

# NUKE INFO TOKYO

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Citizens' Nuclear Information Center

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## Major Victory to Blow Nuclear Fuel Cycle Policy: the ground-breaking ruling on the Monju fast breeder reactor



Picture: Plaintiffs' lawyer holds up the High Court ruling which says "perfect victory" with a look of joy on his face and others congratulate major victory over the government's go ahead for the Monju fast breeder reactor.

On 27 January 2003, the Nagoya High Court's Kanazawa branch (presiding judge Mr. Kazuo Kawasaki) handed down a ruling to nullify the government's 1983 permission for construction of the prototype Monju fast breeder reactor (FBR), whose operation has been stopped since the sodium leakage accident in 1995. This High Court's judgment almost fully adopted the plaintiffs claim.

This is a ground breaking court decision in the history of nuclear trials, as for the first time, it favors the plaintiffs' arguments.

The Monju trial\* has taken quite a long and roundabout route. In its early stages, the Court

didn't recognize the citizens of Fukui Prefecture as being eligible to file a claim. However, reversing the ruling of the Fukui District Court, the Supreme Court ruled that the status of plaintiffs should be applied to any residents

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who could be directly affected in the event of a disaster triggered primarily due to errors and faults found in the safety review of Monju. The ruling at the Nagoya Court correctly followed by the Supreme Court judge.

Soon after the ruling, the defendant of this trial, the Ministry of Economy, Trade and Industry (METI), appealed to the Supreme Court. However, since the ruling in this case was based on the court's 1992 judgment, their grounds for the appeal lacked a reasonable legitimated basis.

### Point in dispute at the Monju trial

To summarize the issues disputed over the court trial, there are three points in the Monju pre-construction safety review\*\*, which they regarded as inappropriate and erroneous.

#### 1. Preventive measure against sodium leakage

After the sodium leak accident on 8 December 1995 and new findings from the combustion experiments performed after the accident, it was found that there were critical flaws and errors in the safety assessment of a floor liner, a steel plate that covered the floor to prevent an explosion caused by contact between sodium used in the secondary cooling system and the concrete, which contains moisture.

The cause of the sodium leakage and explosive accident in 1995 was attributed to a simple design error in a thermometer inserted in the main secondary pipe. Strees accumulated around the point where the this pipe portion of the temperature gauge was positioned inside the layer pipe, and this led to the pipe rupture and sodium leakage.

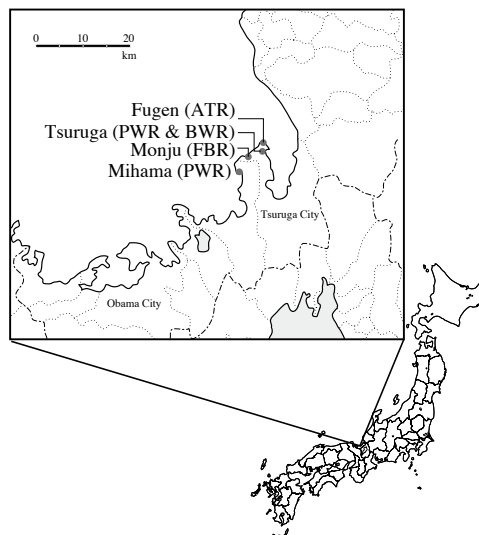


Figure 1. the location of Monju and nearby power plants at Fukui Prefecture

As a result, the ruling said, “it can't be denied real threat that the radioactive substances in the nuclear reactor container could be released into the environment, if all the secondary cooling system lost its function.

#### 2. Preventive measure against steam generator accident

The second point of the ruling was the fact that government's safety review concerning the damages in a steam generator did not fully address preventive measures against simultaneous steam generator pipe rupture accident where a rupture in one pipe trigger the other ruptures in peripheral pipes under high temperatures. Given the disastrous effects that could be anticipated in the event of an accident, the ruling noted that, “there were undeniably noticeable errors and overlooked facts during the reviewing process.” Simultaneous chain reaction of heat-conducting pipe rupture could

#### \* The Monju Trial:

On September 1985, residents of Fukui Prefecture filed two lawsuits to the Fukui District Court. In an administrative litigation, Fukui residents claimed to nullify the permission for establishing the Monju fast breeder nuclear reactor against the government, and they are also seeking the injunction of its operation against the then PNC (the JNC at present) in a civic action. On March 8, the plaintiffs of the civil suite withdrew their claim to focus on the administrative litigation while reducing their burden.

#### \*\* Safety Review (Licensing Review of Nuclear Facilities):

This is a series of licensing procedures to issue the government permit for the operator of nuclear facilities, based on the “Law for the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors (the Nuclear Reactor Regulation Law” ), which examines the safety of nuclear reactors in light of their construction design. The permission will be given according to the criteria that are capable of preventing the release of radioactivity in the event of nuclear disaster.

result in unpredicted spike and uncontrollable variations in power output, which eventually could lead to a reactor core meltdown and the release of radioactive substance into the environment.

**3. Threat of reactor core meltdown accident**

The third point that the ruling clarified was that the government unquestioningly approved the reactor construction, as proposed by the then state-run Power Reactor and Nuclear Fuel Development Corporation (PNC) safety review concerning the prevention of the core meltdown accident, without sufficient investigations of its analysis. Therefore, the court could not allow the government’s justification, which was not based on reasonable sufficient investigations by the Nuclear Safety Commission.

