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Apr 1, 7:33 PM EDT

NRC panel OKs arguments on SC nuclear fuel plant

By RAY HENRY

Associated Press

ATLANTA (AP) -- Opponents of a nuclear fuel plant under construction at the Savannah River site along the Georgia-South Carolina border can argue that its security plan is inadequate before authorities decide whether to license it, a judicial panel ruled Friday.

Judges on the Atomic Safety and Licensing Board voted 2-1 to allow the groups to raise arguments about the security plan of the Shaw Areva MOX Services plant being built near Aiken, S.C. The facility would take weapons-grade plutonium left over from the Cold War and turn it into a specially blended fuel consisting of uranium and plutonium that can be used to power civilian nuclear reactors that generate electricity.

The latest arguments in the case by the Blue Ridge Environmental Defense League, Nuclear Watch South and the Nuclear Information and Resource Service have not been publicly released because the judges said they involve security-related details. The panel is an independent judicial agency within the U.S. Nuclear Regulatory Commission.

The NRC is responsible for deciding whether to give the plant permission to operate.

Lou Zeller, science director of the Blue Ridge Environmental Defense League, said the latest concerns focus on whether the plant can adequately keep secure the bomb-grade plutonium that would enter the plant. The groups are also concerned about the plant's ability to control the special fuel it produces, called MOX, or mixed oxide.

The radioactivity of fresh nuclear fuel is low enough that people can handle it. By comparison, fuel that has been used in a nuclear reactor comes out hot and highly radioactive, making it lethal to handle without major protections.

"Someone who was ill-intentioned could get the material without dying immediately," Zeller said, adding they could "get their hands on the material through some means and it's just a simple matter of chemistry to separate out the plutonium and put together a nuclear warhead or a dirty bomb."

The plant is being built by a consortium of The Shaw Group, which is based in Baton Rouge, La., and French nuclear giant AREVA. Shaw spokeswoman Gentry Brann said the company will work with regulators to provide the needed information.

The plant's builder and NRC staff had argued that the intervening groups missed the deadline to file arguments, the judicial panel said. But the judges in the majority opinion called the new arguments "issues of the highest safety order that deserve to be heard."

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