NIRS

wise
World Information Service on Energy
founded in 1978

NUCLEAR MONITOR

A Publication of World Information Service on Energy (WISE) and the Nuclear Information & Resource Service (NIRS), incorporating the former WISE News Communique

#585--North American Edition **April 11, 2003**

BACK TO THE FIFTIES: EUROPEAN CONVENTION SUPPORTS EURATOM

The European Union could have a strengthened mandate to promote the nuclear industry under proposals made mid-March by the pro-nuclear former French President, Valery Gisard D'Estaing. Acting in his capacity as head of the European Convention, the 105-member temporary body writing a new EU 'constitution', Giscard has called for the Euratom Treaty, already a component part of the EU, to be imported wholesale into a new and consolidated 'constitutional treaty'.

(585.5501) Friends of the Earth Europe - In a paper released without any fanfare at the close of a plenary in Brussels, Giscard and the rest of the 12-member ruling Praesidium say only minor technical amendments to the 1957 agreement should occur, to reflect broader moves such as a switch to a "single EU legal personality". The plan, effectively re-commit the whole of Europe to Euratom, could be finalized by the end of the year, unless the rest of the Convention blocks it, or unless enough member states object.

The controversial move has already been condemned by Friends of the Earth, Greenpeace, WISE and many others, all of who are campaigning to have Euratom repealed. The groups argue that the EU, including all its members states, should not be obliged to promote nuclear power by, for example, providing cheap finance to help build new nuclear stations (see *WISE/NIRS Nuclear Monitor* 582.5483: "European Union offers help to build another Chernobyl").

Sources inside the Convention suggest the Giscard plan may not get an easy ride. Up to five members of the Praesidium are said to have opposed to the move, with some of them encouraging others to dissent. Elsewhere, a group of Austrian delegates has already formally spoken out against the move, adding weight to an earlier and detailed pan-European plan for repealing Euratom. Although Giscard has invited feedback on the proposals, there are surprisingly as yet no plans for Euratom to be debated openly in the Convention.

Many of those involved see a new constitution as being valid "for the next 50 years or more". So while in some respects Euratom's promotion of nuclear could be seen today as generally dormant (notwithstanding projects, e.g., in Romania, Ukraine and Bulgaria), to have an EU primary law requiring nuclear promotion would be extremely damaging if acted upon in the future. The proposed new reactors in Finland, for example, could in theory in the future receive cheap European Commission finance. This risk underlines why it is so important to make sure Euratom is ended soon.

The Convention's remaining timetable is unclear. It is now unlikely to finish its work by the original June deadline, and so the EU will discuss a possible extension at next week's Athens Summit (16 April). The final recommendations, whenever they come, will then be debated directly by EU governments in an Inter-Governmental Conference (IGC), which is expected to conclude sometime in 2004. Between now and then, there is much to do to ensure Euratom is ended for good.

Source and contact: Mark Johnston, FOE Europe nuclear Campaigner at phone: +44 79 7331 9249
Email: abolish.euratom@foeeurope.org
Web: www.foeeurope.org

IN THIS ISSUE:

U.S.: PFS BLOCKED, BUT FOR HOW LONG?

On 10 March, the U.S. Nuclear Regulatory Commission (NRC) Atomic Safety and Licensing Board (ASLB) unexpectedly ruled against granting a license to the Private Fuel Storage (PFS) nuclear utility consortium to "temporarily" store irradiated fuel rods on the reservation of the Skull Valley Band of Goshute Indians in the state of Utah. In the plan of the PFS, the fuel of 8 nuclear utilities will be stored on the site because of the lack of storage capacity at reactor sites and the absence of a national final disposal site (for more background on PFS, see also *WISE News Communique* 536.5211: "U.S.: PFS gets safety approval from NRC").

(585.5502) NIRS – the ASLB Administrative Law Judges ruled that the State of Utah's (UT) contention that "there is enough likelihood of an F-16 crash into the proposed facility that such an accident must be deemed 'credible' " and that "the PFS facility cannot be licensed without that safety concern being addressed." (1) Opponents of PFS – from the Governor of Utah to environmentalists and anti-dump tribal members — hailed the ruling as a victory, although they remain wary of PFS attempts to circumvent the decision.

Annually, up to 7,000 fighter jets – some loaded with bombs or missiles – fly over Skull Valley on training missions from Hill Air Force Base (AFB) to the Utah Test and Training Range (UTTR); over the past 20 years, 27 jets have crashed at the UTTR. (2)

Both PFS and NRC technical staff argued that the probability of such an accidental crash was too low to consider, for pilots could guide crashing jets away from the radioactive waste dump more than 90% of the time.

But a former Hill AFB flight instructor testified on behalf of UT that the weather, a cramped cockpit, equipment malfunction, imminent danger, and human error could complicate pilots' best efforts to avoid such a catastrophe.

He also showed the ASLB a cockpit video from a 1996 crash, conveying the chaotic conditions pilots face in such a crisis. The ASLB agreed with UT that there is a greater than one in a million chance of such an accident, thus requiring further treatment as an issue.

The ASLB suggested that PFS could try to convince the U.S. Air Force to reduce flights over Skull Valley or change their path, but a Pentagon spokeswoman has clearly stated that such restrictions on one of its premier testing bases are unacceptable. (3)

In fact, when briefed on the proposal to store 40,000 metric tons of high-level radioactive waste right next to one of the biggest bombing ranges in the country, U.S. Secretary of Defense Donald Rumsfeld reportedly responded "Who would be stupid enough to do that?" (2)

ASLB also suggested that PFS could try to show that even if such a crash occurred, the highly radioactive waste storage casks would be so robust that the radiological consequences would be minimal and acceptable.

On 31 March, PFS did just that, arguing that its storage casks are so strong they would not break open, but that even if they did the highly radioactive waste inside would not significantly harm public health or the environment.

