

REMARKS OF SENATOR GEORGE V. VOINOVICH  
AMERICAN RADIATION SAFETY CONFERENCE  
"CONGRESSIONAL INITIATIVES RELATED TO NUCLEAR TECHNOLOGY AND  
RADIATION SAFETY"  
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Thank you, and to all of you here today, welcome to Cleveland my hometown!

One of the reasons I wanted to serve in the United States Senate was to have an opportunity to make a difference in the lives of the American people on issues of national importance.

Well, I got my wish. Right now, I am sitting in the "eye of the storm" of one of the biggest issues that I believe the Congress will address during my Senate term, and that is, our national energy crisis.

As you know, at the beginning of this year, I became the Chairman of the Clean Air, Wetlands, Private Property and Nuclear Safety Subcommittee. And just last week as most of you know we had a slightly unexpected change in Senate leadership. As a result, I became the ranking Republican member of the Subcommittee.

Although I am no longer chairman, I still have a tremendous interest in the issues that are addressed in the subcommittee, and I intend to work with my new chairman, who I anticipate will be Senator Joe Lieberman, on these issues during the remainder of the 107<sup>th</sup> Congress.

One of the primary responsibilities of our subcommittee is oversight of the Nuclear Regulatory Commission, which, in turn, has oversight responsibility over the nuclear energy industry and nuclear science in general.

In effect, you in the scientific community have a "symbiotic relationship" with the subcommittee; one that requires each of us to ensure that public health and safety are given paramount consideration in our dealings with nuclear energy.

As you are likely well aware, our national energy crisis will likely cause the United States to rely more and more on the use of nuclear power. As we pursue this power source, it is imperative that this nation puts in place an energy policy that considers our environmental responsibilities, and an environmental policy that addresses our energy needs.

This "harmonization" of our environmental needs with our energy needs in the creation of a national energy policy is a primary responsibility that I have taken-on in the Subcommittee; one that I believe involves the future economic well-being of our nation, and our very national security.

## **We are currently in an Energy Crisis**

I have long been concerned about our lack of an energy policy especially considering that the United States is alarmingly dependent on foreign energy sources and is currently experiencing a tremendous shortfall in domestic energy production, supply and transmission.

Since at least the mid-1970's, Congress and presidential administrations of both parties have been unwilling, unable and unmotivated to implement a long-term energy policy. And now, the chickens are coming home to roost with regards to our lack of an energy policy.

Consider the rolling electricity blackouts that California is now experiencing and which are likely to spread to other areas throughout the nation this summer.

Consider also that home heating oil prices jumped from \$1 a gallon in October 1999 to more than \$1.50 in February 2000 and remained high throughout the winter of 2001, not to mention \$2 per gallon gasoline prices.

Consider further that compared to the winter of 2000, natural gas prices this past winter skyrocketed as high as 70% for consumer use according to the Department of Energy's Energy Information Administration.

Add up all these things and it should become crystal clear that our country's lack of a comprehensive energy policy must be addressed.

And one such energy source that helps us do that is nuclear power.

## **Nuclear Energy is Safe for the Environment**

Over the last 40 years, nuclear energy has proven to be a safe, reliable, affordable and clean source of energy, providing 20% of our nation's electricity.

Since 1973, according to nuclear energy industry analysts, the use of nuclear power has prevented the release into our atmosphere of more than:

62 million tons of sulfur dioxide;  
over 32 million tons of nitrogen oxide, and  
over 2.6 billion tons of carbon.

These are all pollutants that would have been released by fossil fuel plants producing the same amount of electricity as nuclear power.

The health ramifications of such "pollution avoidance" is truly remarkable considering the probable number of asthma and other lung and tissue diseases that have been averted. I do not know statistically how many that would be, but maybe someone in the audience does know how many lives have been affected.

In addition, as far as solid waste by-products are concerned, nuclear energy produces far less waste than all other major fuels. For instance, a typical 1,000 Megawatt power plant produces the following annual solid waste totals:

- Coal 500,000 tons of solid waste;
- Oil 300,000 tons of solid waste;
- Natural Gas 200,000 tons of solid waste; and
- Nuclear 20 cubic meters of solid waste.

