

News from Beyond Nuclear  
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## **Fermi 3 Final Environmental Impact Statement Incomplete**

### ***Fermi 3 Interveners Reveal Major Inadequacies of Environmental Impact Statement – Concurrently the NRC Announces Major Delays in Safety Evaluation Review -- Major Setbacks Projected***

Monroe, MI—An environmental coalition opposing Detroit Edison's (DTE) proposed Fermi 3 new atomic reactor has filed five additional legal contentions with the U.S. Nuclear Regulatory Commission (NRC) Atomic Safety and Licensing Board (ASLB) yesterday. These additional contentions were in response to NRC's Final Environmental Impact Statement (FEIS), which was released January 18, 2013.

The new contentions include challenges to: inadequacy of radioactive waste storage environmental review; projected lower demand for electricity with no need for project; no Environmental Review of 30 mile transmission corridor; no Endangered Species Act assessment of transmission corridor; no Historical Archeological Review of the transmission corridor. All of these are blatant National Environmental Policy Act (NEPA) violations.

"The worst-kept secret about Fermi 3 is that the numbers don't work. Now the price tag is pushing toward \$20,000,000,000; only the NRC, the nuclear cheerleader agency, still believes that the need for electricity in Michigan is spiking, when in fact demand is shrinking, year after year; and wind, photovoltaic solar and energy conservation are providing, today, the good paying, sustainable jobs for our sane energy future, one that's coming within our grasp," said Terry Lodge, attorney for the coalition of interveners.

Last Friday the NRC issued a review schedule update. This update revealed major setbacks in the Soil Structure Analysis for Fermi 3, the very foundation on which the projected Fermi 3 is to be built. These delays and setbacks will force the Final Safety Evaluation Review into January 2015. This is a 2 year and 10 month delay from the original proposed Fermi 3 project date of March 2012. View Revised Review Schedule document at Beyond Nuclear website: <http://www.beyondnuclear.org/new-reactors/2013/2/20/fermi-3-final-environmental-impact-statement-incomplete-inte.html>

“It is time to pull the plug on this nuclear boondoggle. DTE must stop spending ratepayer and taxpayer resources by sending good money after bad. This fiasco has not broken ground and already they are behind schedule by at least 2 ¾ years,” stated Michael J. Keegan of Don’t Waste Michigan.

Previously the ASLB had ruled in favor of the environmental interveners, and will now grant an evidentiary hearing. The hearing will be held in southeast Michigan this fall.

Previous contentions admitted for hearing include habitat destruction threatening the Eastern Fox Snake, as well as total lack of Quality Assurance (QA) undergirding Fermi 3’s design and construction. The ASLB will hear the Nuclear Waste Confidence contention in a separate hearing, as the U.S. Circuit Court has ruled that the NRC must re-write the Nuclear Waste Confidence decision to include environmental considerations, which have not yet been spelled out. Interveners have added substantially to previously admitted contentions, and demonstrated non-compliance with NEPA.

The State of Michigan has acknowledged that Fermi 3’s impacts on Great Lakes shoreline wetlands would be the largest in the history of Michigan’s wetlands protection law.

Fermi 3’s proposed 300-foot-wide transmission line corridor would cross nearly 11 miles, or nearly 400 acres, of previously undeveloped land, including wetlands, grasslands, and forests that Eastern Fox Snakes likely also call home. However, there is no mitigation plan whatsoever for this habitat loss.

“The hubris of Detroit Edison in flaunting environmental law is beyond belief, and unacceptable. It’s time for DTE to cancel Fermi 3, and move beyond nuclear,” said Kevin Kamps, radioactive waste specialist with Beyond Nuclear.

The environmental coalition member groups intervening against Fermi 3 include: Beyond Nuclear, Citizens for Alternatives to Chemical Contamination, Citizens Environment Alliance of Southwestern Ontario, Don’t Waste Michigan, and the Sierra Club Michigan Chapter.

Yesterday’s Interveners’ ASLB filing has been posted on Beyond Nuclear’s website at: Interveners’ Feb. 19, 2013 ["MOTION FOR RESUBMISSION OF CONTENTIONS 3 AND 13, FOR RESUBMISSION OF CONTENTION 23 OR ITS ADMISSION AS A NEW CONTENTION, AND FOR ADMISSION OF NEW CONTENTIONS 26 AND 27"](#). Please also see: Fermi 3 Revised Review Schedule, [Fermi 3 COLA Review Schedule](#) (Feb. 15, 2013); and Original [Fermi 3 Schedule](#) (June 30, 2009).