

June 28, 2010

Majority Leader Reid,

If we've learned anything from the BP disaster in the Gulf, it's that lax regulation and weak oversight of high-risk industries can prove disastrous to our environment. Even more important is the need for strong government oversight of industries with the greatest potential to negatively impact human health and safety. With this in mind, we urge you to preserve and enhance the Nuclear Regulatory Commission's (NRC) statutory authority to ensure that existing plants are operated safely and that new plants are safe before they become operational.

The president has said that expanding our use of nuclear power will be necessary to meet our greenhouse gas reduction targets. Although we do not believe that nuclear power is the safest or most cost-effective way of achieving this goal, we do believe that it is critical that Congress not promote an expansion of the nuclear industry while allowing the NRC's existing oversight ability to be undermined, especially for proposed new and untested reactor designs.

For example, there are several provisions in the American Power Act (APA) that would weaken important safety protocols and impede the NRC's ability to ensure that new reactors are safe to operate. We fear that the net effect of weakening these safety protocols will be to increase the likelihood of accidents that could threaten public safety. While we agree that passing a comprehensive climate and energy bill is critical, we strongly urge you not to include these provisions in any proposed climate and energy legislation.

Both Congress and the NRC have already streamlined the NRC's licensing process. An NRC 1989 rulemaking and the Energy Policy Act of 1992 collapsed the former two-step licensing process (construction permit review followed by operating license review) into a one-step Combined Operating License (COL) process. In 2004, the NRC further truncated the licensing process by eliminating the public's right to take depositions or cross-examine opposing witnesses in individual licensing hearings. Further attempts to streamline or accelerate the NRC licensing process or to curtail the NRC's ability to identify and require correction of equipment problems prior to startup would be irresponsible.

A recent review of the licensing process for new reactors by the Bipartisan Policy Center at the request of the NRC "did not find any evidence that either the NRC or industry has needlessly delayed or extended the licensing process." According to the BPC, "although the licensing process is new, both the NRC and the industry have done a remarkable job in very trying circumstances assuring the thorough and timely evaluation of license applications."

For these reasons, Congress must allow the newly streamlined NRC licensing process to work. Further changes to this process resulting in reduced NRC oversight could increase the risk to public safety. We strongly urge you to reject such provisions.

Sincerely,

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