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Assemblymember 97TH District

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Commerce, and Industry
Mental Health
Steering Committee

July 12, 2016

Hon. Kathleen H. Burgess Secretary to the Commission
Audrey Zibelman Commissioner of New York State Public Service Commission
Three Empire State Plaza Albany, New York 12223-1350
Via Email: secretary@dps.ny.gov
zibelman@dps.ny.gov

**Re: Case #15-E-0302 - Proceeding on Motion of the Commission to
Implement a Large-Scale Renewable Program and a Clean Energy
Standard**

Dear Secretary Burgess and Commissioner Zibelman:

I am writing to you as Chair of the New York State Assembly Committee on Oversight, Analysis and Investigation, and as a Member of the Committee on Economic Development, Job Creation, Commerce and Industry; Committee on Environmental Conservation; and Committee on Health.

The Public Service Commission's new proposal to impose a nearly \$8 billion nuclear tax on average ratepayers is unacceptable, largely out of public view, and is being pushed with undue haste.

This enormous nuclear tax on all New Yorkers will have to be paid for by the working people of New York State, our businesses, and our local governments and school districts. The \$7.6 billion price tag for this nuclear bailout was revealed only on July 8, the Legislature was never notified, and the public has been given less than two weeks to comment.

I am gravely concerned about this development in a case that was represented to be about supporting large-scale renewable energy, but in fact is now about a bill to subsidize the nuclear industry, an industry that is neither presently, nor has ever been, independently financially sustainable but rather relies on taxpayers' subsidies.

In addition, the basic premise of the bill is scientifically inaccurate. Nuclear energy is not renewable¹, as it requires large amounts of fossil fuels. Nuclear energy requires more water than

¹ International Renewable Energy Agency -- an intergovernmental group known as IRENA that advises about 140 member countries on making the transition to clean energy IRENA will not support nuclear energy programs because its a long, complicated process, it produces waste and is relatively risky, proves that their decision has nothing to do with having a sustainable supply of fuel. [3] And if that's the case then nuclear proponents would have



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any other energy production technology.² Nuclear energy relies on uranium as fuel, which is a finite resource and is not renewable.

Furthermore nuclear energy production is NOT emission free. Therefore, it is irrational for the PSC to include inaccurate, unscientific information as the basis of this bill.

Nuclear energy production under normal operating conditions, routinely emits thermal pollution, which both the New York State Department of State and New York State Department of Environmental Conservation (DEC) have confirmed.

Additionally, normal operations of nuclear energy production routinely release radioactivity into the air and water, such as tritium, cesium, strontium and carbon-14. Spills, leaks, and accidents greatly increase the radioactive pollution from nuclear reactors.

The PSC has not considered the increased costs and risks of continuing to produce nuclear waste in New York State, which will be stored indefinitely here, as there is no disposal facility in the United States.

There are better, less expensive ways to meet our state energy and environmental goals that don't involve bailing out dangerous, aging and leaking nuclear power plants. The State Energy Plan calls for 50% renewable energy by 2030. It does not support nuclear energy or justify this kind of massive bailout for the nuclear industry.

Regarding jobs, the PSC has not provided a cost/benefit analysis comparing job creation from \$7.6 billion in investment in true solar, wind, geothermal, efficiency, energy storage and retrofit industries vs. the nuclear industry.

Nor has the PSC conducted a cost/benefit analysis regarding increased health costs from supporting continued production of nuclear waste in New York State, including childhood leukemia, thyroid cancer and illness.

to figure out a way to deal with the nuclear waste management issue and other political implications of nuclear power before they can ask IRENA to reconsider including nuclear energy in the renewable energy list . Is Nuclear Power Renewable?

James Kanter, 2009 http://green.blogs.nytimes.com/2009/08/03/is-nuclear-power-renewable/?_r=0

² Among power plants using freshwater for cooling in 2008, nuclear power plants used more water per unit of electricity produced. The average nuclear plant withdrew nearly eight times as much freshwater as the average natural gas plants, and 11 percent more than the average coal plant. www.ucsusa.org/sites/.../nuclear.../fact-sheet-water-use.pdf



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Therefore, prior to the PSC approving this proposal, I request that the Legislature be given an opportunity to oversee this process. This large and unprecedented use of public money should not be approved without additional oversight from New York's elected representatives. The Legislature as well as the public should be accorded adequate time, at least 60 days, to comment on this extremely financially burdensome proposal.

If the PSC does not grant a meaningful extension of time for such comments and consideration I, and others, question what was the rush? Without transparency, I am concerned the rush to approve this irrational and dangerous proposal may be due to undue pressure by the nuclear industry on the PSC staff.

Thus, I respectfully request the PSC does not approve the current \$7.6 billion nuclear bailout proposal before it fully considers alternatives, conducts necessary studies, and provides such information to the Legislature, as this proposal, if approved, will impact every homeowner and business in New York State.

Sincerely,

Ellen C. Jaffee
Member of Assembly, 97th AD