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Citizens Gain Ground in STP Intervention Over Water Concerns

Atomic Safety and Licensing Board Panel Admits Four Additional Water Related Contentions for a Hearing

Citizen opposition to two proposed nuclear reactors at the South Texas Project (STP) continues with another success. Yesterday the Atomic Safety and Licensing Board (ASLB) Panel ruled that South Texas Project Nuclear Operating Company (STPNOC) had failed to adequately analyze the environmental impacts of radioactive contaminated water and water availability, issues or “contentions” raised by concerned citizens in their Petition to Intervene in the proposed expansion at STP. The Order is of national significance since STPNOC is the first in the nation to request licensing in 30 years.

“Citizens intervening in the South Texas Project’s licensing process gained significant legal ground yesterday when the ASLB Panel ruled that four additional contentions be admitted for a hearing,” said Karen Hadden, Executive Director of the SEED Coalition, one of the Intervenors. “Intervenors now have a total of five admissible contentions, with seven contentions related to fires and explosions and losses of large areas of the plant still pending.” The licensing process is likely to be delayed as a result of additional contentions. It was delay and construction problems that led to the first reactors at STP coming in six times over budget.

SEED Coalition, Public Citizen and the Bay City based South Texas Association for Responsible Energy (STARE) are Intervenors in the case. Attorney Robert V. Eye went before the ASLB Panel in June and argued the admissibility of 28 contentions challenging the license application for two additional reactors, Units 3 and 4, at the South Texas Project.

The first contention admitted in yesterday’s order is:

Contention 8 – The Environmental Report fails to analyze the environmental impacts associated with the increase in radionuclide concentration in the MCR due to operation of STP Units 3 & 4.

“There is absolutely no attempt by STP to analyze the potential environmental or public health impacts of increased radionuclides in the sediment of the main cooling reservoir (MCR), in the shallow groundwater adjacent to it, in the Colorado River that receives discharges from the reservoir, and in the reservoir itself,” said Eye. The MCR is the receiving water body for radioactive water discharged from STP 1 and 2 and would also be the discharge water body for Units 3 and 4.

The second contention admitted is:

Contention 9 – The Environmental Report fails to predict or evaluate the effects of increasing groundwater tritium concentrations.

STP’s license application also fails to evaluate the increasing levels of groundwater tritium, a radioactive isotope of hydrogen that can be dangerous if inhaled, ingested or absorbed through the skin. Tritium emits beta radiation that causes cancer, cell mutation, and birth defects.

“Tritium has been detected in two of the pressure relief wells that collect water leaking from the unlined bottom of the existing main cooling reservoir. Concentrations of tritium have been increasing in both

wells, and these concentrations could rise if two more nuclear reactors are built at the site,” said environmental engineer and water expert, Dr. Lauren Ross.

The third contention admitted is:

Contention 14 – The Environmental Report fails to analyze the environmental impacts of unregulated seepage from the MCR into the adjacent shallow groundwater

The reactor application admits that 5,700 acre-feet per year leaks through the unlined bottom of the main cooling reservoir into the underlying Gulf Coast Chicot Aquifer and 68% of it is recovered. The rest migrates underground, seeping into nearby surface water bodies like the Colorado River, into pumped wells or into the estuaries of the Gulf of Mexico.

“Failure to monitor and regulate leakage through the bottom of the main cooling reservoir constitutes a failure to protect groundwater and surface water from plant operations,” said Dr. Ross.

The fourth contention admitted is:

Contention 16 – The Environmental Report fails to consider adequately the environmental impact of the possible withdrawal of additional groundwater in excess of that authorized by the current permits.

Groundwater withdrawal from the underlying Gulf Coast Chicot Aquifer is used to meet every important STP nuclear power plant water need other than primary cooling. Groundwater feeds the demineralized water system and is used to make condensate water, to fill the Ultimate Heat Sink basins, for potable and sanitary purposes, to process radwaste, and for fire protection.

“Estimated groundwater use would more than double from an average of 798 gallons per minute for the existing facility over the last five years to a level of 2,040 gallons per minute for all four reactors, but the current permit only allows an average pumping rate of 1,860 gallons per minute,” said Dr. Ross. “STP however wants to wait on analyzing groundwater availability until after the license is issued.”

“STP’s Environmental Report predictions on the drop in groundwater levels is based on the pumping rate that’s permitted and *not* the rate of the actual projected needs for the two additional reactors,” Dr. Ross continued. “This failure to analyze groundwater availability could have an extremely detrimental effect for adjacent landowners.”

“The current water shortages in our area are hitting us so hard,” said Intervenor Susan Dancer, chair of STARE and Wildlife Rehabilitator who lives eight miles from the STP site. “Livestock suffer as hay and other feedstuffs are in incredibly short supply and there is no grass left. With water shortages and contamination, I’m thankful the ASLB Panel has recognized that STP and its owners have an obligation to this community to consider whether the water needed for operation will be available.”

When Karen Hadden attempted to deliver the expert Dr. Ross’ water research report, which underlie these contentions to CPS Energy Board members at a September 28th public meeting, the last before their vote on full investment in STP, a police officer hired by CPS Energy refused to allow her to bring these documents in and physically restrained her and forced her up against a brick wall, even though she had explained that this information was part of her testimony.

Pending Contentions – Large Fires and Explosions that Cause Loss of Coolant and Meltdown

On August 14th, the Intervenor filed seven more contentions regarding STP's failure to comply with a new NRC fire safety rule which says each licensee must "develop and implement guidance and strategies intended to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities under

the circumstances associated with loss of large areas of the plant due to explosions or fire." The NRC now requires nuclear plants to deal with explosions and fires that would occur from the impact of a large commercial airliner. STP claims that their submittal brings them in accordance with the new NRC rule. Intervenor and their expert argue the opposite in the contentions. However, the Intervenor's contentions that argue STP has failed to meet the fire and explosion regulatory requirements, STP's submittal, and related documents are considered classified by the NRC and are not available to the public.

The NRC has also recently adopted regulations that require all applicants for new reactor licenses, including STP, to complete "a design-specific assessment of the effects of the impact of a large, commercial aircraft." After 9/11 the NRC did its own assessments of aircraft impacts using state-of-the-art techniques and "realistic predictions of accident progression and radiological consequences." "This regulation recognizes that nuclear plants are vulnerable to air attacks with potentially catastrophic effects," said Hadden. "Nuclear plants could become weapons if targeted by those who would do us harm."

The full order can be viewed online at www.NukeFreeTexas.org.

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