**Lessons learned from the Monju trial**

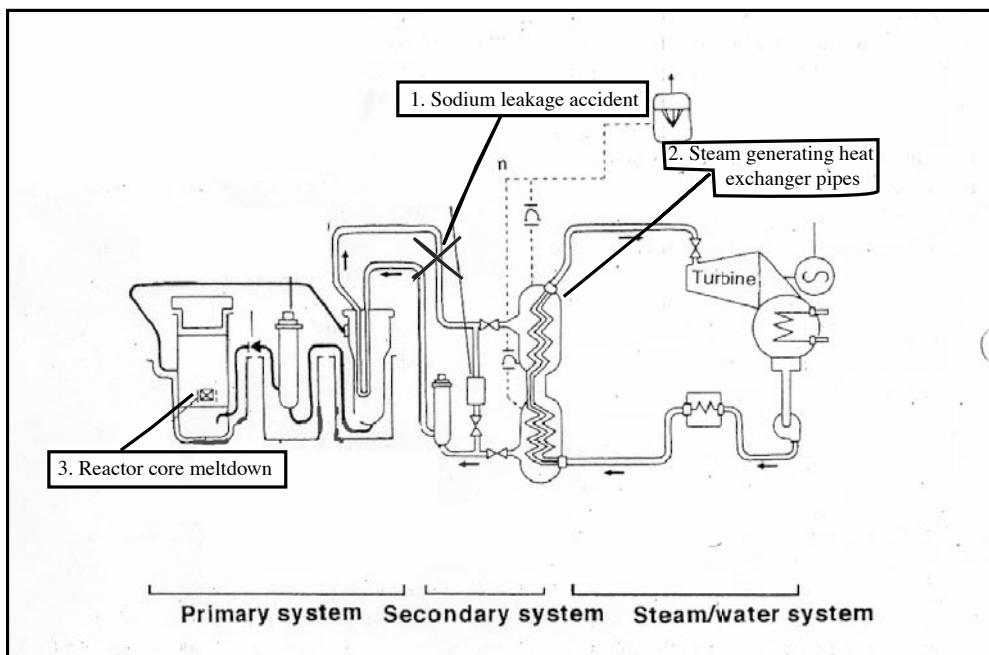
In his recent article contributed to our monthly report, Dr. Sanshiro Kume, a former lecturer at Osaka University and scientific advisor of the Monju trial, admitted that it was strategically pointless to expect court judges to recognize the ‘threat’ of Monju, since the judges are only concerned with the matter in light of the legal perspective (*Citizens’ Nuclear Information Center Communication: 2002 June*). That is, he argues, many court trials that have

fought to halt the operation of nuclear power plants expected judges to be more knowledgeable than the government-backed scientists and tried to persuade them to rule that there were flaws in the government’s claim from scientific points of view. In considering this, he reasoned that it was necessary for plaintiffs to learn the legal scheme which directly addresses the violation of nuclear reactor regulatory law.

The Supreme Court ruling in 1992 regarding the construction approval of Ikata No.1 in Ehime Prefecture, the ruling stipulated that the subject of the safety review was the safety of the basic design of the reactor, which rejected a long-held view that the subject of a safety review was the basic design itself. The Nuclear Safety Commission established a set of guiding principles to ensure the safety of the FBR entitled as the “manual for the safety assessment of the FBR.” Apropos the ruling at Ikata plant, it is critical for plaintiffs to verify whether the “subject of the Monju basic design” in the safety review was appropriately set with regard to ensuring the “safety” of the reactor. A manual would presumably include more than one such principle.

**The safety assessment becomes a dead letter**

Figure 2. Monju inside diagram and points of debate over the trial



Many remarkable statements were made by the Court critically addressing many flaws found in Japan's nuclear safety assessment system, which has more or less become a mere name, to cite a few, "the NSC never sought the revision of safety assessment by the operator," "the draft of safety review was nothing but the carbon copy of the operator's construction design," "it is still highly doubtful that the government conducted thorough investigation on this matter," "the government seems irresponsible and it is not an exaggeration to say that they almost gave up their inspection procedures." They are all reasonable criticism, however, the chair committee of the NSC commented that "it (the High Court ruling) is a pitiful decision and we are discussing a refutation of the court decision."

### The dead locked nuclear fuel cycle

The construction cost of Monju has reached about 600 billion yen (about \$5 billion) and each year 10 billion yen (about \$83 million) is set aside for maintenance after the accident. It is also expected that about 20 billion yen will be spent for the plant modification. Paying tax money into the problem-plagued FBR means

nothing but "throwing good money after bad." Moreover, restarting Monju, which is capable of producing weapon-grade highly purified plutonium, would heighten international tensions over the development of nuclear weapons.

As the ruling pointed out, the history of FBR development in many other states shows that the FBR has been plagued with many technical problems which have prevented its commercialization. Therefore, many countries have abandoned research and development activities associate with it. The ruling certainly denied the peril of the FBR's immature technology and the government's safety review that approved such immature and perilous technology. The government, including the METI, the Agency for Nuclear and Industrial Safety (ANIS), Japan Nuclear Fuel Cycle and Development Institute (JNC) should honestly admit the legitimacy of the High Court ruling and should immediately abandon the wasteful research and development of the Monju Fast Breeder Reactor. We earnestly demand that the government abandon plutonium utilization policy. Also, it should immediately prepare for the decommission of the Monju.

