



ALLIANCE FOR NUCLEAR RESPONSIBILITY

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January 24, 2013

TO: docket@energy.ca.gov
Suzanne.Korosec@energy.ca.gov.

RE: Docket: 13-IEP-1A
Draft 2013 IEPR Scoping Order

**Alliance for Nuclear Responsibility Comments
2013 Proposed IEPR Scope for Nuclear Power Plants**

- 1) Report on utility progress in implementing recommendations made in the 2011 IEPR regarding nuclear plant seismic safety, spent fuel storage, station blackouts, liability coverage.

- 2) Assessment of the reliability implications for California of outages at the nuclear plants or their failure to be relicensed.¹

The Alliance for Nuclear Responsibility has reviewed the 2011 IEPR and offers the following background and recommendations for the 2013 IEPR Scope:

- Since 2005, the CEC has recommended that nuclear utilities update the state on a myriad of issues. Most issues were heightened as a result of the Fukushima disaster and the SONGS outage. Yet utility responses have been less than forthcoming.

- Even with the best of intent of the CEC, seismic studies stemming from the Commission's AB 1632 Report are now in limbo; permanent spent fuel storage solutions are no closer to reality than they were when reactors were licensed; alternatives to once-through-cooling will be both environmentally damaging and costly; station blackout issues are unresolved; and claims against TEPCO in the wake of Fukushima make a mockery of inadequate U.S. liability coverage. *California should require an update of potential costs and liabilities in the event of a radioactive release/incident at current dollar amounts.*

¹ Notice of Request for Public Comments on Draft 2013 Integrated Energy Policy Report Scoping Order, California Energy Commission, p.2.

- 2012 saw the California Coastal Commission put its foot down and demand that no more damage be done to our coast from seismic testing at Diablo.
- 2012 also saw 2200MW of nuclear power from SONGS disappear– and the costs of restart must not be limited solely to steam generator repairs and/or replacements or cost of replacement power.
- The CPUC has opened an Order Instituting Investigation for SONGS, but SCE/SDGE’s first actions have been to hide documentation that would disclose utility/vendor liability – *a tactic that should be strenuously opposed in light of San Bruno and the SONGS steam generator fiasco.*
- The Alliance for Nuclear Responsibility is pleased that the CEC has filed as a participant in the OII and hopes the *Commission will take a visible and active approach.*
- Fukushima Unit 1 had been relicensed for barely a month when the March 11 quake hit. SONGS had operated less than 2 years (less than one for Unit 3) after steam generator replacements. California would have been more adequately prepared to tackle the implications of both *events if IEPR recommendations had been taken seriously by the legislature and your sister agencies.*

The lessons learned from Fukushima will be costly as will the possible return of SONGS 2 to operation; therefore, the state needs to carefully weigh the options of continued operation of aging reactors in light of ongoing financial impacts from inoperable nuclear plants. California has been forced into a reactive position when funding nuclear investments in the last few years. It is not too late for a pro-active and independent study to evaluate “life without aging reactors.” Can we afford a new energy paradigm? It is clear that the archaic nuclear past is an investment proving to be risky for the lives and livelihoods of state residents.

The Alliance for Nuclear Responsibility requests that in addition to a “Report on utility progress in implementing recommendations made in the 2011 IEPR regarding nuclear plant seismic safety, spent fuel storage, station blackouts, liability coverage,” the CEC address the specific concerns raised in the bullet-point paragraphs above.

The Alliance for Nuclear Responsibility requests that the CEC add recommendations to require an update of the original Certificates of Public Convenience and Necessity for both reactor sites, as many of the conditions, predictions and assumptions on which those over 40 year old documents are based have been drastically altered in the ensuing years. This request can also be assured by legislative means, and the attached page of summary legislation (in process at the Legislative Counsel as of January 24, 2013) should be endorsed and supported by the CEC.

Respectfully submitted,

/s/

Rochelle Becker,
Executive Director



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**Nuclear Energy Planning & Responsibility Act (NEPRA)
A Bill to Amend Public Utilities Code Sections 1091-1102**

SUMMARY

This Amendment would require review of project need and costs ² to determine whether it is in ratepayer's interests to continue operation of California's nuclear reactors *beyond* their initial license, if the utilities seek CPUC funding for a 20-year license extension.

Economic and Reliability Consequences Needing Evaluation:

1. **HIGH LEVEL RADIOACTIVE WASTE:** In 1982 the federal government became responsible for the permanent disposal of spent nuclear fuel and high-level waste. By 2008 ratepayers had paid over \$8 billion for a non-existent disposal site, and still await a permanent solution for the thousand-of-tons already produced at SONGS and Diablo.
2. **NO HOMEOWNERS INSURANCE:** \$12.6 billion dollar federal limit would be inadequate to cover liabilities in the event of a radioactive release. The current TEPCO estimate of \$120 billion in claims after Fukushima underscores ratepayers skepticism.
3. **EMERGENCY EVACUATION ZONES:** A 12 mile Emergency Planning Zone for San Onofre is adequate. Today 8.4 million Californians live within 50 miles of SCE's nuclear reactors. In 2011, the US Government advised those that lived within 50 miles of Fukushima be evacuated. Evacuation response is an unfunded mandate on the state.
4. **MARINE LIFE:** Marine impacts from operating reactors were underestimated during licensing. Impacts have now triggered an EPA decision requiring investigation into alternatives. Those alternatives could cost ratepayers \$1 billion+ at each reactor site.
5. **SEISMIC STUDIES:** Updated seismic studies are currently estimated at \$64 million for SONGS and \$64 million for Diablo Canyon.

California's economy, the lives and livelihoods of our residents and businesses are at risk. Responsibly phasing out and replacing 4400 baseload megawatts requires a thoughtful and informed process. Understanding the full costs of continued investments in aging reactors, and nuclear waste sites on our fragile coast is not pro or anti-nuclear, it's just good sense.

² Pursuant to Public Utilities Code sections 1001 et seq. and General Order (G.O.) 131-D