

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: May 15, 2009 08:47

PAPER NUMBER: LTR-09-0205 **LOGGING DATE:** 05/15/2009

ACTION OFFICE: EDO *To: Johnson, NRO*

AUTHOR: Thomas Saporito *cys: EDO*

AFFILIATION: FL *DEDMRT*

ADDRESSEE: Pres. Barack Obama *DEDR*

SUBJECT: Petition for an Executive Order to halt the U.S. NRC's application process for new nuclear plant construction in the U.S. *DEDCM*

AO

NRR

Regions

Diaz-Toro, OEDO

ACTION: ~~Information~~ *Information*

DISTRIBUTION: Chairman, Comrs, OGC

LETTER DATE: 04/25/2009

ACKNOWLEDGED: No

SPECIAL HANDLING:

NOTES:

FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

Template: SECY-017

E-RIDS: SECY-01

Saporito Energy Consultants, Inc.



Post Office Box 8413, Jupiter, Florida 33468-8413
Voice: (561) 283-0613 Fax: (561) 952-4810
Email: Support@SaporitoEnergyConsultants.com
Website: SaporitoEnergyConsultants.com

25 April, 2009

Hon. Barack Obama
President of the United States
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

In re: Petition for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's Application Process for New Nuclear Plant Construction in the United States

Dear President Obama,

NOW COMES, Saporito Energy Consultants, Inc. ("SEC") by and through and with its undersigned president, Thomas Saporito, (hereinafter "Petitioners") and hereby Petition the Office of the President of the United States for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's ("NRC's") Application Process for New Nuclear Plant Construction in the United States.

For the reasons delineated below, and in the interest for public health and safety, Petitioners' request should be granted:

On March 27, 2009, a Greenwire publication described the time-line of events of the Three Mile Island nuclear plant accident.¹ The publication states, in relevant part, that:

"The accident stopped the U.S. nuclear power industry in its tracks. No more nuclear plants were ordered in the United States following the accident and none started after 1974 were completed, former nuclear regulator Peter Bradford notes. 'The credibility of an industry was lost,' Bruce Williams, a vice president of Exelon Nuclear, which now owns the Three Mile Island station, told a Pennsylvania newspaper in 2004.'

Id. at 1.

"... NRC Chairman Dale Klein stressed his agency's actions since the accident to tighten safety regulation across the board. ... Nuclear plant design requirements have been expanded and strengthened ..."

Id. at 2.

¹ See Enclosure -1 to this petition.

Petition for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's Application Process for New Nuclear Plant Construction in the United States

Page 2 of 5

“... the existing nuclear plants are big moneymakers, and the last thing their operators want is a prolonged plant shutdown because of safety issues, the Nuclear Energy Institute says. . .”

Id. at 2.

““We think there is overconfidence on the part of the industry and NRC that has led to complacency,’ said Ed Lyman, senior staff scientist at the Union of Concerned Scientists. ‘The absence of a severe accident doesn’t tell you how likely it is that one could occur tomorrow. . . There are still surprises that are being encountered in operating reactors,” . . . NRC and the nuclear industry ‘continue to make decisions based on risk assessments with incomplete knowledge.’”

Id. at 2-3.

“Investigations of the 1979 accident put the initial blame on the plant’s four control room operators, whose frantic struggles to understand the fast-moving pre-dawn calamity still make chilling reading. . . but the Kemeny panel said stopping the critique with the operators’ failures would miss the larger, more systemic problem involving the industry and NRC, its regulator. The investigation said that an overmatched NRC staff could not keep up with the pace of nuclear plant construction in the 1970s prior to the accident and was critically dependent upon the nuclear power companies to monitor their own compliance with safety standards during construction. The panel cited the case of an NRC regional inspector named James Creswell, who learned of water pump problems at the Davis-Besse reactor in Ohio in 1977. He believed it signaled a potentially serious design safety flaw in nine similar plants – including Three Mile Island. Creswell could not get the company or his own superiors to respond to his warnings. They met on March 22, 1979. ‘The Three Mile Island accident was six days away,’ Bradford said. Creswell told the Kemeny investigators after the accident, ‘within the decision-making structure of the NRC [there is] a reluctance to come to grips with very serious safety issues.’ The commission was more interested in promoting nuclear power than regulating it, the panel concluded.” (Emphasis added)

Id. at 3-4.

