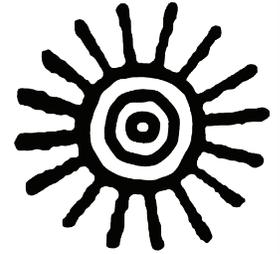


# The CAN-Did Press



THE NEWSLETTER OF THE CITIZENS AWARENESS NETWORK  
ACT TODAY TO CHANGE TOMORROW...

## VT Public Service Board Considering Amended Certificate of Public Good from Entergy

### *Groups Ask for Delay, Citing Entergy's Broken Agreements*

The planned closure of Vermont Yankee has changed the scope of the Public Service Board's Certificate of Public Good proceeding. PSB Docket #7862 was Entergy's request for a CPG through 2032. In light of the proposed fall 2014 plant closure time frame, the company has filed an amended petition seeking to have the board issue a CPG only covering all of 2014. After years of litigation and mountains of testimony the Board must now rule if Entergy is worthy of state permission to operate legally for the next twelve months.

The Department of Public Service has proposed that the PSB grant a new certificate conditioned on several actions Entergy must comply with in order to continue operating. The proposed conditions include the establishment of a 60 million dollar trust fund for site restoration (green fielding), cessation of open-cycle

cooling in order to protect the Connecticut River from thermal pollution, and provisions for the establishment of an economic transition fund for the host region.

Intervening parties (New England Coalition, Conservation Law Foundation, Vermont Natural Resources Council, and VPIRG) have taken a more hard-line approach. Some are asking that the board deny Entergy's request. The parties have cited, among other things, the untrustworthy nature of the company's past business dealings with the state, including Entergy employees repeated lack of truthfulness under oath before the PSB and disregard for numerous agreements made between the company and the State of Vermont.

As of Friday, November 22, 2013 the PSB has accepted final briefs from all parties and will begin the process of reaching a decision and producing a final order. The media has reported that Entergy and "highly placed representatives of the state" are engaged in negotiations to produce a "global agreement." Such an agreement could go beyond the terms and conditions of any CPG the board might grant and address issues related to decommissioning, high-level waste storage, and the economic impact of

*continued on page 3*

## GOODBYE BOB, HELLO AMY

You have all heard about the awesome job that our 'People's Lobbyist' Bob Stannard has done for all of us, including working to close VT Yankee. Bob's work was essential to bringing us this victory. After many long days in the Vermont Legislature, Bob retired this spring after the last legislative session. He will still work with VCAN, but he will no longer represent our interests in the statehouse. He was very respected by Legislators, and will be missed by many of us.

Amy Shollenberger, our new People's Lobbyist, has worked long and hard on the issues of nuclear power and nuclear waste. She is the person who initially introduced us to Bob after they had worked together on GMO labeling legislation. She is a great lobbyist and will be a tremendous asset to our work. She will continue representing the tri-state community and work 24/7 on your behalf. I am very confident that we are in good hands with Amy as our new lobbyist. A letter from Amy follows on page 2.

So, our work continues. We are at a new point that will require just as much dedication and hard work as it did before the announcement of the plant's closing. Our task is to make sure that Entergy closes down the reactor safely, and leaves the land as a green field. Amy will be your voice in the legislature during this important phase.

- Deb Katz, Executive Director, CAN

## CAN Gets Entergy Where it Hurts!

### *Petition Exposes Dangers of Failing Nukes, NRC Collusion*

Entergy's decision to close Vermont Yankee has raised the question: is VY just the first domino to fall? CAN has been on the front lines of an effort that could close several more Entergy reactors, and has stirred up a hornet's nest we didn't expect. In November, Massachusetts Senator Edward Markey and Vermont Senator Bernie Sanders discovered Entergy and the Nuclear Regulatory Commission colluding to scuttle safety regulations to hide financial problems at Entergy reactors.

The VY closure announcement in August came in the midst of a year-long effort CAN has led to expose the dangers of Entergy's financially troubled reactors. In March, we petitioned the Nuclear

*continued on page 3*

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## People's Lobbyist Amy Shollenberger's Report

# HELLO, FROM OUR NEW 'PEOPLE'S LOBBYIST'



Dear Friends,

Thank you for the opportunity to once again work with CAN and VCAN to move us all toward a renewable energy future. I'm sure you can imagine how excited I was to learn that Vermont Yankee will indeed be closing just a few days after being hired to replace Bob Stannard as the People's Lobbyist. I have worked with Bob for years and appreciate all of his work to

represent all of us for the past several years.