In addition, PFS has amended its application, and is now requesting a temporary license for a much smaller 336 cask storage site, a more than 90% size reduction of the 4,000-cask facility it originally planned. PFS is asserting that a smaller facility would be less likely for a crashing jet fighter to hit. (4)

UT's Department of Environmental Quality director, Dianne Nielson, scoffed at such an approach: "What they are saying is, make the target smaller, and there's less risk it will get hit. All it takes is one cask and one airplane. Once it's there, it's a risk. The best way to resolve this problem is not to store high-level waste in Skull Valley." (5) UT must respond to PFS's new arguments by 21 April.

PFS Chairman John Parkyn made clear that the proposed smaller size was merely an interim move in order to secure a license so that marketing, construction, and operation could begin, while allowing PFS to continue seeking permission to load 4,000 casks. Parkyn formerly worked for Dairyland Power, owner of the

DEAR READERS

We have experienced some problems in producing this issue of the Nuclear Monitor. Two members of our editorial team at WISE Amsterdam have been ill for quite a long time. Therefore we were not able to mail out this issue on 28 March as planned. We apologize for the delay.

Due to the problems we were also not able to do English corrections. Some contributions were written by people from the UK or US. Other articles however might contain some spelling or grammatical errors.

As one of our editorial members is not able to work in the coming weeks we cannot set a fixed date for the next issue (586). We will try to mail it out on 25 April but it might be some later.

Yours,
WISE Amsterdam editorial team

25 YEARS AGO

NIRS and WISE both celebrate their 25th anniversaries this year. This is the fifth article in a series, "25 years ago", comparing anti-nuclear news "then" and "now", to mark our first quarter-century of anti-nuclear campaigning.

Then

In issue 1 of *WISE Bulletin* we wrote about security and plutonium economy at the Sellafield (then called Windscale) reprocessing plant: "The report on the Windscale Enquiry on expansion of reprocessing gives precedence to controlling terrorism in a 'plutonium economy' over the defense of civil liberties against erosion. This contradicts the 'Flowers Report', of the Royal Commission on Environmental Pollution, which said the 'unquantifiable effects of security measures that might become necessary in the plutonium economy of the future' should be a major concern in deciding about plans for nuke expansion. Britain's Atomic Energy Constabulary, 400 strong, carry arms at all times and have far-reaching powers of pursuit, entry and arrest on suspicion". (*WISE Bulletin* 1, May 1978)

Now

The expansion of the Windscale/Sellafield reprocessing plant have been realized, despite the mentioned concerns about the threats of a plutonium economy. In 1993 test operations marked the start of the Thermal Oxide Reprocessing Plant (THORP). THORP was built for reprocessing European and Japanese spent fuel. (*WISE News Communique* 398.3876: "Sellafield radiation kept deliberately high")

The 11 September 2001 terrorist attack on the US cities of New York and Washington have increased fears of the security of reprocessing facilities. According to studies in the UK, a terrorist attack on Sellafield with a hijacked plane could have severe consequences. If such an attack would occur on the high-level waste tanks as much as 1.1 million fatal cancers could be the consequence and in a worst case scenario even up to 3.6 million cases. (*WISE News Communique* 583: "In brief")

Since the recent war in Iraq Sellafield's security status has been raised from "Black Special" to "Amber", which happened last immediately following the 11 September 2001 attacks. Despite the "Amber" status the protection of the site appeared to be as lax as ever when two activists were able to enter the complex and unfurl two banners. The two placed ladders against the perimeter security fence close to the plutonium storage buildings. They erected a banner on top of the fence with the word "BANG !". After having taken photographs of the action, they removed the banner and ladders and were well on their way from the site before being stopped by the police. Satisfied with an explanation that they had simply taken general photographs, the police waved them on their way, not knowing what exactly had occurred. (*CORE Briefing*, 24 March 2003)

permanently shut down Lacrosse nuclear power plant in Wisconsin.

In exchange for the votes of UT's two Republican U.S. Senators (Hatch and Bennett) in favor of the Yucca Mountain dump last summer, most of the PFS utilities agreed in writing to back away from funding construction of the facility, so long as Yucca moved ahead on schedule.

However, if Dairyland and Xcel Energy of Minnesota succeed in obtaining a license and building this radioactive waste parking lot on the Goshute Reservation, nothing would then stop these nor any other U.S. commercial nuclear utilities from sending their wastes there.

Xcel is the primary force behind PFS. This is due to it being the only nuclear utility in the U.S. facing plant closure due to lack of storage space for its irradiated fuel assemblies.

After a bitter battle in the Minnesota Legislature in 1994, a compromise was struck between the positions of environmentalists and the nuclear utility (then called Northern States Power) to limit waste storage to 17 casks in the state.

Given that no off-site waste facilities have opened in the U.S. (despite the nuclear establishment's best efforts to target numerous Native American reservations as well as Yucca Mountain), Xcel will reach its state-imposed storage limit in 2007. To avoid shutting down its two reactors at Prairie Island, Xcel is now trying to renege on the deal.

In an ironic coincidence, on the very day the ASLB blocked PFS license application, the utility's allies in the Minnesota Legislature introduced a bill that would remove any cap on the number of dry casks in the state. A Minnesota House committee approved that bill in late March. (6)

But a Minnesota state senator has introduced opposing legislation, calling for the orderly phase out of nuclear power in the state, and its replacement with energy conservation and efficiency measures as well as renewable sources of

WISE Amsterdam/NIRS
ISSN: 0889-3411

Editorial team: Stuart Field, Robert Jan van den Berg (WISE Amsterdam), Michael Mariotte (NIRS). With **contributions** from Friends of the Earth Europe, Korean Federation for Environmental Movement and Laka Foundation.

The next issue (586) will be mailed out 25 April 2003.

electricity such as wind turbines and bio-mass generation that would contribute to the economies of rural farming communities. The twin Prairie Island reactors and the 17 high-level radioactive waste casks are just 600 meters from the Prairie Island Mdewakanton Dakota Indian community.

