

17 GROUPS URGE NRC TO HALT LICENSING, RELICENSING OF 23 REACTORS DUE TO FAILURE TO ADDRESS 2012 COURT RULING

Inadequate Response to 2012 “Waste Confidence” Court Action Means Legal Challenge is Inevitable ... Unless NRC Halts Process.

WASHINGTON, D.C.///September 29, 2014///Firing a shot over the bow of the Nuclear Regulatory Commission (NRC), 17 groups today took a necessary first step to seeking federal court intervention if the NRC does not stop on its own the licensing and relicensing of 23 reactors at 14 sites across the United States.

In urging the NRC to halt its process, the groups note that the federal agency has failed to address a major 2012 court action and longstanding prior decisions requiring the NRC to make “Waste Confidence” findings that the highly radioactive spent reactor fuel used in reactors can be disposed of safely. In 2012, a federal court vacated NRC’s safety and environmental rules regarding spent fuel storage and disposal and remanded them to the agency for an environmental study. The NRC recently dismissed the notion that it needed to reasonably anticipate a national repository for nuclear reactor waste in order to proceed with reactor licensing and relicensing.

In support of the call for NRC action, expert declarations were made by Dr. Arjun Makhijani, president of the Institute for Energy and Environmental Research; and Dr. Mark Cooper, a senior fellow for Economic Analysis at the Institute for Energy and the Environment at Vermont Law School.

Diane Curran an attorney handling the filing today with the NRC, said: **“NRC has long acknowledged that before licensing a reactor, the Atomic Energy Act requires it to make Waste Confidence findings that spent fuel can be safely disposed of in a geologic repository at some point in the future. The NRC even said it would not license a reactor if it could not make such a finding. Yet, the NRC has now arbitrarily dropped those findings from its regulations, claiming they are not necessary. The absence of Waste Confidence findings is a significant safety issue that should concern the public because spent fuel poses a serious public health and environmental hazard from which the public and environment can only be protected long-term with a geologic repository. Yet there is no repository in sight today.”**

Dr. Cooper said that such a study could have a significant effect on reactor licensing decisions because they would likely show that reliance on nuclear reactors for electricity production is not cost-effective if all the costs of managing and disposing of spent fuel are taken into account.

Dr. Cooper observed that: **“The costs of managing spent nuclear fuel are likely to be quite large in absolute value, running to hundreds of billions of dollars (in constant 2012 dollars) and in the range of \$10 to \$20 per MWH (\$0.01 to \$0.02 per kWh). These costs could be high enough to materially affect energy choices when the costs of new reactors or extension of the operating life of existing reactors are compared with energy efficiency and alternative energy sources. Therefore, if the NRC were to include the costs of spent fuel storage and disposal in its cost-benefit analyses for reactor licensing and re-licensing**

decisions, these costs easily could tip the balance of the analysis away from licensing or re-licensing the reactors and in favor of other alternatives or the no-action alternative.”

Dr. Makhijani said: “Until the NRC has studied the technical feasibility and environmental impacts of spent fuel disposal, it should avoid making licensing decisions that would allow the generation of more highly radioactive spent reactor fuel. Spent nuclear fuel remains highly dangerous for thousands of years. It has long-lived radioactive materials in it that can seriously contaminate the environment and harm public health if released. Additionally, spent nuclear fuel contains plutonium-239, a radiotoxic element that can be used to make nuclear weapons if separated from the other materials in the fuel. Plutonium-239 has a half-life of over 24,000 years.”

The 17 groups submitting the NRC filings today are Beyond Nuclear, Blue Ridge Environmental Defense League, Citizens Allied for Safe Energy, Citizens Environmental Alliance of Southwestern Ontario, Citizens for Alternatives to Chemical Contamination, Don't Waste Michigan, Ecology Party of Florida, Friends of the Coast, Green Party of Ohio, Missouri Coalition for the Environment, National Parks Conservation Association, New England Coalition, Nuclear Information and Resource Service, San Luis Obispo Mothers for Peace, SEED Coalition, the Sierra Club Michigan Chapter, and Southern Alliance for Clean Energy.

The new reactors that would be impacted by the NRC filing today are: Bellefonte Units 3 and 4; Comanche Peak Units 3 and 4; Fermi Unit 3; Levy County Units 1 and 2; South Texas Project Units 3 and 4; Turkey Point Units 6 and 7; Watts Bar Unit 2; and William States Lee III Units 1 and 2. The existing reactor license renewal candidates: Callaway Unit 1; Davis-Besse Unit 1; Diablo Canyon Units 1 and 2; Fermi Unit 2; Sequoyah Units 1 and 2; and South Texas Project Units 1 and 2.

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EDITOR'S NOTE: This news release is available online at <http://www.nirs.org/radwaste/wasteconcont92914.pdf>.