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COMMISSIONER PLENARY: KRISTINE SVINICKI

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TRANSCRIPT OF PROCEEDINGS

Public Meeting

APPEARANCES

NRC Staff:

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Director, Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission

Kristine L. Svinicki
Commissioner
U.S. Nuclear Regulatory Commission

1 PROCEEDINGS

2 ERIC LEEDS: All right. Welcome back. If I can get you all to start
3 taking your seats -- thank you. All right. At this time, I'd like to introduce
4 Commissioner Kristine Svinicki. Commissioner Svinicki was sworn in for a
5 second term as a commissioner at the U.S. Nuclear Regulatory Commission this
6 past June 2012. Her first term began in March of 2008. She came to the
7 Commission from a position on the staff of the Senate Armed Services
8 Committee where she worked on issues such as nuclear defense programs,
9 nuclear security, and environmental management. Prior to her work in the
10 Senate, Commissioner Svinicki worked as a nuclear engineer in various positions
11 with the U.S. Department of Energy, both in Washington D.C. and in Idaho.
12 Before that, she was an energy engineer for the Wisconsin Public Service
13 Commission. Please join me in giving a warm welcome to Commissioner
14 Svinicki.

15 [applause]

16 COMMISSIONER SVINICKI: I brought this water over here. I was
17 watching people do that earlier. And I thought -- I actually tend to have water
18 available, but I don't use it throughout the course of my speech. But I thought I
19 could have my Marco Rubio moment.

20 [laughter]

21 Anyway, Eric could actually -- he could have some fun with us; he
22 could move it way over there so I wouldn't have to do it.

23 [laughter]

1 Thank you, Eric, for that introduction, and good morning to
2 everyone. I'm pleased to take part in this year's Regulatory Information
3 Conference. Thank you to each of you who is attending this session and to
4 those who are tuning in to our webcast. I also want to add my thanks to those of
5 everyone who's spoken before me, to the NRC employees who make this
6 conference possible. I tend to note every year that this very impressive event is
7 fueled by the hard work of the staff that are responsible for the RIC, also the
8 many NRC staff who volunteer just to facilitate and make sure that things go
9 smoothly. And as soon as this conference ends, they will begin their hard work in
10 planning for the following year. But it is their hard work and commitment to this
11 conference that make it such a success.

12 I will also acknowledge our many colleagues in attendance.
13 They're joining us from across the country and really around the world. Thank
14 you for traveling, in some cases very great distances, to be here. I also
15 acknowledge the presence of important partners from federal and state agencies.
16 The NRC has many relationships with other agencies that are so essential and
17 vital to the successful accomplishment of our mission. I want to thank you for
18 being here but also for many of you agreeing to participate and be part presenter
19 and participating in some of our technical sessions. That really adds to the
20 quality of our program.

21 I'd also like to acknowledge the presence of a number of the current
22 members of the Advisory Committee on Reactor Safeguards as well as any
23 members of the Advisory Committee on the Medical Uses of Isotopes. I want to
24 thank them for their technical contribution to the Commission's deliberations on
25 many complex matters over the course of the years. For any of you who aren't

1 aware, the Advisory Committee on Reactor Safeguards was established under its
2 current name by the Atomic Energy Commission in 1953. And it was made a
3 statutory body by Congress in 1957, with the purpose of providing an
4 independent review of the safety aspects of nuclear reactors. But the Committee
5 really began performing that same function under the name of the Reactor
6 Safeguards Committee as far back as 1947. And I'm personally and
7 professionally very grateful for the work of the ACRS, which has a history, as I've
8 just noted, stretching back further than the Nuclear Regulatory Commission itself,
9 and which continues to this day in the form of substantial contributions to the
10 advancement of nuclear safety in the United States. So I extend my thanks to
11 each of the gentlemen and one woman who now comprise the current ACRS.

12 I'd also like to acknowledge -- many of you attend the RIC every
13 year. The security personnel that you see here actually have come over from our
14 building complex to provide -- make certain that things go smoothly here at the
15 RIC. And these are the same men and women that, when you work in the
16 complex across the street -- as the chairman mentioned, we encounter these
17 individuals every day as we go about our business at NRC. And they've made a
18 commitment to making sure that our operations in that federal complex are going
19 to be secure day in and day out. And they're the kind of people that you see
20 when you come in early, or you leave late at night, or maybe they're -- you know,
21 they're on their way to their security post. And I really have not -- I've been
22 intending to, but I've not extended my appreciation to them for the work they do.
23 But they also, some of them, come over here and provide a secure environment
24 for this RIC, where we have the gathering of all these people. So I want to thank
25 each of them for that.