Petition for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's Application Process for New Nuclear Plant Construction in the United States

Page 3 of 5

On June 5, 2007, NRC Chairman Dale E. Klein spoke at the Goizueta Leadership Center² regarding the role of the NRC in reference to the nuclear industry. Chairman Klein stated, in relevant part, that:

“ . . . At the NRC we hold our licensees up to a high standard of modern business and engineering practices, as well as technological excellence. So I thought it was important for the staff to understand that we need to do a better job of living up to a higher, more modern standard ourselves. One thing that struck me immediately was how antiquated our computing and communications technology was. I considered this a symptom of the larger need for the agency to modernize. One of my in-house priorities, therefore, was to focus on updating the agency's infrastructure. . . . Just to illustrate how far out of step the agency had fallen on information technology, only this past year did we issue Blackberries to the senior staff. We are also in the midst of transitioning to the Microsoft Office Suite, which is today's business standard. But these upgrades are really just a symptom of a larger need to modernize our business practices, and develop an adequately sized workforce with the proper space, training, and equipment. Given the expanded workload we are facing, in addition to ordinary employee turnover, we will have 1,200 new people at the NRC headquarters by 2009 – which is nearly one-third of our entire workforce. . . . We've been told by industry to expect license applications for 27 new reactors in the next two years...and every day our Executive Director of Operations warns me to prepare for an even higher number. . . . We are scrambling to increase our workforce by a net 600 employees. We urgently need 120,000 more square feet of office space at our headquarters. . . . And all of that is on top of our regular workload of overseeing the safety of the 104 plants already operating in the U.S. and a large number of licensees using radioactive materials.”

Id. at 1-2.

Petitioners contend that the NRC is currently under-staffed, without sufficient monetary resources, without upgraded technology, and without needed infra-structure to meet its Congressional mandate to protect public health and safety with respect to operation of existing nuclear power plants in the United States.

For the very same reasons stated immediately above, Petitioners contend that the NRC is overwhelmed in its day-to-day operations overseeing existing commercial nuclear

² See Enclosure – 2.

Petition for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's Application Process for New Nuclear Plant Construction in the United States

Page 4 of 5

operations in the United States and that the agency lacks the required resources to properly oversee the construction applications for the new nuclear plants sought by the nuclear industry.

Notably, Petitioners point the President to recent events surrounding operations at the Florida Power and Light Company's ("FPL's") Turkey Point Nuclear Plant where security guards were found to be sleeping while on-duty at the nuclear plant. Moreover, other security guards covered for the sleeping security guards. In addition, security personnel were found to have disassembled weapons at the nuclear plant in violation of NRC regulations. These security related matters were cited by the NRC and FPL paid \$208,000 related to one NRC Notice of Violation ("NOV") and \$130,000 related to a second NRC NOV. Notably, FPL denied the second NOV but sent the NRC a check in the amount of \$130,000 to resolve the matter. Incredibly, FPL generates about one-million dollars per reactor per day at the Turkey Point Nuclear Plant. Thus, give a 2-million dollar paycheck per day, the NRC's \$130,000 penalty is merely a "cost of doing business" and not a deterrent to FPL.

FPL allowed a temporary contract worker access to the Turkey Point Nuclear Plant during a refueling outage. When FPL attempted to restart the effected reactor, a 1/8 inch hole was discovered in a plant loop preventing the restart. A resultant NRC investigation and a FBI investigation ended up costing FPL \$1.6-million dollars. The FBI investigation revealed the contractor worker's questionable background which should have alerted FPL not to allow the individual access to the nuclear plant; however, an NRC Augmented Inspection Team did not find fault with FPL's actions.

A senior plant operator quit his job after FPL management pressured [h]im to restart one of the Turkey Point Nuclear Plant reactors within 12-hours of a dual-reactor scram. The operator, who is also licensed by the NRC, felt FPL's demands to restart the reactor in such a short period of time were not safe.

At least 20-nuclear plant operators at the FPL Turkey Point Nuclear Plant have filed a lawsuit against FPL related to overtime issues. Notably, NRC Chairman Klein recently admonished FPL for requiring plant operators to work extended overtime hours.

FPL has been found by the U.S. Department of Labor and by the NRC to have retaliated against its own nuclear plant workers who dare to raise safety complaints. Moreover, FPL recently fired its licensing manager at the Turkey Point Nuclear Plant after [h]e made a report about FPL's Employee Concerns Program which illustrated significant problems related to the nuclear workers confidence in using the program.

