



## **Suspend All Nuclear Reactor Licensing; Conduct "Credible" TMI-Style Review**

[Emergency Petition](#) | [Declaration of Arjun Makhijani \(April 19, 2011\)](#)

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:Audio of Press Conference (April 14, 2011)

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### **Fukushima Fallout: 45 Groups and Individuals Petition NRC to Suspend All Nuclear Reactor Licensing and Conduct a “Credible” Three Mile Island-Style Review**

**Public Citizen, Southern Alliance for Clean Energy, and San Luis Obispo Mothers for Peace Among Those Urging NRC to Delay Licensing While NRC and Presidential Commission Conducts a Full Study of Implications of Japan Reactor Crisis.**

WASHINGTON, D.C. April 14, 2011 — A total of 45 groups and individuals from across the nation are formally asking the U.S. Nuclear Regulatory Commission (NRC) to immediately suspend all licensing and other activities at 21 proposed nuclear reactor projects in 15 states until the NRC completes a thorough post-Fukushima reactor crisis examination comparable to the process set up in the wake of the serious, though less severe, 1979 accident at Three Mile Island.

The petitioners also are asking the NRC to supplement its own investigation by establishing an independent commission.

The petition seeks suspension of six existing reactor license renewal decisions (Columbia, Davis-Besse, Diablo Canyon, Indian Point, Pilgrim, and Seabrook); 13 new reactor combined construction permit and operating license decisions (Bellefonte Units 3 and 4, Bell Bend, Callaway, Calvert Cliffs, Comanche Peak, Fermi, Levy County, North Anna, Shearon Harris, South Texas, Turkey Point, Vogtle, and William States Lee); a construction permit decision (Bellefonte Units 1 and 2); and an operating license decision (Watts Bar). In addition, the petition asks the NRC to halt proceedings to approve the standardized AP1000 and ESBWR reactor designs.

Available online at <http://www.psr.org/nuclear-bailout/emergency-petition-to-suspend.pdf>, the petition explains that the action is needed to review “the safety and environmental implications of the ongoing catastrophic radiological accident at the Fukushima Daiichi Nuclear Power Station, Units 1-6 (“Fukushima”), in Okuma, Japan.” According to the petition, the needed NRC review should include a close look at “whether the March 11, 2011 Tohoku-Chihou-Taiheiyo-Oki earthquake and ensuing radiological accident poses new and significant information that must be considered in environmental



impact statements to support the licensing decisions for all new reactors and renewed licenses.”

Emergency action by the NRC is necessary because a number of the pending licensing proceedings are approaching completion, including for Pilgrim, Vogtle, and the AP1000 design certification proceeding. The NRC was subjected to extensive criticism when it extended the license for the controversial and problem-plagued Vermont Yankee reactor just days after the Fukushima reactor disaster.

An attorney for the petitioners, **Diane Curran** of Harmon, Curran, Spielberg & Eisenberg, LLP, said: “NRC violated the law by re-licensing the Vermont Yankee reactor at the same time it launched an investigation into whether U.S. safety and environmental standards are strong enough in light of the Fukushima accident. The National Environmental Policy Act requires the NRC to learn and apply the lessons of Fukushima before it allows another reactor to operate. By establishing a Task Force and ordering the investigation of the regulatory implications of the Fukushima accident for U.S. reactors, the NRC has obligated itself to consider those implications in all prospective licensing decisions. We demand that the NRC establish a credible process for studying and applying the lessons learned from the Fukushima accident, in keeping with the precedent created after Three Mile Island.”

Curran also said: “Suspension of licensing decisions pending investigations of lessons learned also would be consistent with the course followed by the Commission following the Three Mile Island accident, when the Commission delayed new licensing actions for a year and a half while it studied the implications of the accident for reactor safety.” In addition, Curran said, the Commission should request the appointment of an independent Presidential Commission, as was done after the Three Mile Island accident.

**Sara Barczak**, high risk energy director for petitioner Southern Alliance for Clean Energy, a regional organization, , said: “Utilities across the Southeast have aggressively pursued building costly new reactors in spite of the risks that poses to ratepayers and taxpayers. It’s of paramount importance that federal regulators take the time needed to carefully reassess the concerns the Fukushima disaster raises here in the U.S. and not [yield](#) to the nuclear industry’s unreasonable timelines. It is important to take a step back before billions of more dollars are spent.”

**Jane Swanson**, spokesperson for petitioner San Luis Obispo Mothers for Peace, San Luis Obispo, CA, said: “Fukushima has given the NRC a clear warning. The agency is obligated by its responsibilities for public safety to hit the pause button on all licensing applications until all the lessons to be learned are thoroughly understood.”