In fact, I was told at a Subcommittee hearing we held last month that the amount of waste that our nation's 103 nuclear power plants will generate in a 40 year period would fit in an area about the size of a 10-yard deep football field.

While the U.S. has a 20% dependency on nuclear energy, we are nowhere near the percentage usage elsewhere in the world.

France is 76% reliant on nuclear energy, Korea is about 41% reliant, Sweden is 39% reliant and Japan is approximately 34% reliant on nuclear energy.

The U.S. Energy Information Administration predicts that we will need approximately a 30% increase in electricity generation by 2015.

With our current dependence on fossil fuels for the foreseeable future, and with even greater demands for cleaner-burning fuel sources, nuclear power is and will likely be the most logical alternative to meet that demand and prepare for even-greater long-term demand.

While some proponents of clean fuels point to solar and wind power as alternatives to nuclear, these energy sources currently provide less than one-tenth of one percent of U.S. energy needs.

Some of my colleagues in Congress believe that these alternative energy sources are ready for widespread implementation today; that they can easily replace current, more conventional energy sources.

Personally, I see more of a use for these alternative energy sources during the latter half of the 21<sup>st</sup> Century and the early 22<sup>nd</sup> Century.

Until then, and if we are serious about protecting the public health and environment while providing safe, reliable, and affordable electricity to all Americans, then we need to improve how we burn fossil fuels, promote efficiency, and increase the development of nuclear energy for today and the foreseeable future.

### **The President s Energy Proposal**

About three weeks ago, the President s blue-ribbon panel in charge of piecing together the administration s energy strategy released its report of recommendations. One of the recommendations made by the National Energy Policy Development Group is an expansion of nuclear energy as a major component of our national energy policy.

I support the goals of the Policy Development Group, and I am confident that, with thoughtful consideration, my colleagues will see how well they address our national energy policy; including an expansion of nuclear energy.

In addition to these recommendations, and from my position on the Clean Air and Nuclear Safety Subcommittee, I believe the following must occur in order for this nation to continue to rely on nuclear energy and increase its use:

1) Ensure public safety. As you know, nuclear power has a great safety record, and the federal regulations governing its use continue to guarantee it as a safe and effective power source.

The challenge we face if we are to expand the safe use of nuclear power, is to inform the public of nuclear power s good record and its many beneficial uses especially in the field of medicine.

I would be interested to hear how some of our audience members are using nuclear medicine to help combat diseases, and particularly, the breakthroughs you ve developed.

2) Included in public safety considerations is our need to address the human capital crisis affecting the nuclear industry. At the NRC, which employs the men and women who watch over nuclear energy, for every employee under the age of thirty, there are six employees over the age of sixty.

Private industry and our nuclear navy are having similar problems. The government and the industry itself must follow policies that will allow them to recruit capable individuals who have the skills necessary to operate tomorrow s nuclear plants. This extends not only to nuclear engineers, but to nuclear physicists, and health physics professionals.

One thing that I intend to do is to send letters to the universities that have research reactors and are considering closing them such as Cornell, MIT, and the University of Michigan and ask for their ideas on what can be done to help.

- 3) Regarding nuclear power plants, I agree with the National Energy Policy Development Group that the NRC must continue to examine the re-licensing process. The first two renewals occurred on schedule. The NRC must examine the procedures to make sure they can process multiple applications at the same time.
- 4) The NRC must continue to improve regulatory certainty. Over the last few years the NRC has made progress in delivering certainty in the enforcement and regulatory area through the risk-based approach. This needs to continue.
- 5) The NRC must address how we can increase nuclear generation either through existing facilities, or by encouraging the creation of new nuclear units.
- 6) Finally, we need to adequately address a major environmental problem: the nuclear waste issue. The federal government has a legal and moral obligation to find a permanent repository for nuclear waste as quickly as possible.