In addition to its environmentally racist nuclear power and radioactive waste practices, Xcel also: operates garbage and hazardous waste incinerators in Ho-Chunk Indian territory near Lacrosse, Wisconsin, the dioxin from which has been detected in the breast milk of Inuit women in the Arctic; is the main importer of electricity from Manitoba Hydro in Canada, whose destructive dams have flooded vast expanses of Cree Indian territory; and was involved with Louisiana Energy Service's attempt to open a uranium enrichment facility in an impoverished, rural African American community. (7)

Even if PFS clears the accidental aircraft crash contention, still before the ASLB are contentions that earthquakes would threaten the PFS facility, and that the dump would harm nearby wilderness areas.

Incredibly, around the end of 2002, the NRC Commissioners dismissed UT contentions about terrorist threats to PFS as too "speculative" to consider during the licensing proceeding (see *WISE/NIRS Nuclear Monitor* 581.5479: "U.S. NRC excludes terrorist issue from licensing hearings").

PFS has also appealed the ASLB aircraft crash ruling to the NRC Commissioners, asking them to overrule it. In October 2002, the Commissioners overruled an ASLB ruling that agreed to hear one of the environmental justice (EJ) contentions of anti-dump Skull Valley Goshute tribal member Margene Bullcreek.

The Commissioners stated that such an EJ contention was beyond the ASLB's jurisdiction. Bullcreek has vowed to appeal the Commission's ruling in federal court, if necessary.

References:

1. In the Matter of Private Fuel Storage, Partial Initial Decision Regarding "Credible Accidents," ASLBP No. 97-732-02-ISFSI, 3/10/03, http://www.nrc.gov/what-we-do/regulatory/adjudicatory/pfs-decision.pdf
2. "Skull Valley Plan Rejected," Salt Lake Tribune (SLT), 3/11/03, http://www.sltrib.com/2003/mar/03112003/utah/37162.asp
3. "Goshute repository is denied a license," Deseret News, 3/11/03, http://deseretnews.com/dn/view/1%2C1249%2C465032505%2C00.html
4. "Skull Valley Facility Size to Be Debated," SLT, 4/7/03, http://www.sltrib.com/2003/Apr/04072003/utah/45681.asp
5. "New Nuke-Waste Proposal," SLT, 4/1/03, http://www.sltrib.com/2003/Apr/04012003/utah/43782.asp
6. "House panel approves bill for more nuclear waste storage," Minneapolis Star Tribune, 3/26/03, http://www.startribune.com/stories/462/3781956.html
7. According to presenters such as Winona LaDuke (Honor the Earth), Tom Goldtooth (Indigenous Environmental Network), Guy Wolf (University of Wisconsin at Lacrosse), and Chief John Miswagon (Pimicikamak Cree Nation) at the "Environmental Justice and Xcel" Energy Strategy Meeting, St. Paul, Minnesota, May 2001.

Contact: Kevin Kamps at NIRS, kevin@nirs.org

IRAQ: DEPLETED URANIUM WEAPONS USED IN WAR

Twelve years after the use of depleted uranium (DU) antitank shells in the first Gulf War, the US and UK forces in Iraq are using this type of ammunition again. Instead of the fights in the first Gulf War in 1991 there are less tank to tank battles (as in 1991 on the Kuwait borders), but more combats along the supply routes towards and into Baghdad. These main routes are going through urban areas which increases the risk of people being exposed to toxic uranium particles.

(585.5503) Laka Foundation - Reports from journalists mention the use of DU munitions in the ongoing attacks on Baghdad (and last week at the airport west of Baghdad). Besides the large caliber rounds from the M1 Abrams tanks (M1, M1A1 and M1A2), the US Army also uses the small caliber rounds by the 25mm cannon of the M2 Bradley Fighting Vehicles.

These weaponry were also fired during combats near Karbala and Al Kifl. In Najaf, the attacks were supported by air strikes from US A-10 Thunderbolt II ground attack planes, which also fired its small caliber rounds near the Tallil air base, outside Nasiriyah in southeastern Iraq.

The A-10, the tank-busting plane popularly known as "Warthog", was responsible for most of the 315 metric tonnes of DU which was fired during the Gulf War of 1991.

On 7 April, 70 M1 Abrams tanks and 60 M2 Bradley Fighting Vehicles entered the city of Baghdad under the cover of A-10's. At the same time UK Challenger-2 tanks were taking positions in the center of Basra. In the past weeks these tanks used their large caliber DU rounds in their attacks on Iraq's second city.

Contrary to the first Gulf War of 1991, DU ammunitions have now been used near or inside urban areas. After the present war there will be many sites with depleted uranium

contamination within populated areas or nearby. These can be either hitten Iraqi tanks contaminated with uranium dust or uranium shells that missed their target and penetrated into the ground (in practice only less than 20% of the shells will hit a tank).

In order to reduce the consequences of uranium contamination as far as possible, the radioactively contaminated tanks and remaining shells have to be removed and cleaned as soon as the war is over.

Meanwhile the United Nations Environmental Programme (UNEP) has recommended a scientific assessment of DU contaminated sites to be conducted in Iraq as soon as conditions permit. UNEP-led field studies of sites struck by DU ordnance in the Balkans during the conflicts in Bosnia and Kosovo in the 1990s were the first international field assessments of how DU behaves in the environment.

UNEP's Post-Conflict Assessment Unit has published assessments of DU impacts in Kosovo (2001), Serbia and Montenegro (2002) and recently in Bosnia and Herzegovina (2003). The studies can be found at the website postconflict.unep.ch/publications.htm#du.

UNEP Executive Director Klaus Töpfer says: "The fact remains that depleted uranium is still an issue of great concern for the general public. An early study in Iraq could either lay these fears to rest or confirm that there are indeed potential risks, which could then be addressed through immediate action".

The Balkans assessments were made two to sevens years after the use of DU weapons. According to UNEP an early study in Iraq would add enormously to the understanding of how DU behaves in the environment. It could also show if there are any risks remaining from the period of the 1991 Gulf War.

