

Beyond Nuclear Press Statement, February 9, 2010

By Kevin Kamps, Radioactive Waste Watchdog, Beyond Nuclear

Regarding the Senate confirmation hearing for William Magwood on his nomination to the U.S. Nuclear Regulatory Commission (NRC)

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“Nearly a hundred national and grassroots environmental groups wrote President Obama on August 3 expressing deep concern regarding his consideration of William Magwood for the NRC. They called upon the president to instead nominate a strong regulator to the NRC Commission who has demonstrated a commitment to public safety, rather than to the nuclear power industry’s promotional and financial interests. Unfortunately, President Obama went ahead with William Magwood’s nomination to NRC on October 9th, and the Senate Environment and Public Works (EPW) Committee holds Mr. Magwood’s confirmation hearing today. We urge the Senate EPW Committee to block William Magwood’s appointment to the NRC Commission.

Mr. Magwood’s appointment to the NRC would reverse the clock on the separation of the promotion and the safety regulation of nuclear power. In 1975, the U.S. Atomic Energy Commission was disbanded due to its inherent conflict of interest, to simultaneously promote and regulate the nuclear power industry. William Magwood, who has devoted his career to promoting nuclear power, is ill suited to now strengthen and enforce NRC regulations to protect public health and safety and the environment, the agency’s mandate and mission.

Mr. Magwood served for seven years as the head of the Office of Nuclear Energy at the U.S. Department of Energy. In that position, he was one of the chief proponents for nuclear power in the entire federal government. Mr. Magwood helped lead the Advanced Fuel Cycle Initiative, Nuclear Power 2010, and the Generation IV Nuclear Energy Systems Initiative. He also served as the first chairman of the Generation IV International Forum and as chair of the Steering Committee on Nuclear Energy of the Organization for Economic Co-operation and Development. The role of an NRC Commissioner is supposed to be quite different from such nuclear power promotional activities.

An anonymous tip to Beyond Nuclear alleged that Mr. Magwood, during his tenure at DOE, held regular private breakfast meetings with then-Senior Vice President and Chief Nuclear Officer, now-President and Chief Executive Officer of the Nuclear Energy Institute (NEI), Mr. Marvin Fertel. The tip alleged that these meetings were intended for Mr. Magwood and Mr. Fertel, of the nuclear power industry’s lobbying arm, to set priorities and strategies for nuclear power’s promotion, outside of the scrutiny of the public and environmental watchdogs. Such behavior flies in the face of President Obama’s call for openness and transparency in government which he made on the very day he took the oath of office.

Beyond Nuclear filed a Freedom of Information Act request to the DOE requesting any and all documents having to do with Mr. Magwood’s alleged secretive meetings with Mr. Fertel. DOE

responded, however, that upon Mr. Magwood's 2005 departure from the agency, his email correspondence was destroyed within one short month, as were his scheduling calendars. His written correspondence was destroyed within three years. Thus, if any documentation of such alleged meetings between Mr. Magwood and Mr. Fertel had existed at DOE, they have long since been destroyed.

At DOE, and as recently as May 2009, Mr. Magwood promoted the Yucca Mountain dumpsite proposal. Referring to foreign counterparts he took to Yucca Mountain for tours during his DOE tenure, Mr. Magwood was quoted in *ClimateWire* as saying "They had an experience similar to what I have. You go to the top of the mountain, and you realize that you're really in the middle of nowhere. They all wished they had some kind of desolate area like this and wonder why we're having this argument." Of course, Nevadans living along transportation routes and close to Yucca Mountain do not consider their state a wasteland, suitable for radioactive waste dumping. We thank President Obama for his wise decision, and the fulfillment of his campaign pledge, to terminate the Yucca Mountain dumpsite proposal once and for all. This nomination to the NRC, however, begs the question whether or not Mr. Magwood can be trusted to make such wise decisions regarding the safety, security, and environmental soundness of high-level radioactive waste management in the powerful role of NRC Commissioner.

Similarly, Mr. Magwood's support for the Bush administration's Global Nuclear Energy Partnership (GNEP) and its proposed revival of commercial radioactive waste reprocessing raises red flags. We thank President Obama for terminating the GNEP programmatic environmental impact statement last July. But, as recently as this January 2009, Mr. Magwood was promoting commercial radioactive waste reprocessing. We are concerned that he would continue to promote reprocessing, which would be highly inappropriate as an NRC Commissioner given reprocessing's risks of nuclear weapons proliferation, environmental and health ruination, and astronomical costs for taxpayers and/or ratepayers.

This current open seat on the NRC Commission for which Mr. Magwood has been nominated presents a vital opportunity to steer NRC back to its mandated mission to protect public safety, security, health and the environment. We urge the Senate EPW Committee in the strongest possible terms to block Mr. Magwood's appointment and instead work with President Obama to nominate persons devoted to nuclear safety, rather than to the nuclear industry's expansion."

The August 2009 coalition letter to President Obama opposing Mr. Magwood's nomination to NRC, as well as the December 2009 Beyond Nuclear FOIA request to DOE, and DOE's January 2010 response to that FOIA request can all be found posted at the top of Beyond Nuclear's home page, www.beyondnuclear.org.