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To: U.S. Senator Tammy Baldwin, Wisconsin (HSOB 709)

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Dear Senator Baldwin,

I am writing to urge you to vote in opposition to President Donald J. Trump's nominations of Annie Caputo and David Wright for the Nuclear Regulatory Commission (NRC). On July 12th at the Senate Environment and Public Works (EPW) Committee business meeting, Wright was advanced on a narrow 11-10 party line vote; Caputo advanced on a 15-6 vote, with, unfortunately, four Democratic Senators in support of her confirmation. We urge you to join with all Senate EPW Democrats to vote against Wright's confirmation, and we urge you to also vote with the majority of Senate EPW Democrats against Caputo's confirmation, when the nominations come to the Senate floor.

Especially in light of Kristine Svinicki's recent re-confirmation by the U.S. Senate, for another five-year term as NRC chairman, Caputo's and Wright's confirmation for five-year terms as NRC commissioners would only add more nails to NRC's coffin, significantly worsening the already very dangerous regulatory capture of the agency by the nuclear power industry.

As I wrote in a July 10, 2017 letter to Senate EPW Democrats, the Japanese Parliament concluded in 2012, after a year long independent investigation into the Fukushima Daiichi nuclear catastrophe, that the root cause was collusion, between regulator, industry, and government officials. Collusion was the root cause for the Fukushima Daiichi nuclear power plant being so very vulnerable to the natural disasters that ruined it on March 11, 2011, resulting in a still ongoing, catastrophic release of hazardous radioactivity into the environment, from the three melted down reactors.

But if confirmed by a majority of the U.S. Senate to the NRC, Caputo and Wright would take it a step further than collusion – a majority of the NRC Commission, most perilously, would actually represent the nuclear power establishment itself. As Beyond Nuclear's Reactor Oversight Project Director, Paul Gunter, has put it, 'I don't think the nuclear industry could flaunt its special relationship with the NRC any more brazenly.' The recent Senate confirmation of Kristine Svinicki as NRC chairman for the next five years is bad enough. Confirmation of Caputo and Wright would consummate the industry's high-risk domination of the NRC for the next five years.

Svinicki has already been an NRC Commissioner since 2008, and its chairman since shortly after Trump took over the Oval Office in January. She has largely to entirely been a rubberstamp for the nuclear power industry for nearly a decade. Significantly, during a previous confirmation hearing before the U.S. Senate EPW Committee, Svinicki neglected to reveal that she had worked, while at the U.S. Department of Energy, on advancing the highly controversial Yucca Mountain, Nevada dump proposal.

Given current efforts in the U.S. House of Representatives, as by John Shimkus (R-IL) and Fred Upton (R-MI), to revive the Yucca licensing proceeding, over the objections of the State of Nevada, Svinicki should be required to recuse herself from Yucca-related decision making, as former NRC commissioner, and later chairman, Greg Jaczko was, for two years.

And, as documented by Beyond Nuclear's Paul Gunter, Caputo worked as the congressional affairs executive manager for Exelon Corporation, now the largest nuclear power corporation in the U.S., from 1998 to 2005. She is currently a Republican Majority Senior Policy Advisor for the U.S. Senate EPW Committee, serving Chairman John Barrasso (R-WY), where she also previously served as Senior Policy Advisor for leading nuclear power proponent, Oklahoma Republican Senator Jim Inhofe from 2009 to 2012, who himself served as EPW Committee chairman. She also worked for the 113th Congress as a Senior Policy Advisor for the U.S. House of Representatives Energy and Commerce Committee, where the chairman, Michigan Republican Congressman Fred Upton, successfully led the January 2013 opposition to the NRC technical staff's strongly worded and unanimously supported recommendation that the agency order the installation of engineered severe accident capable radiation filters on hardened containment vents for thirty-one U.S. Fukushima-style reactors. In our view, this is one of Congress' most egregious acts following the Fukushima Daiichi nuclear disaster to promote industry financial interests above U.S. public health, safety, and environmental protection. On both congressional committees, Ms. Caputo has prominently advocated for what amounts to the protracted political mugging and divisive licensing of the scientifically-unsuitable, environmentally unjust, non-consent based, and illegal – considering Western Shoshone Indian treaty rights to land and water -- Yucca Mountain high-level radioactive waste dump scheme in Nevada (the radioactively contaminated groundwater from Yucca would eventually surface as springs in Death Valley, CA, where the Timbisha Band of Shoshone use it for vital drinking water). In fact, Rep. Upton – who Caputo served as a senior aid -- has been a leading congressional advocate for the Yucca dump for decades.

