



NRC NEWS

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“Moving Safety and Security to the Front Edge of Design”

Prepared Remarks for

The Honorable Gregory B. Jaczko
Chairman
U.S. Regulatory Commission

at the

Workshop on Small- and Medium-Sized Nuclear Reactors

October 8, 2009

Good morning. I am pleased to have this opportunity to talk with the small- and medium-sized reactor community - the SMR community. Open workshops such as this are a wonderful opportunity for the NRC staff to sit down with our varied stakeholders to collectively identify technical and policy issues, and to develop a common approach to resolve those issues, with a focus on safety and security.

Before getting too far into my remarks, let me take a very brief moment to talk about NRC's role and fees. I am aware of the concerns that some in the SMR community have about NRC's fee structure.

The NRC is a regulatory agency. We license and regulate the commercial use of nuclear materials to ensure adequate protection of public health and safety, promote the common defense and security, and protect the environment. With that as our mission, the NRC does not develop or promote reactor designs, nor participate in the selection of one reactor design over another. That is the responsibility of other organizations. We are focused on safety and security of the public and environment.

By law, the NRC is required to recover about 90 percent of its budget through fees to applicants and licensees. We do this through two different types of fees: “service” fees and annual fees. Unless that requirement is changed, we must bill each applicant for the services that we provide, and we must bill each licensee for the services that we provide and our generic and other

regulatory costs. However, this does not mean that the NRC will not evaluate its fee structure to ensure that it is appropriate. Some of you may be aware that the staff has recently sought and received public comments through an advance notice of proposed rulemaking on a variable annual fee structure for power reactors.

And now, let's turn to the always-important topic of safety and security. The Commission expects that advanced reactors will provide enhanced margins of safety. Advanced reactors should use simplified, inherent, passive, or other innovative means to accomplish their safety and security functions.

As many of you know, last year the Commission published an update to our Policy Statement on Regulation of Advanced Reactors. In that policy statement, the Commission listed 14 attributes that could assist in establishing the acceptability of an advanced reactor design. I believe that it is in the public's best interest for vendors, designers, and prospective applicants to consider these attributes early in the design stage to achieve a more robust, effective safety and security posture for small- and medium-sized reactors.

In addition to considering the attributes in the Commission's Policy Statement on Regulation of Advanced Reactors, small- and medium-sized reactors vendors, designers, and prospective applicants need to evaluate current operating experience, operational issues, and long-standing technical issues that are applicable to their designs. There are significant differences among current operating reactors, new reactors, and advanced reactors, but there are also common issues. Through this workshop and future public meetings, common operational or long-standing technical issues that are applicable to small- and medium-sized reactors need to be identified so that resolution can be addressed during the design stage. The SMR community should seek out these common issues and apply any lessons learned to your work. I believe that it is in the public's best interest for vendors, designers, and prospective applicants to consider these current and long standing operational or technical issues early in the design stage to achieve a more robust, effective safety and security posture for small- and medium-sized reactors.

One licensing process lesson that we can learn, from the ongoing new reactor design certification and combined license reviews, is that timely and effective licensing reviews not only require the regulator to be ready, but it also requires the applicant to be ready. Prospective applicants, whether they are seeking a design certification, a design approval, or a combined license, need to ensure that their design is sufficiently complete to support a licensing review. The application needs to be complete when it is initially submitted to the NRC. I know that the staff plans to address this subject sometime during the next day and a half. The SMR community should give careful consideration to their advice on the importance of sufficiently completing the design and any testing needed to support the application prior to the submittal of an application.

The Commission is committed to ensuring that the NRC is ready. This workshop is just one visible indication of our commitment to ensuring that the policies, requirements, and regulatory guidance are in place to support the effective review of small- and medium-sized reactors.

In keeping with my goals for openness and transparency, I look forward to broad stakeholder involvement in NRC's activities concerning small- and medium-sized reactors. I look forward to

the SMR community working on shared, common technical and policy issues, with the goal of ensuring that small- and medium-sized reactors are designed to be safe and secure.