

**Testimony of U.S. Representative Lois Capps
Committee on Environment and Public Works
April 12, 2011**

Chairwoman Boxer, Ranking Member Inhofe, and members of the Committee, thank you for holding this hearing and for the opportunity to testify.

I am here today because my congressional district includes the Diablo Canyon Nuclear Power Plant, which has become a central focus in the weeks following the Japanese earthquake, tsunami and subsequent nuclear crisis.

Last month, I called on the NRC to stay the license renewal that process for Diablo Canyon until further studies demonstrate the plant's design and operations can withstand an earthquake and other potential threats.

Yesterday, PG&E asked the NRC to delay its license renewal application while it completes those studies.

So today, in light of PG&E's action, I am renewing my request to the NRC to halt the relicensing process.

I do not make this request lightly.

Last month, I again toured the Diablo Canyon Nuclear Power Plant.

Following that visit I was convinced of two things:

First, that the employees are committed to getting it right.

And, second, that we're not yet there.

I am not alone in that assessment.

I am grateful to be joined today by my constituent, California State Senator Sam Blakeslee, who also represents Diablo Canyon and its surrounding communities.

State Senator Blakeslee will testify today as both in his role as a state elected official and also as a scientist with a Ph.D. in seismic studies.

I am confident that our shared assessment of the situation will offer the committee valuable, on-the-ground insight into the current and future landscape of nuclear power in California.

The bottom line is this:

- We do not have the answers we need to confidently move forward in extending the licensing agreement of Diablo Canyon.
- We should not move forward until we have those answers.
- And, because the reactors do not need to be relicensed for more than a dozen years, we have plenty of time to find those answers.

Madame Chair, what happened so tragically in Japan offers us an opportunity to question – and question again – whether we are ready, whether we can handle the unthinkable.

The NRC had already determined that it is non-credible that there could be multiple catastrophes, such as an earthquake and a meltdown at Diablo Canyon plant.

The NRC has maintained, and I quote:

“...the chance of such a bizarre concatenation of events occurring is extremely small. Not only is this conclusion well supported by the record evidence, it accords most eminently with common sense notions of statistical probability.”

Yet, the unthinkable did happen in Japan – an earthquake, tsunami and a nuclear accident, all occurring in sequence.

Clearly, a “bizarre concatenation of events” is not merely hypothetical.

Madam Chair, let’s be clear – we know seismic uncertainty exists at the Diablo Canyon.

In the early 1970s, while the plant was originally under construction, scientists discovered the Hosgri offshore fault less than 3 miles away, forcing a major redesign and pushing the project billions of dollars over budget.

In 2008, scientists discovered yet another fault. The Shoreline Fault, which lies less than a mile from the plant.

The stakes were raised just last month when the NRC confirmed that Diablo Canyon was one of two nuclear power plants in the highest risk area for seismic activity in the entire country.

Clearly, we need answers to major questions...

- Can this plant, including the spent fuel pools, withstand an earthquake and nuclear accident at the same time?
- How long would the plant be self-sustaining in the event of such damage?

- And, is Diablo Canyon's evacuation plan during an incident workable?

Many of us on the Central Coast remain concerned that the NRC has not taken action to answer these questions or address these warnings.

So much so that the California Energy Commission has recommended – and our state Public Utilities Commission has directed – that independent, peer-reviewed, advanced seismic studies be performed PRIOR to applying for relicensing.

I agree with this assessment.

That's why it is so important to halt the relicensing process.

We need to take some time to get all the answers.

It's important to note that I'm not calling for Diablo Canyon to be shut down.

I'm also not calling for PG&E to be denied an operating license.

What I am doing today is asking that the relicensing process be halted until updated state-of-the-art seismic studies and 3-D seismic mapping are completed.

These studies must also be reviewed by third party, independent scientists.

And they must be considered as part of the relicensing process.

Failure to do so is unwise and irresponsible.

It will feed public uncertainty about the oversight and safety of nuclear energy.

And it could cost taxpayers billions of dollars to once again belatedly address issues that should have been dealt with beforehand.

That's why I am hopeful the NRC will work with all stakeholders to get the answers to the seismic questions, which at this point remain unstudied and unresolved, prior to the continuation of this process.

Once again, thank you for the opportunity to testify today.