Table 1. The Chronology of the Monju Trial

Date	The events relating to the Monju trial
1970.4.	The state-run Power Reactor and Nuclear Fuel Development Corporation (PNC) selected Shiraki in Tsuruga city as a candidate site.
1980.12.	The PNC submitted the permission for the construction plan of Monju to the government.
1983.5.	The government approved the construction of Monju.
1985.9.	Total of 40 residents filed two law suits (civic and criminal action) to the Fukui District Court, to nullify the government's approval of the construction plan and to seek an injunction of its operation.
1985.10.	The Monju construction work started.
1987.12.	Fukui District Court rejected plaintiffs' claim saying that local citizens were not eligible for the plaintiff status. The plaintiffs appealed against the ruling to the High Court.
1989.7.	Kanazawa branch of the Nagoya High District Court admitted the plaintiffs' qualification. Both plaintiffs and defendant appealed against the ruling to the Supreme Court.
1992.9.	The Supreme Court fully admitted all of the plaintiffs' qualification and ordered that the case be sent back to the lower court.
1994.4.	The Monju went critical for the first time.
1995.12.	Sodium leaked in Monju. It was revealed that the PNC intentionally made a false report of the accident and edited video recording tape to hide the evidence.
1997.7.	Fukui District Court filed a summary indictment for the PNC as well as two officials for their attempts to hide the accident.
1998.10.	The PNC was dissolved and a new organization, the "Japan Nuclear Cycle Development Institute (JNC)", was established.
2000.3.	The Fukui District Court rejected the plaintiffs' claims for both the civic and criminal case. The plaintiffs appealed against the ruling to the High Court.
2001.6.	Fukui Prefecture and Tsuruga city approved the modification work for Monju allowing the JNC to put the plant in operation after the sodium accident in 1995. The safety investigation for the modification was conducted by the JNC.
2002.12.	The Ministry of Economy, Trade and Industry, in its request from the Nuclear Safety Committee, permitted the modification plan which had been submitted by the JNC.
2003.1.	The Kanazawa branch of the Nagoya High District Court ruled the nullification of the Monju construction permit in 1983.

**OPINION**

## Japan's reprocessing policy and nuclear proliferation in Asia

Yuichi Kaido (lawyer)

### Nuclear peril in Far East Asia

The North Korean government officially admitted to Washington on October 17th last year that it was developing a plan to enrich uranium for the manufacture of nuclear weapons. Subsequently, North Korea announced to the international community on January 10th that it would pull out of the Non Proliferation Treaty (NPT) and withdraw from a security measures treaty governed by the International Atomic Energy Agency (IAEA). Since then, military tension has heightened in the Far East region.

The movements toward a nuclear free society in Japan have also fought for the abolition of world nuclear weapons. However, when it comes to the possibility of a Japanese nuclear weapon development program, our claim is that the government maintain the Three Non-Nuclear Principles (not to possess, not to manufacture, and not to allow nuclear weapons on its soil), but we are cautious about the existence of the program, for there has been no concrete evidence to support such a fact.

Yet, we might be entering a time when reconsideration of our deliberate attitude toward the government's nuclear program might be necessary. The bellicose Bush administration was elected in Washington and there have been several remarks made by senior government officials suggesting the revision of the Three Non-Nuclear Principles, such as the remarks made by Chief Cabinet Secretary Yasuo Fukuda and the Deputy Cabinet Secretary Shinzo Abe.

### Suspicious moves to allow a nuclear-armed Japan

In the past, there were several politicians such as Mr. Shingo Nishimura (Liberal Party)

and Mr. Shigeru Ishiba (Liberal Democratic Party) who advocated the deployment of nuclear weapons. Nevertheless, their claims were never taken seriously as they were regarded as abusive statements by right wing politicians. But now Mr. Ishiba serves as the head of the Defense Agency. Those remarks made by Mr. Fukuda and Mr. Abe were completely different in their intention from past statements.

On May 31, Yasuo Fukuda, the Chief Cabinet Secretary and who has pivotal influence in Japan's central policy-making bodies, stated to the Cabinet reporters' club that "in an era of calls to amend the constitution, if tension is mounting in international relationships, public opinion might favor a nuclear-armed Japan even though we have the Three Non-Nuclear Principles." The Deputy Secretary, Shinzo Abe, also told reporters the other day that "regardless of the legalistic and theoretical arguments about policy-making, I believe that the use of nuclear weapons is not a problematic Constitutional question. It is reported that Shintaro Ishihara, the Governor of Tokyo, talked with Mr. Fukuda on the phone and applauded his statement. These politicians negotiate international politics in a provoking manner in order to heighten political and military tensions between Japan and North Korea, rather than working with the United States closely to open the country, as initiated by the Japan-North Korea normalization talks. What is implied by their behavior?"

### Fast Breeder Reactor and reprocessing plant

As is known widely, Japan is still pursuing the development of the Fast Breeder Reactor (FBR); an obsolete technology that has been abandoned by many countries around the

globe. Japan's experimental FBR, Monju, suffered a sodium leak accident in the secondary cooling system during the experimental test in 1995. Since then, the experimental operation Monju has been halted for more than 7 years in order to try to resolve the cause of the accident. However, last December the Ministry of Economy, Trade and Industry (METI) permitted the modification of the reactor to prevent a re-occurrence of the accident. Additional tens of billions of yen will be necessary for the modification work. Why can such an economically unjustified and worthless project be sustained?

The Monju FBR is designed to burn plutonium fuel in the reactor core and to 'breed' plutonium-239 by having a neutron absorbed into the blanket fuel composed of uranium-238, which fills the reactor core. Another reprocessing facility, the Recycle Equipment Test Facility (RETF), built to reprocess the blanket fuel has been under construction since 1995. It is technically and practically possible for Japan to use plutonium for the manufacture of nuclear weapons.

Furthermore, what is not clear with regard to Japan's nuclear policy is that, not only the experimental reprocessing plant at Tokai owned and operated by the Japan Nuclear Fuel Cycle Development, but also the large-scale commercial reprocessing plant at Rokkasho were constructed despite the clear fact that there is an almost total lack of demand for plutonium in the private sphere.

The necessity for the Rokkasho reprocessing plant has been questioned even by electric power companies, which bore most of the construction costs, and its construction had been suspended for a long time. Recently, however, the construction of the plant has proceeded at a quick pace and it is expected that a trial operation (hot experiment), which involves treatment of radioactive materials, will be implemented in the summer of 2003. The construction cost of this plant is estimated to reach an astonishing 2,100 billion yen! (\$17.5 billion).

## Everything is secret

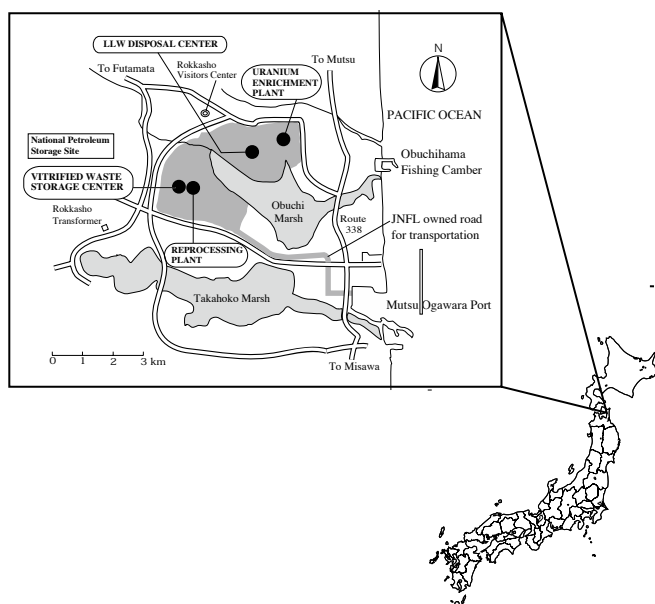
In the reprocessing plant, a large volume of spent fuel is treated chemically by dissolving it in nitric acid ( $\text{HNO}_3$ ) and organic solvents. It has been pointed out that those substances could cause fire or explosions, and/or trigger a criticality accident in the event of criticality control failure. The law suit against the initiation of operations of the Rokkasho plant has been continuing at the Aomori District Court, where appeals have been made against the possible dangers arising from the operation of the reprocessing plant.

The plaintiffs sought the agreement of the Court to perform an inspection of the equipment used for the production line in the facility before they are exposed to radiation. The Court has accepted the plaintiffs' request and the inspection test is expected to be conducted this April. However, the government has notified the Court that it could not allow the inspection to take place because they said they will be unable to obtain the necessary consent from French government to permit a judge to enter the facility.

## The excuse of the danger of nuclear proliferation

While the efforts have been underway to force disclosure of information concerning the

*Figure: The location of Rokkasho reprocessing plant and other facilities*



contents of the facility, where even the Court is not permitted to enter, it is extremely difficult for citizens to know what has been going on inside the plant. The argument of a nuclear-armed Japan becomes mainstream policy debate. It is generally considered that the Japanese bureaucratic system, characterized by a desire for the preservation of the present system, has allowed obsolete and uneconomical projects to continue. However, with Japanese state finances weakening, and the power companies concerned about their ability to compete in the international market, the driving force behind the plutonium and uranium reprocessing project cannot be fully explained simply by the logic of the bureaucratic system

In their remarks about the “declaration of a nuclear-armed Japan” in the opinion magazine, *Voice*, published in January 2003, political commentators, Kazuya Fukuda and Terumasa Nakanishi announced their views of a hawkish foreign policy. In the article, Nakanishi, a professor at Kyoto University, argues, “the best way to prevent North Korea from launching a nuclear missile is for the Prime Minister (of Japan) to declare that Japan will be armed with nuclear weapons immediately.” They propose the establishment of a missile defense system to deal with the situation. Current circumstances surrounding the state of journalism in Japan are sinking far beyond what we thought they would go a few years ago. It is doubtful that the Bush administration has the will to prevent the nuclear armament of Japan. Given the current political situation, it is reasonable to assume that Japan’s nuclear armament program has started secretly inside the government body.

### **Japan’s nuclear weapon manufacturing capacity**

In what degree does Japan possess the ability to produce nuclear weapons? On the one hand, Japan possesses the technology related to uranium enrichment, the fast breeder reactor, and nuclear fuel reprocessing technology, and it has also committed resources to rocket technol-

ogy, which can be transferred to the manufacturing of nuclear-armed missiles. It is fair to conclude that Japan has the technical ability to be armed with nuclear weapons.

Normally, plutonium is reprocessed with uranium as a mixed plutonium oxide fuel; it is generally prohibited to extract plutonium as a pure substance. However, plutonium can be easily extracted by closing the cock on the denitration pipes entering the mixing vessel where the reprocessed uranium and plutonium are mixed. The decision - to manufacture plutonium - would be up to the politicians and operators, and would depend on the degree of accuracy - and severity - of inspection procedures by the International Atomic Energy Agency. Practically, however, Japan could prepare nuclear weapons within a few months if it acquired consent from the United States, according to an expert on nuclear technology. Perhaps the meaning of activities to stop the reprocessing facility need to be re-defined from protecting and ensuring the safety of local residents, to prevent of the government’s attempt to arm Japan with nuclear weapons.