1 I also want to acknowledge the members of my own staff who are
2 here. And I want to thank them for their contributions to the work that I try to do
3 each and every day. So I really appreciate their efforts in support of that.

4 It's interesting now to me, you know, having another woman on the
5 Commission affects your life in ways big and small. I was trying to make a quick
6 pit stop, since I knew I was going to be speaking next. And I noticed that there
7 were all these men gathered outside the ladies room. And so I thought to myself,
8 "Oh, that's a little bit odd." But I got in there, and of course Chairman Macfarlane
9 was making a quick stop on her way somewhere else. So it's -- we got to
10 exchange a little thumbs up and, "Good job," and pep talk with each other. So
11 that was -- I really appreciate that. But it is -- I was also reminded yesterday, and
12 here I've fallen into it again just by falling this story, but Jeff Sharkey, who's my
13 chief of staff, I told him that I was challenged this year. And I wanted to prepare
14 these remarks and have something that would really add to the conference. And
15 I said, you know, "I'm just not sure that I have very many creative thoughts about
16 what to do." And he said to me, "Well, maybe something interesting will happen
17 to you in the ladies room. And I have to --

18 [laughter]

19 -- explain to you why he said that. So then he said to me, "Wasn't it
20 in San Francisco where you told a story about what happened in the ladies room
21 right before you talked?" And I said, "No, no. It was Bay City, Texas." And then
22 we realized it was both places. So --

23 [laughter]

24 I have this -- well, I mean -- but it's logical, right, because you're
25 going to make a stop if you're going to be speaking. So something tends to

1 happen to you. One time I was, I think, in San Francisco, a woman got locked in
2 her stall. It was a very dramatic thing --

3 [laughter]

4 -- to have happen, because she was calling out to me for
5 assistance. And --

6 [laughter]

7 And I needed to get into the session. But anyways, I did -- I had
8 someone else dispatched. I said, "There's a woman in the bathroom. Somebody
9 needs to go let her out." So --

10 [laughter]

11 But that wasn't today. That was in San Francisco last year. So that
12 didn't happen here. Let's see here. [laughs] I just touched my hair. I'll say this
13 other thing, is having -- so welcome to have another woman to have on the
14 Commission, is that the first year I spoke at the RIC -- you can tell I don't have a
15 lot of content for this speech, right? So I'm telling all these stories.

16 [laughter]

17 The first year I spoke at the RIC -- it's kind of -- you're in a new role.
18 And you're on the Commission and you want to do well. And you find out that
19 people can be so critical. Someone came up to a member of my staff. And if
20 you're -- if this is someone who was here, and she'll recognize that she was the
21 person who did this -- I honestly don't know who it was. And I'm sure you were
22 well motivated. But you came up to a member of my staff and you said, "Well,
23 she did all right. Commissioner Svinicki did all right. But, you know, she has this
24 tendency to touch her hair. And these things need to be corrected." And they
25 had a long list of things. And I'll -- I just will explain. What happened there is that

1 when we spoke -- although maybe the podium was a little off center or something
2 now. But -- and I was the most junior member on the Commission, so I went last.
3 And -- but when I got up there, a blower had, like, a draft coming. It went right on
4 the top of your head. And so I had this chunk of hair that kept coming and
5 interfering with my view. And I didn't have product in, which I don't, today. So --

6 [laughter]

7 I -- but, you know, then I realized -- I thought, "Why was that not
8 discovered before I went up there?" And I thought, "You know what? While I
9 have, you know, fondness for all my male colleagues, but they didn't have the
10 same problem as me."

11 [laughter]

12 So that's why. Some of them perhaps would have appreciated
13 having that kind of problem, but they didn't have that kind of problem.

14 [laughter]

15 So I [laughs] felt that, you know, aside from that person getting all
16 "judgy" on me about it, you know, I'd -- I'm like, "Well, there wasn't reason for it,
17 but I will try not to touch my hair."

