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August 26, 2015

Honorable Jason M. Lewis, Senate Chair
General Court of the Commonwealth of Massachusetts
Joint Committee on Public Health
State House, Room 511B
Boston, MA 02113

Honorable Kate Hogan, House Chair
General Court of the Commonwealth of Massachusetts
Joint Committee on Public Health
State House, Room 130
Boston, MA 02113

Re: House Bills 1898, 2020 and 2031-- Nuclear Emergency and Education Zones

Dear Chair Lewis, Chair Hogan and Members of the Committee:

The New England Power Generators Association, Inc. ("NEPGA") appreciates the opportunity to provide information to the Committee regarding the above-referenced bills.¹ NEPGA is the largest trade association comprised of competitive electric generating companies in New England. NEPGA's member companies represent approximately 25,000 megawatts (MW) of generating capacity throughout New England, and nearly 11,000 MW of generation in Massachusetts, or 85 percent of the electric generating capacity in the Commonwealth. NEPGA's mission is to support competitive wholesale electricity markets in New England.

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¹ H 1898 An Act Increasing Nuclear Power Plant Protections to a Twenty Mile Radius; H 2031 An Act Increasing Nuclear Power Plant Protections to a Fifty Mile Radius and H 2020 An Act Creating Public Education Zones Near Nuclear Facilities.

NEPGA's Massachusetts companies provide power for the Commonwealth from a diverse portfolio of plants, including natural gas, oil, coal, hydro, nuclear, and biomass. Overall, these companies pay over \$71 million annually in state and local taxes, while providing nearly 1,400 well-paying and skilled Massachusetts jobs. NEPGA members are good corporate neighbors, contributing to the civic and charitable endeavors of their host communities, donating close to one million dollars annually to charitable causes throughout the Commonwealth.

NEPGA's Position

NEPGA has concerns with these three House bills and believes that they are unnecessary in light of recent federal studies on the issue of emergency planning zones (EPZ) and in light of well-established existing policies and procedures with respect to education and emergency preparedness.

House Bills 1898, 2031 and 2020 Are Unnecessary in Light of Recent Federal Rulings and Studies Assessing EPZ Planning

House Bills 1898 and 2031 would expand the federally-established 10 mile public protection radius for nuclear facilities to twenty and fifty miles, respectively. As recently as April 2014, however, the Nuclear Regulatory Commission denied a rulemaking petition calling for regulatory expansion of EPZs and the scope of drills around nuclear facilities.² In denying the petition, the NRC concluded that the current EPZ radius of 10 miles provides an adequate level of protection of the public health and safety and that appropriate protective actions will be taken in the event of a nuclear event. Moreover, the NRC's State of the Art Reactor Consequence Study (SOARCA)³, published in 2012, also affirmed the adequacy of the 10 mile radius for protecting health and safety. Nuclear facilities are heavily regulated and monitored by the NRC. Subjecting them to a myriad of additional state regulations on safety matters that are already regulated at the

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² <http://www.gpo.gov/fdsys/pkg/FR-2014-04-09/pdf/2014-07981.pdf>

³ <http://www.nrc.gov/about-nrc/regulatory/research/soar.html>

federal level is unnecessary, especially absent some compelling evidence that the existing regulatory structure fails to provide adequate protection.

House Bill 2020 is Unnecessary in Light of Existing and Well-Established Education and Preparedness Programs

House Bill 2020 proposes to create a Public Education Zone (PEZ) for areas within 10 and thirty-five miles of a nuclear facility and would require that the facility, at its own expense, develop and distribute educational materials on issues such as operations, fuel storage, and emergency plans. NEPGA believes the measures proposed for in this bill are unnecessary in light of the fact that the region's nuclear facilities already work closely with the Massachusetts Emergency Management Agency, the agency responsible for creating emergency preparedness plans. For example, the Pilgrim nuclear facility provides \$2.6 million to state and local emergency preparedness programs. Moreover, nuclear plant staff routinely conduct drills with member of local state and federal emergency planning organizations. Finally, plants are also engaged in educating their local communities about emergency planning and each facility distributes a calendar to all homes within its EPZ with emergency information specific to the local plants.⁴ NEPGA asserts that, In light of the significant and well-established protocols already in place, House Bill 2020 is simply unnecessary.

Conclusion

NEPGA appreciates the opportunity to testify on House Bills 1898, 2020 and 2031 and to explain our concerns with this proposed legislation. For the reasons discussed above, we respectfully request that the Committee not pass this legislation.

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⁴ These calendars are available on the Massachusetts Emergency Management Agency website at <http://www.mass.gov/eopss/agencies/mema/nuclear-preparedness-department.html>

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dan Dolan', with a long horizontal flourish extending to the right.

Dan Dolan
President