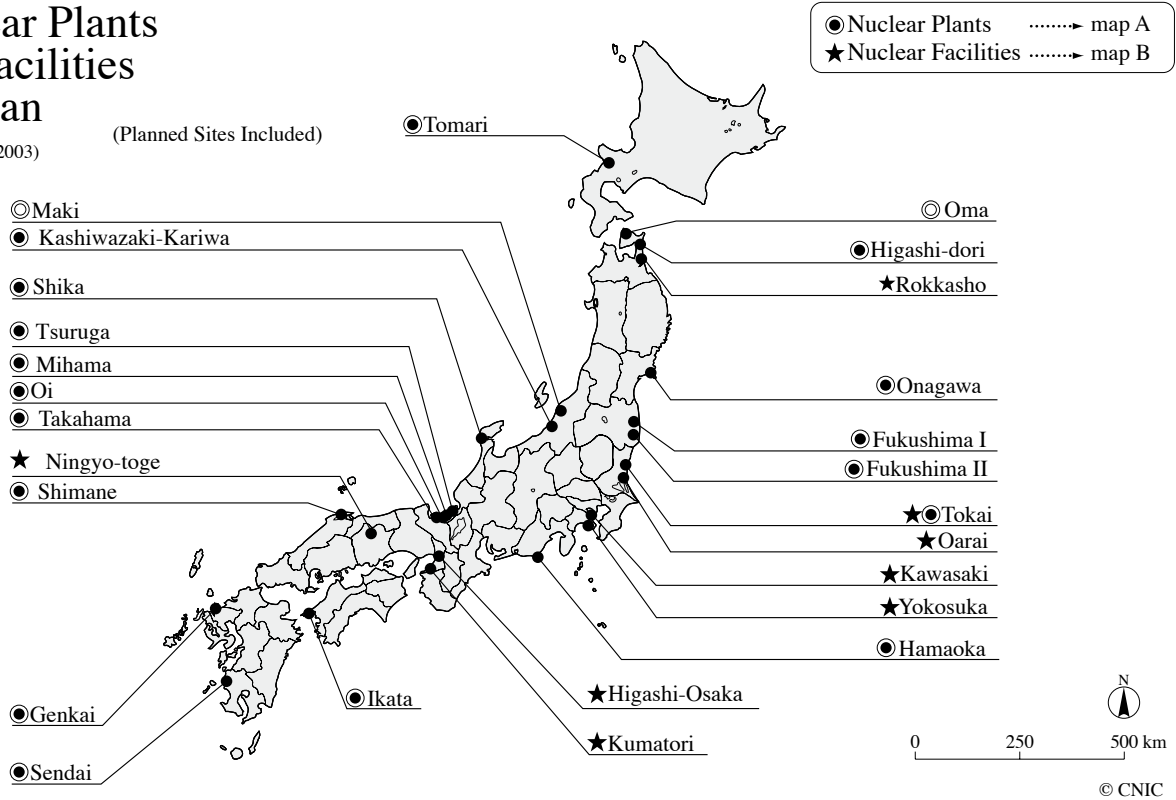
### **Courage to dismantle a ‘ring’ from the world**

The government, currently criticizing the neighboring countries for their violation of the Non Proliferation Treaty, would certainly lose their grounds for this claim. Nuclear weapons are now the ‘ring’ that causes humans to lose their senses. We should not fall into the logic of power politics which says: “if they have the weapon, we have to have it, too.” Japan has chosen to hold to the Three Non Nuclear Principles which stem from the painful experience at Hiroshima and Nagasaki. As the war in Iraq has started, the ideology of the three non-nuclear principles has been severely tested. Only the intelligence and courage of humans can abolish nuclear weapons. Even though the power and ability of each one of us is small, this is the path we wish to walk.

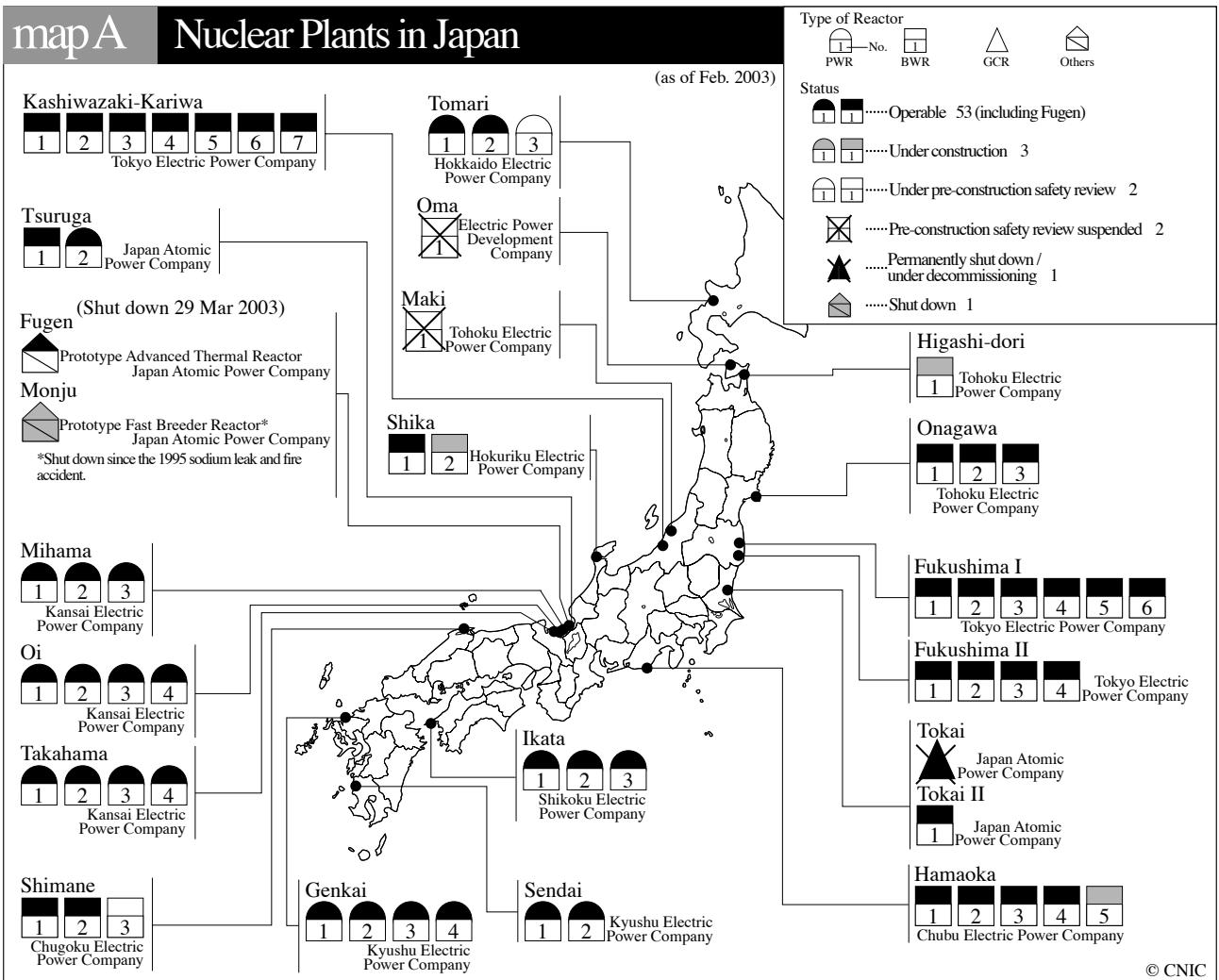
# Nuclear Plants and Facilities in Japan