Based on the findings of the DU research of UNEP in the Balkans Töpfer stated that there are a number of remaining scientific uncertainties that should be further explored.

These include the extent to which DU on the ground can filter through the soil and eventually contaminate groundwater, and the possibility that DU dust could later be re-suspended in the air by wind or human activity, with the risk that it could be breathed in.

By end-April, UNEP will publish a "desk study" on the Iraq environment that will provide the necessary background information for conducting field research. This research will examine risks to groundwater, surface water, drinking water sources, waste-management and other environment-related infrastructure, factories and other potential sources of toxic chemicals, and biodiversity.

The outcome of the current debate within the Bush administration and the debate between the US and the European Union (particularly the United Kingdom) about the future government of postwar Iraq and the participation of the UN will be a determinant factor in the way the new authorities in Iraq will handle the DU contaminated sites.

The most achievable option will probably be a field research by UNEP, supported by the World Health Organization and the International Atomic Energy Agency. The best option should be a fully independent health examination on large scale among Gulf War soldiers and Iraqi citizens who could have been exposed to depleted uranium dust particles. However, based on experiences, this might be wishful thinking.

Source and contact: Henk van der Keur at Laka Foundation, Ketelhuisplein 43, 1054 RD Amsterdam, Netherlands
Tel:+31 20 6168294; Fax:+31 20 6892179
Email: laka@antenna.nl
Web: www.laka.org

REPORT REVIEW

Science or Science Fiction? is the title of a new report by Dan Fahey. Fahey separates facts, myths and propaganda in the debate over depleted uranium weapons. He is exposing the propaganda of the US Department of Defense as well as the exaggerating claims of activists on the health impacts of the military use of depleted uranium. The report (35pp) is available at the website of WISE Uranium: www.antenna.nl/wise/uranium/pdf/dumyths.pdf

SOUTH KOREA: STRUGGLE AGAINST WASTE STORAGE SITES

On 4 February the South Korean government announced four candidate sites for a nuclear waste storage facility (see *WISE/NIRS Nuclear Monitor* 583.5492: "Nuclear waste dumpsite issue in South Korea"). Since the announcement, there have been various actions to protest the government's plan.

(585.5504) KFEM - Residents in the 4 sites demonstrated in their hometown. 4,000 ~ 13,000 people gathered in the demonstrations respectively. In Ulchin, 5,000 residents fought with police in the course of trying to enter a nuclear power plant near the town, to show their fury against the nuclear facility. In Youngduk, residents occupied a major highway in that area for about 3 hours.

On 27 March, 7,000 residents from the 4 sites gathered together in

Seoul, the capital of South Korea, to show their opinion that no place in the world is suitable for nuclear waste storage facilities. And since 28 March, a monk of Won-Buddhism, a Korean national religion, has gone on a hunger strike (It's the 14th day of hunger as of April 10).

Similarities with protests in the past
The protests show similarities with the fights in the past. Since 1989, when the government's plan for a nuclear waste storage facility was revealed for the first time, the major power of struggles has come from residents in the sites planned for a facility.

In 1990, for example, residents in Anmyeon island fought so fiercely that the area almost fell into a state of anarchy when they blocked the only bridge to land, occupied the county office and police office, and announced a self-ruling republic.

Differences with fights in the past
The current fights, however, show some differences from the fights in the past:

-Differently from the past, the local governments are no longer considered as the major target of these fights. In some ways, the local governments share the understanding that a misleading policy of the central government will not benefit the local.

It originates from the change of local government in South Korea. Since 1995, residents in local areas have elected their own local government heads and local assembly men.

-With the reason above, it is obvious that the residents demonstrate in Seoul, where the central government and assembly locate. In the rally on 27 March, for example, the slogan was "Nuclear power plant in front of the National Assembly, Nuclear waste dumpsite in the backyard of the Presidential Mansion".

Important thing is, the residents are now saying that the locals should not be sacrificed for the capital that uses the most energy and has political power.

-In the past, there were not much residents who could think that nuclear itself is the problem, rather than 'not in my hometown.' But now, residents in the 4 sites understand well that nuclear itself is the problem.

And so the residents from all the 4 sites are fighting together to get rid of all the nuclear facilities in South Korea, and in the world.

Response of the government and nuclear industry
The government and nuclear industry have not responded to the recent protests. Rather, the nuclear industry is trying to mislead the national opinion blaming the residents' struggles as local egoism.

The Korean Hydro and Nuclear Power Company (KHNPC), which is in charge of selecting and constructing the storage facility, has not answered our request to open the research report that was the basis of the selection of the 4 sites. Moreover, KHNPC has not admitted that they bought some people to fabricate the resident's opinion (to invite the facility).

We regard that the nuclear industry itself is the major cause of the social conflicts. In fact, the nuclear industry is handling the Korean policy of electric power. So we will make this opportunity to reform the electric policy including the policy of nuclear waste storage facility and nuclear power plants.

Source and contact: Wonyoung Yang-Yi, Korean Federation for Environmental Movement, 251 Nuhadong, Jongno-gu, Seoul, Korea
Tel: +82 2 735 7000; Fax: +82 2 730 1240
Email: yangwy@kfem.or.kr
Web: antinuke.kfem.or.kr

U.S.: NRC SEEKS FURTHER INPUT ON WASTE RECYCLING PLAN

The US Nuclear Regulatory Commission (NRC) has announced its intent to make regulations on what it calls "controlling the disposition of solid materials." Last years, NRC has worked on proposals for the re-use or dumping of (very) low-level waste mainly from decommissioning nuclear facilities. In the current proposal two new alternatives have been formulated: conditional re-use for specified purposes (such as use in industrial components or roads) and the disposal of radioactive waste at normal landfills (not designed to contain radioactive waste).

(585.5505) NIRS - Although the "solid materials" upon which NRC is focusing could be contaminated with plutonium-239, strontium-90, cobalt-60 or any radionuclides from nuclear facilities, NRC likes to compare its proposals with any other industrial or household cleanup effort.