18 [laughter]

19 And I'm going to try to stand up straight. [laughs] So with all of that
20 as a preamble, some of you have suggested that you expect me to tell a joke.
21 Frankly, under the heading of "things you will wish at some point you never did," I
22 told a joke my first or second year here. And then the next year, people said,
23 "You should tell another joke." So then I found that there weren't that many
24 jokes, because I wanted them to be atomic jokes. So I have these cringe-worthy
25 atomic jokes that -- I had gone through, frankly, all of them. And, you know, I

1 guess I'm cursed that I got a second term, because I'm going to have to keep
2 dealing with this. But --

3 [laughter]

4 So people said, "You have to have a joke." And people keep telling
5 me that. So -- and if you didn't want this, someone to the right or the left of you is
6 to blame for this. But by popular demand, these were the two prior jokes. And
7 people did demand this, trust me. I didn't -- I'm not just saying that. So two
8 atoms are walking down the street and one says to the other, "Hold up for a
9 second. I lost an electron." And the other one says, "Are you sure?" And the
10 first one says, "I'm positive."

11 [laughter]

12 The second joke, you know, that I found for the next year is: A
13 neutron walks into a bar, and the bartender says, "What'll you have?" And the
14 neutron says, "I think I'll have a beer. But how much is it?" And the bartender
15 says, "For you, no charge."

16 [laughter]

17 So when you go out and you search the Internet, which has
18 everything, you will find that there isn't, like, a joke about a proton or something.
19 If you all know it, you know, good on ya. But it is the 21st [sic] anniversary, and
20 we know that because we have a 25 doing a chin-up off of the acronym up there.
21 And the anniversary of the -- [laughs] this 25th anniversary, I really dug deep. So
22 prepare yourself. It's not -- I don't like it as well, but we'll go with it. So
23 Heisenberg is pulled over for speeding. And the police officer asks, "Do you
24 know how fast you were going?" And Heisenberg says, "No. But I know exactly
25 where I am."

1 [laughter]

2 Okay. So I hope I scratched that itch. And I don't now --

3 [laughter]

4 Perhaps at the 30th anniversary, although I don't think I'll be here
5 then -- at the 30th anniversary, maybe I'll find another one. So in addition to my
6 capability of telling these really bad jokes, I've also shared with a number of you,
7 and at prior RICs, that I have a strong interest in film and literature. A book that I
8 enjoyed recently was "The End of Your Life Book Club," by Will Schwalbe. It has,
9 well, a very serious theme. It's principally the narrative of a relationship between
10 a son and his mother, who's dying of cancer. But I look at it, I think, in a more --
11 brighter context. It's a book about books. And it's about people who love books
12 and the books themselves. And Will Schwalbe uses a term of saying that
13 literature really enriches our lives. And it facilitates our ability to share and
14 understand each other's experiences in what he calls, "the human conversation,"
15 which I think is a great term. But when I was done with reading the book,
16 because there's so much discussion of other books, I ended up with a very long
17 list of books that I want to read, which isn't strange in and of itself. But on that list
18 are many books that I have been intending to read for a long time.

19 And I'm sure that that happens to a lot of us. We keep some notion
20 in our minds; we keep hearing positive things about a book, and we say, "I want
21 to read that book someday." And one of the books for me that was mentioned in
22 "The End of Your Life Book Club" that falls into that category is the "Appointment
23 in Samarra." It's by the author John O'Hara. I'll reveal something about how
24 superficial my understanding of the book was, is -- based on the title, I assumed
25 that it was about, you know, the Middle East and Middle Eastern history, which is

1 an area not familiar to me. And so I knew that when you're reading about
2 something that isn't an area you're familiar with, you really have to concentrate
3 more. It's a little bit more of an effort. And so I kept putting that book into the
4 category of, you know, "I really need to get around to reading that book." But I
5 think it's going to be a kind of a hard slog. [laughs] I was listening to the
6 comedian Jim Gaffigan, who's a favorite of mine, once, and he said, "You know
7 how you had a book on your shelf, and a friend will come over and go, 'Oh, you
8 know, that's a great book, there. Have you read it?' And you'll be like, 'No.' And
9 they'll go, 'Can I borrow it?' And you go, 'No.' And then it'll be like, 'Well, when
10 did you get it?' And you're like, '15 years ago.'"

