

April 3, 2008

CONSIDERATIONS RE: HB 2971 Amendment 1
Amending the Illinois Public Utilities Act
to remove Illinois prohibition on new nuclear plant construction
prepared by Dave Kraft, Director

I. Narrow issues regarding the legislation:

- ***What for?*** : Rep. JoAnn Osmond (61st, Antioch) reportedly states she introduced this because of the decommissioning of reactors on the Lake Michigan; Zion has not produced electricity since 1997, so why is she suddenly missing its electricity now?
- ***What's the rush?***: How is adding MORE waste via new reactor construction without a disposal solution in place protective of the health and safety of the public and the environment?
- ***Yucca Mt. and DOE High-Level Radioactive Waste (HLRW) disposal:*** Yucca still is a lousy site. DOE will submit a license application to NRC anyway, sometime this summer (June); may take 2 years just to process. A facility won't be ready before 2019 the earliest. So – WHY should we introduce MORE waste into a system that cannot take care of what it has currently? And which adds to the utility lawsuit against DOE for the “take title and possession” dispute?
- ***Yucca Mt. Part 2:*** DOE/Congress MAY establish interim regional storage facilities for HLRW until the US does have a HLRW repository in operation. States with the largest amounts of waste will make logically attractive sites for these mandatory, pre-emptively sited interim facilities to cut down on the transportation of the wastes. New reactors built without a permanent disposal facility in place would add to our already huge inventory in Illinois, making us even more attractive for selection as such a facility – and indefinitely deferring the “need” for a permanent facility; resulting in Illinois becoming a de facto national high-level radwaste center.
- ***Exelon Wins, Ratepayers/Public Loses:*** New reactors will be merchant plants; Illinois will again get the wastes and risks with no benefits from the power generated
- ***Deliberately Subverts Renewable Portfolio Legislation:*** Prematurely built new reactors will subvert the intent of the newly-passed Renewables Portfolio standard legislation by 1.) taking up huge portions of market share for electricity, thus preventing renewables from growing to a size where increased market share will help lower their costs, and 2.) will suck up huge swaths of investment capital, making it harder for EE/RE to get loan \$\$.
- ***Low-Level Radwaste (LLRW) Problems Coming:*** As of July 1, 2008 South Carolina will close the Barnwell low-level radioactive waste dump to business concerns outside of their LLRW Compact. That means Exelon. They will need to demonstrate they have a place to send their LLRW for DISPOSAL, after July 1 2008. New reactors will exacerbate this issue. Reactors already account for about 99.7% of the radiation and about 85-92% of the volume of all LLRW produced in Illinois in a given year.

II. **Broader, longer-term considerations:**

- ***Water and Global Warming:*** nukes simply will not work in the upcoming Global Warming Midwest. We saw reactors in Illinois closed in 1988; and nearly again in 2005 and 2006 because of thermal discharges exceeding EPA standards for rivers. Rep. Osmond wants reactors based inland and off the Lake; but the rivers become the only source of water for either cooling or steam production. An upcoming Union of Concerned Scientists report on Global Warming in the Midwest indicates very unfavorable circumstances for reactor operation on the Illinois river systems. These are NOT the power plants to build in a global warming world.
- ***Water contamination and NPDES permits:*** to our knowledge IEPA STILL has not issued a permit for the tritium-leaking Braidwood NPP, which means that they are allowed to continue operation under the old permit UNTIL a new permit is issued or denied. Lower river volumes and flow rates will result not only in more thermal pollution, but higher concentrations of discharged radionuclides locally downstream of “permissible” and accidental discharges. Illinois needs to re-examine and strengthen its water standards regulations for use and discharges for power plants before it allows further construction of NPPs on the river net.
- ***Disproportionate skewing of electric market:*** new nukes will be merchant plants, large in size, taking up large amounts of market share and investment capital in the region. Exelon shareholders get the benefits, and Illinois residents/ratepayers get the radwaste, contamination, risks of accidents and radiation releases, and possible decommissioning bills if not enough \$\$ is put into the decommissioning escrow fund.

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