Trump's other nominee to the NRC Commission, David Wright, is a former commissioner and chairman of the South Carolina Public Service Commission (SC PSC, 2004-2013), and another leading advocate for nuclear power/radioactive waste generation, and the industry's coveted priority goal of ramrodding the Yucca dump down Nevada's throat. In fact, SC is one of the most nuclear powered states in the country, with the SC PSC's long, strong support for that, at SC ratepayer expense. In 2011, Wright was elected President of the National Association of Regulatory Utility Commissioners (NARUC), which sued to keep the Yucca dump project moving forward. In addition to NARUC President, Wright served many other roles, including as Chairman of NARUC's Subcommittee on Nuclear Issues and Waste Disposal. He has been Co-Chair of the Yucca Mountain Task Force (2005–2010) and National Chair of the Nuclear Waste Strategy Committee (2006-2013). As SC PSC chairman, he presided over the gouging of SC ratepayers (yet again), to pay for the construction of two proposed new atomic reactors, Summer Units 2 and 3. Multiple rate hikes over the course of many years now mean that SC ratepayers pay around one-fifth of their electricity bill in 'nuclear tax surcharges,' Construction Work in Progress (CWIP) payments, or advance cost recovery, toward building Summer 2 and 3. With the recent bankruptcy of Westinghouse Nuclear, due to years-long schedule delays and cost overruns amounting to many billions of dollars, not only at Summer 2 and 3 in SC, but also at Vogtle 3 and 4 in Georgia, the cancellation of one or both SC reactor construction projects is now under very serious consideration. This means, the billions of dollars already unwillingly 'invested' by SC ratepayers, would simply be lost, with nothing to show in return. This is actually the best (least worst) possible outcome. Throwing good money after bad at Summer 2 and 3 would further burden SC ratepayers. And, if those two troubled reactors are someday completed and operated, that would introduce the risk of reactor operations and radioactive waste storage, on top of the financial burden SC residents and electric consumers already shoulder, due to the industry-friendly

decisions of Wright. A nuclear power industry promoter like Wright has no rightful place at the top of the safety regulatory agency, NRC.

It should be noted that Beyond Nuclear objects to NRC Commission wrongdoing, regardless of the party affiliation of the Commissioner involved. For example, Beyond Nuclear joined with dozens of other organizations to first call for the recusal from safety matters, and then the resignation, of Obama-appointed, Democratic NRC Commissioner William Magwood IV, as he successfully courted the Paris-based Nuclear Energy Agency (NEA) directorship, while still serving as an NRC Commissioner. NEA promotes nuclear power, while NRC is supposed to regulate its safety. NRC is explicitly barred from nuclear power promotions, the very reason the U.S. Atomic Energy Commission was disbanded over 40 years ago.

Similarly, Beyond Nuclear objected to President Obama's nomination, and the U.S. Senate's confirmation, of Stephen Burns to serve as NRC chairman, and still now commissioner. Burns had served as NEA legal counsel, so Beyond Nuclear objected to the dangerous blurring of the lines between nuclear power's promotion and its safety regulation.

Thank you for taking our views, expressed on behalf of our many members and supporters in Wisconsin, into consideration. We urge you once again to join with all Senate EPW Democrats, to vote against David Wright's confirmation when his nomination comes to the Senate floor; and we likewise urge you to join with the majority of Senate EPW Democrats, to vote against Annie Caputo's confirmation to join NRC. In fact, we urge you, to help lead the effort on the Senate floor, to block Wright's and Caputo's confirmations as NRC Commissioners.

Sincerely,

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Beyond Nuclear aims to educate and activate the public about the connections between nuclear power and nuclear weapons and the need to abolish both to safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic.