

NUKE MATTERS: Long-term nuclear waste storage at Pilgrim

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Posted Feb 15, 2013 @ 06:00 AM

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The Pilgrim Nuclear Power Station on the shores of Cape Cod Bay in Plymouth has been operating since 1972. Electricity is only the fleeting by-product of Pilgrim's operations. Pilgrim's long-term legacy is the high level nuclear waste generated by 40 plus years of splitting atoms to make electricity. This waste is now being stored on site in a temporary facility that is potentially dangerous.

In May 2012, after a highly contested process, Entergy Corporation of Louisiana was relicensed by the U.S. Nuclear Regulatory Commission to operate for another 20 years. Pilgrim makes more nuclear waste every day it operates. Pilgrim's nuclear waste has nowhere to go, and will be staying in Plymouth for an indeterminate period of time.

In the 1960s, the Town of Plymouth issued a special zoning permit for Pilgrim. This permit did not authorize a long-term nuclear waste storage facility at Pilgrim. The plan--until recently--was to send the nuclear waste off site to a safer deep geological repository. The federal Department of Energy was responsible for siting and building this nuclear waste storage facility. The site chosen, Yucca Mountain in Nevada, has been cancelled. The

nuclear waste at Pilgrim has nowhere to go. Entergy is due to run out of room in its current "fuel pool" and needs a new place to put the irradiated waste fuel. This fuel is at least a million times more radioactive than fresh fuel. So, Entergy is building a high-level nuclear waste storage facility at Pilgrim to store its nuclear waste indefinitely.

Entergy is required to apply for and obtain a special zoning permit for its high level nuclear waste storage facility. As of mid-December, 2012, Entergy had not applied for a zoning permit to build a nuclear waste facility in Plymouth, even though it has openly told town officials it has started construction on this facility. Nor has Entergy received approval for its waste storage facility from the federal Nuclear Regulatory Commission.

The legal doctrine of preemption prevents the Town from regulating the radiological safety aspects of Entergy's storage of irradiated waste fuel in Plymouth. The Town does have authority to require Entergy to submit a zoning application that includes a schematic plan of the proposed facility, and the exact size, shape and location of all proposed structures. The zoning law also requires an impact statement and public hearing.

Entergy's construction of a high level radioactive waste facility in America's Hometown is not a positive development. It is, however, an unfortunate reality. Right now, there are opportunities for the public to get involved. A sound public process with well-informed public input will help guide the permitting and regulatory processes and bring about a better result for our community.

Meg Sheehan is a Plymouth native and environmental attorney. Genevieve Byrne is an environmental attorney working with EcoLaw, a public interest group. Cape Cod Bay Watch is dedicated to protecting and restoring water quality and marine life in Cape Cod Bay through public education, networking, and advocacy.

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