

## Summary of James H. Miller III Statement to Blue Ribbon Commission

The new units under construction at Plant Vogtle represent the culmination of over two decades of effort by the industry and the Government to improve the operating records of the existing fleet, as well as the technical, regulatory and economic model for new plants. If the United States is going to lead the world in the peaceful use of nuclear power, as I believe we should, the recommendations this Commission make will be crucial to achieving that goal.

By the time the COL for Plant Vogtle is issued later this year, safety related earth work on the new units will have been ongoing for over 18 months. As we speak, safety related backfill work on Unit 3 at Plant Vogtle is almost complete and backfill work for Unit 4 is not far behind. At the conclusion of backfill work, the construction of crane foundations, a mechanically stabilized earth retaining wall, and mudmat will begin. The construction of ancillary structures such as a module assembly building and the fabrication of modules and nuclear island components are also well under way.

Georgia Power Company is regularly reporting on the progress of construction and fabrication activities to the Georgia Public Service Commission. The Commission certified the Engineering, Procurement and Construction contract for the project in 2008 and just recently authorized recovery of financing costs for the construction work in progress. Construction of Vogtle 3 and 4 is not a theoretical or hypothetical project. The project is real and is a major economic engine for this area. Georgia Power and its co-owners expect to begin delivering electricity from Unit 3 to their customers in 2016.

Vogtle 3 and 4 illustrates the achievements that are possible when industry and Government work together within the framework of coherent public policy. The same sort of coherent policy and cooperation between Government and industry is necessary to resolve the issues involving the management and disposal of spent nuclear fuel and high level nuclear waste. Such a policy was created in the Nuclear Waste Policy Act of 1982 but, unfortunately, that policy has not been successfully implemented. The failure to implement the nuclear waste policy has been for political, not technical reasons.

The customers who are served by Southern Company's fleet of nuclear power plants have paid well in excess of \$1 billion in Nuclear Waste Fees to the Federal Government since the Nuclear Waste Policy Act was signed into law. The wavering federal commitment has created a crisis in confidence in the Federal Government's ability to solve the problem. While there is no doubt that spent nuclear fuel is being stored safely at the nation's nuclear power plants, these facilities were never intended to be permanent storage facilities and the Government should not render them permanent by default.

A geologic repository remains the best technical solution for the long-term storage and disposal of nuclear waste. Yucca Mountain is the best site in this country for such a repository. This Commission should recommend that the licensing and development of the repository Yucca Mountain be continued. In any event, the

Commission should urge that the technical knowledge developed about Yucca Mountain and long term storage and disposal of spent nuclear fuel reflected in DOE's application for a repository construction authorization be preserved.

A coherent nuclear waste program must also include safeguards that ensure that nuclear waste fee revenues are available for expenditure for the nuclear waste program. The fees must be exempted from the appropriation process.

This Commission should consider legislation pending in Congress that would transfer the responsibility for repository development to a public corporation.

Finally, the Commission should consider long-term centralized storage of spent nuclear fuel, whether at Yucca Mountain or at another site. In this connection, the Commission should also consider a recommendation to reform the repository licensing process to permit a storage only license for the repository, with requirements suitable to limited, retrievable storage.