Watchdogs to Congress: Enforce Fire Safety Rules or Shut Down Nuclear Plants

All U.S. plants are in violation even though fire is 50% of meltdown risk

WASHINGTON, DC – Deliberate bureaucratic negligence has left millions of Americans exposed to unnecessarily high risks from fire hazards at the nation’s nuclear power reactors for more than a decade, and Congress must demand either the enforcement of fire protection regulations or the suspension of operating licenses. That’s according to three watchdog organizations that today sent a new report, *Fire When NOT Ready*, to eight congressional committee chairs.

Washington-based Beyond Nuclear and the Union of Concerned Scientists, along with NC WARN of Durham, told Congressional leaders in a bluntly worded letter that for nearly two decades, the U.S. Nuclear Regulatory Commission has chosen not to enforce safety regulations put into place following a severe fire at an Alabama plant. Recent reports by the Government Accountability Office and the NRC’s Inspector General have confirmed the groups’ charges of repeated failures by the NRC to rectify a list of known problems.

A frustrated NRC Commissioner, Gregory Jaczko, complained to fellow commissioners and agency staff at a public meeting in July: “Simple, straightforward regulations and I don’t think there is one plant right now that is in compliance with those regulations.”

The NRC estimates that the overall meltdown risk from fire hazards is about 50%, roughly equal to all other hazards combined. Fires can damage control cables, causing operators to lose the ability to shut down and cool the reactor. That risk calculation assumes plants are in compliance with fire protection regulations, and it excludes risks from deliberate acts. Fire risks increased dramatically after 9/11 because many potential attack scenarios involve explosives or large amounts of jet fuel.

“Millions of Americans are in clear and present danger due to the NRC’s ineptitude,” said Paul Gunter, Director of Reactor Oversight for Beyond Nuclear and co-author of the report. Gunter, who has been tracking fire protection non-compliances since the early 1990s, added, “We’re calling on Congress – which appropriates the NRC’s budget, oversees its performance and confirms its Commissioners – to wield its power in protection of the public.”

The groups are calling for Congress to draw a firm deadline: that every nuclear plant must gain compliance by the end of its next refueling outage, or be shut down until corrections are made.

The report points to North Carolina’s Shearon Harris plant as emblematic of “the NRC’s inept performance as guardian of public health and safety.” After years of broken promises to correct fire
vulnerabilities, plant owner Progress Energy has been attempting for three years to convert to a new and voluntary, “risk-based” regulatory system. In September, the NRC reported that Progress’ work toward the alternative rules fails to verify that the plant is safe today or that it will be safe if the promised fixes are ever completed.

Meanwhile, the agency granted Harris three more years of “enforcement discretion,” a regulatory limbo condition that allows plants to violate safety rules for short periods of time.

David Lochbaum of the Union of Concerned Scientists said today, “I would not want to be in the NRC’s shoes when they face a grieving nation following a disaster so easily prevented. The only thing more tragic than a nuclear power reactor fire killing Americans is the plain fact that those lives could have been saved had only the NRC bothered to enforce – rather than ignore – its fire protection regulations.”

“Fire When Not Ready” notes that, “Just as ignorance of the law is an invalid excuse, ignorance by the law is also unacceptable. Americans are only protected when fire protection regulations at nuclear power plants are met.”

“The industry PR machine keeps claiming their plants are safe based on the lack of a recent meltdown,” said Jim Warren of NC WARN. “But if NRC had been doing its job, dozens of plants would have been shut down until their owners prioritized fixing all the fire violations.”

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See Fire When NOT Ready: A report on a primary threat of reactor core meltdown – fire – and the unacceptable efforts by the Nuclear Regulatory Commission to protect Americans from this known hazard at http://www.beyondnuclear.org/