

OFFICE OF THE SECRETARY
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Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

April 3, 2008

Dr. Dale E. Klein, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: STATEMENT REGARDING NEW REACTOR LICENSE APPROVALS

Dear Mr. Chairman:

In an article by David Biello in the March 28, 2008 issue of *Scientific American*, Lady Barbara Thomas Judge, chair of the U.K. Atomic Energy Commission is quoted as follows regarding the licensing of three proposed U.S. nuclear reactors:

"Dale Klein told me that those three nuclear applications will be approved," she told the State of the Planet conference at Columbia University.

Is her characterization of your comments accurate? In other words, have you already made up your mind to approve these applications months, perhaps years, ahead of completion of your staff's reviews and the ITAAC testing/verification process? And are you communicating that decision to high-level officials in the international nuclear community?

If Lady Judge's remarks are accurate, I call on you to recuse yourself from any and all decisions regarding new reactor applications. As you should know, the decision-making is supposed to come at the end of the staff's reviews, the testing and all the attendant steps designed to provide reasonable assurance that the reactors are designed, built, and will be operated in conformance with federal safety regulations. Announcing your decision at the beginning of that process seriously undermines the credibility of those steps. It does a tremendous disservice to your staff's pending efforts as well as to the American public who expect a fair and unbiased head of the regulatory agency..

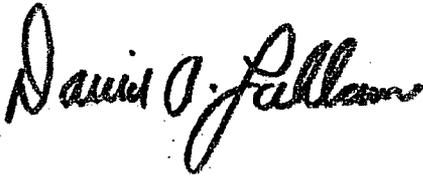
I truly regret calling for your recusal, if the remarks are accurate. I have never called for such a step, or signed on to any one else's call, in my professional career. But, making a mockery of the licensing process, as Lady Judge's comments suggest you have done, goes beyond the pale and warrants more than an apology or clarification. If the statement is true and you decline to recuse yourself, our next step is to request that Congress look into the corruption of the integrity of the licensing process for new reactors, since American tax dollars are on the line.

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If Lady Judge's statement is not true, you have the responsibility to publicly set the record straight in order to restore credibility to the process, and to correct Lady Judge's misunderstanding, so that she does not continue to misrepresent your position. The licensing process for nuclear reactors is much too important to allow the potential influence of public statements about the views of the highest level nuclear official in advance of the process that is stipulated by law.

Sincerely,

A handwritten signature in black ink that reads "David O. Lochbaum". The signature is written in a cursive style with a large, prominent initial "D".

David Lochbaum
Director, Nuclear Safety Project