

## Nuclear Power & Corporate/Regulatory Collusion

by Mary Zepernick



I was inspired by Cecile Pineda's book, *The Devil's Tango; How I learned the Fukushima Step by Step* (Wings Press)

"EARTH IS FLAT -- PIGS FLY --  
NUCLEAR POWER IS SAFE"  
- Molly Johnson, Motherers for Peace

### FUKUSHIMA NUCLEAR POWER PLANT

Fukushima was owned by the TEPCO Corporation, with Mark reactors, including Mark 1 (the reactor at both Pilgrim and Vermont Yankee plants). It is now majority owned by the Japanese government which notified some 160,000 evacuees that it was safe to go home to ground that will be contaminated for centuries, as is the Chernobyl legacy. Side effects include

increased instances of childhood leukemias and elevated instances of thyroid nodes becoming cancerous.

### LIVING IN THE SHADOW

My home on Cape Cod is some 50 miles south of the Pilgrim Nuclear Power Plant in Plymouth MA. The Pilgrim "Fathers" would be astounded and probably appalled to see how their name is now used. The Cape is accessible to the mainland by two bridges, and anyone who has left on a summer Sunday can attest to the long wait. Just imagine the lines trying to "escape the Cape."

A local T-shirt features a swimmer in the ocean, with the caption SWIM EAST! Our town health department annually issues iodine tablets to

protect our thyroids in the event of an accident. Small comfort, but I collect mine. Given all this, I wouldn't leave Cape Cod, nor do I know anyone who has left because of Pilgrim. Many of us belong to the Cape Downwinders which lobbies our legislators and other public officials, organizes demonstrations, writes to our newspapers, holds fundraisers, and works with Plymouth groups and others, to close the plant. Meanwhile, we Cape Codders have a hearty legacy, even if few descendants of sea captains are left.

The term "downwinder" refers to Cod's proximity to a potential reactor meltdown, which resulted in an approximately 6000% cancer increase at the Fukushima site, and other long-term health effects, along with the

creation of a radioactive wasteland.

## **THE ENTERGY CORPORATION**

The Entergy Corporation is engaged primarily in electric power production and retail distribution operations. It operates or manages 12 nuclear units at 10 sites, including Pilgrim, in several states; employing 13,000 people and delivering electricity to 2.8 million customers.

On January 27th there was an emergency shutdown, or "scram" during the blizzard Juno. In a February 4th Cape Cod Times article, Yarmouth Port resident Dr. James Garb, a specialist in occupational medicine, wrote that, "These events occurred a day after the release of an extensive investigative report by the Nuclear Regulatory Commission (NRC) on four scrams at Pilgrim in 2013. The NRC, it should be noted, is part regulatory agency and part lobbyist for the nuclear power industry." Following the storm-related shutdown, the NRC announced that it was sending a special investigative team to Plymouth. Although the transmission lines were restored within a few days of the shutdown, the plant remained offline for necessary maintenance. Several groups like the Cape Downwinders (an indication of our vulnerability), the Pilgrim Coalition and others pressed for the plant's closure.

Meg Sheehan, an Eco-Law Attorney, wrote that "the NRC and the Entergy Corporation hides Pilgrim's dangers behind a blanket of techno-speak....to make it too technical for the public to understand. But thanks to in-depth research by local groups and public outreach, the blanket of secrecy is being pulled back. The time has arrived for some straight talk about:

1. the damage Pilgrim causes to our environment;

2. increased rates of cancer linked to the types of radionuclides emitted by Pilgrim since 1972;

3. the unacceptable risks of continuing to operate this outdated reactor;

4. the dangers of a spent fuel fire rising from Entergy's continued storage of 40 years of lethal high level radioactive waste in the wet pools; reported by Pilgrim Watch at a recent Plymouth's Board of Selectmen's meeting, the NRC will allow the Entergy Corporation to store lethal nuclear waste in wet pools until 2092.

Juno hit the Massachusetts southeastern coast on January 27th with blizzard winds bringing Pilgrim the closest ever to a meltdown, within minutes of sounding evacuation sirens, though this was disputed by a Pilgrim spokesman. "What is it going to take for the NRC to understand that the aging nature of this plant has led to a number of system failures?" asked Senator Daniel Wolf, a Democrat who represents Cape Cod. The Cape The Cape Downwinders, Pilgrim Coalition, Bay Watch, and Concerned Neighbors of Pilgrim wrote to the NRC asking "that Pilgrim not restart since safety cannot be assured to the public." Diane Turco, co-chair of the Downwinders, said, "If I drove my car recklessly I'd lose my license. The NRC should revoke Pilgrim's license."