More recently, a senior plant engineer at the FPL Turkey Point Nuclear Plant was found to have willfully violated a nuclear safety-related procedure related to the boron

Petition for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's Application Process for New Nuclear Plant Construction in the United States

Page 5 of 5

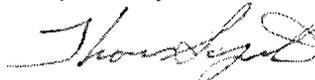
concentration calculations with respect to operation of one of the reactors. FPL denied that the act was willful and challenged the NRC's findings to that extent.

In addition to all of the above, a reactor control rod became stuck in one of the FPL Turkey Point Nuclear Plant reactors preventing the restart of that reactor. Notably, these reactors have been approved by the NRC for an extended 20-years of operation beyond their safety-designed 40-year life-span. How will the 20-year license extensions bear on the safety aspects of these nuclear plants going forward?

CONCLUSION

For all the foregoing reasons, the Office of the President of the United States should grant Petitioners' Petition for an Executive Order to Halt the U.S. Nuclear Regulatory Commission's Application Process for New Nuclear Plant Construction in the United States to allow the NRC sufficient time to upgrade its technology, hire a sufficient number of employees, increase its monetary resources, and build a sufficient infrastructure to meet its Congressional mandate to ensure for public health and safety related to the operation of existing commercial nuclear power plants and facilities in the United States as well as oversee the construction of new nuclear power plants.

Respectfully submitted,



Thomas Saporito, President

Copy provided to:

Hon. Joe Biden
Vice President of the United States
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Hon. Nancy Pelosi
Speaker of the House
235 Cannon House Office Bldg.
District of Columbia 20515-0508

Hon. Hubert Bell
Inspector General
U.S. Nuclear Regulatory Commission
Office of the Inspector General
Mail Stop 05-E13
11555 Rockville Pike
Rockville, MD 20852

Hon. Dale E. Klein
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20500

ENCLOSURE – 1

Greenwire Publication Dated March 27, 2009

1. NUCLEAR POWER: Three Mile Island still haunts U.S. reactor industry (*Greenwire, 03/27/2009*)

Peter Behr, E&E reporter

Correction appended.

Inside a nuclear power plant 10 miles southeast of Harrisburg, Pennsylvania's capital, the first of a series of pumps supplying cooling water to a steam generator inside the plant's containment structure -- which includes the reactor vessel and the generators -- unaccountably "tripped," or shut down, at 36 seconds after 4 a.m. on March 28, 1979.

The tense, sometimes terrifying week that followed, marked by official confusion and "surreal" misstatements about the crisis's severity, became known forever as the Three Mile Island accident, named after the reactor site on the Susquehanna River.

When the accident occurred, movie theaters nationwide were showing the movie "China Syndrome" about a nuclear plant meltdown. After engineers finally got inside the stricken Three Mile Island Unit 2 after the accident, they learned how closely reality had closed in on fiction.

With the initial loss of water to the steam generator, water inside the reactor flashed to steam, uncovering part of the fuel core and causing portions of the 100 tons of radioactive uranium fuel to heat up. A chain reaction of multiple equipment failures and control room operators' mistakes followed. Before the damage was brought under control, nearly half the reactor core with its fuel had melted down. A bubble of hydrogen gas exploded inside the containment structure, and fears of another explosion gripped the Harrisburg area for several days.

The accident stopped the U.S. nuclear power industry in its tracks.

No more nuclear plants were ordered in the United States following the accident and none started after 1974 were completed, former nuclear regulator Peter Bradford notes.

"The credibility of an industry was lost," Bruce Williams, a vice president of Exelon Nuclear, which now owns the Three Mile Island station, told a Pennsylvania newspaper in 2004.

Thirty years later, the U.S. nuclear power industry is attempting a revival, citing reactors' ability to generate electricity without the climate-threatening carbon emissions that spew from coal-fired generators.

The Nuclear Regulatory Commission, overseer of the nation's 104 civilian nuclear power plants, is reviewing industry proposals to build a new generation of reactors. The industry is asking the Obama administration and Congress to guarantee loans to pay a majority of construction costs of the first round of new plants, whose price tags today are estimated at \$5 billion or more for each 1,000-megawatt reactor.

With nuclear power on the threshold of a possible revival, the industry, its regulators and its critics draw markedly different conclusions from the Three Mile Island accident.

In Senate testimony this week, NRC Chairman Dale Klein stressed his agency's actions since the accident to tighten safety regulation across the board.

