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Mr. Chair, Commissioners:

Thank you for allowing me to speak to you today. My name is Lloyd Levine, I am the former Chair of the Assembly Committee on Utilities and Commerce. I am also a co-author of Senator Sam Blakeslee's AB 1632 and worked closely with him during its drafting and passage. I appear before you today as someone who has a deep understanding of California energy policy and a sincere concern about the future of nuclear energy in our state.

As you have heard today the earthquake, and the subsequent tsunami that struck Japan, caused unforeseen, catastrophic damage to the Fukushima Nuclear Power Plant. For days after the double disaster the world watched as safety systems failed, cooling tanks leaked and explosions occurred. Radiation discharges were not a matter of if, but how much, and for how long. The news cycle kept us updated with the latest news and images nearly 24 hours a day for days on end. But predictably the coverage began to wane as other news gradually pushed Fukushima to the proverbial back pages.

However, the problems continue long past the initial news coverage. It is entirely appropriate, even though merely coincidental, that the Commission is holding this hearing today, as just yesterday news reports out of Japan indicated the crisis is widening and worsening. News outlets reported that radiation fallout from the Fukushima nuclear plant is posing a growing threat to the Japanese food chain. Extremely unsafe levels of cesium have been found in beef already for sale on supermarket shelves. Similarly high levels were detected in vegetables and seafood.

It is now four months after the earthquake and tsunami, and local governments are still short of the equipment, staff, and funds necessary to properly deal with the myriad effects. The government is struggling to test all farm products, and is considering whether it's even feasible to test all cattle to prevent further shipments of tainted meat.

There is no centralized system to check for radiation contamination of food in Japan. Local authorities and farmers are left to conduct voluntary tests. Products including spinach, mushrooms, bamboo shoots, tea, milk, plums and fish have been found contaminated with radioactive cesium and iodine as far as 225 miles from the nuclear power plant.

Let's briefly consider what can be found with 225 miles of either of California's two nuclear power plants. It is 197 miles from Diablo Canyon to downtown San Francisco, and 170 miles to downtown Los Angeles. Its 225 miles in a straight line to the Nevada border and only 119 miles to Fresno and 103 to Bakersfield, not to mention the short distances to Salinas and Monterey, that puts almost all of California's major agricultural products substantially within a 225 mile radius of Diablo Canyon. And lest anyone forget the prevailing wind direction is off the Pacific blowing west to east meaning that in the event of a radiation leak at Diablo Canyon the wind will push the radioactive material directly onto California's food supply.

It is with that in mind, the scope and continuing problems caused by the Fukushima disaster, and the potential catastrophic impacts that a similar event in California would cause, that I ask you to consider the issue of public safety with extreme rigor when deliberating the future of nuclear power in California, and take appropriate strong measures.

Specifically the Commission must:

- 1) Address significant issues posed by ongoing storage and final disposition of high level radioactive waste being created and stored at the facilities.
- 2) Update California's woefully inadequate liability limits in case a disaster similar to Fukushima or Chernobyl should occur. California's current liability limits are \$12.6 billion. In Japan the estimates are that the liability will soar past \$100 billion.
- 3) Require a plan as to how the 4400 megawatts of power, approximately 14% of California's total energy supply, will be replaced in the event of a disaster that

forces an immediate and unexpected shut down at either or both of the facilities.

- 4) Consider requiring 4400 megawatts of the 12,000 new renewable megawatts that the governor is proposing be earmarked to replace or provide adequate generation in the event either of the facilities faces a catastrophe which forces an immediate shut down.

Finally, I recognize the significant problems currently facing California's energy generation, transmission and distribution systems. And I know that in the face of problems like that, sometimes theoretical risks seem just that, theoretical and therefore acceptable. Political and cultural inertia are powerful forces, they keep in place status quo, but do so not through planning nor with intent, but simply by default. However, with the catastrophic problems caused by the disaster at Fukushima still increasing and compounding, it is my hope that the leaders of this state can overcome expediency and take the necessary steps to guard California against the same

fates that have befallen the people of Japan and Chernobyl. At the risk of being trite, Benjamin Franklin said “by failing to prepare, you are preparing to fail.” We must know and acknowledge that at any second a massive earthquake could hit one of many fault lines criss-crossing California and the Pacific Ocean. And we must plan and act accordingly, because once that moment occurs, at that point it will be too late.