### **Yucca Mountain**

Nuclear ratepayers across the country have paid \$15.8 billion in additional taxes to the U.S. government for the building of a High Level Waste Storage Facility.

So far, billions have been spent and there is still no repository. Deciding whether or not to site our nuclear waste at Yucca Mountain in Nevada has been a political issue for too many years.

At an NRC oversight hearing we held last month, the subcommittee heard from Mr. Steven Fetter, an investment banker with Fitch Investors Service.

Mr. Fetter said that " investors find comfort with the outlook for both individual utilities and the nuclear industry as a whole." However, as Mr. Fetter put it, "the elephant in the corner" for progress on a new generation of nuclear power plants is the fact that "the waste issue must be resolved."

I agree.

Last week the EPA issued their final standards for Yucca Mountain. I am glad we are one step closer to making a decision regarding waste storage at Yucca Mountain. The next step will be a decision on the suitability of the site by the Secretary of Energy later this year.

However, I was not pleased with the EPA s standard. Administrator Whitman ignored the sound scientific advice of the National Academy of Sciences in setting a separate ground water standard. This was unnecessary and in the words of the Academy the additional protection is negligible and

will only add additional costs to the project.

### **Radiation Standards**

In addition to these issues, we need to address nuclear radiation standards as it applies across the board. This is an important issue, it affects not only the possible storage at Yucca Mountain, but the decommissioning of nuclear facilities, and the potential contact people have with radiation sources.

I know last year your Society provided then Clean Air Subcommittee Chairman Inhofe with legislative principles for setting radiation standards for all situations.

Part of the recommendations including vesting that authority within one Federal Agency. After last week's Yucca Mountain decision I think we would be better off vesting that authority in an Agency that bases their decisions more on science.

I will be looking at the possibility of a separate Radiation Standards Bill, following the recommendations of your organization.

As many of you know, I am the 4<sup>th</sup> co-sponsor of Senator Murkowski's bill, the Energy Security Act, S. 388, which includes a provision that seeks to encourage the growth of nuclear power as part of our nation's comprehensive energy policy.

Since the Nuclear Regulatory Commission falls under the jurisdiction of my Subcommittee, I will be introducing legislation in the near future to compliment Senator Murkowski's bill; one that will encourage and expand the safe and efficient use of nuclear energy.

### **Voinovich Bill Nuclear Provisions**

The legislation that I am going to introduce will address three different aspects of our nuclear industry: the first will encourage the growth of nuclear energy as a clean, safe, reliable and affordable power source; the second will facilitate comprehensive NRC regulatory reform; and the third will address the NRC's human capital crisis.

I have met with the NRC's Commissioners, and my bill reflects many of their recommendations and their needs.

### **Encourage the Growth of Nuclear Energy**

Reauthorize the Price-Anderson Act - My bill will reauthorize the Price Anderson Act. In 1998 the NRC recommended that we increase the ceiling for premiums from \$10 million to \$20 million because they believed that half of our nuclear reactors would become decommissioned. Because

of the success of the relicensing process, we can keep the amount at \$10 million.

Remove the Restriction on Foreign Ownership - Currently, foreign companies are prohibited from owning commercial nuclear facilities. My proposal would open this avenue for increased investment in our domestic energy sector. The NRC would still be able to bar foreign ownership on a case by case basis for defense or national security reasons.

Correct the Operating and Construction Permit Process - The Energy Policy Act of 1992 provided a combined construction and operating license process. However, it inadvertently limited the combination to 40 years, which means the operating license is 40 years minus the construction period. The 40 year clock should not begin until operation begins.

Limit Scope of NEPA Review for New Power Plants - For a new plant construction under NEPA the NRC is suppose to review the need for power and any alternative means for generating power. These are issues that the State Utility Commissions should consider, not the NRC. The NRC will save time and resources if it just concentrates on its public health and safety mission.

### **Facilitate NRC Regulatory Reform**

Remove Requirement that NRC Conduct Antitrust Reviews - The NRC s efforts on antitrust are duplicated by other federal agencies that are better able to handle such activities; agencies such as the Department of Justice. With the human capital crisis, the NRC does not need to devote resources toward this issue.

