

Monroe Evening News

“Our View”

Page 4C

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To the point: Procedure rather than practicality seems to have taken precedence in a federal ruling on local concern about a new fuel storage facility at the Fermi nuclear power plant.

NRC gets tied up in technicalities

Battle lines have been drawn over how highly radioactive used nuclear fuel from DTE Energy’s Fermi 2 plant should be stored now and into the foreseeable future.

The utility has asked the federal Nuclear Regulatory Commission to allow it to store the spent fuel in large steel and concrete casks near its Newport plant. Beyond Nuclear, representing some nearby residents, opposes the plan for the storage area, contending that it puts residents at risk. They suggest a number of site-specific requirements for the new facility, including a structure to house the casks as well as a nearby fuel-storage pool for emergency storage of the fuel should something happen to one of the casks.

The federal Atomic Safety and Licensing Board recently rejected Beyond Nuclear’s suggestions, saying that the organization doesn’t have a right to challenge development of a storage facility because its members don’t specifically say what harm might come to them from having an outside cask storage area at the plant. Beyond Nuclear is appealing that decision, but chances are the NRC will reject its appeal.

It doesn’t take a lawyer to understand the simple fact that there are certain risks to the public of operating a nuclear plant or, for that matter, a coal-burning plant, or an oil refinery or any number of other enterprises. Life is full of risks.

The larger question seems to be whether those most exposed to those obvious risks should have a right to suggest ways of reducing those risks.

Regardless of whether it has a larger anti-nuclear agenda, Beyond Nuclear has embraced the federal government’s assertion that we’re all at risk of terrorism and that nuclear plants are among potential terrorist targets. Naturally, Beyond Nuclear includes nuclear fuel stored in casks as among those potential targets.

The ASLB has counter-argued that a cask storage facility actually will improve the safety of and reduce the risks of fuel storage at Fermi 2. That might be true. But it also means that it will

at least double the number of potential targets for terrorists by creating not one, but two, storage areas for Fermi's nuclear waste – the existing fuel pool near the reactor and the new cask area.

ASLB members might know that cask storage isn't risky, but if they asked most anyone on the street if they preferred living near a nuclear waste dump, they'd surely get some predictable answers and very specific reasons why that might seem to be a risky proposition.

Though federal policy has been created to streamline licensing of nuclear plants to help meet the nation's needs for cleaner energy, the policy probably wasn't meant to gut due process or rely upon fine, between-the-lines readings of federal statutes to ignore suggestions for increased plant security.

The ASLB consists of some of the nation's best minds in the arenas of law and technology. They should understand that those living near a nuclear waste facility might have legitimate concerns that should be given a fair hearing, not brushed aside for the sake of bureaucratic expediency.

Certainly there's nothing inherently wrong in government acting quickly, as long as fairness isn't sacrificed for speed in the process.