

Supreme Court to hear Monju appeal

Something that is obvious crawls through the process ... modern society.

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Government sees glimmer of hope in battle to save fast-breeder reactor

The Supreme Court said Thursday it will hear the government's appeal of a Nagoya High Court ruling that nullified the 1983 approval of the troubled Monju experimental fast-breeder nuclear reactor project in Fukui Prefecture.

The decision by the court's First Petty Bench suggests the top court is considering reversing or changing the lower court ruling. When the Supreme Court decides to hold a hearing, it often alters or overturns a lower ruling. The Monju case will be heard March 17.

In January 2003, the Nagoya High Court nullified government approval 20 years ago of the experimental reactor project in Tsuruga. The ruling overturned a Fukui District Court ruling in 2000 that dismissed a lawsuit filed by residents, most of whom were living near the reactor.

The Nagoya High Court's Kanazawa branch supported a claim by 32 plaintiffs that the massive sodium coolant leak at Monju in 1995 was a result of flawed safety assessments that were carried out on the prototype reactor prior to construction.

"Flaws exist in the safety assessment (procedures) needed to prevent an accident, such as the leakage of radioactive material inside a reactor into the neighboring environment," the high court said. It also ruled that the safety assessments had to be completely redone.

The landmark decision -- the first in the nation to let plaintiffs nullify a nuclear reactor and halt its construction or operations -- dealt a severe blow to the government's nuclear energy program, especially its goal of recycling spent nuclear fuel and using extracted plutonium at fast-breeder reactors.

The Fukui District Court rejected the plaintiffs' demands to have the government's original approval of Monju invalidated, and ruled that the reactor's basic design was not the cause of the sodium coolant leak.

According to the high court, Power Reactor and Nuclear Fuel Development Corp., known

The Japan Nuclear Cycle Development Institute is hoping to restart Monju, which has been shut down since the accident, and has obtained approval to renovate it, but local residents have not given the green light for renovation work to begin.

Monju is a government-designed prototype for future reactors envisioned to play a key part in Japan's nuclear fuel recycling plans, in which plutonium is created by reprocessing spent nuclear fuel. By using plutonium-uranium mixed-oxide fuel, fast-breeder reactors like Monju are supposed to be able to produce more plutonium than they consume.