



# NRC NEWS

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## **“Public Confidence and the Nuclear Regulatory Commission”**

Prepared Remarks by  
The Honorable Gregory B. Jaczko  
Commissioner  
U.S. Nuclear Regulatory Commission  
before the  
Nuclear Power and Global Warming Symposium  
Warrenton, VA  
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### **INTRODUCTION**

I am glad to be here today.

I know that the subject of this conference is Nuclear Power and Global Warming. You have been engaged in discussions about whether the expansion of nuclear power offers a safe and viable alternative to the effects the burning of fossil fuels have on the environment.

While these are important issues, it is not appropriate for me, in my job as an independent regulator, to discuss the proper role of nuclear power. Decisions about contracting or expanding nuclear power are for the public to make through the actions of the Administration, the Congress, and ultimately the private sector.

The role of the Nuclear Regulatory Commission in my view is not to promote or discourage this initiative but rather to ensure that any new plant that may get built will be safe and secure. The mission of the NRC is to “license and regulate the Nation’s civilian use of byproduct, source, and special nuclear materials to ensure adequate protection of public health and safety, promote the common defense and security, and protect the environment.”

The most important requirement for the NRC to accomplish that mission is to ensure public confidence in what we do. The public demands it, the industry needs it, and it is our job.

I am afraid that there is a lot more work to do in this area. For example, I am often asked by members of the public if nuclear power plants are safe. This question illustrates my point. The fact

that there is concern about the safety of nuclear power plants shows the NRC still has a long way to go to convince the public that it is an effective independent regulatory body that can be trusted to ensure the safe use of nuclear materials.

Working to improve public confidence is something we can all agree needs to be done. It is even more important today as we work to maintain effective regulatory oversight of the current fleet of 103 operating nuclear reactors in 33 States — as well as thousands of radioactive materials licenses throughout the country — while preparing to review applications for new nuclear power plants for the first time in decades.

I can confirm for you that the talk about a potential “nuclear Renaissance” is serious and real. Currently, it appears likely that over the next three years the NRC will receive applications from numerous utilities and consortiums to construct new nuclear reactors. In this environment I believe that the only way for the agency to proceed is to ensure that NRC staff are **wedded to safety – not shackled to schedules**. Doing this will require additional resources and a strong commitment to safety culture.

## RESOURCES

Let me begin with the issue of resources, which could shackle the NRC staff if not managed correctly.

The industry should expect an efficient and effective NRC process for reviewing applications for new plants. This will require the hiring and training of hundreds of new NRC staff and additional resources for the NRC to develop guidance on enhanced margins of safety utilizing innovative measures and new policy on incorporating security into new reactor designs.

I have encouraged the Commission to work with the Congress to secure additional resources needed to achieve these goals and to ensure that reviewing new applications will not negatively affect on-going safety work.

## PUBLIC’S ROLE

The public must also play its critical role in developing sound government policy as new licenses are considered. The NRC is made up of dedicated civil servants who come to work every day wanting to make the right safety decisions, and they need to hear from the public to help them do their jobs.

Of course, that dialogue can be productive only if the NRC is open and transparent in every step of the process. The NRC must be open with information and transparent in the processes we use to make decisions. In a post-September 11<sup>th</sup> world, we can not always fully achieve our goal of openness, but we can always be transparent as an agency – both to the public and to the licensees. In other words, while specific pieces of information may need to be protected for the NRC to accomplish its public safety and security mission, the *process* the Commission uses to make policy decisions should always be open, accessible, and well understood by all.

For the NRC to do its job, our stakeholders must see an unbiased agency whose primary goal is ensuring the safe use of nuclear materials.

## **LICENSEES' ROLE**

The industry can also help improve public confidence and avoid the shackles of schedules. Any applications licensees submit for new reactors must be thorough and high-quality. The burden is on the industry to convincingly address all of the necessary safety and security issues.

The NRC should be clear and firm about its standards and must not be afraid to reject applications that do not meet them. Prematurely accepting inadequate applications will only create scheduling pressures on the NRC staff.

Only with the necessary resources – and through consistent responsible actions on the part of the NRC staff, the industry, and the public – can we be certain to break the shackles of arbitrary schedules and ensure we are ensconced in a happy marriage with safety.

## **SAFETY CULTURE**

Beyond resources, there is another issue that we must focus on to ensure that there are no shackles on NRC staff and the industry. We must show the public that we value a questioning attitude. We must reinforce a culture at the agency and in the industry in which everyone feels empowered, emboldened and encouraged to ask the next question, the difficult question, and not to simply accept what is presented to them.