(as of Feb. 2003)

(Planned Sites Included)



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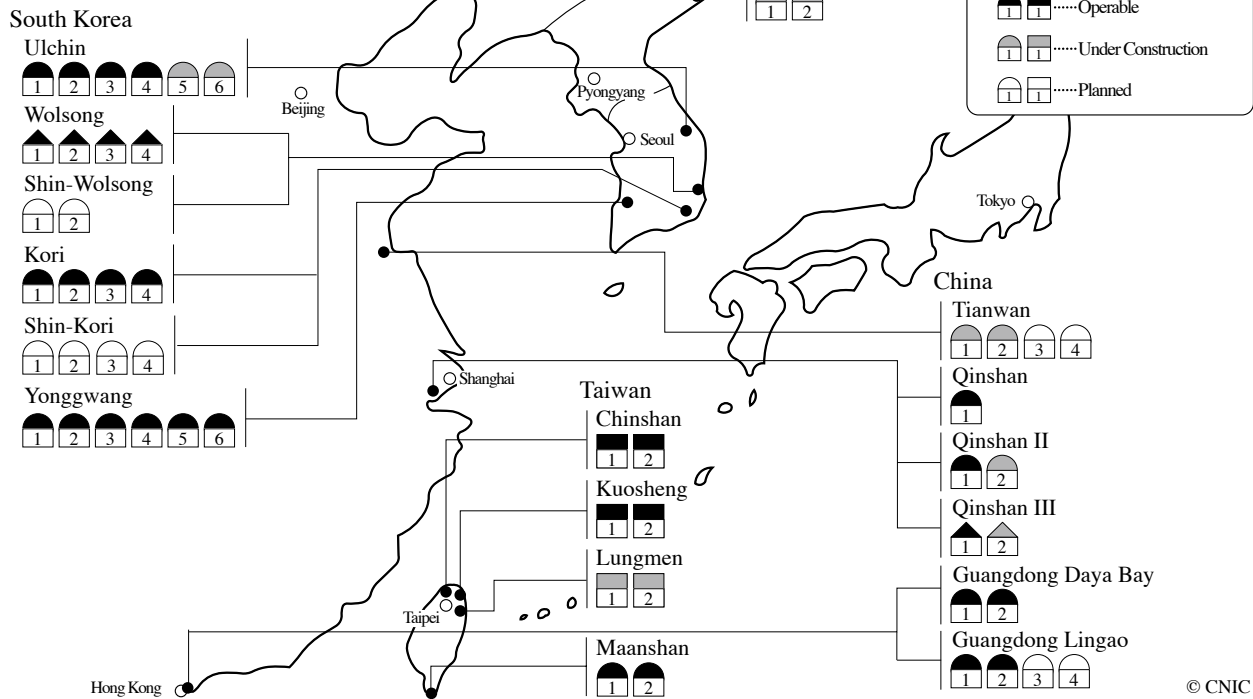


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# Nuclear Plants in East Asia

