efficiency Portfolio Standard and Approving Programs*, issued June 23, 2008. At present, the Value Sharing Agreement between Entergy and NYPA will produce – according to Entergy's own public statements – up to $432 million to NYPA, which could be used by NYPA to promote energy efficiency, energy conservation, and renewable forms of energy through various programs including the installation of solar arrays, fuel cells, and microturbines.[9] Stated differently, the existing Value Sharing Agreement will produce more money over the next 6 years (January 2009 through December 2014) than will the PSC's own recently-revised System Benefit Charge. Entergy has told the U.S. Securities and Exchange Commission and the investment community that if the PSC approves the proposed action, Entergy will stop making payments to NYPA. Given Entergy's public statements, Entergy cannot now deny that approving Entergy's proposed reorganization could more than offset environmental benefits anticipated from the June 23 PSC Energy Efficiency Portfolio Standard order.[10]

In short, it is difficult to imagine how Entergy (or any other participant in this proceeding) can legitimately maintain that the proposed corporate reorganization and its stated plan to terminate significant revenue payments to NYPA is anything but a significant environmental

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[9]The $432 million total is arrived at by multiplying the maximum annual payment ($72 million) by the 6 years (January 2009 through December 2014), the remaining number of years that the existing Revenue Sharing Agreement will remain in place. *See* May 12, 2008 Entergy Form 10 and Attachment Filing with the U.S. Securities and Exchange Commission, at p. 69. (Entergy's description of the Entergy-NYPA Value Sharing Agreement). The OAG calls Your Honors' and PSC's attention to NYPA's web site that describes NYPA's promotion of renewable forms of energy and energy efficiency. *See* New York Power Authority website: http://www.nypa.gov/services/fuel%20cells.htm, http://www.nypa.gov/services/solar.htm, and http://www.nypa.gov/services/microturbines.htm (last visited on July 25, 2008). Given its own public statements, Entergy clearly understands that its proposal could have a substantial negative impact on NYPA's resources and bottom line.

[10]Entergy argues that this Office's "arguments regarding the Value Sharing Agreements with the New York Power Authority are totally speculative, irrelevant and not based on information in this proceeding." *See* July 18, 2008 Entergy e-mail from Gregory Nickson to Your Honors, last paragraph. To the contrary, Entergy's statements about the Value Sharing Agreements most definitely are before the PSC and DPS. Perhaps Entergy has forgotten that on or about May 13, 2008, it sent the May 12, 2008 SEC Form 10 – including Entergy's statement that it will cease payments to NYPA at the end of 2008 – to PSC Secretary Jaclyn Brilling. *See* May 13, 2008 letter from Paul Gioia to Jaclyn Brilling (with SEC Form 10 attached). Given Entergy's unambiguous statements contained in its 2007 Annual Report to Shareholders and its Form 10 filed with the Securities and Exchange Commission, there is nothing "speculative or irrelevant" about this Office's position regarding Entergy's public commitment that it will avoid $432 million in payments to NYPA should the PSC and DPS approve Entergy's corporate reorganization. In any event, Your Honors' July 23, 2008 Formal Ruling resolved this matter and made clear that Entergy's formal statements to the SEC and investors are part of the record in this proceeding. *See* PSC Proceeding No. 08-E-0077, *Ruling Concerning Discovery and Seeking Comments on a Proposed Process and Schedule*, issued July 23, 2008, at p. 10-12 (July 23, 2008 Order).

impact. Any continued suggestion by Entergy that the proposed action can be addressed through a mere Environmental Assessment is flatly inconsistent with New York State law.

