

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

In the Matter of

Docket # 50-293-LR

Entergy Corporation

Pilgrim Nuclear Power Station

License Renewal Application

February 27, 2012

**PILGRIM WATCH REPLY TO ENTERGY'S MOTION TO STRIKE PILGRIM
WATCH'S REPLY (FEBRUARY 23, 2012)**

Pilgrim Watch ("PW") respectfully requests leave to reply to Entergy's Motion to Strike. We could not anticipate Entergy's meritless claims that (1) PW's reply exceeded the Commission's page limitations; and (2) PW raised new issues for the first time on appeal.

1. PW's Reply complied with page requirements (10 C. F. R. § 2.341 (b)(3))

Fundamentally, it appears that Entergy is challenged mathematically. They do not seem to understand that five plus five equals ten ($5+5=10$). Entergy and the NRC Staff each filed an answer opposing PW's Petition for Review. 10 C.F.R. § 2.341 (b)(3) explicitly says that PW may file a reply to each: "the petitioning party may file a reply brief ...not be longer than five (5) pages."

For the convenience of the Commission, and as the Commonwealth of Massachusetts did in its Brief in Reply to NRC Staff and Entergy Oppositions to the Commonwealth's Appeal of LBP-11-35 (December 23, 2011), PW simply filed a combined 10 page response rather than two separate five page replies. Neither Entergy nor the NRC Staff complained about the Commonwealth's combined filing, and Entergy has no reason to complain here. 10 C.F.R. §

2.341 (b)(3) put five pages “in the bank” for PW to reply to Entergy and another five pages “in the bank” to reply to NRC Staff; therefore basic math says that PW had ten pages “in the bank” to spend on a combined reply to Entergy and NRC Staff. Even Entergy does not say that it has been in any way prejudiced by having to read a ten page combined reply rather than two replies each having five pages.

If the Commission should for any reason support Entergy's literally simplistic and substantively meaningless position, PW will gladly ‘take out the scissors’ and cut the filing in half, allocating five pages to NRC Staff and five pages to Entergy and resubmit the filing. PW finds this absurd and fully expect the Commission to share our sentiment.

2. Contrary to Entergy’s second meritless complaint (Motion at 2), the record clearly shows that PW raised the issues in previous filings.

a. Again Entergy demonstrates a difficulty with mathematics, compounded by a total lack of recall of what the record in fact said.

Entergy’s statement (Motion at 2) that “[n]either Pilgrim Watch nor its expert challenged Entergy’s experts assertion that “the Pilgrim SAMA analysis accounted for atmospheric radiological release far greater than the atmospheric and aqueous radiological releases that occurred in Fukushima for the three damaged reactors” is both inaccurate and ridiculous.

PW repeatedly showed that one, plus one, plus one is greater than one, $(1+1+1) > 1$. For example, PW's Request for Hearing, pgs., 9-12 (November 18, 2011) and PW Reply to Entergy’s and NRC Staff’s Answers, pg., 20 (December 20, 2011) clearly said that in order to determine the total radioactive release that would impact offsite consequences/costs, it was necessary to add three sources, not one alone: atmospheric releases (1), plus liquid radioactive releases from runoff and contaminants in groundwater flowing into adjacent waters (1), plus the

volume of water added or fed into the reactor, as Fukushima, and subsequent contaminated water bleeding out into adjacent waters (1). The combined total (1+1+1) would necessarily be greater than one (atmospheric releases, alone) - basic math.

PW also repeatedly said that there is no rational basis on which Entergy can say that anything based its 2006 SAMA calculation (that admittedly took nothing that happened at Fukushima into account) can conceivably show a result that is greater than a quantity, the total Fukushima release, that remains unknown even today. PW showed this, for example, in the Request for Hearing (November 18, 2011); *Pilgrim Watch Reply to Entergy's and NRC Staff's Answers to Pilgrim Watch Request for Hearing on a New Contention Regarding Inadequacy of Environmental Report, Post Fukushima- Aqueous Discharges*, December 20, 2011 ("Reply"); PW's Petition for Review (January 26, 2012), and PW's Reply to Entergy's and NRC Staff's Answers to Pilgrim Watch's Petition for Review (February 13, 2012). All PW filings subsequent to the Request for Hearing fully cited the appropriate prior filings.

PW disputed Entergy's absurd claim that Pilgrim's SAMA's atmospheric releases would be greater than the atmospheric and liquid releases from Fukushima's three reactors in considerable detail in PW's December 20, 2011 ("Reply"), beginning at 17. For example, PW showed that:

(a) Neither Entergy nor for that matter anyone else knows exactly how much radioactive contamination has been, or will be, released in Fukushima;¹ releases are ongoing and

¹ Reply, December 20, 2011, pgs., 17-18, showed, for example, that "We do not know exactly how much radioactive contamination was released into the Pacific in liquid discharges; but we know it was lots." PW then provided citations to support the statement referencing articles, TEPCO reports and reports from the Woods Hole Oceanographic Institution chemist Ken Buesseler and Japanese colleagues.

assessments of those releases to date are incomplete. Therefore it is mathematically impossible to show that Entergy's 2006 SAMA is greater than an unknown quantity (Fukushima's releases); it makes no sense.

(b) PW showed (Ibid) that even if anyone knew the actual amount of contamination in Fukushima, which no one does, Entergy's attempt to compare radioactive contamination in the Pacific Ocean to what would occur in Cape Cod Bay was laughable (Entergy Decl., ¶ 60-61). Fukushima fronts directly on the Pacific Ocean, the largest ocean on Earth measured at 64.1 million square miles in area; whereas Pilgrim fronts on Cape Cod Bay that measures only 604 square miles and is enclosed by proximate land on three sides. Further Entergy's comparison is not merely factually wrong but it is irrelevant because Entergy's required SAMA is site specific to Pilgrim, not Fukushima. (c) PW showed what a significant difference modeling aqueous discharges would make in offsite costs.

Respectfully submitted,

(Electronically signed)

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