

## **NEWS FROM BEYOND NUCLEAR**

**For Immediate Release**

**Wednesday, July 2, 2008**

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### **Congressional Report Confirms Public Concerns that Nuclear Regulatory Commission is Lax on Regulation of Fire Safety Problems at U.S. Reactors**

Takoma Park, MD – A new Government Accountability Office (GAO) report that reviewed the performance of the U.S. Nuclear Regulatory Commission (NRC) in regulating federally-mandated fire protection standards at U.S. nuclear reactors confirmed allegations raised by a Beyond Nuclear expert that the agency has for years consistently mishandled fire protection violations at the country's nuclear power plants.

Despite federal requirements that mandated reactor operators to install and maintain qualified fire barriers to protect electrical circuits, the report found that the NRC has done little to enforce safety mandates needed to ensure the reactor does not melt down as the result of a fire.

The failure of the nuclear industry to comply with federal fire protection law compounded by the NRC's inability to resolve these safety issues raises significant concerns about the adequacy of nuclear power plant operators to safely shut down the reactor following a significant fire now and into the future. The GAO report was released on June 30<sup>th</sup>.

"It's apparent from this report that the industry did not fully and truthfully disclose fire protection violations at reactors," said Paul Gunter, Director of the Reactor Oversight Project for Beyond Nuclear.

"The congressional report reveals that the nuclear industry is much better at maintaining firewalls to federal law than complying with public safety requirements," Gunter said. "Furthermore, by avoiding follow-through on enforcement action over fire safety, the NRC has turned a blind eye to current federal law that potentially leaves public safety in jeopardy for years to come," Gunter added.

Furthermore, the report revealed that rather than fix bogus fire barriers as agreed in the mid-1990s, many nuclear utilities instead quietly substituted – without NRC approval – largely untested plans to send station personnel out into the burning reactor building to manually operate shutdown equipment without the assurance that they could succeed.

However, the GAO omitted from the report that despite six years of NRC meetings with industry to hammer out fire protection corrective action programs, followed by the issuance of Orders to 25 units in 1998 to comply by 2000, the industry largely abandoned the agreed-upon corrective action programs as well as the NRC issued Orders. NRC ignored not only the ongoing violations but the addition failure to comply with the agreed action plans and confirmatory Orders.

"NRC and the nuclear industry have decided to forget and forgive longstanding fire safety violations in defiance of federal law," said Gunter. "NRC is ignoring the industry's apparent willful violations of federal orders and tolerating false reporting to the agency

that bogus fire barriers in scores of nuclear reactors around the country had been fixed when in fact they were not," he said.

"Without demonstrating the willingness or the ability to take effective enforcement against long standing violations, NRC cannot restore any assurance that nuclear power plants can safely shut down in the event of serious fire," said Gunter. "I am afraid that we otherwise await a trial by fire either through accident or by a malicious act."

*The full GAO report "NRC's Oversight of Fire Protection at U.S. Nuclear Commercial Nuclear Reactor Units Could Be Strengthened," June, 2008, can be found on the [Nuclear Reactors](#) page of the [Beyond Nuclear](#) Web site.*

**Background:**

Gunter's work in uncovering longstanding and unresolved problems with a specific fire barrier material known as Thermo-Lag, was instrumental in precipitating the GAO investigation. Thermo-Lag, widely installed at many facilities, was found to be fraudulently tested and identified as "inoperable" in 1992. Over a period of six years, NRC entered into a series of agreements with reactor licensees and eventually issued Orders to 25 units bring the 79 Thermo-Lag affected reactors into compliance. By 2000, all of the licensees reported back to the NRC that all of the units had complied. But NRC inspections instead found that many licensees failed to implement Thermo-Lag corrective action programs and Orders leaving circuits unprotected to fire. Rather than restore compliance to assure control room operation of safe shutdown, most of the licensees instead decided without consulting with NRC to sacrifice the unprotected circuits to a fire and dispatch operators throughout the reactor building to manually operate shutdown equipment. These actions would potentially require keys, tools, ladders and respirators to negotiate areas perhaps filled with fire, smoke and radiation. Inspectors found that in many cases the unapproved manual actions could not be executed in time to save the reactor from meltdown. Nevertheless, NRC took no punitive action.

The GAO further identified that NRC and industry efforts to voluntarily transition fire protection compliance away from prescriptive standards of the current fire protection code into "a risk informed approach" were mired in significant challenges involving costs, lack of qualified personnel and methodologies for fire modeling.

*Beyond Nuclear aims to educate and activate the public about the connections between nuclear power and nuclear weapons and the need to abandon both to safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic. The Beyond Nuclear team works with diverse partners and allies to provide the public, government officials, and the media with the critical information necessary to move humanity toward a world beyond nuclear. [www.beyondnuclear.org](http://www.beyondnuclear.org)*