**Mary Lampert**, director of petitioner Pilgrim Watch, Duxbury, MA, said: “Pilgrim, located in America’s Hometown, is the same design as the Fukushima plants, is older than most of them, and has even more spent fuel in its single spent fuel pool. The major cause of the Fukushima disaster was the loss of off-site power; but it doesn’t take a tsunami to cause that. The U.S. Nuclear Regulatory Commission told all Americans within 50 miles of Fukushima to evacuate; several million people live within a 50 mile radius of Pilgrim.”

Dr. **Arjun Makhijani**, president, Institute for Energy and Environmental Research (IEER), said: “The Fukushima Daiichi plant is rewriting the book on nuclear reactor accidents. There are multiple major sources of emissions from the same site at the same time, including more than one reactor and more than



one spent fuel pool. For the first time, major portions of three reactor buildings have been blown away by hydrogen explosions. Backup power arrangements have been shown to be grossly inadequate. Freshwater was not available for essential cooling functions for an extended period. The situation is far from being under control more than one month after the start of the accident. Continuing business as usual in licensing and reactor certification in the face of the unprecedented, hugely complicated, and ongoing Fukushima accident would be rash and contrary to the mandate of the NRC to ensure safety and protect public health.”

Among the groups and individuals seeking the emergency action on the part of the NRC are: Beyond Nuclear; Blue Ridge Environmental Defense League (BREDL); Center for a Sustainable Coast; Citizens Allied for Safe Energy; Don't Waste Michigan; Georgia Women's Action for New Directions; Mothers Against Tennessee River Radiation; Missouri Coalition for the Environment; Missourians for Safe Energy; National Parks Conservation Association; North Carolina Waste Reduction and Awareness Network; Northwest Environmental Advocates; Nuclear Information and Resource Service; Nuclear Watch South; Public Citizen; San Luis Obispo Mothers for Peace; Savannah Riverkeeper; Seacoast Anti-Pollution League; Sierra Club (Michigan and South Carolina chapters); Southern Alliance for Clean Energy (SACE); Sustainable Energy and Economic Development (SEED) Coalition; and the Village of Pinecrest, Florida.

The petition calls for the following:

- The Commission should suspend all decisions regarding the issuance of construction permits, new reactor licenses, combined construction permits and operating licenses (COLs), early site permits (ESPs), license renewals, or standardized design certification pending completion by the NRC's Task Force of its investigation of the near-term and long-term lessons of the Fukushima accident and the issuance of any proposed regulatory decisions and/or environmental analyses of those issues;
- The Commission should suspend all proceedings with respect to hearings or opportunities for public comment, on any reactor-related or spent fuel pool-related issues that have been identified for investigation in the Task Force's Charter of April 1, 2011, including external event issues (i.e., seismic, flooding, fires, severe weather); station blackout; severe accident measures (e.g., combustible gas control, emergency operating procedures, severe accident management guidelines); implementation of NRC regulations regarding response to explosions or fire; and emergency preparedness. The Commission should also instruct hearing judges who are considering contentions to permit the parties an opportunity to make arguments regarding the relevance of their concerns to the Fukushima accident.
- The Commission should suspend all licensing and related rulemaking proceedings with regard to any other issues that are identified by the Task Force as the subject of its investigation. The proceedings should be suspended pending completion of the Task Force's investigation into those issues and the issuance of any proposed regulatory decisions and/or environmental analyses of those issues.
- The Commission should conduct an analysis, as required by the National Environmental Policy Act (NEPA), of whether the March 11, 2011 Tohoku-Chihou-Taiheiyo-Oki earthquake and ensuing radiological accident poses new and significant information that must be considered in environmental impact statements to support the licensing decisions for all new reactors and renewed licenses. All environmental assessments should be published in draft form for public comment.



- The Commission should conduct a safety analysis of the regulatory implications of the March 11, 2011 Tohoku-Chihou-Taiheiyo-Oki earthquake and ensuing radiological accident. While emergency safety measures that arise from that analysis may be issued as enforcement orders, any long-term requirements should be issued as proposed rules, with appropriate opportunities for comment.

- The Commission should establish procedures and a timetable for raising new issues relevant to the Fukushima accident in pending licensing proceedings. The Commission should allow all current intervenors in NRC licensing proceedings, all petitioners who seek to re-open closed licensing and relicensing proceedings, and all parties who seek to comment on design certification proposed rules, a period of 60 days following the publication of proposed regulatory measures or environmental decisions, in which to raise new issues relating to the Fukushima reactor accidents. The Commission should suspend requirements to justify the late-filing of new issues if their relevance to the Fukushima accident can be demonstrated.

MEDIA CONTACT: Ailis Aaron Wolf, (703) 276-3265 or [aawolf@hastingsgroup.com](mailto:aawolf@hastingsgroup.com).

A streaming audio replay of the news event is available on the Web at

<http://ieer.org/wp/wp-content/uploads/2011/04/041411NRCnuclearlicensing suspension.mp3>:



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