If public confidence is the key to effectively regulating the nuclear industry, the foundation is achieving an environment focused on safety and security – a concept known as safety culture. The NRC considers “safety culture” to involve a work environment where management and employees are dedicated to asking questions and promoting safety.

Safety culture at the NRC is like a pot beginning to boil. You are familiar with the proverbial “watched pot” just when you begin to see individual bubbles forming. Those first bubbles are like the divergent views at the NRC. Unfortunately, in my view, the NRC has a tendency to take the pot off of the stove before it reaches a full boil. I would like to see a raging boil of divergent views reach its way directly to the Commission to ensure we have access to all of the information we need.

If we look at the history of the nuclear industry, we find that problems almost inevitably appear as a result of a loss of this questioning attitude, a deteriorating safety and security culture. One of the biggest challenges in this arena is complacency, and unfortunately, complacency is most likely to be recognized only after it seeps in and contributes to a degraded safety and security environment.

## **DAVIS-BESSE**

The most recent and well-investigated example of this can unfortunately be found at the Davis-Besse Nuclear Power Station in Ohio.

On March 5, 2002, the licensee for Davis-Besse discovered cracks and corrosion in the reactor pressure vessel head, which is the top of the reactor coolant system pressure boundary. During repair of the identified cracks, a cavity the size of a football was discovered that extended completely through the 6-inch thick carbon steel cap all the way down to a thin stainless steel liner.

Even after years of operating experience and armed with the information about a potential problem that the NRC provided, the industry as a whole failed to implement an effective corrective action program to identify and manage this type of cracking and corrosion. The licensee failed to effectively implement its operating experience review program and catch this corrosion before it became a serious safety issue. The NRC failed to ensure that the safety issue was identified and corrected even though it knew about generic problems with this important component of a plant.

As a result, the NRC instituted a Davis-Besse Lessons Learned Task Force and recommendations from this task force have been implemented. But our work is far from over. This event did not occur decades in the past at the infancy of this industry and the NRC, but rather only a few years ago with a mature regulator and a mature industry relying on a record of safety that led to complacency.

The Davis-Besse incident is a clear example of why the public lacks confidence in the industry and why the questioning attitude at the heart of safety culture is essential for continued nuclear reactor safety. Employees - both of the NRC and the industry - must feel empowered to ask the difficult questions. Ensuring this happens is at the core of safety culture.

## **EMERGENCY PREPAREDNESS**

I want to wrap up my talk with an important topic that I believe serves as a barometer for how we can measure the public confidence in the NRC – emergency preparedness. After all, the emergency planning effort is the most tangible way the nuclear industry affects its neighbors.

When I travel to nuclear power plants I always try to meet with local elected officials and citizen groups. One of the most frequent issues I hear from these stakeholders is concern about the emergency preparedness plans in the 10-mile zones around the plants.

It is the NRC's responsibility to evaluate a licensee's onsite emergency plan and the agency relies on the Federal Emergency Management Agency – FEMA – to provide recommendations about the adequacy of State and local emergency plans. This system makes sense because FEMA is the agency with the emergency management expertise and the relationships with state and local governments to address all hazards.

I do believe, however, that the NRC should take prompt action to eliminate any doubts or concerns about *radiological* emergency plans. Input from FEMA is crucial but the NRC has the ultimate authority and responsibility to ensure the adequate protection of public health and safety around nuclear power plants. The Commission and the public should not be left to wonder if alert and notification procedures are in place, transportation resources are available, and reception and care centers are arranged.

I want to be able to visit any of the 65 nuclear power plant sites in this country and hear – not only from the licensees, but also from the public – that there is complete confidence in the emergency plans in place. No other outcome will more clearly demonstrate to the public that the NRC is wedded to safety and committed to improving public confidence .

## **CONCLUSION**

As I conclude my remarks I hope to have helped frame and clarify some of the issues you are pursuing here this week.

The NRC must work to improve the confidence of the public in its capabilities and intentions to effectively regulate the nuclear industry in whatever shape it takes in the future. We can all agree that our goals should be a safe and secure future in which the health of our families and communities is guaranteed and our environment is protected. Working together – industry, the public, and the NRC – is the best way to avoid the arbitrary shackles of schedules and ensure the industry and the NRC staff remain wedded the imperative of safety.

Again, I thank you for the invitation to speak to you today, I commend for your efforts to learn more about and report on these important issues, and I look forward to any questions you may have.