It is an honor to be given an opportunity now to represent all of you in the Vermont state house, as we now work to make sure that as Vermont Yankee is decommissioned, it is done safely and thoroughly, and Entergy is held accountable for the costs of

cleaning up the site for unrestricted use.

I know many of you already, and I look forward to meeting all of you as I work with CAN and VCAN this year. My history with CAN goes back to the summer of 2000, when I traveled with several CAN members across the country with a mock nuclear fuel cask and a hearse to raise awareness about the dangers of the potential "Radioactive Roads and Rails" that lead to Yucca Mountain. I was also a CAN board member for a few years, and I helped to talk Bob into lobbying for VCAN way back in 2006.

As we begin this new chapter for Vermont Yankee, I am eager to work with CAN and VCAN and with all of you, and of course, celebrating the closure of Vermont Yankee.

Sincerely,

Amy Shollenberger, the new "People's Lobbyist"

802-793-1114

[www.action-circles.com](http://www.action-circles.com)

## OUR 'PEOPLE'S LOBBYIST' BIDS ADIEU



Dear Friends,

It is not without a degree of sadness that I am announcing that I am retiring from lobbying as of the end of the 2013 legislative session. I've had a presence in the Vermont State House since 1982. I will miss the dear friends that I have made along the way, for they help to make a life's work worthwhile.

That's the bad news. The good news is that I am so fortunate to have one of my best friends, as well as one of Vermont's best lobbyists/organizers/strategists, Amy Shollenberger, willing to step up and take over.

I've worked with Amy over the years on GMO issues, agriculture and other issues. It was Amy who introduced me to Deb Katz, Chris Williams and Harvey Schaktman at a luncheon in Manchester in 2007. The purpose of this meeting was to convince me to leave a good job and go back into lobbying; an occupation from which I had retired the first time.

As some of you know, I told Amy to lose my number. She's very persuasive and convinced me to at least meet with these folks. I did and the rest, as they say, is history. It has been a real honor for me to have stood side by side with each and every one of you. The irony was not lost on me that as soon as I retired Entergy pulled the plug on VY.

The news of the plant's closing should be seen, not as the end, but as the beginning. There will be as much, if not more

work that will need to be done to ensure that this plant is closed appropriately. It is imperative that we work with the administration to ensure that the 600 tons of spent fuel still in the fuel pool be removed to hardened, dry cask storage. Your regulatory agency, the NRC, is fine with leaving it where it is. Political pressure must be forthcoming.

There is only one reason why this plant closed, and frankly economics was not the primary one. It closed because you were all relentless in your pursuit. It closed because not one day passed in which you were not vigilant in your beliefs that this plant should close. You applied the pressure needed to bring about the plant's demise. Don't let anyone try to tell you otherwise. Had it not been for you and your efforts, the dirty laundry would not have ever been disclosed.

Going forward it will be up to you to make sure that we get what we want in the decommissioning process. You will need good representation as this process moves forward and you can rest assured that you will have the best person in the building working for you. You should all be very happy, as I know you are.

Again, thank you all so very much for your faith and support in me and my work on your behalf. I can't say strongly enough how important it was to me to meet, and get to know, each and every one of you and take your thoughts and ideas to the policy makers in Vermont. I knew that you knew that I was the only person representing the tri-state area and that responsibility weighed heavy on me every day.

As I said numerous times before; I could've never done what I did without you.

Thank you,  
Bob Stannard

**The plant closed  
because you were  
all relentless  
in your pursuit.**

# CAN Gets Entergy Where it Hurts!

*continued from page 1*

Regulatory Commission to declare Entergy unqualified to operate VY and two other Northeast reactors, Pilgrim on Cape Cod, and FitzPatrick on Lake Ontario in New York.

We had suspected for some time that Entergy was struggling financially due to falling energy prices, but in January Wall Street firms started publishing reports predicting major problems for Entergy and other nuclear power companies. A Swiss investment bank, UBS, provided detailed analyses of the nation's two largest nuclear operators, Entergy and Exelon, and predicted several of their reactors might close for economic reasons. VY topped the list, but UBS noted FitzPatrick is in the same boat and Pilgrim could be in trouble, too.

