

August 23, 2021

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The Honorable Charles Schumer
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The Honorable Kevin McCarthy
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The Honorable Addison Mitchell McConnell
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Dear Speaker Pelosi, Majority Leader Schumer, House Minority Leader McCarthy, Senate Minority Leader McConnell, and Members of the House of Representatives and the Senate:

This moment is our opportunity to launch a wholesale transformation of our economy and our energy systems to save our country and the world from the rapidly advancing climate crisis. Yet, legislation now before Congress would provide billions of dollars in subsidies to aging and uneconomical nuclear power plants, an effort that will cause us to miss the narrow window of opportunity we have left to act effectively on climate.

If the events of the last year have taught us anything, it is that we must marshal our national resources to address structural inequities and injustices that undermine our safety, health, economic security, and sustainability. We can achieve the goals of racial, economic, environmental, and climate justice upon which the Biden administration and Congressional leaders have promised to deliver—but not if we continue to invest billions of dollars in nuclear power and other false solutions.

Both the energy legislation proposed for the larger reconciliation package (S.2291/H.R.4024) and the bipartisan infrastructure bill would grant up to \$50 billion to prop up old, increasingly uneconomical nuclear reactors for the next decade. The electricity generated by these reactors will need to be replaced by renewable energy in the coming years anyway, so every dollar we spend to prolong their operation has an opportunity cost in terms of dollars, jobs, and environmental pollution. As a July 2021 report by Dr. Mark Cooper finds, the best investments to phase out greenhouse gas emissions in the electricity sector are the same in the short-term, medium-term, and long-term: renewable energy, efficiency, storage, and grid modernization. Money slated for nuclear bailouts would be much better spent on these resources instead.

Nuclear Power is Part of the Climate Problem, not a Solution: Nuclear power is too dirty, too dangerous, too expensive, and too slow to solve the climate crisis, and the industry is rooted in environmental injustice and human rights violations. Bailing out nuclear power plants misdirects resources while perpetuating climate injustice. A whole suite of energy sources that will be the backbone of a 100% renewable, zero-emissions energy system--wind, solar, demand response, and energy efficiency--are already less expensive than currently operating nuclear reactors, and will only become more so over the next decade. Many more technologies that will enable the

transition to a reliable and resilient, renewable energy economy--battery storage, smart- and micro-grids, offshore wind, and more--are on the same downward cost trajectory.

This is already happening in real time, even in conservative states. In 2020, Iowa's only nuclear power plant closed, but the state brought more new wind generation online than the nuclear plant ever generated. Similarly, wind power plants in Texas already generate more than twice as much electricity as the state's four large nuclear reactors; in each of the last four years, new wind generation has equaled the output of one of those reactors. Within three years after California's San Onofre nuclear power plant unexpectedly retired in 2013, new solar power in the state exceeded what the nuclear plant produced. California has also shown that phasing out nuclear power is an integral part of the transition to a zero-emissions electricity system. The state's largest utility is in the process of phasing out the Diablo Canyon nuclear plant by 2025, through a comprehensive community and energy transition that includes expanding energy efficiency and solar to exceed California's targets for emissions reductions and renewable energy growth.

It is often said that states are the laboratory for national policy. If so, there is already abundant evidence at hand of the climate justice costs of subsidizing old nuclear reactors. Over the last five years, four states have granted up to \$14 billion in subsidies to aging reactors--ratepayer dollars that could have been invested instead in renewable energy, efficiency, and other climate solutions. In New York, consumers will pay up to \$7.6 billion in subsidies to aging nuclear reactors by 2030, under a program instated in 2016. Yet, a study at the time showed that a state-of-the-art energy efficiency program could have effectively replaced those reactors with equivalent reductions in statewide electricity consumption by 2030, at a net savings to consumers of \$3 billion. In effect, the state would have had more than \$10 billion more to invest in climate solutions had it chosen efficiency over nuclear in 2016. Further, New York has since upgraded its renewable targets and implemented energy efficiency standards that negate the original rationale for the bailout, yet consumers are locked into paying for it anyway. The federal government must learn from these experiments and not repeat the same mistakes.

Climate Justice: We need to invest in a transition to efficient, renewable, clean energy technologies that can scale up as rapidly and affordably as possible to reduce emissions as aggressively as possible. Not only does nuclear energy fail to meet any of those criteria, investing billions of dollars in subsidies for old reactors directly funnels public investment away from environmentally just, equitable, and sustainable solutions to the climate crisis. This is why the White House Environmental Justice Advisory Council included programs that procure nuclear power on a list of measures that *do not benefit* environmental justice communities in its May 2021 report to the Biden administration.

