

... February 9, 2012 News Advisory ...

**NRC LICENSE FOR NEW VOGTLE REACTORS WILL BE OPPOSED IN FEDERAL COURT,  
SUSPENSION OF CONSTRUCTION AT GEORGIA SITE TO BE SOUGHT**

***9 Groups Contend That NRC Is Failing to Fully Consider Fukushima Lessons Before Issuing a Final License to Construct and Operate Two New Nuclear Reactors,***

**WASHINGTON, D.C./NEWS ADVISORY///**With the Nuclear Regulatory Commission (NRC) expected to consider as early as Thursday whether to issue the final license for two new reactors at the site of the currently operating Vogtle nuclear power plant in Georgia, nine national, state and regional groups will ask the NRC to delay its decision until the groups can file a challenge in federal court.

In the major legal challenge that will be filed within a matter of days, the organizations will maintain that the NRC is violating federal law by issuing the license without considering the important lessons of the catastrophic Fukushima accident in Japan regarding ways the Vogtle operation should be modified to protect public safety and the environment. They will ask federal judges to order the NRC to prepare a new environmental impact statement (EIS) for the proposed Vogtle reactors that explains how cooling systems for the reactors and spent fuel storage pools will be upgraded to protect against earthquakes, flooding and prolonged loss of electric power to the site. According to the groups, the EIS should also detail how emergency equipment and plans for the nuclear plant will be revised to account for accidents affecting multiple reactors on the Vogtle site, as happened at Fukushima.

As part of the action, the organizations will also challenge the validity of the Westinghouse-Toshiba AP1000 design, on which the new Vogtle reactors are based.

The organizations are preparing to file their lawsuit next week in the U.S. Court of Appeals for the District of Columbia Circuit. Meanwhile, they will ask the NRC on Thursday (February 9, 2012) to give the nine organizations time to review the licensing decision. After such review, the groups will submit a formal motion to the NRC, asking the commissioners to suspend construction activities at Vogtle while the U.S. Court of Appeals is reviewing the license.

The nine organizations taking the legal action are: Friends of the Earth, the Southern Alliance for Clean Energy, Blue Ridge Environmental Defense League, Center for a Sustainable Coast, Citizens Allied for Safe Energy, Georgia Women's Action for New Directions, North Carolina Waste Awareness and Reduction Network, Nuclear Information and Resource Service and Nuclear Watch South.

Although Southern Co. has already commenced construction activities at the Vogtle site, the license would allow Southern to complete construction of the containment, reactor cooling systems, spent fuel storage pools, and other major reactor components.

The organizations charge that these major structures could change substantially if they are redesigned to take the lessons of the Fukushima accident into account, and therefore continued construction of the new Vogtle reactors could be wasting money and resources. And if the license is disapproved in the lawsuit or Fukushima-related retrofits make the project too expensive to finish, utility ratepayers in Georgia are likely to be stuck with the expense of a large and useless concrete mausoleum, similar to many other abandoned reactor projects across the U.S.

Separately, Southern Alliance for Clean Energy has sued the Department of Energy for failing to disclose key information about the terms of DOE's \$8.3 billion loan guarantee for the new Vogtle reactors, especially the risk posed to U.S. taxpayers should the estimated \$14 billion project default. The organizations remain very concerned that utility customers and taxpayers have been forced to put more "skin in the game" than Southern Co. and its utility partners and shareholders. With prices of natural gas very low, even the CEO of Exelon has said publicly that he wouldn't build a nuclear plant today. For more details, see [http://www.cleanenergy.org/index.php?/Press-Update.html?form\\_id=8&item\\_id=267](http://www.cleanenergy.org/index.php?/Press-Update.html?form_id=8&item_id=267).

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