Industry leaders note that nuclear plants have logged more than 20 million hours of operations since the 1979 accident without an emergency of that magnitude. With today's higher electricity prices, the existing nuclear plants are big moneymakers, and the last thing their operators want is a prolonged plant shutdown because of safety issues, the Nuclear Energy Institute says.

Nuclear plant design requirements have been expanded and strengthened, Klein said. Control room monitors and controls have been improved. Simulators give control room operators "what if" training in emergencies. The commission has two of its inspectors working full-time at each nuclear plant. The barrage of misinformation about the Three Mile Island plant's condition, which fed public panic and compromised evacuation planning, led to the creation of the Federal Emergency Management Agency.

Other actions to protect plants followed the Sept. 11, 2001, terrorist attacks.

"Changes resulting from the accident have significantly reduced the overall risks of a future serious accident. Today, reactors are operating far more safely and reliably than ever," said Harold Denton, the retired NRC official who commanded commission operations at Three Mile Island at the peak of the crisis.

But some leading nuclear-power critics say the industry still does not go far enough to insure safe reactor operations, or troubleshoot for possible breakdowns in materials in today's aging nuclear plants.

"We think there is overconfidence on the part of the industry and NRC that has led to complacency," said Ed Lyman, senior staff scientist at the Union of

Concerned Scientists. "The absence of a severe accident doesn't tell you how likely it is that one could occur tomorrow."

"There are still surprises that are being encountered in operating reactors," he said, citing new evidence about the vulnerability of critical control wiring in the case of reactor fires. "The approach to solving this problem is creeping along at a very slow pace."

NRC and the nuclear industry "continue to make decisions based on risk assessments with incomplete knowledge," Lyman said.

Complacent regulators

Despite improved safety regulations, critics contend that there are troubling parallels between today's environment and the complacency about safety that preceded the Three Mile Island accident.

Investigations of the 1979 accident put the initial blame on the plant's four control room operators, whose frantic struggles to understand the fast-moving pre-dawn calamity still make chilling reading.

The initial "trip" of the water supply pump to the reactor was probably related to a faulty valve -- a problem that had happened at least twice prior to the accident. It was known but was not remedied, according to the Carter administration's Three Mile Island investigation headed by then-Dartmouth College President John Kemeny.

Two emergency water pumps automatically started to put more water into the reactor core, and 14 seconds into the accident, an operator noticed the pumps were running. But he did not see the control panel lights that indicated another set of valves were closed, preventing that water from flowing to the reactor. One light was covered by a maintenance tag. The other was simply missed.

As water surrounding the reactor fuel rods became superheated and steam built up, a pressure relief valve on top of the reactor (and inside the reactor's surrounding containment structure) opened as it was supposed to. But instead of closing automatically as pressure fell, it was stuck open and remained so for 2 hours and 22 minutes, draining vital cooling water inside the reactor.

Although the reactor shut down, the heat buildup was enough to melt the top of the fuel assembly. The operators did not detect that the pressure valve had failed and made no corrections. If any of these failures had been averted, the accident "would have remained little more than a minor inconvenience" for the plant owners, the Kemeny investigation concluded.

But the Kemeny panel said stopping the critique with the operators' failures would miss the larger, more systemic problem involving the industry and NRC, its regulator. The investigation said that an overmatched NRC staff could not keep up with the pace of nuclear plant construction in the 1970s prior to the accident and was critically dependent upon the nuclear power companies to monitor their own compliance with safety standards during construction.

The panel cited the case of an NRC regional inspector named James Creswell, who learned of water pump problems at the Davis-Besse reactor in Ohio in 1977. He believed it signaled a potentially serious design safety flaw in nine similar plants -- including Three Mile Island.

Creswell could not get the company or his own superiors to respond to his warnings. Finally, he took his concerns privately to Bradford and a second NRC commissioner. They met on March 22, 1979. "The Three Mile Island accident was six days away," Bradford said.

Creswell told the Kemeny investigators after the accident, "within the decision-making structure of the NRC [there is] a reluctance to come to grips with very serious safety issues." The commission was more interested in promoting nuclear power than regulating it, the panel concluded.

2002 breach at Ohio reactor

Hopes that the lessons of Three Mile Island had been learned throughout the nuclear power industry were flooded in 2002 by a potentially devastating breach of a reactor vessel at Ohio's Davis-Besse plant, the same one that had prompted Creswell's unheeded warnings three decades earlier.