Closed-Cycle Cooling

This Office also notes that Assemblyman Richard Brodsky and Your Honors[11] have raised another issue that would necessitate the preparation and review of an Environmental Impact Statement. Both parties have placed Petitioners' commitment to, and ability to pay for, closed- cycle cooling at issue in this proceeding. Your Honors and the PSC may take formal notice of the fact that the New York State Department of Environmental Conservation issued a draft permit that requires Entergy to install closed-cycle cooling in lieu of the existing once through cooling water intake systems (CWIS) at the site.[12] The Entergy corporate family objects to the cost of installing closed-cycle cooling at Indian Point. An Environmental Impact Statement should examine whether the proposed corporate reorganization and assumption of debt will ensure that the resulting corporate entity has sufficient capital to install a closed cycle cooling system(s) at Indian Point, if it is required.[13]

Emergency Evacuation Concerns

In recent years, various counties have raised concerns about Entergy's commitment to meaningful participation in emergency planning exercises and drills at Indian Point. Today, Entergy's own panel raised additional concerns about such issues and noted that important equipment, such as air dispersion plume monitoring equipment, needs to be upgraded or replaced. An Environmental Impact Statement must address whether the new, debt-laden corporation will ensure the timely and safe evacuation of the surrounding New Yorkers in the event of an emergency.

SEQRA Requires the Elimination or Minimization of Adverse Environmental Impacts

Not only does the State Environmental Quality Review Act mandate the preparation and review of an Environmental Impact Statement here, it also imposes an affirmative obligation upon the Public Service Commission to eliminate any adverse environmental impact that may result from the proposed action. ECL § 8-0103(9) expresses the legislative intent that action agencies, such as PSC/DPS, give "due consideration . . . to preventing environmental damage."

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[11] *See* July 23, 2008 Order, at p. 10.

[12] *See In re Renewal & Modification of a SPDES Permit by Entergy Nuclear Indian Point 2, LLC, et al.*, 2006 N.Y. ENV LEXIS 3, *10-12 (Feb. 3, 2006) (interim decision).

[13] The Office of the Attorney General notes that Oswego County has raised concerns about whether meaningful emergency drills, a payment in lieu of taxes (PILOT) program, and an agreement to supply low cost power would be guaranteed to continue with the new, emerging corporate entity. *See* July 30, 2008 Oswego County letter from Richard Mitchell to Your Honors.

This, together with the requirement of § 8-0109(8) that agencies make findings that environmental impacts have been minimized or avoided, imbues SEQRA with a substantive mandate to mitigate environmental harm. *See Town of Henrietta v. Department of Envtl. Conservation*, 76 A.D.2d 215, 221-22 (4th Dept. 1980); *accord Metropolitan Museum Historic Dist. Coalition v. De Montebello*, 20 A.D.3d 28, 34 (1st Dept. 2005) (SEQRA imposes substantive, not simply disclosure, requirements). Thus, this Office respectfully requests that the Commission take affirmative steps to eliminate any of the adverse environmental impacts identified by the parties, PSC staff, or the public during the preparation of the Environmental Impact Statement.

Conclusion

In summary, SEQRA requires the preparation and review of an Environmental Impact Statement if a proposed action may result in a single adverse environmental impact. This low threshold is easily satisfied here.

Entergy's arguments against SEQRA are ill-founded. Given the issues already identified by the parties, Entergy's insistence that the parties hurry up and finish this proceeding should be summarily rejected. New York State law establishes procedures to protect the public interest and environment, and those laws should be followed here.

The parties (and, indeed, Entergy's own statements) have identified a number of adverse environmental impacts that could result from this proposed action. Thus, SEQRA requires that the proposed action receive public notice and comment, the preparation of a thorough Environmental Impact Statement, and the elimination or minimization of any adverse environmental impacts flowing from the proposal.

This Office hereby incorporates by reference all of the citations included in this submission.

