



NEWS FROM BEYOND NUCLEAR

For immediate release

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Florida nuclear plant that sucked in scuba diver has violated law for a decade Continues to catch and harm endangered sea turtle while stalling preventive measures

TAKOMA PARK, MD, March 7, 2016 -- A Florida nuclear power plant that sucked a scuba diver through its unprotected cooling intake pipe, is in ongoing violation of the Endangered Species Act (ESA), Beyond Nuclear and the Rachel Carson Council have charged.

The incident at the St. Lucie Nuclear Generating Station on Hutchinson Island, Florida, is the second entrainment of a human at the plant. The first occurred in 1989. However, the plant's intake system has for decades routinely captured, harmed and killed thousands of marine animals, most notably endangered and threatened species of sea turtle as well as manatees and other protected species. The plant is owned by Florida Power & Light (FPL).

"Sucking in the scuba diver exposes that FPL has failed to act for almost a decade on its ongoing violations of the Endangered Species Act," said Paul Gunter, Director of Reactor Oversight at Beyond Nuclear, the national group of record that watchdogs the environmental damage caused by nuclear power. "Federal law establishes the terms of FPL's operating license to set limits on the number of protected marine species that it kills and injures that are caused by power plant operations," he said.

In 2006 St. Lucie drew in 662 sea turtles, 22 of which FPL admits were killed by the plant's operation. FPL has been obligated to limit the number of endangered species killed by the plant's intake system since its operating license was amended in 2001.

But after [violating its lethal take limit of endangered sea turtles in 2006](#), a federal review process was initiated for FPL to find ways to comply with the limitations imposed by the ESA. An excluder device to be placed around the intake system, was identified as the preferred fix to the problem.

"The 2006 violation began the legal process for FPL to do the obvious -- to build and maintain a protective excluder over the cooling water intake, or to cage off an exclusion zone around the intake structures," said Gunter. "It is negligence that the power

company and the federal government have done nothing to prevent more harm from coming to protected marine species and human beings,” he said.

The St. Lucie nuclear power plant draws in three billion gallons of seawater per day to cool the reactors. The U.S. National Marine Fisheries Service (NMFS) provides the plant with a limited “exemption” under Section 7 of the ESA, that requires a scientifically prepared Biological Opinion from the agency to set “Incidental Take Limits” for protected marine animals.

St. Lucie has repeatedly exceeded those limits throughout its 40-year operating history. Deliberate violations of the ESA carry fines and criminal charges. In 2013, NMFS rejected an FPL design for an excluder device that would have prevented only 28% of all sea turtles from entering the cooling system.

“It is outrageous that a nuclear power plant is now destroying the very sea turtles that Rachel Carson wrote about in *The Edge of the Sea*, her 1955 best-seller, that taught Americans about the beauty of life along the Florida shore,” said Dr. Robert K. Musil, President of the Rachel Carson Council. “Even worse,” added Musil, “Carson was deeply opposed to nuclear facilities and would have been horrified that a nuclear power plant is the culprit.”

In 2001, Gunter co-authored and published a report, [*Licensed to Kill: How the nuclear power industry destroys endangered marine wildlife and ocean habitat to save money.*](#) An accompanying [video](#) included an interview with another scuba diver, Bill Lamm, who had been sucked through the St. Lucie intake pipe in 1989. Lamm’s wetsuit was shredded and he observed that not all animals could survive the ride through the pipe.

Licensed to Kill exposed the repeated violation of the Endangered Species Act and the Clean Water Act by nuclear power plant systems that use once-through cooling. While St. Lucie was the worst offender, similar impacts were found at the other coastal reactors studied, not only from entrainment but from thermal damage due to the hot water discharges.

In October and December 2015, FPL admitted that the deaths of three endangered Green sea turtles were directly caused by plant operations at St. Lucie. The turtles were sucked through the intake pipe and caught on intake canal barrier nets where they were pinned and drowned.

In efforts to detract from its legal violations, FPL claims that the underwater entrances to the intake pipe are indicated on the surface by a buoy marker, warning people to stay away.

“Apart from the fact that sea turtles can’t read warning signs, this is a laughably inadequate solution,” Gunter said. “A scuba diver would have to swim right up to the buoy to read it and could easily miss it altogether while submerged. It’s clear that FPL

is trying to justify its inaction and violation of the law with a public relations exercise rather than a real commitment to protecting endangered species.”

In its worst year at the time of the *Licensed to Kill* report, in 1995, St. Lucie entrained 933 sea turtles. Many sea turtles are present around Hutchinson Island owing to a nesting beach adjacent to plant property. A majority of the sea turtles captured and killed at the plant are adult females, essential to a species whose hatchling survival rate is one in five thousand.

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USEFUL LINKS

Link to 2006 violation of terms in St. Lucie’s operating license: http://www.beyondnuclear.org/storage/licensed-to-kill/ltk_luci_02012007_exceed_turtle-limit.pdf

Licensed to Kill, full report: http://static1.1.sqspcdn.com/static/f/356082/3590840/1247621149403/ltk_full.pdf?token=HUxaUI5VWxgd2faoY1QrkLM4Dwg%3D

Licensed to Kill video (7 minutes): <https://www.youtube.com/watch?v=VVsw3rmCnnU>

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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: 6930 Carroll Avenue, Suite 400, Takoma Park, MD 20912. Info@beyondnuclear.org. www.beyondnuclear.org. The Rachel Carson Council, founded in 1965, is the national legacy environmental organization envisioned by Rachel Carson before her death. Bob@rachelcarsoncouncil.org www.rachelcarsoncouncil.org