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The Honorable Fred Upton  
Chairman  
U.S. House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

**Re: Nuclear Reactor Safety First Act (H.R. 6554)**

Dear Chairman Upton:

I write in strong support of H.R. 6554, *the Nuclear Reactor Safety First Act*, which prevents the Nuclear Regulatory Commission (NRC) from renewing a nuclear facility operating license for any facility that applies for renewal more than ten years prior to the expiration of its current forty year license. This legislation makes necessary changes to ensure greater public safety, particularly to those living in close proximity to nuclear power plants, while increasing accountability from the nuclear industry when seeking license renewals.

During my tenure as Attorney General of Massachusetts, I have vigorously advocated for stronger measures to safeguard public safety and the environment at nuclear power plants that are located in or near Massachusetts. Over the past six years, our office has repeatedly asked the NRC to reconsider particular safety assessments after reviewing new research highlighting safety risks that suggest the availability of safer alternatives. Additionally, we requested NRC make its decisions more transparent, which we argue can be accomplished without compromising security.

The recent developments at the Seabrook Nuclear Power Plant (Seabrook), located in Seabrook, New Hampshire, approximately forty miles from Boston, demonstrate why I support H.R. 6554. In 1990, the NRC granted Seabrook its initial forty year operating license. Yet, in 2010, with twenty years still remaining on its initial license, Seabrook filed for a new twenty year renewal license. The license application does not adequately address, however, a documented safety issue at Seabrook, one of the newest nuclear plants in the United States, which is experiencing marked concrete degradation problems due to Alkali-Silica Reaction (ASR) in safety related structures, as confirmed by the NRC. In addition, the NRC concluded that ASR has caused concrete cracking and loss of strength in some concrete plant structures.

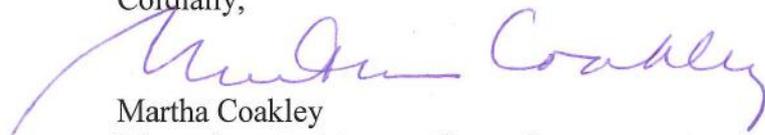


It is the NRC's responsibility to ensure that a nuclear facility can adequately manage the effects of aging during the license term. Yet, the regulations at 10 C.F.R. part 54 permit the NRC to relicense a nuclear power plant with as many as twenty years left on its initial forty year license. This current regulatory scheme creates the significant risk that nuclear power plants may avoid reasonable oversight and evaluation of age related problems occurring after an initial operating license is renewed, but before the initial license would have expired. A nuclear licensee should not be able to avoid reasonable scrutiny of age-related safety concerns simply by filing an application two decades before its current license expires. This practice puts our citizens at risk of harm from age related problems at nuclear facilities that could go undiscovered in an unreasonably early and premature application process for license renewal. Public safety demands greater transparency and accountability from nuclear licensees.

The legislation before you takes a reasonable approach to addressing the relicensing timeline by balancing the need for efficiency in the relicensing process with the need to protect public safety and the environment. It achieves this by narrowing the timeframe in which nuclear power plant licensees may apply for a renewal to ten years before the expiration of the initial permit term. This enables a realistic assessment of safety concerns and ensures that the NRC upholds its obligation adequately to monitor and manage the effects of aging during the term of relicensing.

I respectfully request that you pass H.R. 6554, the Nuclear Reactor Safety First Act. Thank you for your consideration. Please do not hesitate to contact our office with any questions or to discuss this matter further.

Cordially,



Martha Coakley  
Massachusetts Attorney General

cc: The Honorable Edward Markey  
The Honorable John F. Tierney