11 [laughter]

12 Then that's -- you know, I'm sure I have any number of books
13 stacked up like that. But the interesting thing that I learned, though, is that
14 "Appointment in Samarra" is about a family in the United States. And it's set in
15 the 1930s. So -- but the more interesting thing is how it gets -- where it takes its
16 title from. And it takes its title from what is -- I hadn't known this at the time -- but
17 Middle Eastern folklore or fable that's very famous. And it's been told and retold
18 over the centuries in various literary contexts. But the heart of the fable is the
19 following story.

20 There was a merchant in Baghdad who sent his servant to the
21 market to buy provisions. After a short while, the servant came back, pale faced
22 and trembling, and said, "Master, just now when I was in the marketplace, I was
23 jostled by a woman in the crowd. And when I turned, I saw it was Death that
24 jostled me. She looked at me and made a threatening gesture. Lend me your
25 horse, and I will ride away from this city and avoid my fate. I will go to Samarra,

1 and there death will not find me." So the merchant lent the servant his horse.
2 And the servant mounted it, and he dug his spurs into the horse, and he galloped
3 away as fast as he could go. Shortly thereafter, the merchant went down the
4 marketplace and he saw Death standing in the crowd. And he came to Death
5 and he said, "Why did you make a threatening gesture to my servant when you
6 saw him this morning?" "That was not a threatening gesture," Death said. "It
7 was only a startle of surprise. I was astonished to see him in Baghdad, for I had
8 an appointment with him tonight in Samarra."

9 [laughter]

10 So again, this fable is old and well known, even though I hadn't
11 been familiar with it. But it's a variation on a very classic narrative. In seeking to
12 avoid his fate, the servant has of course raced towards it or, as another saying
13 puts it, "A person often meets his destiny on the road he took to avoid it." So the
14 fundamental question is this: As we seek to avoid one consequence, do we
15 understand fully what we may create in the process? In the nuclear context, it is
16 essential to be thoughtful, to be disciplined in approaching this question, because
17 the wisdom of the ages teaches us that a person can meet his destiny on the
18 road he took to avoid it." Two years on from the sad events of March 11th, 2011,
19 our knowledge and understanding of the Fukushima event continue to grow as
20 time progresses. The NRC has continued to engage with plant operators
21 through organizations such as the Institute for Nuclear Power Operations, and
22 WANO, its global counterpart, and with the international community as reviews
23 and investigations of the accident sequence, operator actions, and command and
24 control responses continue to come into greater focus.

25 To sharpen the focus on the various responses of regulators around

1 the world, last year the 75 nations which are parties to the Convention on
2 Nuclear Safety convened the treaty's second extraordinary meeting to analyze
3 the Fukushima accident. The extraordinary meeting had two fundamental
4 purposes: first, to converge on the most important technical areas on which
5 national regulators should place their focus following Fukushima; and second, to
6 discuss measures for improving the effectiveness of the convention through
7 either amending the convention itself or its guidance documents. Although the
8 final outcomes of the extraordinary meeting are documented more formally, I will
9 characterize and paraphrase the following points as being among key themes
10 that emerged. First, a tenet of a sustainable, safe, and secure national nuclear
11 program is the establishment of a robust, effective, and independent regulator
12 which operates in an open and transparent manner. Countries are encouraged
13 to review their regulatory programs to implement the lessons learned after
14 Fukushima, and to develop regulations and other mechanisms to anticipate,
15 prevent, mitigate, and effectively respond to events in the future.

16 Second, since the events of March 2011, countries have reviewed
17 and enhanced, where appropriate, technical aspects of their regulatory
18 programs. And governments are committed to continuous safety improvement.
19 Third, the Fukushima accident has engendered the need for enhanced and
20 expanded attention to cleanup and decommissioning. Governments are
21 committed both to assisting and learning from Japan in this area. As the
22 international community continues to cooperate on these topics, three additional
23 outcomes merit consideration. First, now and moving forward there is a need to
24 normalize lessons-learned activities at the national, bilateral, and multinational
25 levels into existing regulatory frameworks and practices, to better utilize

1 resources and ensure that new insights are sustainable. Second, it is time to
2 formally recognize that the event has passed the phase of immediate crisis, and
3 lessons-learned responses now need to be prioritized with other ongoing
4 matters, no less important to safety and in some cases more so. And third,
5 strong self-assessments need to be consistently encouraged. And frank and
6 open discussion about issues, including following up on recommendations to
7 address identified weaknesses in response to the accident specific to Japan,
8 needs to occur.