Respectfully submitted,

s/

John J. Sipos
Assistant Attorney General

cc: The Honorable Jaclyn Brilling, PSC Secretary
Service List PSC Case No. 08-E-0077

Attachment to OAG July 31, 2008 Letter Brief

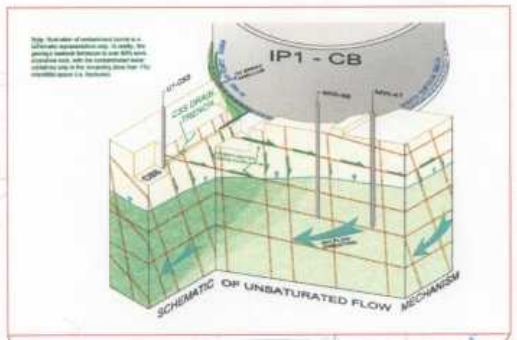
Maps of Radionuclide Subsurface Plumes at Indian Point

from:

Hydrogeologic Site Investigation Report, GZA GeoEnvironmental, Inc., January 7, 2008

Figure Nos. 9.3, 9.4.

CURRENT UNIT 1 ACTIVITY ISOPLETHS[1]



UNIT 1

UNIT 2

UNIT 3

HUDSON RIVER

LEGEND

Probable Legacy Release Locations

- Terminated Connection To Storm Drain
- Flooding / Storm Drain Exfiltration
- Inter-Structure Joint / Mud Mat
- Containment Spray Sump Trench
- Unit 1 West Fuel Pool
- Unit 2 Fuel Pool

Boring / Monitoring Installation Designation
Boring / Monitoring Installation

Depth-Specific Data

Activity of Sr90 (pCi/L) for each screened interval.

Multiple Screened Intervals w/ Depth

Screened in Soil
Screened in Bedrock

Average Total Response for each screened interval (measured between 10/1/2004 and 11/30/2006).

Groundwater elevation at the time of low river tide for each screened interval, 6/1/2007. (MW-47 extraction system was started on 6/27/2007. The given piezometric heads for MW-47 are responses to 6/26/2007 tides.)

Activity Data[1]

Bar Graphs; Current Sr-90, pCi/L

- No Sample
- Not Detected (ND)
- ND - 1
- 1.0 - 2.0
- 2.0 - 4.0
- 4.0 - 8.0
- 8.0 - 25
- > 25

Isopleths; Current Sr-90, pCi/L

- 2 - 4
- 4 - 8
- 8 - 25
- > 25

Note: Illustration of contaminant plume is a schematic representation only. In reality, the geologic bedrock formation is over 95% solid crystalline rock, with the contaminated water contained only in the remaining (less than 1%) interstitial space (i.e. fractures).

Groundwater Elevation Contours

- Ambient "Watertable" Contours 6/1/2007 (10' Interval)
- Contours Other Than 10' Interval

Vadose Zone Contaminant Transport

Note:
Contours developed from limited data available on 6/1/2007. Actual elevations may vary from conditions shown and the actual distribution of piezometric heads is likely more complex than indicated.

Data Notes:
1. Current Sr-90 isopleths represent the most recent activity measured over depth through 6/26/2007.
2. Sr-90 activity at MW-111 may be due to resuspension of residual Sr-90 from topsoil used in the Transformer Yard.
3. Two discrete isopleths have been drawn around MW-35 and MW-41 given measured concentrations greater than 2 pCi/L. It is expected that similar concentrations exist at other locations along the legacy piping alignment in addition to the locations shown.
4. The low Sr-90 concentrations measured in these wells are consistent with that expected due to residual levels remaining as the legacy storm has attenuated over time.

General Notes:
1. Base map was developed from an unedited electronic file provided by Bexley & Nelson Surveying and Engineering, P.C., Dated 2/5/98; CAD file name : "GZA.dwg".
2. Additional legend on Figure 1.3.