Streamline NRC Adjudicatory Hearings - The NRC should have discretion to determine the most appropriate form of hearing for each circumstance. The Agency should not be required to hold adjudicatory hearings for licensing proceedings unless it determines that such a proceeding is necessary.

Establish NRC Authority Over Decommissioning Obligations - NRC will have authority to allow sellers of nuclear facilities to retain a decommissioning fund even though the seller may no longer be an NRC licensee.

### **Address the NRC s Human Capital Crisis**

As you may be aware, the U.S. General Accounting Office has designated strategic human capital management across the government as "high-risk." The GAO stated that "serious human capital shortfalls are eroding the ability of many federal agencies, and threatening the ability of others, to economically, efficiently and effectively perform their missions."

In another subcommittee that I chaired for nearly 2 and a half years, the Oversight of Government

Management subcommittee, I have tackled the human capital crisis head-on.

Over that time, I held eight hearings, requested numerous GAO reports, worked with government agencies and independent organizations, given speeches to non-profit think-tanks, sponsored legislation and issued a comprehensive report on human capital problems.

During the balance of the 107th Congress, I will engage in continued outreach to the Administration, federal agencies, unions and other stakeholders, and work to achieve passage of comprehensive legislation that dramatically improves how the federal government manages its human resources.

Slowly but surely, we are establishing a productive dialogue in an effort to generate momentum on this issue. But there remains a great deal of work to do.

One report that the GAO released on human capital was substantiated by former Defense Secretary James Schlesinger, a member of the U.S. Commission on National Security/21<sup>st</sup> Century, who testified before my Subcommittee on Oversight of Government Management in late March.

Secretary Schlesinger discussed a comprehensive evaluation on national security strategy and structure that was recently undertaken by the Commission.

Regarding human capital, the Commission's final report concludes:

"As it enters the 21st century, the United States finds itself on the brink of an unprecedented crisis of competence in government. The maintenance of American power in the world depends on the quality of U.S. government personnel, civil and military, at all levels. We must take immediate action in the personnel area to ensure that the United States can meet future challenges."

Secretary Schlesinger added further:

"...it is the Commission's view that fixing the personnel problem is a precondition for fixing virtually everything else that needs repair in the institutional edifice of U.S. national security policy."

In terms of national security, in my opinion, we are in a precarious position when it comes to human capital. And in my view, our energy situation is a matter of national security.

Therefore, I have included in my bill the following provisions dealing with human capital:

Eliminate the Pension Offset for Persons with Critical Skills - This will allow former NRC employees to consult for the NRC without jeopardizing their pensions.

Modify Organizational Conflict of Interest Provisions - This will allow the NRC to contract with Federal Labs who also perform work for the nuclear industry. NRC would still have steps to mitigate against any conflicts of interest.

Establish NRC Training Program - Enable the NRC to establish training programs with Universities to address shortages of individuals with critical safety skills. The funding for this will not come from user fees, but general appropriations instead.

## **Conclusion**

Ladies and gentlemen, as the ranking member of the Clean Air and Nuclear Safety Subcommittee, I am committed to ensuring that our nation enacts an energy policy that harmonizes our environmental needs with our energy needs. In so doing, we need to make sure that public health and safety considerations are met.

In addition, it is imperative from both an economic and a national security point of view to ensure that we are able to access reliable and affordable sources of energy. In my view, nuclear power meets these criteria.

Above all, though, in order to implement many of the recommendations and provisions that promote nuclear power, and which I have discussed this morning, we are going to need your help.

Part of our goal must be to ensure that nuclear power remains an integral part of our nation's energy supply.

However, we cannot be content with maintaining the status quo. Toward that end, we need to develop a strategy that will expand nuclear power's role as a major source of energy in the United States. It is imperative to our national security, our economy, our environment, and quite frankly, the health of our citizens.

And to quote my motto when I was Mayor of Cleveland, "together, we can do it."

Thank you again. I appreciate this opportunity to be with you today.

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