9 The Japanese journalist, Yoichi Funabashi has spent the last two
10 years recording the firsthand accounts of those involved in responding to the
11 Fukushima accident, in attempting to document the full story behind his event.
12 He has published a two-volume work entitled, "Countdown to Meltdown."
13 Concurrent with the release of this published work, he has given a number of
14 media interviews which reveal the unprecedented access he appears to have
15 had to people at all levels of government and industry who were involved in these
16 events. In an interview published last week, he was asked what lessons could
17 be learned from the failure to conduct sophisticated training exercises in Japan,
18 or to have better models for the prediction of accident consequences. His reply
19 was as follows. "A true system to deal with crises has not yet been established.
20 For example, a major change might be possible if, in deciding to resume
21 operations at nuclear plants, the decision was made to permanently base
22 inspectors from the newly established nuclear regulation authority at the plants
23 and have them work together with officials of the plant operator when a crisis
24 arose."

25 "Another possibility would be to have those who would be actually

1 manning the control rooms at the plants to inspect the new operation room and
2 ask them if they would be satisfied that the changes incorporated would be
3 sufficient, even if earthquakes and tsunami led to a failure of the cooling system.
4 In the end, people will have to screen the changes proposed. Regardless of how
5 skillfully the procedure, system, and organization are put together, in the end it is
6 people who determine if those factors actually work. Those people who would
7 handle operations at the control room should be asked if they feel satisfied that
8 the changes will protect their safety and keep the plant under control. That sort
9 of thinking, of asking people who will actually use the procedures and systems to
10 screen the changes, is not currently found," he said. "Everything is about laws
11 and systems. But in the end, it is about people and leadership." His statement is
12 a powerful one and something to reflect on. While it is true that our confidence in
13 operators must be strong, we must complement this by continuing to add to our
14 fundamental knowledge of severe accident phenomenon.

15 A significant effort in this regard has been NRC's State-of-the-Art
16 Reactor Consequence Analyses, or SOARCA. NRC began this work to refine
17 our estimates of the potential health effects from severe accidents. SOARCA's
18 results are so central to our nuclear safety mission that the Commission itself
19 directed the NRC staff to develop what we labeled, "A brochure which would
20 provide a plain-language summary of SOARCA's methods, results, and
21 conclusions." This document is available of the NRC's website. In brief,
22 SOARCA's conclusions include the following. When nuclear power plant
23 operators are successful in using available onsite equipment during the accidents
24 analyzed in SOARCA, they can prevent the reactor from melting, or delay or
25 reduce releases of radioactive material to the environment. SOARCA analyses

1 indicate that all modeled accident scenarios, even if operators are unsuccessful
2 in stopping the accident, progress more slowly and release smaller amounts of
3 radioactive material than calculated in earlier studies.

4 As a result, public health consequences from severe nuclear power
5 plant accidents modeled in SOARCA are smaller than previously calculated. The
6 delayed releases calculated provide more time for emergency response actions,
7 such as evacuating or sheltering in place, for affected populations. For the
8 scenarios analyzed, SOARCA shows that emergency response programs, if
9 implemented as planned and practiced, further reduce the risk of public health
10 consequences. Both mitigated cases, where operator actions are successful,
11 and unmitigated cases, where operator actions are unsuccessful, of all modeled
12 severe accident scenarios in SOARCA cause essentially no risk of death during
13 or shortly after the accident. And finally, SOARCA's calculated longer-term
14 cancer fatality risk for the accident scenarios analyzed are millions of times lower
15 than the general U.S. cancer fatality risk. When these SOARCA results are laid
16 alongside the NRC staff's prioritization of post-Fukushima lessons learned, it is
17 clear to see how the NRC has prioritized its regulatory response to lessons
18 learned, to reflect these key SOARCA outcomes.

19 Back in 1953, U.S. Navy Admiral Hyman Rickover issued a
20 statement which many people now refer to in a shorthand way as a comparison
21 of paper reactors and real reactors. He wrote the following. "I believe that
22 confusion stems from a failure to distinguish between the academic and the
23 practical. These apparent conflicts can usually be explained only when the
24 various aspects of the issue are resolved into their academic and practical
25 components. To aid in this resolution, it is possible to define in a general way

1 those characteristics which distinguish the one from the other. An academic
2 reactor or reactor plant almost always has the following basic characteristics: it is
3 simple, it is small, it is cheap, it is light, it can be built very quickly, it is very
4 flexible in purpose, very little development is required, it will use mostly "off-the-
5 shelf" components," and, "the reactor is in the study phase. It is not now being
6 built."

