



Public Watchdogs

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Public Watchdogs Calls for Court Intervention to Halt Burial of Nuclear Waste Along Southern California's Coastline

The public advocacy group is asking for an immediate halt to storing deadly nuclear waste in canisters at the failed San Onofre Nuclear Generating Station

San Diego, Calif. (August 30, 2019) – Public Watchdogs, a nonprofit advocacy group, is requesting an immediate court-ordered halt to the transfer of deadly radioactive nuclear waste at the San Onofre Nuclear Generating Station (SONGS) into “thin-walled” dry storage canisters. In the temporary restraining order (TRO) filed with the United States District Court, Public Watchdogs is petitioning the courts to step in and protect the environment and the lives of more than 8 million people who live within the radiation plume zone identified by the Nuclear Regulatory Commission (NRC).

The attorney for Public Watchdogs, Chuck La Bella, says, “My immediate concern is for the health and safety of the millions of people who could be impacted by a toxic cloud being released from SONGS. The consequences of a nuclear accident are catastrophic and would last for generations.”

Prior to transferring the spent nuclear fuel into canisters, court records and published reports indicate that the nuclear waste has been safely stored in the existing structures (Units 2 and 3) at San Onofre since the plant went online in 1972.

In its court filings, Public Watchdogs’ legal team chronicles a failed safety record at SONGS, as well as the poor safety practices and culture established by the plant’s majority owner, Southern California Edison (SCE), San Diego Gas & Electric Company (SDG&E), Sempra Energy and Holtec International, the maker of the modified storage canisters.

According to Public Watchdogs, the defendants in the suit plan to transfer toxic nuclear

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waste at SONGS from the relatively safe “wet storage” (stored in pools in Units 2 and 3), into 73 “thin-walled” dry canisters. The court filings show that neither the canisters nor the decommissioning plan have undergone a proper risk assessment. Nor has an objective risk assessment been done to determine if the canisters are safe for storing nuclear waste on a short-term basis, much less to determine if the burial location within yards of the Pacific Ocean, in a tsunami zone, and on several earthquake faults is safe.

The first four canisters that were buried at San Onofre are defective with an estimated 50 broken bolts according to testimony from the manufacturer. The broken bolts known as “shim standoffs” were added to improve the canister’s passive cooling system. Despite their failure, the NRC has allowed SCE to continue to use the defective canisters.

The canisters are being buried 108 feet from the water in a known tsunami inundation zone, near an earthquake fault as deep and as dangerous as the San Andreas Fault. The location significantly increases the likelihood that more than 3.6 million pounds of toxic nuclear waste will be compromised. “It really isn’t a question of ‘if’ but rather ‘when’ we’re going to be dealing with a nuclear accident,” says La Bella. The spent nuclear fuel remains radioactive for tens of thousands of years, while the canisters’ 5/8” thick walls are only guaranteed for 25 years and their concrete containment system is only guaranteed for about 10 years.

The motion for the temporary restraining order is also directed at the United States Nuclear Regulatory Commission (NRC), on the grounds that the agency hasn’t properly enforced its regulations or provided effective oversight. It is this lack of oversight that has allowed the poor safety practices to develop at SONGS over a matter of decades. The attorney for Public Watchdogs says those poor safety practices, in part, contributed to the premature closure of the nuclear power plant and remain in the culture of the decommissioning process.

“The decommission plan devised by Edison and its corporate partners, and approved by the NRC is a disaster waiting to happen,” says La Bella. “There was never an objective risk analysis done, and the public is at the mercy of a federal regulatory agency that has, from the beginning, abdicated its regulatory and supervisory authority in the face of extremely serious safety lapses.”

Last year, the NRC temporarily halted transferring the “wet storage” of spent nuclear fuel to the “dry storage” canisters, but only after there were two independent, potentially catastrophic events at San Onofre. On August 3 of 2018, Southern California Edison nearly dropped a 100,000-pound canister almost 18 feet onto the floor of a steel-lined storage vault. The “unsecured load event” was preceded by another unreported “near-miss” on July 22, when another canister with a 49-ton payload became stuck on a steel flange inside the belowground storage silo. The August 3 canister hung unsupported for

nearly an hour.

Edison violated federal law when it failed to disclose the two “near-misses” from the public. Because of these noteworthy failures, as well as the contractor’s negligence that led to the events, the NRC fined Edison a mere \$116,000.00. In light of the revenue of the corporate participants, the fine was not even an annoyance.

La Bella says the energy company must conduct a proper risk assessment. “A decommissioning plan must be put together that accomplishes not only proper storage, but also adequate protections to the public and to the environment.”

Public Watchdogs is asking the courts to intervene because of its deep concern that the work environment at San Onofre remains unsafe. The group is also concerned that the canisters being used are not robust enough to ensure public safety. La Bella cautions, “There is no ‘do-over’ here. We don’t get a second chance to store this waste safely. So it’s time to stop, evaluate and make sure the proper oversight and enforcement are in place to keep our families safe.”

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Live Appearances and Interviews Are Available Upon Request

For background or to arrange an interview, contact Lynn Stuart at (858) 243-6988

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