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SIERRA CLUB CALIFORNIA

August 2, 2011

California Energy Commission
Dockets Office MS-4
Re: Docket Number 11-IEP-1J
1516 9th Street
Sacramento, CA 95814-5512

Electronically submitted to: docket@energy.state.ca.us

RE: **Docket Number 11-IEP-1J**
California Nuclear Power Plant Issues

Sierra Club California appreciates the opportunity to provide comments on the July 26, 2011 workshop, California Nuclear Power Issues, Docket No. 11-IEP-1J, as an important component of the 2011 IEPR report.

1) **Risks due to weakened regulations governing safe plant operations -** Sierra Club California (SCC) is very concerned about the Nuclear Regulatory Commission's (NRC) relaxation of regulations governing safe operations of nuclear power plants. The SCC asks the CEC to formally request that the NRC revert to the original brittleness specification for reactor vessels, known as the "reference temperature," and to shut down plants that do not meet this specification as being unsafe.

Reference: Associated Press study, "U.S. nuclear regulators weaken safety rules," published June 19, 2011. URL:

http://www.pjstar.com/free/x1781765020/AP-study-U-S-nuclear-regulators-weaken-safety-rules

2) **Physical site vulnerabilities -** Increased knowledge of vulnerabilities of certain sites (i.e. seismic, sea level rise and flooding due to climate change, in addition to shutdowns due to high intake temperatures) need to be explicitly taken into account, complete with site hardening plans and associated costs. The hardening should be vetted by the National Academy of Sciences (NAS) and be fully implemented **prior to** relicensing. We request that the CEC formally ask the NRC to halt any relicensing activities for plants where further seismic studies are planned until the studies are completed.

801 K Street, Suite 2700, Sacramento, CA 95814 • (916) 557-1100
FAX (916) 557-9669 • www.sierraclubcalifornia.org

3) **Vulnerabilities to Site Blackout Events -** both reactors and spent fuel pools are vulnerable to site blackout events is one of the top causes of reactor meltdowns and/or releases of radiation into the environment. We ask that the CEC study the maximum possible length of site blackout events, and formally request to the NRC that SBE mitigation plans meet or exceed this maximum (again with plans for hardening that are vetted by the NAS, and implemented by the utilities prior to any relicensing).

4) **Economic costs of radioactive contamination** - Cost of replacement of nuclear plants with renewables versus cost of economic damage from contamination due to meltdowns (i.e., loss of the California Central Valley farmland) needs to be determined so that the economies of nuclear versus renewables is clearly demonstrated. We ask that the CEC undertake such a study, and to recommend increasing liability limits under the 1957 Price-Anderson bill from its current (2005) $12.6B to a valid current figure that would allow displaced people and businesses to "be made whole". The current (2011) insured limit per plant is $375M.

5) **Plan for replacing nuclear power baseload**- The CEC should undertake studies to determine the methods by which the 4400 MW of baseload generation by Diablo Canyon and/or SONGS would be replaced in the short and long term should their nuclear plants be rendered unusable. The economic fallout in Japan of a lack of reliable power has proved to be a huge factor in hampering recovery outside the irradiated areas.

6) **Clear delineation of responsibility for radioactive waste management costs** - Given the unforgiving nature of the chemically toxic and long-term radioactivity of spent fuel rods and the plants themselves, the CEC should recommend that the U.S. Department of Energy's Blue Ribbon Commission host public forums in California to explain the risks and rewards to California resulting from another 20 years of radioactive waste production on seismically active coastal zones. As the NRC has promulgated a waste confidence ruling increasing the allowable on-site storage of waste for as long as 60 and possibly 100 years after shutdown, questions of responsibility for overseeing the waste and ongoing storage costs need to be evaluated. There is no assurance that fiscal burdens would not become the responsibility of the state for this unfunded federal mandate, should the utilities become insolvent in the intervening timeframe.

7) **Review and update the 1967 CPCN** - The CEC should recommend that the 1967 Certificate of Public Convenience and Necessity (CPCN) issued for Diablo Canyon and SONGS be reviewed and updated in light of changed population densities, seismic vulnerabilities, and no permanent offsite solution for safe storage of highly radioactive waste.

8) **Emergency evacuation zone sizing and projected costs** - The CEC should recommend an analysis and update of the projected costs associated with increasing the emergency planning and evacuation zones from 20 miles to 50 miles and beyond in the wake of the NRC's own recommendation that residents voluntarily evacuate a similar sized area around Fukushima.

Thank you for your consideration.



Jim Metropulos
Senior Advocate
Sierra Club California
801 K Street, Suite 2700
Sacramento, CA 95814
Jim.metropulos@sierraclub.org

cc: Barbara Byron, Senior Nuclear Policy Advisor