Back in the 1990s, CAN and other groups had a lot of success using NRC enforcement petitions to expose safety problems, and they helped put pressure on the agency to hold the industry's feet to the fire. Our enforcement petitions helped close the Connecticut Yankee and Millstone reactors, by forcing NRC to confront Northeast Utilities' systemic mismanagement and safety violations. Under pressure from the industry, NRC rolled back its inspection and enforcement practices, all but deregulating nuclear safety.

UBS's analyses show that Entergy's reactors in the Northeast aren't just struggling; the company stands to lose over \$100 million on each one over the next several years, with no relief in sight. FitzPatrick and Pilgrim are already having major safety problems as a direct result of cost-cutting to protect the bottom line. The fact that Entergy's more profitable plants, like Indian Point, are responsible for making up the deficits means those reactors are under pressure to cut corners, as well.

We made that case to NRC at a hearing on our petition in May, and in August NRC told us it was accepting our entire petition for further review. However, something happened in the meantime we didn't know about. Senators Markey and Sanders found out that, after our May hearing, NRC staff started to investigate all of Entergy's so-called "merchant" reactors—the ones we called attention to in deregulated states, in which Entergy has to sell electricity on the open market where prices are low. According to the Senators, Entergy called senior management at NRC and got them to order inspectors to stop the investigation—and, in fact, never to look into the finances of nuclear reactors again. That means, NRC has told its staff to ignore an entire safety regulation, the one that requires operators to be financially qualified to run reactors safely.

In closing VY, Entergy confirmed the Wall Street analysts' reports and validated our whole petition. Since then, the company has been increasingly vague about whether it plans to continue running FitzPatrick and Pilgrim, and the safety problems at those reactors continue to mount. Outrageously, Entergy is now pushing for new subsidies to keep the plants open, trying to paint them as an environmentally friendly solution to global warming.

With our partners on the petition, Alliance for a Green Economy in New York and Pilgrim Watch in Massachusetts, as well as Nuclear Information & Resource Service and Beyond Nuclear, we are mounting efforts to block those subsidies and



*Image by T. Price*

turn up financial and public pressure to make sure they close. We have Entergy on the run, and their collusion with NRC shows just how far they will go to avoid accountability—and how willing NRC is to sacrifice safety to protect the industry's bottom line.

—Tim Judson, President CAN Board of Directors

## Amended Certificate of Public Good

*continued from page 1*

closure on the region. Key state officials are hopeful that the PSB will hold off on issuing a final order at least until the negotiations are complete. In any event it is expected that any action from the PSB should happen within the next two months.

The Vermont Public Service Board needs to hear from the public in the tri-state region now. The PSB is considering an amended petition for a Certificate of Public Good from Entergy Vermont Yankee in docket #7862. Entergy wants a CPG to operate VY until the end of 2014 instead of 2032. The PSB should place conditions on such a certificate. Please write to the PSB and ask that they make the CPG conditioned upon the following:

- Entergy must agree to empty the spent fuel pool on the most expeditious timeline possible. When all the fuel is sufficiently cooled it must be transferred to dry casks.
- Entergy should only be allowed to operate using a closed-loop cooling cycle. Thermal pollution of the Connecticut River must end.
- Entergy must agree to use union labor for all decommissioning work. The all-important issues of workplace safety standards, quality control, and worker training are better served by employing union labor.

Please send comment regarding PSB Docket #7862 to:

The Vermont Public Service Board  
112 State Street  
Montpelier, VT 05620-2701

Or via email at: [psb.clerk@state.vt.us](mailto:psb.clerk@state.vt.us)

- Chris Williams, VCAN, [cevan@sover.net](mailto:cevan@sover.net)

## WELCOME - NEW CAN BOARD MEMBERS

Rejoining the CAN board was a commitment to focus more energies on closing VY. And as it turned out, Entergy announced the closure 2 days after Tupper Brown and I joined the CAN Board! Now I look forward to making sure the spent fuel moves into dry casks in hardened storage as soon as possible.

