

Gov. Vetoes bill that would lift moratorium on new nuclear plants

By Dan Petrella Chicago Tribune on August 12, 2023

Gov. J.B. Pritzker on Friday vetoed a bipartisan proposal that would have lifted a decades-old ban on construction of nuclear power plants in Illinois. With the relatively rare use of his veto pen, the second-term Democrat handed a victory to environmentalists who opposed lifting the ban, while also dealing a defeat to labor unions, who saw the measure as a way to generate construction projects and preserve high-paying energy sector jobs as coal and natural gas plants are shut down in the coming decades.

The issue was one of several in recent years that have pitted the two key constituencies of the Democratic Party against each other. Pritzker, who two years ago signed a sweeping energy policy overhaul that aims to achieve carbon free power by mid-century, **had previously expressed some interest in the idea of allowing smaller modular nuclear reactors in Illinois, while cautioning that the “devil’s in the details.”**

He ultimately decided the bill passed by legislators didn’t address enough of those details. “Unfortunately, the vague definitions in the bill, including the overly broad definition of advanced reactors, will open the door to proliferation of large-scale nuclear reactors that are **so costly to build that they will cause exorbitant ratepayer-funded bailouts,**” Pritzker wrote in a veto message to lawmakers.

Pritzker said he wants lawmakers to make another attempt at crafting legislation that would include more safeguards for people living near new nuclear plants and that would be more targeted toward small modular reactors. Pritzker also used his amendatory veto power to remove a provision in separate legislation that would have allowed local governments to enter into public-private partnerships for infrastructure projects.

Labor unions had backed the provision as part of their **push to bring privately operated toll lanes to a congested stretch of Interstate 55,** though Pritzker’s change would not affect that proposal. “As written, the bill creates a pathway for private industry to enter (public-private partnership) agreements locally **that skirts transparency and anti-corruption requirements established in state statute,**” Pritzker said in his veto message.

The legislature, dominated by Pritzker’s fellow Democrats, could override the governor’s vetoes. A spokesperson for Senate President Don Harmon of Oak Park did not respond to a request for comment on whether his chamber would attempt to override the governor. In his message on the nuclear moratorium measure, Pritzker said he was vetoing it “at the request of the leadership team of the speaker of the House and advocates.”

In response to questions Friday, Welch’s office issued a statement from House Majority Leader Robyn Gabel in which the Evanston Democrat said she asked for the veto based on concerns from environmental groups. “While discussion of the bill was focused on small-scale generators, the (approved) language was much broader and would have completely removed the moratorium on any size of nuclear project,” Gabel said.

Welch voted for the measure and, according to a spokesman, plans to “seek input from the (Democratic) caucus on next steps.

State Sen. Sue Rezin, a Morris Republican who sponsored the measure, said in a statement Friday that she had already filed paperwork to initiate an override vote when lawmakers return to Springfield this fall. “The governor is clearly putting his own partisan political ambitions over what is in the best interest of the people of Illinois by his sole decision to veto bipartisan legislation to improve Illinois’ future energy portfolio sustainably and cost-effectively,” Rezin said.

Advocates for lifting the moratorium, including labor unions, argued that allowing the construction of nuclear plants would help smooth the transition from sources that produce climate-damaging carbon emissions while also providing more reliable power.

Opponents, however, contended that investing in more nuclear plants would be an expensive distraction from developing more renewable energy while at the same time failing to address the long-running standoff over nuclear waste storage that prompted the ban in the first place. Environmental and consumer groups praised Pritzker's action, while the Illinois AFL-CIO, which advocated for lifting the ban, declined to comment.

“Nuclear power comes with significant safety risks and results in highly hazardous wastes that threaten our drinking water, with no safe, permanent waste solution in sight,” Illinois Environmental Council Executive Director Jen Walling said in a statement. “Rather than abandon all safeguards, Gov. Pritzker recognized that such substantial risks merit the highest protective guardrails our state can offer.”

Illinois, already home to more nuclear power plants than any state in the nation, was not alone in instituting a moratorium. More than a dozen states from California to Vermont had some type of restrictions on new nuclear power facilities, according to the National Conference of State Legislatures. But in recent years, some of those states have ended those limits, including Wisconsin in 2016, Kentucky in 2017, Montana in 2021 and West Virginia last year, according to the NCSL.

The Illinois moratorium — which garnered little news coverage and virtually no debate on the floor of the Illinois House and Senate when it was approved in spring 1987, about a year after the Chernobyl disaster in Ukraine — **was driven by a national political stalemate over how to dispose of radioactive waste,** a controversy that continues to this day. Although the Illinois moratorium has remained in place all these years, governors and lawmakers have remained mostly friendly and supportive of the nuclear industry. Exelon, parent of scandal-plagued utility Commonwealth Edison, repeatedly threatened to shut down some of the state's nuclear plants because company officials said the plants weren't making enough money. In response, **lawmakers propped up the nuclear fleet and Exelon won ratepayer subsidies for its Clinton and Quad Cities nuclear plants in 2016** during Republican Gov. Bruce Rauner's tenure and its Byron, Dresden and Braidwood plants five years later, after Pritzker was elected.

In both instances, Exelon and ComEd partnered with labor unions and environmental groups to push for sweeping policy changes they argued would protect both jobs and the climate by properly accounting for the carbon-free benefits of nuclear power. dpetrella@chicagotribune.com