7 "On the other hand," he wrote, "a practical reactor can be
8 distinguished by the following characteristics: it is being built now; it is behind
9 schedule; it is requiring an immense amount of development on apparently trivial
10 items, it is expensive; it takes a long time to build because of engineering
11 development, it is large; it is heavy," and, "it is complicated." It's interesting to
12 think that Admiral Rickover wrote those words 60 years ago. Some of these
13 issues have, of course, been worked on in the six decades. But at bottom I think
14 the fundamental friction he describes between the academic and the practical
15 underlies yet today the modern challenges for those hoping to revive and sustain
16 a nuclear renaissance, and those who must regulate it. J.K. Rowling of Harry
17 Potter fame said, "It's impossible to live without failing at something, unless you
18 live so cautiously that you might as well not have lived at all, in which case you
19 fail by default."

20 Since I began with some thoughts on fate and destiny, I wanted to
21 close with words that I think come the closest to aligning with my own view on the
22 subject matter. However, as articulated by William Jennings Bryan, he said,
23 "Destiny is not a matter of chance but a matter of choice. It is not a thing to be
24 waited for. It is a thing to be achieved."

25 I appreciate your kind attention and I value the time that we will

1 spend together over the course of this week. And wherever it may be that our
2 paths will next cross, may it not be on the road to Samarra.

3 [laughter]

4 Thank you.

5 [applause]

6 ERIC LEEDS: Thank you, commissioner. We have time for just a
7 couple questions, if you will. Thank you. As the longest tenured commissioner,
8 you've seen the industry cycle from the nuclear renaissance to being impacted by
9 cheap natural gas from fracking. How has this evolution affected the NRC staff
10 workload and its focus?

11 COMMISSIONER SVINICKI: You would think that -- and I agree
12 that I have witnessed that. And it has been quite a change in five years' time.
13 You would think that that would have a very strong correlation with the staff's
14 workload. But when you think about things like the new reactor COL
15 applications, most of those are still pending. The reviews are ongoing. And it
16 may be that the decisions most impacted would be when or if there would be a
17 decision to build, if those licenses are granted. Of course, we have the workload
18 of the post-Fukushima regulatory response. And on the material side, it's been a
19 fairly consistent kind of a workload for the other uses of nuclear material. So of
20 course, as it does for the industry and other organizations, these kinds of
21 changes make it very difficult to plan. But as a federal agency, we're looking
22 always two years out in terms of budgeting and resourcing. And I think that it
23 doesn't have as much of a whipsawing effect as you might think.

24 ERIC LEEDS: Okay, all right. Okay, the next question: We're two
25 years into the Fukushima lessons learned. What do you think of the staff and

1 industry's efforts to date?

2 COMMISSIONER SVINICKI: I think it's been an impressive effort
3 on the part of both. Again, this was an activity that people did not foresee. And
4 no one had planned for it. And I think it speaks to the quality of the staff of the
5 NRC and just the quality of the professionalism of people throughout the nuclear
6 industry, that everyone has stepped up to address the issues that arise out of
7 Fukushima. And so I -- you know, I put the efforts of those in the nuclear
8 professions up against any other industry. I think we have a lot of very
9 impressive people in this business.

10 ERIC LEEDS: Thank you, thank you. All right, the next question:
11 The U.S. benefits from a good working relationship between the Nuclear
12 Regulatory Commission, the Nuclear Energy Institute, and the Institute for
13 Nuclear Power Operations. How can regulators in other countries leverage
14 industry expertise while preserving their important role as independent, objective
15 custodians of safe nuclear power?

16 COMMISSIONER SVINICKI: I think a simple answer, what comes
17 to mind for me, is to be part of the dialogue. I didn't continue with the piece that
18 Admiral Rickover wrote. I talked about the paper reactors versus the reactors
19 being built in the real world. He -- Admiral Rickover actually goes on to
20 emphasize in the latter parts of that written statement that the most important
21 thing is those with knowledge come forward and be a part of the dialogue. And in
22 interesting parallels between 60 years ago and today, he talks about the fact that
23 there need to be technically-informed decisions, and that those who have
24 knowledge need to come forth and not let those who just feel the most strongly
25 dominate that dialogue.

