

Court Fully Backs Assertions of Chubu Electric Power

On October 26, the Shizuoka District Court ruled in a case in which several citizens' organizations sought a provisional disposition shutting down four units (Units 1 through 4) of the Hamaoka NPS of the Chubu Electric Power Co. Judge Akira Miyaoka rejected the claims by the plaintiffs, saying, "Seismic safety has been secured." At a press conference on the same day, President Toshio Mita of the power utility said, "We will continue our efforts to ensure the safe operation of the plants. Securing safety is our top priority." The plaintiffs filed an immediate appeal and complaint, and a hearing will be held at the Tokyo High Court.

A provisional disposition shutting down the units was requested in April 2002, and the suit was filed in July 2003, alleging the probability of a serious accident in the event of an earthquake, and that the plaintiffs could suffer serious damage. In the wake of a ruling by Kanazawa District Court in March 2006 shutting down Hokuriku Electric Power's Shika-2 NPS (now pending under an appeal) and the damage caused by the Niigata Chuetsu Offshore Earthquake -- combined with the fact that the court had scheduled the announcement of its ruling for the Japan's Nuclear Energy Day (October 26) -- the decision had been eagerly awaited.

The two main points of contention in court were as follows: (1) the possibility of ground acceleration in an earthquake in Tokai region greater than assumed by the utility; and (2) the deterioration of the anti-quake resistance of equipment as a result of aging phenomena such as stress corrosion.

Recognizing that the NPS already complied with examination standards, etc., and that the former Examination Guide for Seismic Design was reasonable, Judge Miyaoka said, "The method of issuing standard ground acceleration S1 and S2 was appropriate, and seismic safety was secured against ground acceleration not only in a possible Tokai earthquake, but in a series of major temblors in the Tokai, Tonankai and Nankai regions. Fault layers under the premises of the Hamaoka NPS have already consolidated, and no deformation of the ground affecting safety can be foreseen." As for deterioration by aging, the court declared, "A system for detecting stress corrosion cracking has been established by inspections, and seismic safety is thus not affected."



At the press conference, President Mita (see photo) said, "I am certain that the Hamaoka NPS has sufficiently secured safety, including earthquake resistance. We will continue to operate the NPS in a way that the citizens feel secure." He expressed his appreciation for the understanding and cooperation from the local municipality and others. In addition, he said that Chubu Electric had voluntarily set a target ground acceleration of about 1,000gal, and has also been carrying out work to improve the margin of safety. With that work almost completed at Units 3 through 5, the utility will continue preparations for implementing the MOX-use Program at Unit 4 in FY2010.

On the same day, Chairman Tsunehisa Katsumata of the Federation of Electric Power Companies (FEPC) released a comment saying, "We are glad that the assertions of the Chubu Electric Power were recognized in the ruling. We, the FEPC, will further endeavor to help the nation better understand the subject of safety and the necessity for nuclear power."

On the same day, also, the Nuclear Safety Commission (NSC) and the Nuclear and Industrial Safety Agency (NISA) said they would withhold comment on the ruling itself because it came in

the form of a civil suit. However, they announced informally that they would examine strictly and appropriately the results of back checks currently being carried out by the nation's electric power utilities according to the new Examination Guide for the Seismic Design of nuclear power plants (NPPs).

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