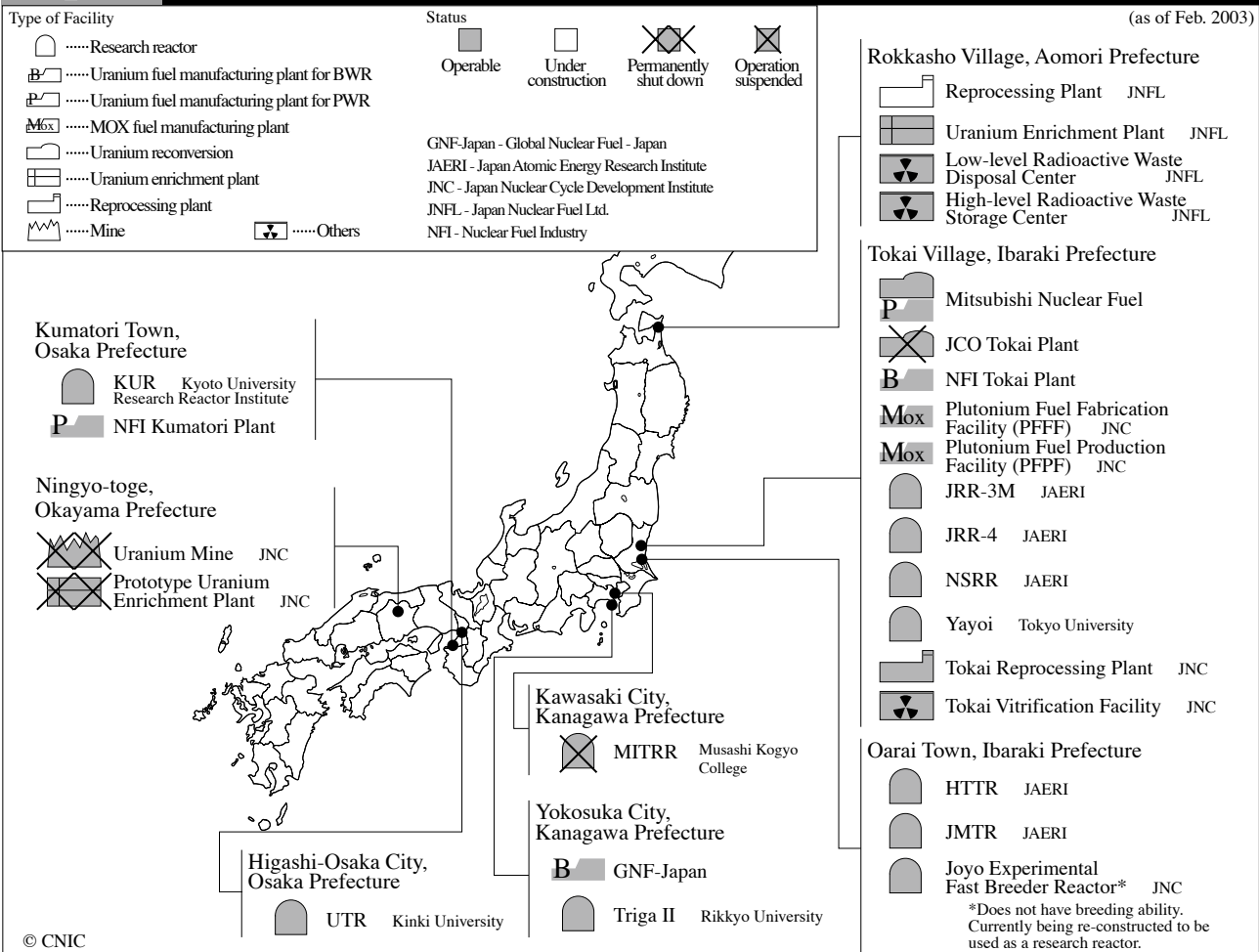
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## map B Commercial and Research Nuclear Facilities in Japan

(as of Feb. 2003)



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# Anti Nuke: Who's Who

## Tomi Maeda

Ms. Tomi Maeda, 77, years old woman, has been vocal opponent of the Sendai nuclear power plant in Kagoshima Prefecture and has been involved in the Mothers' group against the nuclear power plant since 1973. She is still quite active and frequently attends protest meetings wherever they are held. "I will make every effort to fight against nuclear power to protect out future children," she said. Her words are strong and there is no exaggeration in her speech at all.

She is a gentle old lady, living in a rural area. She resides in a simple straw house several hundred meters from the Sendai nuclear plant.

She was born on December 8 1925. When she was a child, she liked studying, especially writing. Composition was her favorite subject, but she never entered a junior high school because she would have been ashamed. It was not what Japanese women of her societal status were expected to do. Instead, she attended a Youth School where her talent was recognized, she was recommended for certification for a temporary teaching position at the school.

Her anti-nuclear stance originated in her experience of the war. On the day of her 17th birthday, the Japan-America war began; she decided to take an entrance examination for the Japanese Red Cross nursing school to participate in the "holy war." But her brother, always caring about her, was conscripted for the army and died for the war. Many people around her bought a national loan without any second thoughts, which after all became worthless pieces of paper.

All of her personal experience helped her to understand the deeply-rooted nature of the problem when a nuclear power plant emerged near her homeland Sendai some 20 years after the war. She was more shy than anyone else, sympathetic to all was oriented by her strong mind toward social justice and had a brilliantly clear head. These characteristics remain with her even now. She writes letters filled with her heartfelt



voices, conveying to the reader her essential will. When it comes to nuclear, society, and politics, she employs accurate and pragmatic words, words which could only come from a polished and intellectual mind, and which express her long-accumulated thoughts and emotions. Anti nuclear activity for her does not mean agitating in a loud voice in front of crowds. Instead, she writes a letter filled with her own word to convey to the reader of her most heartfelt beliefs.

Every day since 1994, she has written letters protesting against nuclear power plants to the Prime Minister, the Minister of Economy, Trade and Industry, and the director general of Kyushu electric power company. Every now and then, she finds a spot of time to write such a letter and look for the nearest post box. However, when the official office of the Prime Minister moved, one of her letters was returned as there were no recipient found. The office of the Prime Minister finally comes to be regarded as an ordinary house for postal delivery services, she said and laughed.

