## Opening Statement Chairman Dianne Feinstein U.S. Nuclear Power Safety in light of Japan Disaster March 30, 2011

Good morning ladies and gentlemen and welcome to the Energy and Water Subcommittee's oversight hearing on U.S. nuclear power safety in the aftermath of the Japanese nuclear disaster.

First, let me say that our thoughts are with the people of Japan who continue to suffer. I have spoken to the Japanese Ambassador personally to convey the collective and sustained support of our country.

The 9.0 earthquake and resulting tsunami off Japan occurred 19 days ago. As we speak, workers at the Daiichi nuclear site continue their work to contain the situation with the reactors and spent fuel pools.

It will be months before we know what happened and why, so it is too early to call this a hearing about "lessons learned" from the disaster in Japan.

But we do know enough to start asking critical questions about nuclear energy policy in the United States.

Last week, I visited California's two nuclear power plants with representatives from the United States Geological Survey and the Nuclear Regulatory Commission.

The Diablo Canyon Nuclear Power Plant is near the city of San Luis Obispo, where 424,000 people live within 50 miles. Farther south, nearly 7.4 million people live within 50 miles of the San Onofre Nuclear Generation Station near San Clemente.

I came away from those visits with some good news. I feel much better about the safety precautions that are in place at these nuclear power plants.

I was also very impressed with the dedication, the confidence, and the professionalism of the large staffs that run these facilities and the regulatory agents who guard against risk.

But we need to reconfirm that these facilities are designed to endure the threats we can foresee, and prepared to respond to the scenarios we never imagined. That is why redundant systems, back up systems and plans are so important.

Most significantly, I believe we must rethink how we manage spent fuel.

Spent fuel must remain in pools for at least five to seven years, at which time it can be moved to safer dry cask storage. However, these pools often become de facto long-term storage, with fuel assemblies "re-racked" thus increasing the heat load of the pools. In California, for instance, fuel removed from reactors in 1984 is still cooling in wet spent fuel pools.

This process may have regulatory approval, but I fail to understand why the Nuclear Regulatory Commission has not mandated a more rapid transfer of spent fuel to dry casks.

Reports out of Japan indicate there were no problems with the dry casks at Daiichi. To me, that suggests we should at least consider a policy that would encourage quicker movement of spent fuel to dry cask storage.

We must also consider what broader regulatory reforms may be necessary, starting with a review of U.S. nuclear power plant safety. I'm pleased the Nuclear Regulatory Commission will undertake both short-term and long-term reviews of nuclear plant safety. This kind of self reassessment is very appropriate.

Today, I hope we will get a more complete picture of what the NRC intends to do with these reviews and how quickly they are likely to act on any new safety regulations.

In addition to NRC's self assessment, I believe we should consider an independent analysis of our nuclear power plant safety, with specific attention to threats assessment and the design parameters of our plants.

Japan has now suffered two earthquakes in the last four years that were larger than the Japanese thought possible, and each devastated a nuclear power plant that was not designed to endure a quake of that size.

The lesson is that we need to think carefully about whether our country has properly estimated the threats to our nuclear facilities and designed the facilities to endure them. An independent review of the design basis for all U.S. plants should be a priority.

The events in Japan also raise questions about our nuclear energy research and development program.

The nuclear R&D program currently funds work related to existing plants, future reactor designs, and waste issues. The question becomes: Do we have the right focus and balance to promote increased safety?

The spent fuel at Daiichi posed a significant problem, contributing to at least one of the hydrogen explosions. So, what can our R&D programs do to address issues of remaining spent fuel energy and hydrogen?

Funding constraints are already requiring programs to re-rank R&D priorities. Perhaps the events at Daiichi will also contribute to that re-think.

It is clear that we lack a comprehensive, national policy to address the nuclear fuel cycle, including management of nuclear waste. Creating more waste without a plan increases our risk and exposes taxpayers to more payments to utilities.

This hearing is not focused on nuclear waste, but I think it is hard to look at the other aspects of nuclear power and not recognize our lack of a national policy.

I will be exploring these and other issues today with our witnesses, and let me say how pleased I am that they have joined us.

On our first panel we will hear from Greg Jaczko, chairman of the Nuclear Regulatory Commission, and from Pete Lyons, the Acting Assistant Secretary for Nuclear Energy at the Department of Energy.

Our second panel will include William Levis, President and Chief Operating Officer at PSEG Power. PSEG operates the same reactor model as those at the Daiichi site. We will also hear from Dr. Ernie Moniz from MIT, who has a long history in this area and is currently serving on the Blue Ribbon Commission developing a long term plan for nuclear waste. Our third witness on the panel is Dave Lochbaum from the Union of Concerned Scientists. Mr. Lochbaum has a long history inside and outside the nuclear power industry.

I look forward to the testimony of our witnesses and express my gratitude to them for taking time out of their schedules to be here today.