By taking the word "radioactive" out of the title of the rulemaking and comparing reactor operations and decommissioning to spring cleaning our homes, the NRC hopes to engage the public in the discussion of what to do with the radioactive waste.

Since all six US commercial "low-level" radioactive waste dumps are leaking or have leaked, and four have closed, it has been tough (actually impossible) to open new licensed dumps.

The states of Utah and Texas are both

threatened with major license expansions at existing waste sites, originally opened for limited waste categories. 'Creative' ideas for what to do with the atomic waste abound.

Some is being sent to the White Mesa uranium mill in Blanding, Utah for 'processing' and extraction of uranium residues in waste, leaving the rest in the ground at that site (*see WISE News Communique* 551.5295: "Alternate feed material: putting radwaste through uranium mills"). The tailings areas were not designed to isolate the fission products and transuranics from nuclear power production that are present in this waste.

Some could be going directly to recyclers, often without their knowledge or consent. The nuclear generators would rather consider the material "not radioactive" and sell it as scrap for "recycling" into everyday commerce than treat it as nuclear waste that must be kept isolated from the environment and public. In other words, waste producers would like to "release" or "clear" some of their wastes from regulatory control so they can be sold into the recycling market.

Some goes to processors that have licenses to release the waste after efforts to clean the radioactivity off (extract it and create contaminated and 'clean' fractions).

The public opposition to deregulating radioactive waste has been broad, unified and clear in the US over the past two decades. Thus, the NRC and the Department of Energy, in a separate effort, are suggesting equally unacceptable half-steps that they hope will *appear* less objectionable to the public.

This is what they now propose in the two alternative options. Rather than selling or giving away the radioactive waste into unrestricted commerce, they would like to send it (A) to municipal, industrial or hazardous waste landfills or other waste facilities that are not designed or licensed to manage radioactive materials and (B) for "restricted" or "conditional" uses that would supposedly give lower radiation doses to the public than the unrestricted uses in the open marketplace.

Some of NRC's ideas for "conditional" uses of nuclear wastes include bridge abutments, piping for outdoor use, sewer lines, industrial factory components and road fill.

These options (disposal at unlicensed sites and "restricted" release/ "conditional" use) obviously ignore the fact that landfills leak and can have hazardous emissions. Sending nuclear waste to such sites will cause emissions to be radioactively contaminated in addition to the pollutants already getting out.

There are five alternatives suggested by NRC for this rulemaking, three "release" options and two "disposal" options.

Restricted releases and conditional use of nuclear waste will also cause radioactive exposures to the public and the environment both during their "conditional" use and after. The long-lasting radioactivity from plutonium-239, cesium-137, strontium-90 and cobalt-60 could well outlast the "restricted" or "conditional" use.

There will be no follow up on the next use of the radioactive materials after the "conditional" use as a bridge or pipeline is complete. The still-radioactive materials could end up in personal use items or other unpredictable places in a relatively short time.

The NRC's rulemaking is based on four broad performance goals including:

1) Maintaining safety, protection of the environment and common defense and security;
2) Increasing public confidence;
3) Making NRC's activities and decisions effective, efficient and realistic;
4) Reducing unnecessary regulatory burden on stakeholders.

NRC claims its principle goal in the rulemaking is to protect the public health and safety.

Yet every option could result in unnecessary exposure of the public to ionizing radiation. Reducing the regulatory burden for some stakeholders, the nuclear waste generators, means increasing the risk to the public.

There are five alternatives suggested by NRC for this rulemaking, three "release" options and two "disposal" options. Since this is a scoping process, the public can suggest additional alternatives. The choices are:
Alternative 1: Continue releasing radioactive waste into unrestricted commerce as is currently being done.

That is by case-by-case permission, license amendments and other procedures that NRC use to permit radioactive releases now.

They rely mainly on a 1974 Atomic Energy Commission guidance document (Regulatory Guide 1.86) that was never intended for releasing wastes into unrestricted commerce to make items with which we come into intimate personal contact. Not much documentation exists about Regulatory Guide 1.86, but it came into popular use by NRC and the nuclear industry to justify releasing radioactive sites.

Reg. Guide 1.86 consists of charts with surface contamination levels for various types of radionuclides. Reportedly the levels were chosen because they were the lowest levels that could be technically detected at the time (1974). The guidance levels are not "safe" levels, but they are measurable levels.

Alternative 2: Continue releasing radioactive waste into unrestricted commerce but justify it by claiming it is within an acceptable dose-range. Amend NRC's regulations to set an acceptable 'dose criterion.'

This is the nuclear industry's dream—a risk or dose based standard. NRC would legalize exposure to members of the public at dose ranges that can neither be verified nor enforced. The industry can then hire health physicists to do the calculations to predict the "acceptable" and "legal" radiation doses from the waste they want to sell or give away.

They will use computer models created by the nuclear industry or the Department of Energy or contractors with a blatant conflict of interest such as Science Applications International Corporation (see *WISE/NIRS Nuclear Monitor* 577.5463: "U.S. NRC resumes radioactive "recycling" rulemaking"), that can be manipulated, by changing assumptions, to justify releasing widely varying levels of contamination.

Alternative 3: 'Conditional' Use/ 'Restricted' Release of material for certain authorized uses that lead to (supposedly) limited public exposures.

This option specifies certain activities for which slightly contaminated material may be used and where the risk of contact with people is less than unrestricted use.

But, once released, even if only for conditional or restricted uses, there will be no follow up to verify compliance with the alleged restrictions. Metals and other materials could get into recycling and unrestricted use at any time in the future.

Alternative 4: Disposal in an Environmental Protection Agency (EPA) -regulated landfill.

Radioactively contaminated wastes could go to municipal, industrial or hazardous waste facilities that are not designed to isolate radioactive wastes and that have much shorter institutional control periods than specifically licensed radioactive waste disposal sites.

The EPA regulations do not apply to radioactive materials. NIRS also opposes EPA's plans to legalize sending mixed radioactive and hazardous waste to facilities licensed for hazardous materials only.