For those reasons, I truly understand from the bottom of my heart that what governs this country is not the Prime Minister but the unanimous citizens. "A wise country does not need nuclear power. Please reconsider now for the future of the earth, it is extremely worrisome for us to think about Japan. My "anti-war," "peace," and "anti-nuclear waste" messages are all my expressions of my love for my home country and our local livelihood." (By Takeo Hashizume)

# NEWS WATCH

## Citizens File a Complaint against TEPCO

On December 12, 2002, the "Association to Accuse TEPCO of Its Nuclear-Damage Cover-Ups" filed a complaint to the district public prosecutor's offices in Niigata, Fukushima and Tokyo to pursue employees of the Tokyo Electric Power Co. for their responsibility for a series of falsification cases. The complainant consists of 982 citizens of Niigata Prefecture, 509 of Fukushima Prefecture, and 1,689 from all over the country, amounting to a total of 3,180 people. The number of lawyers representing the accusers has totaled to 110.

From this large number one can see many people's distrust and anger over the present situation in which those who committed criminal acts have not been punished. Their action demonstrates their wish that the prosecutor's compulsory investigation should disclose the whole picture of unlawful conduct, which has not been revealed by utilities' in-house investigations or the investigation of the Agency for Nuclear and Industrial Safety (ANIS) which tries to cover up for utilities and hide its own responsibility.

The charges are as follows: (a) hindering business (by fraud), (b) falsifying public documents and fraud for acts such as: not reporting to the state, which is required, when finding cracks in shrouds during a regular inspection; (c) obtaining a certificate for passing the regular inspection by making false reports; and (d) obtaining a certificate of approval of a work plan for shroud exchange by hiding damages and making a false statement that the work is for preventive maintenance."

Other charges added include hindering regular inspections (only this is covered in the Elec-

tric Utility Law and all the other infringements are dealt with the Criminal Code) and suppression of evidence. The former involves an act of obtaining a certificate for passing the regular inspection by, for instance, illegally injecting air into the containment for an airtight test. The latter is the act of removing and demolishing cracked shrouds to make inspection impossible.

The defendants consist of TEPCO's five directors (including former directors), persons in charge of maintenance and inspection of reactors at Fukushima 1 and 2, and Kashiwazaki-Kariwa, and those from TEPCO and Hitachi who conducted airtight tests for the containment at Fukushima 1. The complainants feel that the officials of the ANIS in charge, who can be regarded as joint principal offenders, must be the ones to be punished. Unfortunately, however, under the present legal system it was not possible to charge them. But more than 3,000 people's filing a criminal suit in place of the ANIS, which should have accused TEPCO of its falsification scandals, in fact socially demonstrates their action against ANIS.

## Suspension of Incoming Spent-Fuel Deliveries

Japan Nuclear Fuel Limited (JNFL) announced on December 23 that it would suspend the transport of spent fuel into the reprocessing plant which was under construction in Rokkashomura, Aomori Prefecture. The reprocessing plant is scheduled to begin operation in July 2005, and a cold test run is currently taking place. The storage pool of the spent fuel has already completed, and in December 2000 a full-scale delivery of the fuel began.

In December 2001, however, a leak of water

from the storage pool was revealed. After about one year, in November 2002, the location of the leak was finally identified and the cause was found to be defective welding. It has thus become necessary to inspect the entire pool as well as the whole facility where similar welding was done. The decision was made to suspend the reception of fuel until the total inspection was completed.

### Second Line Stopped at Uranium Enrichment Plant

On December 19 the production line called RE-1B at the JNFL's uranium enrichment plant in Rokkashomura Aomori Prefecture stopped, because centrifugal separators had been having frequent problems. At RE-1B more than 4,000 centrifugal separators halted. RE-1A also stopped in March 2000. Of the seven lines (each 150 tons SWU/annum) at the plant, RE-1B is the second line to stop. At RE-1C more than 3,000 centrifugal separators have stopped, suggesting the stoppage of the third line is imminent. RE-1A stopped after nine years of operation, and RE-1B after ten years.

### NUMO Begins Inviting Candidate Sites for HLW Disposal Facility

The Nuclear Waste Management Organization of Japan (NUMO) announced on December 19 that it had begun inviting candidate sites for a high-level radioactive waste disposal facility. In December the organization sent out a package of documents containing the outline of the plan, conditions of the site, economic merits and the instruction for the application to about 3,200 municipalities throughout Japan, and it is waiting for applications. The facility

is planned to begin operation in the mid-2030s, which involves burying 40,000 containers of vitrified waste in 50 years.

Responding to this, a citizens' group in Okayama Prefecture took an action asking the heads of 78 municipalities not to apply for the project. As of January 2003 no municipality head in the country has expressed his/her intention to apply.

### Introduction of "Defects Standards" Decided

It was decided to introduce the so-called "defects standards," allowing nuclear reactors to continue operating with cracks and rust as long as the level of safety assurance is met (See NIT No. 92, pp. 6-7). On December 11 a bill to revise the Electric Utility Law passed the House of Councilors, effectively establishing the revised law. Concrete standards will be decided within a year.

The parliament passed a bill by a Nuclear Safety Foundation Institute was also passed on the same day. The Institute is to take over regular inspections of reactors and other duties which have undertaken done by the Agency for Nuclear and Industrial Safety (ANIS). It is planned to be established in October with a staff of about 460 people, who will be recruited widely from the industry. It is said that the Institute will not accept personnel loaned from other parts of the nuclear industry, as it is important to maintain neutrality. However, it is quite likely that staff will be close to the industry.

#### **SUBSCRIPTION**

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