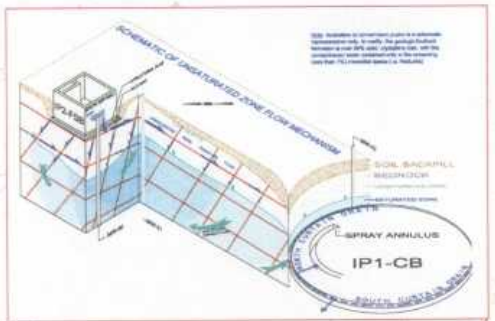
GZA GeoEnvironmental, Inc.
One Edgewater Drive
Norwood, MA 02062
Phone: (781) 278-3700 Fax: (781) 278-5701

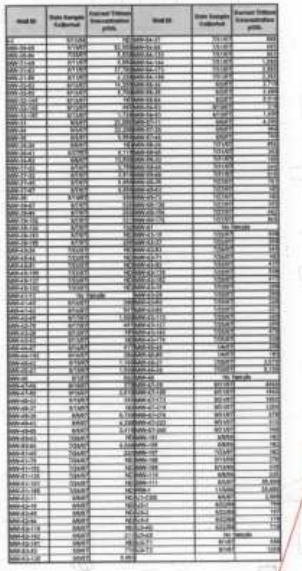
INDIAN POINT ENERGY CENTER
BUCHANAN, NEW YORK

CURRENT UNIT 1
ACTIVITY ISOPLETHS[1]

Proj. Mgr.: MJB	Proj. Date: 01-04-2008	Figure No.
Designed By: MJB		9.4
Reviewed By: MJB	File No.: 41.0017869.10	
Operator: MKL		

CURRENT UNIT 2 ACTIVITY ISOPLETHS[1]





LEGEND

Probable Legacy Release Locations

- Terminated Connection To Storm Drain
- Footing /Storm Drain Exfiltration
- Inter-Structure Joint / Mud Mat
- Containment Spray Sump Pipe Trench
- Unit 1 West Fuel Pool
- Unit 2 Fuel Pool

- Boring / Monitoring Installation Designation
- Boring / Monitoring Installation

Depth-Specific Data

Depth — Multiple Screened Intervals — Screened in Till — Screened in Bedrock

Average Total Response for each screened interval measured between 10/1/2005 and 11/30/2006).

Groundwater elevation at time of low river tide for each screened interval, 8/1/2007. (MW-67 wellnest system was started on 8/27/2007. The given piezometric heads for MW-67 are responses to 8/28/2007 tides.)

Activity Data[1]

Bar Graphs; Current H3, pCi/L	Contours; Current H3, pCi/L
No Depth-Specific Samples	5,000 - 10,000
Not Detected (ND)	10,000 - 50,000
ND - 1,000	50,000 - 100,000
1,000 - 5,000	> 100,000
5,000 - 10,000	
10,000 - 50,000	
50,000 - 100,000	
100,000 - 200,000	
> 200,000	

Note: Illustration of containment plume is a schematic representation only. In reality, the geologic bedrock formation is over 99% solid, crystalline rock, with the contaminated water contained only in the remaining (less than 1%) interstitial space (i.e. fractures).

Groundwater Elevation Contours

- Ambient "Watertable" Contours 6/1/2007 (10' Interval)
- Contours Other Than 10' Interval
- Vadose Zone Contaminant Transport

Note: Groundwater contours developed from limited data available on 6/1/2007. Actual elevations may vary from conditions shown and the actual distribution of piezometric heads is likely more complex than indicated.

Data Notes:
1. Current Tritium isopleths represent the most recent activity measured over depth through 8/28/2007.

General Notes:
1. Base map was developed from an untitled electronic file provided by Badey & Watson Surveying and Engineering, P.C., Dated 2/5/06, CAD file name : "GZA.dwg".
2. Current activity reflects the most recently reported activity. Generally, these results are from samples collected in August 2007.
3. Additional legend on Figure 1.3.

UNIT 1

UNIT 2

UNIT 3

HUDSON RIVER

Plant North

GZA GeoEnvironmental, Inc.

INDIAN POINT ENERGY CENTER
BUCHANAN, NEW YORK

CURRENT UNIT 2
ACTIVITY ISOPLETHS[1]

Proj. Mgr.: MJB	Date: 1-4-2008	Figure No.
Designed By: MJB		9.3
Reviewed By: MJB	File No.	
Operator: MHL	41.0017869.10	