Alternative 5: Disposal in an NRC or Agreement state-licensed radioactive waste disposal site.

This option is the closest to the existing public demand for isolation of radioactivity from the public and the environment. Specifically licensed nuclear dumps take into account a certain amount of leakage and can not isolate radioactive waste from the environment completely.

But they *are* designated for radioactive waste, so future generations might have a fighting chance of knowing that it *is* a radioactive site.

This is the only alternative that prevents the dispersal of nuclear waste into commerce and unregulated facilities.

A variation of this option that would reduce transportation of nuclear materials would be to keep the waste at the production sites, and expand the license to store and recontainerize the wastes as their packaging deteriorates. This would preclude complete release of the site for unrestricted use.

Until 30 June, comments on the proposal can be sent to the NRC (see box).

Source and contact: Diane D'Arrigo at dianed@nirs.org.

COMMENTS

The request for public comments on NRC's proposal on the "scoping" appeared in the 28 February 2003 US Federal Register (68 FR 40:9595-9602) and 30 June 2003 is the deadline for written or electronic comments. 'Scoping' is the determination of the range of the rulemaking as required by the National Environmental Policy Act. For information on the proposal see also NRC's press release at: http://www.nrc.gov/reading-rm/doc-collections/news/2003/03-027.html

NRC plans to have a final rule by the end of 2005. A 2-day public meeting will be held at NRC headquarters north of Washington, DC on May 21-22, 2003.

Copies of comments to NRC should be sent to your local, state and federal elected officials so that they too can comment. Send resolutions, ordinances, petitions, detailed comments, short notes and any other creative responses, ideally calling for licensed regulatory control over all radioactive waste and contaminated materials, by 30 June 2003 to:

By **Mail**: Secretary, US Nuclear Regulatory Commission, Washington, DC 20555 Attention: Rulemaking and Adjudications Staff.
OR **Upload** to NRC's Website: http://ruleforum.llnl.gov; Select Information/ Comment Requests from left hand column near bottom; Select Control of Disposition of Solids Rulemaking; Click on View/Submit Comments.

NUCLEAR NEWS SITES: A REVIEW

The last couple of years have seen a great increase in nuclear-related news sites. Here is a selection of these sites, plus tips on obtaining information on a particular subject.

(578.5506) WISE Amsterdam –
Campaigners with Internet access can now obtain nuclear power-related news every day from a number of sources. E-mail mailing lists for nuclear news have been around for some time and are continuing to grow in number. However, in the last couple of years, the most spectacular change has been the emergence of a variety of news sites with quite comprehensive coverage of nuclear power issues.

Electronic press clippings
For many years, utilities have used their internal press clippings services to keep middle and senior management informed whenever the company appears in the press. This service helped them in their propaganda war against anti-nuclear campaigners, who usually could not afford to look through large numbers of newspapers for relevant news. To redress this balance, the WISE network was set up in 1978 to provide news to nuclear campaigners all over the world.

Now, nuclear news sites mean that anyone with Internet access can see what the media is saying on nuclear issues. Many sites offer what are effectively "electronic press clippings" – links to articles on newspaper, TV and Internet news sites.

Some sites cover news from the industry's point of view; others from an anti-nuclear perspective. However, both types are useful, and indeed often link to the same media reports. Here are some notable examples:

www.1nuclearplace.com – global coverage of nuclear news in English, industry perspective
www.nucnews.com – global coverage of nuclear news (with a large proportion of U.S. news) in English, from the State of Nevada Agency for Nuclear Projects.
www.sortirdunucleaire.org – news in French (mostly nuclear and with a focus on France) from the French Nuclear Phase-out Network (Réseau "Sortir du nucléaire"). Click on the relevant month under "Actualité" to see the news.
www.prop1.org/nucnews – selection of global news on nuclear, other energy, military, justice and activist issues from Proposition One.
www.nukeworker.com/news – a computer-selected scan of nuclear-related news items.

Some NGOs such as the Nuclear Control Institute (www.nci.org) now include similar "daily news" features on their web sites.

Another option is to use themed areas on new sites. For example, nuclear news in German can be found at de.fc.yahoo.com/a/atom.html (part of the Yahoo! Germany news site).

Trade press
Even the trade press now offers a limited selection of news for free. Platts, who produce the well-known trade journals *Inside NRC, NuclearFuel* and *Nucleonics Week,* now offer "Platts Nuclear News Flashes" on their web site (www.platts.com/nuclear). Their selection of five items gets changed quite often – typically a few times a week – and the longer feature article less often, maybe once a month.

The industry's own news agency NucNet also offers free features on its site www.worldnuclear.org but they are not so "generous" as Platts, only offering one feature article at any time (NB: not to be confused with the World Nuclear Association's site www.world-nuclear.org).

Antiatom.ru
NIRS/WISE Russia (Ecodefense!) with the support of the Socio-Ecological Union has recently launched a unique anti-nuclear news agency www.antiatom.ru which offers global coverage of nuclear news in Russian, with some English articles.

Environmental and alternative news services
There are several news services specializing in environmental issues. Planet Ark (www.planetark.org) offers daily environmental news stories from Reuters, and often includes stories on nuclear issues. Other environmental news services include Environmental News Service (www.ens-news.com) and Environmental News Network (www.enn.com). The site www.ecoportal.net features environmental news in Spanish.

So many progressive and alternative news sites have sprung up that it can be hard to keep track of them. However, the most ambitious alternative news project is almost certainly Indymedia, a network of independent media centers all around the world (for a list, see under "Media centers" at www.indymedia.org). Indymedia uses "free publishing", so that anyone can post news on most Indymedia web sites.

More specific news
There are also some sites for more specific issues. For example, WISE Uranium Project's news site www.antenna.nl/wise/uranium/new.html offers uranium-related news.

However, for really specific issues – such as a local nuclear plant – a news search is probably best. One possibility is to use the search function included on most news sites; another is to use a search engine.