Moreover, subsidizing aging nuclear reactors does nothing to make nuclear power safer from the environmental hazards of climate change. The Nuclear Regulatory Commission's (NRC) habit of relaxing safety requirements has only worsened since the COVID-19 pandemic. NRC has refused to take any actions to protect nuclear workers from the novel coronavirus, nor even to require its licensees to provide any reporting of infection, testing, and hospitalization rates among their workforces. On top of that, NRC has canceled hundreds of required, scheduled safety inspections, security drills, and emergency preparedness exercises, for up to two years. Nuclear power is becoming more dangerous, not less, in the face of climate and public health challenges that will grow in the years to come.

Environmental Justice: In addition to the climate costs of proposed nuclear energy subsidies, subsidizing nuclear reactors will result in the creation of more radioactive waste without mitigating any of the significant environmental justice, climate justice, economic justice, and nuclear weapons proliferation impacts. By the time a single pound of nuclear fuel goes into a reactor, uranium extraction, processing, and enrichment have already generated thousands of pounds of long-lasting radioactive wastes, which are either dumped in piles or ponds, or (in the case of depleted uranium) stored in cylinders or barrels in the open air, very often in Indigenous communities.

Both nuclear subsidy proposals seek to expand uranium mining in the U.S. through tying subsidies to domestically sourced fuel. Neither infrastructure package includes respecting restrictions on mining of uranium on Indigenous peoples' lands, regulations to mitigate the environmental impacts of uranium mining, nor remediation of the more than 15,000 abandoned uranium mines in the U.S. Indigenous peoples disproportionately bear the burdens of uranium extraction, from widespread leakage of radioactive and toxic waste into groundwater and exposure to radioactive dust and gases.

Tribal governments and impacted communities require prompt and thorough reclamation and cleanup of mines, mills, and uranium processing facilities, through a federal program that is tribe-/community-driven, inclusive, transparent, and funded at the scale of the problem. This is a national crisis and must be treated as such. The restoration and protection of safe drinking water for all communities must be an infrastructure priority. Doing so would create thousands of jobs, improve community health, and enable communities to live sustainably and in harmony with the natural environment for generations to come.

Economic Justice: Subsidies for nuclear power would not only be unjust and counterproductive for climate and environmental justice, they would also be unjust and counterproductive for creating jobs and building a thriving, equitable economy. All of the proposed subsidies (up to \$50 billion) would likely go to reactors owned by only eight corporations and located in only 19 counties across eight states. Despite the size of this extraordinarily inequitable investment of taxpayer dollars, these subsidies would not create a single new job. Worse, allocating \$50 billion to old reactors instead of renewable energy, efficiency, and other clean electricity infrastructure would prevent the creation of more than 60,000 new jobs.

Under S.2291/H.R.4409, all merchant reactors would be eligible for the subsidy, regardless of whether they actually need them to continue operating. Because the bills only consider the profitability of individual nuclear power plants, they do not protect U.S. taxpayers from paying uneconomical subsidies when cheaper alternatives and more strategic investments are available. The bill does not require independent verification of nuclear corporations' claims about the emissions impacts of potential reactor closures. It does not consider states' renewable energy and energy efficiency targets and programs, with which these subsidies could interfere. It does not consider alternatives, such as whether renewable energy would be more affordable. Neither bill plans for how to phase out and replace uneconomical nuclear reactors with renewable energy sources by the time their respective programs expire.

According to Dr. Cooper's report, investing in renewable energy, efficiency, and other real climate solutions will employ many times more people and reduce far more greenhouse gas emissions than subsidizing nuclear power. This is especially true because nuclear corporations have over \$60 billion already set aside to fund decommissioning and cleanup of their power plants when they close. These nuclear decommissioning funds can and should be used to defray job losses when reactors shut down.

We cannot perpetuate false solutions that prolong our reliance on dirty energy industries and have any hope of ending the climate and environmental justice crises those industries create. Providing billions of dollars in subsidies to nuclear power will only put short-sighted economic interests ahead of human lives, racial justice, the health of our environment, safe drinking water, and a thriving, equitable economy. We hope we can count on you to reject all proposals to subsidize nuclear energy and to make investments that will create a just and equitable transition to safe, clean renewable energy.

Sincerely,

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Janet Greenwald, Coordinator
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Vermont Yankee Decommissioning Alliance
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Common Ground Rising
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Heart of America NW
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Concerned Citizens for Nuclear Safety
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Waste Action Project
Greg Wingard, Executive Director
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Multicultural Alliance for a Safe
Environment
Susan Gordon, Coordinator
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CEO Pipe Organs/Golden Ponds Farm
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Nuclear Watch New Mexico
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Physicians for Social Responsibility Wisconsin
Hannah Mortensen, Executive Director
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