This emergency was caused by extended leakage of acid-laden cooling water through cracks in a sleeve the top of the steel reactor vessel, which ate away a football-sized cavity in the vessel. It threatened the same emergency loss of cooling water that doomed Unit 2 at Three Mile Island.

The NRC staff had previously been alerted to possible boric acid corrosion issues at Davis-Besse and plants of a similar design. It notified plant operators that they would have to shut down for a safety inspection of the issue by Dec. 31, 2001, unless they had already done so.

Dominion, the Richmond-based power company, voluntarily idled two nuclear units to make the inspection, winning NRC's praise. But FirstEnergy Corp., owner of the Davis-Besse plant, "fought and clawed every inch of the way," to extend the December deadline, according to an NRC investigator's interview with a NRC inspector. The early shutdown would cause unacceptable costs, FirstEnergy said.

A NRC review body voted to overrule the inspectors, and Davis-Besse was given until mid-February 2002 to do the shutdown and inspection. "At a meeting like that, with your boss and your boss's boss presiding, it takes something to raise your hand and say, 'I think, you know, we should shut them down,'" the unnamed NRC inspector later said.

The football-sized cavity was discovered in March 2002 when the plant was finally closed for inspection, six months after the NRC staff's initial alert. A possible reactor vessel rupture could have been weeks away.

Following investigations, FirstEnergy paid a record \$33.5 million in fines to settle civil and criminal complaints. A Davis-Besse engineer and supervisor were convicted of felony charges of willfully giving NRC false information about safety inspections, receiving fines and probation.

"The real lesson of Davis-Besse or even [Three Mile Island] is that we must never get complacent," NRC Commissioner Gregory Jaczko said this month. "Neither event was thought to be probable, or significant, until the very moment when they happened."

Correction

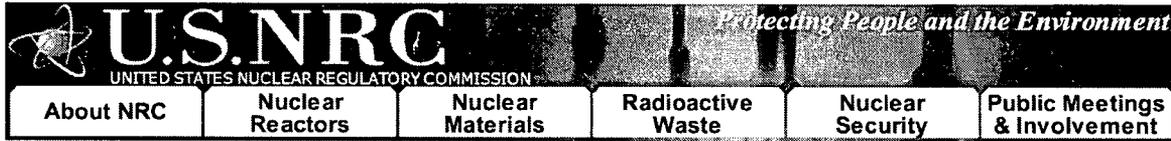
A March 27 story about the 1979 accident at the Three Mile Island nuclear plant should have said the accident began with the failure of pumps providing water to a steam generator inside the plant's containment structure that contained the reactor vessel. That led to a loss of water covering the reactor fuel, ending in a partial meltdown. A failure of a valve on the unit's pressurizer tank released radioactive steam into the containment structure. An explosion of hydrogen gas during the accident occurred inside the pressurizer tank. The article described the sequence incorrectly.

ENCLOSURE – 2

U.S. NRC Chairman Dale E. Klein
Remarks Prepared for Delivery
Goizueta Leadership Center
June 5, 2007

[Index](#) | [Site Map](#) | [FAQ](#) | [Facility Info](#) | [Reading Rm](#) | [New](#) | [Help](#) | [Glossary](#) | [Contact Us](#)

Google Custom Search



[Home](#) > [Electronic Reading Room](#) > [Document Collections](#) > [Commission Documents](#) > [Commission Speeches](#) > 2007 > S-07-019

OFFICE OF PUBLIC AFFAIRS

Office of Public Affairs
Washington, DC 20555-0001

Telephone: 301/415-8200
E-mail: opa.resource@nrc.gov

Web Site: [Public Affairs Web Site](#)

No. S-07-019

PDF Version 

NRC Chairman Dale E. Klein

Remarks Prepared for Delivery

Goizueta Leadership Center

Atlanta, GA

June 5, 2007

Thank you.

Let me open by thanking The Institute of Nuclear Power Operations—INPO, as we call it — the National Academy for Nuclear Training, and the Goizueta Business School at Emory University for sponsoring this conference.

I always begin my speeches by saying, "I am pleased to be here." But in this case, I really do mean it. I say that because I think that this conference— which is specifically designed for board members and officers of companies with nuclear electric generating assets—serves a very valuable purpose. In fact, the importance of education and training for executives in the commercial nuclear power business is one of the key subjects I want to discuss today.

