



705 Olive Street, Suite 614, St. Louis, MO 63101-2208  
Telephone (314) 231-4181, facsimile (314) 231-4184  
[www.greatriverslaw.org](http://www.greatriverslaw.org)

For More Information Contact:  
Henry Robertson  
Great Rivers Environmental Law Center  
705 Olive Street, Ste. 614  
St. Louis, MO 63101  
(314) 231-4181  
[hrobertson@greatriverslaw.org](mailto:hrobertson@greatriverslaw.org)

August 7, 2012

## **NRC FREEZES ALL NUCLEAR REACTOR CONSTRUCTION & OPERATING LICENSES IN THE UNITED STATES**

### ***Decision Follows 24 Groups' June Petition in Wake of Major Waste Confidence Rule Decision; Most Reactor Projects Already Stymied by Bad Economics and Cheaper Fuel Alternatives***

**WASHINGTON, D.C. – August 7, 2012** – The U.S. Nuclear Regulatory Commission (NRC) acted today to put a hold on at least 19 final reactor licensing decisions – including Ameren Missouri's license renewal application for the Callaway County plant – in response to the landmark Waste Confidence Rule decision of June 8, 2012, by the U.S. Court of Appeals for the D.C. Circuit.

The NRC action resulted from a June 18, 2012 petition filed by 24 groups urging the NRC to respond to the court ruling by freezing final licensing decisions until it has completed a rulemaking action on the environmental impacts of highly radioactive nuclear waste in the form of spent, or "used," reactor fuel storage and disposal. The Missouri Coalition for the Environment, represented by Great Rivers Environmental Law Center attorney Henry Robertson and attorney Diane Curran of Washington, D.C., is one of the 24 groups that filed the petition. The Coalition for the Environment is the petitioner in Ameren's Callaway license renewal proceeding and also the intervenor in Ameren's suspended attempt to license a second reactor at Callaway.

On June 8, the Court of Appeals threw out the NRC rule that permitted licensing and re-licensing of nuclear reactors based on the suppositions that (a) the NRC will find a way to dispose of spent reactor fuel to be generated by reactors at some time in the future when it becomes "necessary" and (b) in the meantime, spent fuel can be stored safely at reactor sites.

The Court noted that, after decades of failure to site a repository, including twenty years of working on the now-abandoned Yucca Mountain repository in Nevada, the NRC "has no long-term plan other than hoping for a geologic repository." Therefore it is possible that spent fuel will be stored at reactor sites "on a permanent basis." Under the circumstances, the NRC must examine the environmental consequences of failing to establish a repository when one is needed.

The Court also rejected NRC's decision minimizing the risks of leaks or fires from spent fuel stored in reactor pools during future storage, because the NRC had not demonstrated that these future impacts would be insignificant. The Court found that past experience with pool leaks was not an adequate predictor of future experience. It also concluded that the NRC had not shown that catastrophic fires in spent fuel pools were so unlikely that their risks could be ignored.

Henry Robertson, attorney at Great Rivers Environmental Law Center, said, "The utilities and NRC have been claiming for 60 years that there would be a safe way to dispose of wastes. There still is no safe way. The wastes will be deadly for hundreds of thousands of years. It is about time a court held the NRC accountable for its words."

In hailing the NRC action, the groups also noted that most U.S. reactor projects were already essentially sidetracked by the huge problems facing the nuclear industry, including an inability to control runaway costs, and the availability of far less expensive energy alternatives.

*Great Rivers is a nonprofit public interest environmental law firm in St. Louis that provides free and reduced-fee legal services to those working to promote preservation of open space, clean energy, clean air and clean water. Its web address is: [www.greatriverslaw.org](http://www.greatriverslaw.org)*