However, both of these have a tendency to produce a long list of

items, many of which are not relevant, unless the search is on a very specific word.

Recently, the well-known search engine Google has launched a news search service (news.google.com) which, although still in the "beta" (test) version, often produces very useful results. At present it is mostly limited to news in English.

NIRS/WISE
Finally, it is worth mentioning that the web sites of both NIRS (www.nirs.org) and WISE Amsterdam (www.antenna.nl/wise) contain search engines, enabling relevant texts to be located quickly amongst the thousands of articles in our archives. Also, on the subject of archives, the Laka archive, one of the world's largest archives of nuclear power information, now has a web site (www.laka.org) which includes a book list. The Laka archive is located in the same offices as WISE Amsterdam and is used in the production of the *WISE/NIRS Nuclear Monitor.*

Contact: WISE Amsterdam

IN BRIEF

City of Cape Town rejects findings of the final Environmental Impact Report for the PBMR. The City of Cape Town does not support the findings of the final Environmental Impact Report for the proposed Pebble Bed Modular Reactor which Eskom wants to build on the site of the Koeberg Nuclear Power Station near Melkbosstrand. "The City has raised its concerns about the proposed demonstration project at Koeberg for the past two years and these have still not been adequately addresses", said Danile Landingwe, Executive Councilor for Planning and the Environment. The City of Cape Town has previously criticized the Environ-mental Impact Assessment (EIA) procedure on a number of occasions. According to Landingwe the EIA continue to ignore the issues raised. These issues included the storage of high level nuclear waste at Koeberg, adding to the growing stockpiles of nuclear waste already accumulated from the existing nuclear plant which was built in the 1980s. "During the life span of the proposed PBMR, nearly 800 tons of high level nuclear waste will be produced and stored at Koeberg. The EIA has not addressed this issue and we must take action to protect the health of residents from the long term risks and impacts on the environment", Landingwe said. "The City is being asked to accept even more nuclear waste for at least the next 80 years, or until a final repository is found. This is simply unacceptable".
***Communications City of Cape Town*, 19 March 2003**

69% EU citizens in support of renewable energies. An international survey conducted by the European Commission shows that renewable energy is a top priority for European citizens, according to the European Wind Energy Association (EWEA). "The powerful public support for renewable energy over fossil fuels and nuclear power should form an important basis in the shaping of future European energy policies", EWEA Policy Director Christian Kjaer said. The *Eurobarometer* survey was presented in March of this year in Brussels by European Commissioner Philippe Busquin. 69% of the EU citizens support more renewable energy-related research compared to 13% for gas, 10% for nuclear fission, 6% for oil and 5% for coal. Furthermore 75% answered that the use of fossil fuels contributes significantly to global warming and climate change. The EWEA is the world's largest renewable energy association.
European Commission (www.ewea.com and www.europa.eu.int/comm/public_opinion/archives/eb/ebs_169.pdf), March 2003

Seven new reactors on line in 2002. Last year seven new reactors were connected to their grids. In China: Qinshan-2 (610 MW PWR), Qinshan-4 (665 MW PHWR) and Ling Ao-1 & 2 (935 MW PWRs). In South Korea: Yonggwang 5 & 6 (950 MW PWRs) and in the Czech Republic: Temelin-2 (912 MW PWR), total 5957 MW. Four units were shut down: Bulgaria's Kozloduy 1 & 2 and UK's Bradwell 1 & 2, total 1056 MW capacity.
***World Nuclear Association weekly digest*, 28 March 2003**

Fugen reactor - Japan - shutdown. The 148 MW Fugen advanced thermal reactor at Tsugura (Fukui Prefecture, Japan), which went into operation in 1979, was shutdown definitive on 30 March. The decision to decommission was not taken easily. City officials were especially concerned about the economic fallout of closure. During its lifespan, the reactor consumed 772 plutonium-

Wanted: information on 1972 Dai Dong conference

The Laka Foundation (a research and documentation center on nuclear energy) is looking for any information on the following. In early June 1972 the first UN conference on the issue of the 'human environment' took place in Stockholm, Sweden. There were 3 'counter-conferences': 'The Environment Forum', 'The Peoples Forum' and a 'Dai Dong' conference. Dai Dong described itself as a 'transitional peace effort linking war and the environment' and was a group of (mainly) scientists working within the 'Fellowship of Reconciliation' (which still exists. Dai Dong ceased to exists in 1975). The war at that time was Viet Nam and one of the issues on that conference was nuclear power.

We are very interested in any information on the discussions, outcome, participants and (national-) outreach in relation with (the struggle against) nuclear power of the 1972 (or any other) Dai Dong conference.
Any help is appreciated: email: Dirk Bannink at info@laka.org or through the WISE Amsterdam postal address.

uranium mixed oxide (MOX) fuel rods. During the first 10 years after it goes off-line, the spent fuel rods will be transported to a reprocessing facility in Tokaimura, Ibaraki Prefecture. Dismantling will take 40 years and cost US$ 830 million.
***World Nuclear Association news briefing*, 26 March/1 April 2003; *The Asahi Shimbun*, 29 March 2003**

Wild turkey causes scare at Seabrook NPP. Officials at the U.S. Seabrook NPP locked down on 26 March the plant's area and called on the FBI after a "potential intruder" appeared on an electronic monitoring device on the plant grounds. A member of the security told the FBI he saw "a large bird (probably a wild turkey) with approximately a four-foot wing span fly across the road in front of him" while he was patrolling outside the protected area in his vehicle.
Reuters, 26 March 2003

Oldest nuclear power plant, Calder Hall – U.K., shutdown. The world's oldest industrial scale nuclear power station, Calder Hall, was shutdown on 31 March because of weak UK power prices. Sate-owned nuclear power firm BNFL said in a statement that continued operation would be uneconomic. Calder Hall was originally scheduled for closure in 2006. It opened in 1956.
***World Nuclear Association news briefing*, 19-25 March 2003; *Reuters*, 31 March 2003**

