

STATEMENT  
OF THE  
HONORABLE NORMAN E. D'AMOURS  
BEFORE THE  
ENERGY AND THE ENVIRONMENT SUBCOMMITTEE  
OF THE HOUSE COMMITTEE ON  
INTERIOR AND INSULAR AFFAIRS

Thank you, Mr. Chairman. I am very pleased to have been given this opportunity to address the Committee on the very timely issue of the Seabrook Nuclear Power Plant.

As is evident by this hearing, the Seabrook station is far more than an issue just pertinent to the people of New Hampshire. Not only has it become a symbol in the growing national debate over the development of nuclear energy, it has also become a glaring example of the need to reform the entire nuclear regulatory process.

On July 7, 1976, the Nuclear Regulatory Commission issued the necessary construction permits to the Public Service Company of New Hampshire to build the Seabrook plant at its present location. And yet, despite the passage of over two years and the expenditure of over 400 million dollars, the future of this nuclear power plant and its very siting are as uncertain today as they ever were.

I would like to take this opportunity to share with the Members of the Committee some of the important dates and events of the last two years in order to demonstrate the absurdity of the licensing process in the case of the Seabrook plant.

July 7, 1976. The Nuclear Regulatory Commission issued the construction permits for the Seabrook plant. Work on the plant began the next day.

September 30, 1976. Two and one-half months later the Atomic Safety and Licensing Appeal Board suspended the construction effective October 8 pending the NRC's review of the environmental effects of the fuel cycle.

October 5, 1976. One week later the NRC Commissioners stayed the Appeal Board's suspension order pending their review of the decision.

November 5, 1976. The NRC Commissioners overturned the Appeal Board's decision to suspend the construction permits based on their judgement that the environmental effects of the fuel cycle were small and would not affect the cost/benefit analysis.

November 9, 1976. EPA's New England Regional Administrator, Mr. John McGlennon, overturned his own decisions of June and October of 1975 and revoked the approval for the once-through cooling system.

November 12, 1976. The Public Service Company of New Hampshire petitioned the EPA Administrator to review and reverse his Regional Administrator's decision.

December 9, 1976. The EPA Deputy Administrator announced that the Administrator would review the decision but would not summarily reverse it.

January 6, 1977. The Public Service Company of New Hampshire cut back substantially on the Seabrook plant's construction due to the uncertainty presented by the EPA. The work force of 830 dropped to 300 and below within a few weeks.

January 21, 1977. The Appeal Board again suspended the construction permits effective February 4th because they ruled that the cooling towers were not adequately considered as an alternative to the once-through cooling system proposed for the Seabrook plant and that the Seabrook site with cooling towers had not been compared to the 19 alternative sites originally considered. The Appeal Board ordered the Atomic Safety and Licensing Board to hold further hearings to consider cooling towers.

January 24, 1977. Three days later the NRC Commissioners stayed the Appeal Board's suspension pending their review of the decision.

February 7, 1977. After hearing oral arguments the NRC Commissioners upheld the Appeal Board's suspension order but they did allow excavation work to continue on the Unit I Containment which is intended to house the reactor and steam generators.

June 17, 1977. EPA Administrator, Mr. Douglas Costle, reversed the EPA Regional Administrator's November 9, 1976 reversal. By this decision, EPA approved the acceptability of Seabrook's once-through cooling system.

June 26, 1977. The NRC Appeal Board reinstated the construction permits effective August 1, 1977 in response to the EPA June 17th decision.

February 15, 1978. The First Circuit Court of Appeals in Boston vacated and remanded Mr. Costle's June 17th decision on procedural grounds. The EPA ordered hearings to clear these procedural matters. Hearings began on June 26, 1978 and concluded on July 6, 1978.

June 30, 1978. The NRC Commissioners suspended the construction permits effective July 21, 1978 because of the Court's February 15th decision.

July 17, 1978. The NRC Commissioners denied a motion by the Public Service Company of New Hampshire to allow work to continue until the EPA made its decision.

July 21, 1978. The Public Service Company of New Hampshire halted construction work on the power plant. 1,800 construction workers were laid-off.

August 4, 1978. The EPA Administrator, Mr. Douglas Costle, determined that the once-through cooling system for the Seabrook plant is acceptable.

August 7, 1978. The Nuclear Regulatory Commission is still studying alternative sites to the Seabrook location.

It should be obvious from the chronology I have just presented that the Seabrook plant is wallowing in a sea of bureaucratic indecision and government red tape. In the past two years, the Nuclear Regulatory Commission has ordered the suspension of construction permits on four different occasions. Two of the suspension orders resulted in the lay-off of 600 and 1,800 workers respectively. On Friday August 4th, the Environmental Protection Agency approved, for the third time, the once-through cooling system for the Seabrook plant. And today, the NRC is still trying to determine if the Seabrook plant is being built in the proper location.

The most discouraging aspect of the process, however, is the fact that the people who will be most adversely impacted by this series of conflicting decisions are the consumers of the electricity to be produced by this plant if it is ever built.

When the Public Service Company of New Hampshire first petitioned the State of New Hampshire in February of 1972 to build the Seabrook plant, it estimated that the final cost of this nuclear plant would be \$1.2 billion. Due to the delays in the licensing process, inflation, and improvements to the plant's design resulting from the licensing process the Seabrook plant today is expected to cost \$2.3 billion and this figure is increasing daily.

A recent study undertaken by the Heritage Foundation showed that the unnecessary delays in the licensing process alone has added a staggering 419 million dollars to the cost of this plant. And for everyday that construction work is halted on the plant, \$500,000 is added to this figure.

The issue before this Committee is whether or not the Nuclear Regulatory Commission and the other agencies involved have the ability to effectively

and responsibly deal with the complex issues presented in the licensing of nuclear power plants. If the Seabrook morass is an example of their ability, then the nuclear regulatory process has indeed shown itself unequal to the task.

Instead of giving us a process through which various environmental, safety and health issues can be considered and resolved, the regulatory agencies have themselves become an added major problem. The events and decisions of the last two years form a classical example of the bureaucracy's inability to make a firm decision and execute a coherent and reasonable public policy.

The continuation of this system in its present form can no longer be tolerated by people striving for responsible government, by taxpayers who must pay for this process, or by consumers who will be paying higher electrical rates.

As the Committee is aware, Congressman James Cleveland and I have introduced House Concurrent Resolution 671 which expresses the sense of Congress that the EPA and the NRC should expedite all remaining administrative proceedings, and that the Federal courts should expedite all remaining judicial proceedings relative to the Seabrook Nuclear Power Plant.

It also urges the EPA and the NRC to review their procedures for the issuance of any license or permit necessary for the construction and operation of nuclear power plants, and that they should modify their procedures to the extent that the delays associated with the decision-making process which have occurred in the case of the Seabrook plant do not occur in the case of any future nuclear power station.

I would hope that after conducting this hearing today, the Committee will report House Concurrent Resolution 671 to the floor of the House of Representatives.

I want to commend the Committee's Chairman, the Honorable Morris K. Udall, for introducing legislation intended to streamline the licensing of nuclear power plants. Whether or not one favors construction of nuclear power plants, no rational person can defend the licensing procedures in their present form. Even Members of Congress who are opposed to nuclear plants readily admit that these procedures are overly bureaucratic, inefficient, cumbersome and unfair to the parties on either side. The time for reforming these procedures is at hand.

Thank you.