## **UNION OF CONCERNED SCIENTISTS & THE NRC**

"Safety nets aren't often deployed to protect tight rope walkers and trapeze artists during performances. If a performer falls and slams to the ground through a ripped portion of the

net, more needs to be done than mending broken bones and ruptured organs - the rip in the safety net needs to be fixed. It is simply unacceptable to tolerate a rip simply because performers rarely need a safety net.

The Nuclear Regulatory Commission (NRC) is tolerating the intolerable: a ripped safety net. Granted, nuclear reactors do not fall into the safety net every day. And so far the United States has been lucky - with limited and notable exceptions, reactors that have fallen have avoided the ripped portion of the safety net. Many of the near-misses at nuclear power plants last year involved problems that had already existed for years - sometimes even decades - prior to the incident in question. If the net itself is abused, however, the more likely it becomes that someday workers or the public will be harmed by a nuclear reactor accident.

Failing to enforce existing safety regulations is literally a gamble that places lives at stake. The NRC must enforce its own regulations. Within the agency itself, rips in the safety net must also be fixed. The simplest repair available is for the NRC to enforce existing regulations, using its ability to impose fines on owners and shut down reactors that violate safety regulations. Unfortunately, the agency has repeatedly failed to enforce essential safety regulations. Within the NRC itself, rips in the safety net must also be fixed. Regulations are the safety net. Tolerating the intolerable is not acceptable. For example, in 2012 the NRC did nothing when the Palisades Nuclear Power Plant in Michigan operated for nearly a month despite cooling water leaks. A poor safety culture and unwillingness to openly discuss working conditions go hand in hand.

## AN ELECTED OFFICIAL WEIGHS IN

Democratic Congressman William Keating represents both Plymouth and Cape Cod. In a letter to constituents on February 26, 2014:

“Within my first year, I voted to ban the exemption of nuclear power plants from regulations enforced and created by the Nuclear Regulatory Commission and cosponsored Ed Markey’s Nuclear Power Safety Act of 2011. This bill would have directed the NRC to initiate a rule making proceeding to revise nuclear plant safety regulations and ensure that each licensed facility can withstand and respond to events that threaten a major impact to the facility or loss of power. Since this bill applied to facilities up for relicensing, as Pilgrim was at the time, I urged NRC officials through letters and personal/joint communications not to move forward on issuing a twenty-year license extension for the Pilgrim Nuclear Power Station until there was a final resolution of all contentions and concerns. Unfortunately, despite my pleas and the continued urging of other officials, including Senator Markey and Massachusetts Attorney General Martha Coakley, Pilgrim was relicensed at the end of May 2012, and it will continue to operate under a new license until 2032”

## POSTSCRIPT

Speaking about radioactive fallout, the late President John Kennedy said on

July 26, 1963, upon signing the ban on above ground nuclear tests, “The number of children and grandchildren with cancer in their bones, leukemia in their blood, or with poison in their lungs might seem statistically small in comparison with natural health hazards. But this is not a natural health hazard and it is not a statistical issue. The loss of even one human life, or the malformation of even one baby who may be born long after we are gone should be of concern to us all. Our children and grandchildren are not merely statistics toward which we can be indifferent.

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**By What Authority** (ISSN: 524-1106) is published by the Program on Corporations, Law & Democracy. The title is English for *quo warranto*, a legal phrase that questions illegitimate exercise of privilege and power. We the people and our federal and state officials have long been giving giant business corporations illegitimate authority. Today, a minority directing giant corporations and backed by police, courts, and the military, define our culture, govern our nation and plunder the earth. **By What Authority** reflects an unabashed assertion of the right of the sovereign people to govern themselves.

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POCLAD  
P.O. Box 246  
South Yarmouth, MA 02664-0246  
508-398-1145; 508-398-1552 (fax)  
[people@poclad.org](mailto:people@poclad.org); [www.poclad.org](http://www.poclad.org)

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David Cobb, CA  
Karen Coulter, OR  
Greg Coleridge, OH  
Mike Ferner, OH  
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