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My May 18, 2015 E-mail message to Michigan Public Service Commissioner White on Federal Civilian Nuclear Waste Management

Additional submitted attachment is included below.

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Sent: 5/18/2015 4:45:34 P.M. Central Daylight Time

Subj: Federal Civilian Nuclear Waste Management

Dear Commissioner White:

Having read your May 14, 2015 article in *The Hill* web site "Our nuclear waste program does need reform," I agree with you that our nuclear waste program does need reform. I even posted the article in the discussions page of the Nuclear Fuels Reprocessing Coalition's LinkedIn group because the coalition, formed in 2002, promotes spent nuclear fuel reprocessing and the creation of an autonomous federal agency to manage our civilian nuclear waste program.

Throughout my nearly 10 years in the commercial nuclear power industry, the U.S. Nuclear Regulatory Commission (NRC) utilized a stringent regulatory compliance and inspection program known as the Systematic Assessment of Licensee Performance (SALP) program.

In 1994, the Nuclear Energy Institute was formed as the principal industry voice for nuclear utility deregulation. In 1998, the SALP program was replaced by a more industry-friendly inspection and enforcement program because it was seen as too costly to allow commercial nuclear power plants to compete in a deregulated electric utility environment.

"The electric industry's move away from traditional rate-based regulation toward increased competition in a deregulated marketplace could have adverse impacts on the long-term ability of some utilities to adequately finance safe operation and decommissioning of their nuclear power plants." (NRC Fact Sheet on the Effects of Electric Utility Deregulation, November 2004)

The State of California is currently involved with the interim, on-site dry cask storage of spent nuclear fuel (SNF) and decommissioning of Southern California Edison's San Onofre Nuclear Generating Station's Units 2 and 3. Other states are coping with the same issues affecting nuclear power plants within their borders that are now shut down for decommissioning or will soon be shut down.

The owners of these plants will likely seek financial incentives from the host states in order to finance decommissioning activities; not to mention financial incentives for making the nuclear power plants more competitive with natural gas.

The considerable additional financial burden to support these requests will most likely come at the expense of the utility ratepayers and taxpayers.

Regardless of the source(s) of funding for decommissioning activities, we still don't have a federal-level program available for the receipt and centralized storage of commercial SNF.

I read the Nuclear Waste Administration Act of 2015, S. 854, 114th Cong. (2015). The bill is based in great part on the recommendations made by the Blue Ribbon Commission on America's Nuclear Future, and is intended to finally insure federal-level SNF management is implemented in a timely manner.

The Senate bill creates an independent federal agency called the Nuclear Waste Administration, headed by an Administrator appointed by the President of the United States and subject to Senate confirmation. The bill creates a five-member Nuclear Waste Oversight Board to meet at least every 90 days to review the status of the Administration. The bill also creates the Nuclear Waste Administration Working Capital Fund which is separate from the Nuclear Waste Fund, with the Nuclear Waste Administration Working Capital Fund directly financing the operations of the Administration while the Nuclear Waste Fund is still under the jurisdiction of Congress.

I have attached the latest version of the Nuclear Waste Management Agency Act that I wrote in 2013 to create the United States Nuclear Waste Management Agency, a concept that I have been proposing since 1997. The bill is also posted in the Nuclear Fuels Reprocessing Coalition's blogspot at <http://nfrcoalition.blogspot.com/>.

Besides naming the agency, my bill creates a Board of Governors comprised of representatives of various nuclear energy stakeholders appointed by the President of the United States.

The chief executive of the new agency would be the Executive Director, with this individual being selected by the Board of Governors and with Senate concurrence. My proposal establishes greater stability in the executive ranks by insulating the chief executive from changing political views of nuclear power and waste by succeeding administrations.

I hope that you and the other members of the Subcommittee on Nuclear Issues-Waste Disposal will review my bill and submit any comments on it to me. The subcommittee is also welcome to discuss other nuclear waste issues with me. Further, my resume is attached to give you a better understanding of my background in the nuclear industry.

Thank you and my best wishes for your continued success as Chair of NARUC's Subcommittee on Nuclear Issues-Waste Disposal.

Very respectfully,

Clinton E. Crackel, MEP, Co-Founder and Co-Chairman
Nuclear Fuels Reprocessing Coalition