1 ERIC LEEDS: Okay. One more question. I've got a number of
2 questions here that all relate back to the same root, involving cumulative effects
3 of regulation, all the activities that are going on, from NFPA 805, to GSI-191, to
4 the Fukushima action items. And just to open it up to however -- wherever you
5 want to take it, commissioner, if you could speak to the cumulative effects of
6 regulation and your thoughts on that, please.

7 COMMISSIONER SVINICKI: Okay, I -- and I did notice that this
8 was touched upon by Chairman Macfarlane also by Mr. Borchardt. Here's --
9 sounds like Forrest Gump. "Here's what I have to say about that."

10 [laughter]

11 It won't be all I have to say about it, but I'll try to be concise. He
12 says, "That's all I got to say about that." I actually had a whole Forrest Gump
13 piece in here that I dropped. Anyway.

14 [laughter]

15 That's a teaser for next year.

16 [laughter]

17 On cumulative effects, I guess I have not met anyone who does not
18 think that there are cumulative effects. On the one hand, I guess just because
19 that's a very logical statement, because when you have one thing on top of
20 another thing you have a cumulative effect. So I guess in that sense it's not very
21 interesting that no one contests that point. But I think it's deeper than that. What
22 I hear from the leadership team at NRC, members of the Commission, is an
23 acknowledgment that there is a cumulative effect of regulation. And certainly the
24 Commission, when we testify before Congress -- I know that elected officials are
25 thinking a lot about cumulative effect of regulation. So I don't have anyone who

1 comes and argues that there isn't an effect. I think it is as -- I remember crisply,
2 Bill Borchardt up here, just moments ago, saying that we -- there won't be any
3 change in the standards of needing things to be safe. And I don't think that
4 cumulative effects are about any kind of compromise or relaxation on safety.
5 What I think cumulative effects of regulation is about is let's be smart about the,
6 you know -- have some kind of safety-informed, risk-informed approach to
7 changes that are necessary. And I think it's not about any kind of a lowering of
8 standards. I think it has to do with looking at things all of a piece and saying,
9 "Are there ways that we can be smart about this and inform it properly?"

10 And I will say that because it gets to that question, and it's not just
11 about, you know, the -- whether it's a fact positive and it exists. It's a lot harder
12 when you get into that other space of saying, "Oh, it's about being smart about
13 things." I mean, that's a very easy thing to say. But then the tool sand the way to
14 really inform -- and what kind of metrics are you looking at? Some of my
15 colleagues feel that it is a very site-specific kind of a question. And there
16 certainly is a component of that. But, you know, I guess on cumulative effects, if I
17 haven't said it to folks this bluntly, I'll say it now: If you have good ideas on how
18 we can instill that kind of informing for cumulative effects, you know, my door is
19 open because I really think that if you have smart ideas -- NRC staff solicits for
20 statements of cumulative effects in our rulemaking process. That's a good first
21 step. I mean, it's modest. But it's at least something that we can do. I know that
22 if you feel burdened by cumulative effects you'll probably say it's not terribly
23 sophisticated, because all we're doing is saying, "Hey, if you have cumulative
24 effects, come tell us about them."

25 But as a regulator, that's, you know, part of what we can do, is say,

1 "I'm open to hearing what your impact statements are." But if there is some more
2 sophisticated way to approach it, I think, you know, I'm certainly ready to hear it.
3 And I think we need to keep chipping away at this problem. I think some of the
4 frustration that I've heard from Congress and others is that they feel that maybe
5 we know the answer, but we're just not bringing it forward. And I don't think that
6 that's true at all. I think that, again, to a person, every manager at NRC where
7 this has come up and we've talked about it, you know, they acknowledge that
8 there is an impact. But I think we have a shared burden to come together and
9 figure out, "What are those tools for trying to better inform this process?"

10 ERIC LEEDS: Thank you very much, commissioner.

11 COMMISSIONER SVINICKI: Okay, thank you.

12 ERIC LEEDS: Thank you.

13 [applause]

14 [Whereupon, the proceedings were concluded]