- Claire Chang – Gill, MA

I attended a CAN board meeting the Saturday before Vermont Yankee announced its plant closure. The people there were enormously impressive, highly professional, and knowledgeable beyond what I had imagined. With a professional life immersed in mainstream American industry, including direct contact with the nuclear industry on a number of projects, I have been a long time coming to outright opposition to nuclear energy, notwithstanding the intensive efforts of friends and neighbors (and wife) to show me the light. It was the power upgrades and service extensions, apparently beyond initial design parameters, of this plant in particular, not to mention the careless arrogance of its owners, that led me to attend the meeting and persuaded me to join the cause.

I was a trial and business lawyer for many years in the Washington, D.C. office of a large law firm. The largest part of my work involved disputes that arose in connection with the design or construction of large industrial facilities, often in the steel

industry but also involving paper mills, food processing plants, electric power plants, water treatment and waste water facilities, water and gas pipelines, and so forth. Then, in 1984, my family and I escaped from Washington and landed on an old farm in Gill, MA from which I offered legal consulting services to companies experiencing the kind of litigation issues I had become familiar with over the years. I'm now pretty well retired from all that, but I work with a number of local non-profit organizations, including schools, and a variety of town boards and committees.

- Allen Tupper Brown – Gill, MA

For those who don't know me, I have been an unpaid activist on nuclear power/waste issues since 1990, when I joined a grassroots group called Don't Waste Connecticut, whose mission was to help organize opposition to the proposed "low-level" nuclear waste dump that was due to be sited somewhere in Connecticut the following year. In addition, I was at the grammar school in Rowe shortly after lightning struck in the summer of 1991 to make comments at the NRC hearings. I continued to stay informed as CAN came into existence and began the years of fruitful hard work that continue to this day. Now, after years of supporting CAN mostly on the periphery, I feel it is time for me to be more formally and regularly a part of this amazing organization.

- Gary Pontelandolfo – Winstead, CT

## The Peoples' Power Party! What a Blast!

On Saturday, Nov. 2, CAN and the Safe & Green Campaign had over 100 people dancing, laughing, drinking, eating, and grooving at a church in West Brattleboro to celebrate "Our Peaceful Activism" because VT YANKEE is CLOSING!

Great music was provided by John Sheldon & Friends, Derrik Jordan, Dan DeWalt & others while everyone was dazzled and "time-tripped" by the Electric Circus No Nukes Light Show by Zeitgeist Surfer with over 400 pics from anti-nuke actions at Seabrook, Yankee Rowe, Vermont Yankee, and elsewhere. Slides were provided by photographers Cate Woolner and Lionel Dellevigne.

*What a party! We plan to do it again when VY shuts down in 2014. Can't wait!*



The "Law Ladies Cleanup Crew" with Court Dorsey, aka Will Nukem.

### ***We Couldn't Do It Without Your Help!***

*We want to thank all of our donors, our supporters, and volunteers who make our work possible.*

**Block Foundation • Bob Stannard • Charlene Divoky • Dean's Beans  
Lintilhac Foundation • Paul Burton • Tech Soup • Van Itallie Foundation  
Solidago Foundation • Guacamole Foundation • The Greenfield Solar Store**

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# A Message from SHADMAN

On Aug 10, a “Flotilla” took place on the banks of the Connecticut River in a cove directly across from the Vermont Yankee Nuclear Reactor. It was held to call attention to the fact that VY releases millions of gallons of heated water (up to 105 degrees F) daily into the river. This thermal pollution harms aquatic life and the effects of this heated plume extend up to 55 miles downriver to Holyoke MA. This polluting is unnecessary. Entergy, the owner and operator of Vermont Yankee, should use its cooling towers instead. Using their cooling towers costs them money. It is Entergy’s choice to continue to pollute the river because it increases their profits. SHADMAN appeared at the Flotilla to let people know just what was happening to the fish in the CT River. One week after Shadman appeared, Entergy announced that it was closing the reactor.

ASA NISSI MASA..... ASA NISSI MASA

## *Blessings to You From My World.*



**This is a Day of Magic, of Power, of Promise, of Wonder, of Gratitude, of Empathy—another step in our Journey Towards Attaining Dignity and Empowerment.**

**Thank You for Being Who You Are.  
Thank You for Being Here Today.**

I am SHADMAN..... I have “crossed the veil” and left the river to be with you today.

I was born 4 years ago just north of here. When the time was right the river carried me downstream to the ocean and it was there that I found my tribe, my family, and joined my school. We then traveled North along the coast to the Gulf of Maine and the Bay of Fundy, we were joined by others and our numbers grew and grew.

