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Entergy: Nuke plant's water not killing fish

NEWFANE — Entergy Nuclear's bid to pump more warm water — 450 million gallons a day — into the Connecticut River would have a negligible effect on the native American shad and Atlantic salmon, attorneys for the company claimed Tuesday during opening arguments in Environmental Court.

The Connecticut River Watershed Council, Trout Unlimited and two anti-nuclear groups, the New England Coalition and Citizens Awareness Network, said the 100-degree water is just another attempt by Entergy to cut environmental corners while saving money.

The groups have appealed Entergy Nuclear's discharge permit, granted last year by the Agency of Natural Resources. Entergy is also appealing the permit, saying the state put unnecessary limits on the discharge, by restricting it during the smolt migration in May to mid-June.

"This case is about fish and temperature," said Elise Zoli, one of the five attorneys handling the case for Entergy. She said the discharge would only raise the river's temperature another degree. "Lost in the background noise" is the solar heating of the river, she said.

Patrick Parenteau, a professor from the Vermont Law School who is representing most of the environmental groups, said it was the cumulative effect of continued thermal pollution into the Connecticut River that worried his clients. He said Entergy had not fully researched the effects of the thermal pollution.

But he said something is keeping American shad and Atlantic salmon from making it up the Connecticut River, starting just south of the Vernon reactor.

About 10 years ago, in order to save money by not running its cooling towers, the utility got permission to discharge enough heated water into the river to raise the river's temperature 5 degrees. Its most recent request of one degree would only add to the pollution, he said.

But Entergy's attorney, Elise Zoli of the Boston law firm of Goodwin Procter, said that scientific experts would testify that the temperature increase was not having an effect on the fish — that something else was at fault for the steep decline in the number of fish.

Parenteau, in his opening statements to Environmental Court Judge Merideth Wright, said there had been "a very dramatic decline," particularly in the number of migrating American shad. Only a few years ago, Parenteau said, 37,000 shad were counted at the Vernon fish ladder. "As of yesterday, only 57 were counted," Parenteau said.

"No one has explained fully why that decline is so dramatic in the upper reaches of the Connecticut River between Bellows Falls and Holyoke (Mass.) dams," Parenteau said, saying he wasn't laying all the blame on the nuclear plant's discharge.

"Nothing can be more destructive than the constant ratcheting up of temperature increases," Parenteau said.

Large and small-mouth bass are doing well in the river, he said, but they are predators of the shad and salmon.

"It's not just one degree — it's the entire history of Vermont Yankee discharge and its impact on all the

species," he said, noting the discharge is just compounding the effects of global warming on the river.

Parenteau and Evan Mulholland, the attorney for New England Coalition, had earlier this month won an extension of an earlier order from Environment Court to stop Entergy from discharging the additional warm water until the case is resolved. Entergy unsuccessfully challenged that decision from Wright last week.

Entergy called as a witness Craig Swanson, a senior principal engineer with Applied Science Associates of Narragansett, R.I., who devised a computer model to track the plume of the hot water as it enters the Connecticut River and dissipates in the pool backed up behind the nearby Vernon hydroelectric dam owned by TransCanada.

Swanson said a consultant for Entergy set up a network of what he called thermistores, or thermometers on the surface and at different depths in the river to track the plume. He used the data to project how the water travels in the river currents and its heat diluted.

Most of the warm water stays close to the Vermont shore, and can reach temperatures of 85 degrees, particularly on the river's surface, Swanson's animated graph showed.

But Parenteau said the hottest portion of the river according to Swanson's computer model ended up near the Vernon fish ladder and the fishway, a submerged pipe in the center of the Vernon hydro dam.

Entergy has a state permit to discharge up to 450 million gallons of heated water a day, depending on the temperature of the river and the level of the river.

The Environmental Court case, which is being held in Windham County, is expected to last a total of three weeks. The case resumes Thursday in Windham County courthouse.

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