All of you know, in general terms, what the NRC is and what it does... and if you don't know that yet, we are in trouble! So rather than spend a lot of time getting into specific details, we have provided copies of the NRC's Information Digest. This is a very interesting and informative publication, which I commend to your attention when you have some free time later today.

Let me begin by telling you briefly about my perspective, and what I've learned since I joined the NRC about 11 months ago. Then I want to look ahead, and touch upon five themes, or observations, that I think merit your attention as you become active in the commercial nuclear power business.

When I came to the Commission and had a chance to look around, I realized there were two areas I had to focus on. One was directed to the outside world—to the industry, of course, but also to Congress, other stakeholders, and the American people. That was the need to reaffirm the NRC's commitment to being a strong, stable, predictable regulator. I have made this point repeatedly in my public remarks. We want our licensees to have a reasonable expectation of timely regulatory decisions based on good science and high quality engineering practices. We need to be clear that we will hold our licensees accountable; but we will also articulate our requirements clearly. And frankly, given the limits on what can be accomplished in one year, I think we have done a good job of reaffirming that commitment.

The second priority I had was directed inward. At the NRC we hold our licensees up to a high standard of modern business and engineering practices, as well as technological excellence. So I thought it was important for the staff to understand that we need to do a better job of living up to a higher, more modern standard ourselves. One thing that struck me immediately was how antiquated our computing and communications technology was. I considered this a symptom of the larger need for the agency to modernize.

One of my in-house priorities, therefore, was to focus on updating the agency's infrastructure. The events of September 11, 2001, led the agency to divert resources from infrastructure improvements to higher priority security enhancements for a few years. We have now achieved a stable regulatory environment in the post 9/11 world and it is time to focus once again on infrastructure improvements. Just to illustrate how far out of step the agency had fallen on information technology, only this past year did we issue Blackberries to the senior staff. We are also in the midst of transitioning to the Microsoft Office Suite, which is today's business standard.

But these upgrades are really just a symptom of a larger need to modernize our business practices, and develop an adequately sized workforce with the proper space, training, and equipment. Given the expanded workload we are facing, in addition to ordinary employee turnover, we will have 1,200 new people at the NRC headquarters by 2009—which is nearly one-third of our

entire workforce. And once we have trained and equipped all these people, we are going to work hard to keep them.

These upgrades are expansion are critical, because of the significantly expanded workload we are facing. For instance:

- We've been told by industry to expect license applications for 27 new reactors in the next two years... and every day our Executive Director of Operations warns me to prepare for an even higher number.
- To do that, we had to create an entirely new inspection office in Atlanta.
- We are scrambling to increase our workforce by a net of 600 employees.
- We urgently need 120,000 more square feet of office space at our headquarters.
- With uranium at \$100 a pound, we are hearing from a dozen companies expressing an interest in new mining operations in the U.S.
- We are dealing with a huge increase in public inquiries from people wanting more information about the expansion of nuclear power.
- Congress has also heightened its interest in our activities and our plans.
- Our office in charge of international programs is in overdrive to deal with the fact that nuclear energy has become, in almost every respect, a multinational business.
- And all of that is on top of our regular workload of overseeing the safety of the 104 plants already operating in the U.S. and a large number of licensees using radioactive materials.

Despite that, however, I feel confident in saying that whatever bottlenecks may slow down the building of new plants, the NRC licensing process will not be one of them. That is the first theme I want to mention.

Notwithstanding the challenges I just outlined, our staff is highly professional, motivated, and dedicated. And in case you missed the announcement, we are the "Best Place to Work" in the federal government. So we will do our job, and we will do it well.

Of course, making the process work smoothly is a two-way street. That is my second topic. I have said many times in my public statements that a quality application for a Combined Operating License, license renewal, design certification or anything else takes less time to review than a bad one. Quality and clarity of submissions will equal timeliness in NRC regulatory reviews. And I should add that "high-quality" in this sense also means a complete application. Many of you will be part of the decision making process on the submission of license applications to NRC. I encourage you ask hard, probing questions about the quality of the application, because I can assure you... we will! And we would much rather have you take the extra time up front to get it right, instead of taking extra time later to respond to a formal RAI—that's a Request for Additional Information—from the NRC staff.

My third subject is something that each of the five Commissioners believe in, and have said before—which is this: owning a commercial nuclear reactor is not a business for amateurs. If the nuclear power business is treated with less than the seriousness it deserves—and people begin to think that anyone can just jump on the nuclear bandwagon—it opens up the very real danger of making the "wave" of the nuclear resurgence look more like a "bubble." And bubbles have a tendency to pop.