Anti-atom hunger strike in Austria. Austrian anti-atom activists are on a serious hunger strike between 4 and 16 April. The activists want to achieve a change of the Euratom-treaty including the highest safety standards for nuclear power plants in West- and Eastern Europe. Furthermore they want safety measures for the Temelin nuclear power plants just across the border of the Czech Republic, as agreed upon between Austria and the Czech Republic and been looked at upon by the European Court of Justice. France and the United Kingdom had expressed themselves against these measures, because of possible consequences for their own reactors.
www.plage.cc

Spent fuel from Dutch Dodewaard reactor to Sellafield. The last spent fuel from the closed 55 MW Dodewaard NPP was transported on 9 April to Sellafield. Six fuel rods were transported to the Dutch harbor of Flusingh, heavily guarded by lots of police on the road. The reactor went critical in June 1968 and was shutdown in March 1997. Now the spent fuel has been removed, most entrances of the reactor building will be walled up with concrete. The reactor building and the radioactive contents will be demolished after 40 years.
ANP (NL), 9 April 2003

NIRS/WISE offices and relays

WISE Amsterdam
P.O. Box 59636
1040 LC Amsterdam
The Netherlands
Tel: +31 20 612 6368
Fax: +31 20 689 2179
Email: wiseamster@antenna.nl
Web: www.antenna.nl/wise

NIRS
1424 16th Street NW, #404
Washington, DC 20036
USA
Tel: +1 202 328 0002
Fax: +1 202 462 2183
Email: nirsnet@nirs.org
Web: www.nirs.org

NIRS Southeast
P.O. Box 7586
Asheville, NC 28802
USA
Tel: +1 828 675 1792
Email: nirs.se@mindspring.com

WISE Argentina
c/o Taller Ecologista
CC 441
2000 Rosario
Argentina
Email: wiseros@cyberia.net.ar
Web: www.taller.org.ar

WISE Czech Republic
c/o Jan Beranek
Chytalky 24
594 55 Dolni Loucky
Czech Republic
Tel: +420 604 207305
Email: wisebrno@ecn.cz

WISE Japan
P.O. Box 1
Konan Post Office
Hiroshima City 739-1491
Japan
Tel/Fax: +81 82 828 2603
Email: dogwood@muc.biglobe.ne.jp

WISE Russia
P.O. Box 1477
236000 Kaliningrad
Russia
Tel/fax: +7 0112 448443
Email: ecodefense@online.ru
Web: www.ecodefense.ru

WISE Slovakia
c/o SZOPK Sirius
Katarina Bartovicova
Godrova 3/b
811 06 Bratislava
Slovak Republic
Tel: +421 905 935353
Fax: 421 2 5542 4255
Email: wise@wise.sk
Web: www.wise.sk

WISE South Korea
c/o Eco-center
121-020 4F
GongDeok Building 385-64
GongDeok-dong Mapo-go
Seoul
South Korea
Tel: +82 2 718 0371
Fax: +82 2 718 0374
Email: ecenter@eco-center.org
Web: www.eco-center.org

WISE Spain
Appartado de Correos 741
43080 Tarragona
Spain
Email: jaume.morron@retemail.es
Web: www.ecologistasenaccion.org/otros/wise.htm

WISE Sweden
c/o FMKK
Barnängsgatan 23
116 41 Stockholm
Sweden
Tel: +46 8 84 1490
Fax: +46 8 84 5181
Email: info@folkkampanjen.se
Web: www.folkkampanjen.se

WISE Ukraine
c/o Ecoclub
P.B. #73
Rivne-33023
Ukraine
Tel/fax: +380 362 284 166
Email: akul@atominfo.org.ua
Web: www.atominfo.org.ua

WISE Uranium
Peter Diehl
Am Schwedenteich 4
01477 Arnsdorf, Germany
Tel: +49 35200 20737
Email: uranium@t-online.de
Web: www.antenna.nl/wise/uranium

THE NUCLEAR MONITOR

The Nuclear Information & Resource Service was founded in 1978 and is based in Washington, DC. The World Information Service on Energy was set up the same year and is housed in Amsterdam, Netherlands. NIRS and WISE Amsterdam joined forces in 2000, creating a worldwide network of information and resource centers for citizens and environmental organizations concerned about nuclear power, radioactive waste, radiation, and sustainable energy.

The *Nuclear Monitor* publishes international information in English 20 times a year. A Spanish translation of this newsletter is available on the WISE Amsterdam website (www.antenna.nl/wise/esp). A Russian version is published by WISE Russia and a Ukrainian version is published by WISE Ukraine (available at www.nirs.org). The *Nuclear Monitor* can be obtained both on paper and in an email version (pdf format). Back issues are available through the WISE Amsterdam homepage: www.antenna.nl/wise and at www.nirs.org.

Receiving the Nuclear Monitor

US and Canadian readers should contact NIRS for details of how to receive the *Nuclear Monitor* (address see page 11).Subscriptions are $35/yr for individuals and $250/year for institutions. Others receive the *Nuclear Monitor* through WISE Amsterdam.

Receive the Nuclear Monitor by E-Mail!

We encourage our North American subscribers to receive their copies by e-mail in Adobe Acrobat .pdf format. You receive your issues much sooner--at least a week or more earlier than the mail--and NIRS saves on printing and postage costs. To convert your subscription at no cost, just send a message to nirsnet@nirs.org. Please include your name and mailing address. Or call us at 202-328-0002.

Consider NIRS in your Estate

Have you considered NIRS in your estate planning? The federal estate tax has not been repealed, and most states still have inheritance taxes. A bequest to NIRS, a tax exempt and tax deductible organization, can result in tax benefits, which can enhance the value of your gift. Speak to your tax adviser, or contact NIRS for more information. Your tax-deductible bequest or making NIRS a trust beneficiary could be a great gift to the future.

The NUCLEAR MONITOR

Nuclear Information and Resource Service
1424 16th Street NW, #404
Washington, DC 20036

First Class Mail