

NEWS RELEASE
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Citing More Design Mistakes and Omissions, Public Interest Groups Call for Nuclear Regulators to Halt the AP1000 Reactor Approval Process

Watchdogs press NRC chairman to release damning internal dissent

Durham, NC – In a legal motion filed today, watchdog groups pressed the U.S. Nuclear Regulatory Commission (NRC) to terminate the approval process for the Westinghouse AP1000 reactor design. The groups said that a growing list of mistakes and omissions – and a 19th version of the experimental design filed just this week by the company – prove that the “rulemaking” process to approve the ever-changing design is legally “null and void.”

The groups called on the NRC to immediately release Revision 19 and all supporting documents and insisted that the design review cannot go forward until the lessons learned from the Fukushima accident are fully taken into account. They also called for NRC Chairman Gregory Jaczko to finally release the uncensored version of a November dissent by the NRC’s lead structural engineer, who has said Westinghouse took shortcuts that could cause the outer shield building to shatter due to natural or deliberate impacts.

Attorney John Runkle sent the motion to Jaczko on behalf of NC WARN, Friends of the Earth and the AP1000 Oversight alliance, noting that the agency’s approval process has broken down following years of corner-cutting by Westinghouse that the NRC failed to confront. Last month the groups resubmitted a stinging 2005 criticism by a former Westinghouse design engineer, who says the NRC dodged her complaint that the company improperly scaled up engineering of the AP1000 from a smaller plant model, the AP600, and cut other corners in violation of safety regulations.

The unapproved AP1000 design is the basis for the two reactor projects partially begun in the United States – Vogtle Units 3 and 4, by Georgia Power, and V.C. Summer Units 2 and 3, by South Carolina Electric and Gas. Both of those utilities and Westinghouse are pushing for approval of the AP1000 design, causing the public interest groups to assert that legally mandated safety considerations and continuing design problems are taking a back seat to the nuclear industry’s schedule to license the reactor by this fall.

“The AP1000 design approval process would be comical except that the public is being soaked for billions of dollars,” said Jim Warren of NC WARN. ***“The NRC keeps falling further behind due to Westinghouse’s failures, and all this is before they even begin incorporating safety changes in the U.S. stemming from the Fukushima disaster – which the NRC and even industry leaders admit could be extensive.”***

The groups noted that Chairman Jaczko’s own May 20 press statement acknowledged that Westinghouse’s analysis contained flawed calculations and numerous omissions, which they said amplifies questions of credibility and competence raised earlier by the internal experts. They also pressed Jaczko to release the uncensored version of Dr. John Ma’s formal Nonconcurrency on the shield building, as called for by Congressman Ed Markey (D-Mass.) on March 7.

“The NRC’s failure to release Dr. Ma’s damning report remains a major impediment to an open, transparent review process,” said attorney Runkle. ***“Friends of the Earth has filed a Freedom of Information Act request for the important document. It is essential that the NRC immediately release a full, unredacted version, which is critical in establishing weaknesses in the AP1000 design,”***

A public comment period on the NRC’s design certification rulemaking was closed on May 10 after the NRC refused to agree to the request by more than 13,000 people to leave the comment period open due to continuing design changes.

As part of the rulemaking process, the watchdog groups submitted expert technical studies and reports they say reveal fundamental flaws relating to the shield building, containment, emergency cooling, and spent fuel storage – which was redesigned to allow more densely packed fuel. Westinghouse now admits that it miscalculated the peak pressure the containment could handle during an accident. The watchdogs are skeptical about the new calculations, which range very close to the maximum pressure allowed. They say all these problems are made more troubling by the Fukushima accident.

The watchdog groups insisted that a completed design document is legally required before rulemaking can be pursued, so that safety and cost issues can be openly reviewed. As if to affirm the groups’ complaint about an incomplete design, Westinghouse submitted design Revision 19 to the NRC on Monday, and implied that even the company believes the rulemaking must start over.

In today’s legal motion, Runkle explained that, *“To capriciously certify a design, issue an operating license and then expect problems to be resolved during construction is unfair to ratepayers in the Southeast who have already spent more than one billion dollars on the AP1000 reactors. The expected changes to the reactor design during Revisions 19 and 20 could lead to extensive re-engineering during construction, causing delays, cost increases and the risk of project failure.”*

“Given the flawed nature of the review of a faulty reactor design, the AP1000 design approval process has become a bad sci-fi movie,” said Tom Clements of Friends of the Earth. ***“Continuing to pretend that a robust design has emerged is to blatantly ignore the risk of multiple operational failures, the continuing review shortcuts being taken by NRC staff, and the hard but essential lessons of Fukushima. It looks like Westinghouse and the NRC are choosing to litigate these matters in court rather than resolve them via an in-depth analysis and open review process.”***

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[See the legal motion](#)

[See the February 24 rulemaking notice in Federal Register: “AP1000 Design Certification Amendment”](#)

[See the Freedom of Information Act request filed by Friends of the Earth](#)