Life was good, food was plentiful and we danced in the waters of our time repeating a cycle that was 50 million years old. Our travels were dictated by ancient instructions—to live, to grow to maturity and then return here to the place of our birth, our place of beginning.... to spawn so the cycle could continue, so there would be others of my kind and the rhythm of living and dying would be repeated over and over into eternity.

Over 14,000 years ago this river was formed and every spring we have made our journey up river. Two hundred years ago the first dam was built at Turners Falls and we were discouraged but we were not stopped. Then the Bellows Falls dam was built and we were discouraged, but we were not stopped. Then the Enfield,

CT dam and we were discouraged but we were not stopped. Then Holyoke and Vernon Dams were built; we were discouraged but still we were not stopped. Your people began eating us but we were not stopped. The Cabot Station turbines chewed up so many of us but we were not stopped. Then the nuclear powered Northfield Mountain project created tremendous currents that confused us and pushed us downstream. Some of us found our way. Then the heated water coming from the reactor confused us but still we persisted. Only one out of 10 gets past Holyoke to make it up here only to be cooked by the reactor. We have lost so many—now we are down to a few..... but still we persist.

For us there are no options, no questions, and no choices. We do what our DNA tells us to do, what the sun tells us to do, what the moon tells us to do, what the earth’s magnetic field tells us to do, what the current tells us to do, what the “code” tells us to do—grow, survive, and then reproduce—here, where we were first hatched, here on the Connecticut River.

But now our very survival is at stake. It has become more and more difficult. My tribe has been decimated. That is why I have come to you today.

So, in desperation I have crossed the “veil” and left the river to be here with you. To speak with you, to thank you, but mostly to implore you and to beg you before it is too late.

Before coming to you today I tried to contact the killers, the businessmen, the corporate zombies, the dam builders and the nuclear “captains of industry.”

I tried to enter their dreams, to reach their hearts—but I couldn’t find their dreams nor their hearts. They are beings drowning in their greed, made blind by their lust for power, hardened by their addiction to money with a complete disregard for anything other than themselves. Perhaps their children will hear your voices, your cries for mercy and wisdom, your cries for a future, for a tomorrow that’s worth living.

You are the ones. You are the visionaries, you are the seers, you are the lovers of life who understand the preciousness of the natural world. You are our ONLY hope, you are the planet’s hope for a future of peace, truth, and beauty. So don’t stop dreaming, don’t stop acting on what you know in your hearts and minds is the righteous path to take.

***Don’t Stop What You Are Doing  
in Your Fight to Shut Down the Beast!***

***Don’t Give Up What You Are Doing  
to Save My Brothers and Sisters!***

***Don’t Give Up What You Are Doing  
to Save Our River!***

***Don’t Stop..... Never Give Up...Never  
Give Up.....You Are Our Only Hope!***

- Harvey Schaktman, MA CAN

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# CAN'S Raffle 4.0

## A New Thelin Parlour Wood Pellet Stove!

*Entergy is closing Vermont Yankee and  
CAN's work will continue at full speed!*

As we look forward to the end of production at VY, it is important for everyone to remain engaged and vigilant as we take on the critical issues of decommissioning and spent-fuel management. In order to assure that we have the resources to organize and lobby, CAN is raffling off a beautiful Red enamel Thelin "Parlour" Wood Pellet Stove. The Solar Store of Greenfield is providing the 40,000 btu pellet stove as this year's grand prize. We will be selling a limited number of tickets at a very reasonable price per ticket. Support CAN's crucial work and keep your home toasty for years to come!

Check in at [www.nukebusters.org](http://www.nukebusters.org) for ticket sale info and the drawing date.



*Here's the home of Neil Murray, last year's Solar Panel Raffle winner. He played and won!*

### CAN Contacts

CAN Central/MA: Box 83 Shelburne Falls, MA 01370 • 413-339-5781

VT: P.O. Box 16, Hancock, VT 05748 • 802-767-4276

CNY: 140 Basset St., Syracuse, NY 13210 • 315-425-0430

**[www.nukebusters.org](http://www.nukebusters.org)**



*Solar Panel Raffle winner Neil Murray last Spring. Photo by The Solar Store*