

Blue Ridge Environmental Defense League

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GROUPS TAKE LEGAL ACTION TO HALT LICENSING OF 24 NUCLEAR PLANTS CITE FAILURE TO COMPLY WITH COURT RULING

Today a coalition of 17 public interest groups filed legal actions to halt the Nuclear Regulatory Commission's licensing of two dozen power plants. The actions were taken in response to the NRC's failure to comply with the US Court of Appeals DC Circuit order which held that the Commission must assess the long-term impacts of radioactive waste storage before issuing any new power plant licenses.

The petition states: "The NRC lacks a lawful basis under the Atomic Energy Act for issuing or renewing an operating license in this proceeding because it has not made currently valid findings of confidence or reasonable assurance that the hundreds of tons of highly radioactive spent fuel that will be generated during any reactor's 40-year license term or 20-year license renewal term can be safely disposed...." Group representatives said that if the NRC did not halt the licensing of power plants they would return to federal court.

Diane Curran, the lead attorney for this action, 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."

Expert opinions supporting today's legal actions were provided by an energy specialist and an economist. Dr. Arjun Makhijani, president of the Institute for Energy and Environmental Research, 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."

Dr. Mark Cooper, senior fellow for Economic Analysis at the Institute for Energy and the Environment at Vermont Law School, said "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 in favor of other alternatives."

Louis Zeller, Executive Director of the Blue Ridge Environmental Defense League, one of the 17 groups, said, "The NRC has disregarded the interests of residents living near nuclear power plants across the nation. Unless the Commission reverses course, an appeal to a higher authority is inevitable." The League challenged seven of the reactor licenses located in Virginia, South Carolina, Tennessee and Alabama.

In addition to the Blue Ridge Environmental Defense League, groups submitting NRC filings today are Beyond Nuclear, 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 24 pending nuclear power reactor licenses that would be affected by today's action are located at Bellefonte, Callaway, Comanche Peak, Davis-Besse, Diablo Canyon, Fermi, Levy County, North Anna, Sequoyah, South Texas Project, Turkey Point, Watts Bar and William States Lee.

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