Nuclear Regulatory Commissioners reject Fermi 2 reactor license extension hearing

Environmental opponents vow appeal to federal court

Rockville, MD and Monroe County, MI—At a U.S. Nuclear Regulatory Commissioners (NRC) meeting this morning at the agency’s Rockville, MD headquarters that lasted but a few short minutes, an environmental intervention against the 20-year license extension sought by Detroit Edison at its Fermi Unit 2 atomic reactor in Monroe County, MI was rejected. The NRC Commissioners sided with an appeal by Detroit Edison, and overruled an NRC Atomic Safety and Licensing Board Panel’s (ASLBP) granting of a hearing on a contention brought by a bi-national coalition of environmental groups including Beyond Nuclear, Citizen Environment Alliance of Southwestern Ontario, and Don’t Waste Michigan.

The coalition plans to appeal a significant aspect of the now-terminated proceeding to the federal courts in the near future. Along with its intervention against the proposed new Fermi 3 reactor construction and operations license, Beyond Nuclear as lead plaintiff will appeal NRC’s “Nuclear Waste Confidence” policy at the existing Fermi 2 reactor to the federal D.C. Circuit Court of Appeals. A favorable court ruling would represent a big blow against Detroit Edison’s NRC permit to build Fermi 3, as well as the Fermi 2 license extension.

“This is further proof that NRC stands for ‘Nuclear Rogues, Consistently,’” said Kevin Kamps of Beyond Nuclear, a national watchdog group based in Takoma Park, MD. “NRC’s mandate is to protect public health, safety and the environment, but instead, they prioritize industry profits.”

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The Fermi 2 license extension hearing rejection joins a growing list of related betrayals of the public trust, including a gutting of NRC's Fukushima “lessons learned” process, such as not requiring filters on hardened vents on General Electric Mark I and II boiling water reactors in the U.S. Fermi 2 is the largest Fukushima Daiichi twin design in the world, with a containment clearly too small and too weak to prevent a catastrophic release of hazardous radioactivity.

The ASLBP had granted a hearing on safety and environmental contentions regarding the common transmission line corridor shared by Fermi 2 and the proposed new Fermi 3 reactor. The coalition warned of a domino effect nuclear catastrophe that could unfold if either of the immediately adjacent Fermi 2 or Fermi 3 reactors, or their high-level radioactive waste storage pools, released hazardous radioactivity, as due to loss of offsite electricity and emergency back up diesel generator failure. The coalition, represented by Toledo attorney Terry Lodge, cited the lessons that should have been learned from the Fukushima Daiichi nuclear catastrophe in Japan.

Prime Minister Naoto Kan had to personally intervene to prevent Tokyo Electric Power Company from evacuating all workers and abandoning the multiple melting down reactors and overheating storage pools. At the same time, he ordered contingency planning for the evacuation of 35-50 million people from metro Tokyo and northeast Japan, if a “demonic chain reaction” of reactor meltdowns and pool fires spread from Fukushima Daiichi to additional nearby nuclear power plants.

The Japanese Parliament, in its first ever independent investigation, published in 2012, concluded that the root cause of the Fukushima nuclear catastrophe was collusion between regulator, industry, and government officials.

“At our peril, we see just such collusion between NRC and Detroit Edison at Fermi,” said Michael Keegan of Don't Waste Michigan's Monroe chapter.

“The Atom has subverted Science,” said Keegan. “The NRC just does not want to know what the public already knows.”

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Keegan pointed to NRC’s simultaneous announcement today that it was ending its years-long study of cancer incidence risks near nuclear power plants, supposedly due to how long it was taking and how much money it cost.

Gerald and Martha Drake of Charlevoix, a medical doctor and statistician, respectively, documented disturbing health trends, downwind of the Big Rock Point atomic reactor 40 years ago. This included statistically significant increases in leukemia rates, low-birth-weight infants, and cancer deaths, as documented in Dr. Rosalie Bertell’s *No Immediate Danger: Prognosis for a Radioactive Earth* (The Women’s Press, Toronto, 1985, pages 129-130 and 206-208).

“The Drakes carried out this analysis on their own initiative, in the face of industry and government foot-dragging and obscuring of the facts,” Keegan added.

Big Rock Point was to have been a case study of the current cancer incidence risk analysis, cancelled today by NRC.

Two contentions against the Fermi 2 license extension, filed by another environmental group, Citizens Resistance at Fermi Two (CRAFT), granted hearings by the ASLBP, were likewise rejected by the NRC Commissioners today.

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Beyond Nuclear aims to educate and activate the public about the connections between nuclear power and nuclear weapons and the need to abandon both to
safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic.