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SENATE
P.S. RES. No. 162

REL

Introduced by Senator WIN GATCHALIAN

A RESOLUTION DIRECTING THE SENATE COMMITTEE ON ENERGY TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE STATUS OF THE DEPARTMENT OF ENERGY'S NUCLEAR ENERGY PROGRAM IMPLEMENTING ORGANIZATION INCLUDING ITS RECOMMENDATION FOR THE COUNTRY TO EMBARK ON A NUCLEAR POWER PROGRAM

1 WHEREAS, the development of a nuclear power program in any country
2 requires three phases marked by a specific milestone, and the completion of
3 nineteen (19) infrastructure requirements,¹ which necessitate specific actions during
4 each of these three phases as indicated in the International Atomic Energy Agency's
5 (IAEA) Milestones in the Development of a National Infrastructure for Nuclear
6 Power;

7 WHEREAS, *Phase One* focuses on factors to be considered before making a
8 decision to start a nuclear power program, and its milestone is a decision to commit
9 to such; *Phase Two* requires preparation for the contracting and construction of a
10 nuclear power plant after a policy decision has been made, and its milestone is an
11 invitation to bid or negotiate a contract for the power plant; and *Phase Three* details
12 the activities necessary to implement the first nuclear power plant, and its milestone
13 is the commissioning and operation of such²;

14 WHEREAS, the Philippines is currently completing Phase One, which
15 commenced when the Department of Energy (DOE) issued Department Order No.

¹ The 19 infrastructure requirements are as follows: national position, nuclear safety, management, funding and financing, legal framework, safeguards, regulatory framework, radiation protection, electrical grid, human resource development, stakeholder involvement, site and supporting facilities, environmental protection, emergency planning, nuclear security, nuclear fuel cycle, radioactive waste management, industrial involvement, and procurement.

² IAEA (2015). Milestones in the Development of a National Infrastructure for Nuclear Power. pp. 5 -10.

16 D.O. 2016-10-0013³ last 2016, creating a body called the Nuclear Energy Program
17 Implementing Organization (NEPIO) tasked with exploring the development and
18 inclusion of nuclear energy in the country's electric power supply;

19 WHEREAS, the NEPIO has transmitted a communication to the Office of the
20 President, dated 16 April 2018, containing the following recommendations: (1)
21 Approval of a National Position to Embark on a Nuclear Power Program (NPP); (2)
22 Issuance of an Executive Order in relation thereto; and (3) Filing and/or certification
23 as urgent existing bills providing for a nuclear regulatory and legal framework;

24 WHEREAS, IAEA officials have visited the country last February 2018 for
25 preliminary discussions with DOE and the Department of Science and Technology for
26 the development of nuclear power as part of the Philippines' power mix,⁴ and again
27 on December 2018 for the completion of an eight (8) day Integrated Nuclear
28 Infrastructure Review (INIR) assessing the country's readiness in adopting nuclear
29 power resulting in the creation of an INIR Mission Report,⁵ which contains specific
30 recommendations and suggestions as well as identified good practices of the
31 Philippine government in the introduction of nuclear power in the country⁶;

32 WHEREAS, the DOE has also received expressions of interest to assist the
33 country in reviving its nuclear power program, and even evaluations on the viability
34 of utilizing the Bataan Nuclear Power Plant from various countries such as China,
35 Russia, South Korea, and Belgium⁷;

36 WHEREAS, these proposals and assessments and the IAEA's INIR Mission
37 Report have not been made available to the public, or even to Congress by the DOE;

38 WHEREAS, during the October 2019 visit of President Rodrigo R. Duterte to
39 Russia, a Memorandum of Intent was signed between DOE Secretary Alfonso G. Cusi
40 and Rosatom Overseas' Evgeny Pakermanov to jointly explore the prospects of
41 cooperation in the construction of nuclear power plants⁸ and a proposal to build a

³ Entitled, "Creating the Nuclear Energy Program Implementing Organization (NEPIO) in the Department of Energy".

⁴ Top IAEA official visits PH to discuss use of nuclear energy. Available at: <https://news.mb.com.ph/2018/03/07/top-iaea-official-visits-ph-to-discuss-use-of-nuclear-energy/>. 07 March 2018.

⁵ IAEA reviews the Philippines' nuclear power infrastructure development. Available at: <https://www.iaea.org/newscenter/pressreleases/iaea-reviews-the-philippines-nuclear-power-infrastructure-development>. 17 December 2018.

⁶ IAEA team completes Philippines infrastructure review. Available at: <http://www.world-nuclear-news.org/Articles/IAEA-team-completes-Philippines-infrastructure-rev>. 17 December 2018.

⁷ In power hungry Philippines, some advocate a nuclear revival. Available at: <https://news.abs-cbn.com/business/05/23/18/in-power-hungry-philippines-some-advocate-a-nuclear-revival>. 23 May 2018.

⁸ Floating nuke offered. Available at: <https://www.doe.gov.ph/energist/floating-nuke-offered>. 06 October 2019.

42 floating nuclear power plant in the country was forwarded by Rusatom's Chief
43 Executive Officer (CEO) Alexei Likhachev⁹;

44 WHEREAS, a comprehensive, transparent, and public discussion must be
45 made on the merits of a national nuclear program taking into consideration the
46 social, economic, environmental, and technical effects and requirements of such a
47 program;

48 RESOLVED BY THE SENATE, as it is hereby resolved, to direct the Senate
49 Committee on Energy to conduct an inquiry on the status of the Department of
50 Energy's Nuclear Energy Program Implementing Organization including its
51 recommendation for the country to embark on a nuclear power program.

Adopted,



WIN GATCHALIAN

⁹ Cusi signs deal with Russia to build floating nuclear power plant in Philippines. Available at: <https://www.doe.gov.ph/energist/cusi-signs-deal-russia-build-floating-nuclear-power-plant-philippines>. 05 October 2019.