It is not my function as a regulator to tell industry how to manage its capital investments or construct its business models. As a regulator, however, I do have a legitimate interest in seeing that the "captains" of the nuclear energy industry have a proper appreciation for the technical, engineering, and security challenges involved in operating commercial nuclear reactors. So when I observe utilities spinning off their nuclear energy components, or see plans for changes in the ownership of nuclear power companies, I think it is worth reiterating the basic point that the nuclear energy business is in many ways unique, and should be treated as such. Highly qualified technical leadership will continue to be essential—and so it needs to be developed and maintained.

You probably have heard of Admiral Hyman Rickover, who was the father of the U.S. Nuclear Navy. One of the things Rickover was famous for was his insistence on safety, and his demand that the officers who ran nuclear-powered vessels be absolutely and thoroughly qualified. He took this so seriously, that he personally interviewed every prospective officer being considered for command of a nuclear ship. And he didn't care how much someone may have accomplished, or who he was... if you were going to command a nuclear vessel, you had take "Reactors 101."

Rickover died in 1986, but there are lot of people in this industry—like Admiral Skip Bowman who runs the Nuclear Energy Institute, or Jim Ellis of INPO—who will tell you that Rickover's influence is still felt, and his ghost still inspires a very strong safety culture, not just in the Navy, but in the civilian nuclear power industry as well. I hope that you will be inspired to share the same focused commitment to safety, training, and qualifications.

My fourth topic is actually a point that my fellow Commissioner Jeff Merrifield has made very incisively over the years, which I would like to share with all of you—and that is the self-interest you all have in working cooperatively with your counterparts in other countries.

I want to urge all of you this morning to appreciate how important this is—especially in regard to developing nations that possess nuclear technology. As you become more active in the commercial nuclear power business, I urge you to learn about important international organizations, such as the World Association of Nuclear Operators—particularly in light of the fact that nuclear energy will only become more, not less, international in the future.

Three-quarters of the world's reactors are of U.S. origin in construction or design. Therefore, a significant nuclear incident anywhere in the world would have inescapable consequences for the commercial nuclear energy sector here at home. So it seems to me that you have a bottom-line interest in helping ensure that the global expansion of nuclear energy proceeds in a way that promotes safe construction and operation.

This needs to be a priority for industry and regulators, and it is something that was discussed at length at the meeting of the International Nuclear Regulators Association I attended recently in Spain. There are some good international efforts already

under way, such as the Multinational Design Evaluation Program. MDEP, as we call it, is an effort to leverage knowledge and experience on power plant design, and promote global convergence in associated codes, standards, and regulations. In the security arena, I would like to see us move toward increased standardization in the establishment of common threat parameters, and even beyond that. But, as I said, these efforts must be a focus of both industry and regulators.

For my final topic, I would remind you of what might seem like an obvious point: Utilities need to have a communication plan... with state and local governments, and of course with the NRC. Again, it is not my place to tell you how to do this, but I think it is worth reiterating how important it is to have a clear and effective communications plan.

So I hope you will encourage your plant operators to do more than just transmit outgoing public relations messages. They need to have open, two-way channels of communications with the public, interest groups, and—most importantly—elected officials. If you don't, then mayors, governors, congressman, and other elected officials will understand nuclear plant operations and safety issues according to what they hear from the media... rather than from you.

That was topic five—which means I am done, except for this final word. I am always careful to note that as a regulator I cannot be an advocate for or against commercial nuclear energy. And while that is unquestionably true, it is also true that you and I share the same ultimate goal: the safety and security of nuclear power plants and materials.

These critical goals of safety and security require each of us to fulfill our separate but complementary responsibilities. For our part, the NRC will be a strong and independent Commission; and we will continue developing the needed framework of regulatory stability. In turn, we expect that the manufacturers, builders, and operators of current and future plants will meet their obligations to the public as well. In this way, with all of us doing our jobs, nuclear energy will continue to play a valuable role in our nation's energy future.

Thank you for your attention. I will be happy to take some questions.

NRC speeches are available through a free list serve subscription at the following Web address: <http://www.nrc.gov/public-involve/listserver.html>. The NRC homepage at www.nrc.gov also offers a SUBSCRIBE link. E-mail notifications are sent to subscribers when speeches are posted to NRC's Web site.

Privacy Policy | Site Disclaimer
Monday, December 01, 2008