

Report of the International Workshop on Nuclear Safety Regulation

18th January 2012, Tokyo/Japan

1. The International Workshop on Nuclear Safety Regulation was held in Tokyo, Japan on 18th January 2012. The international organisations: the International Atomic Energy Agency (IAEA) and the Nuclear Energy Agency in the Organisation for Economic Co-operation and Development (OECD/NEA); and nuclear safety regulation organisations in France, Republic of Korea, the UK and the US participated in the workshop. From Japan, some members of the Advisory Committee for Prevention of Nuclear Accident and the related Ministries joined the workshop. The Cabinet Secretariat of Japan hosted the workshop.
2. In the Opening Session, Mr. SONODA, Yasuhiro, Parliamentary Secretary of Japan delivered opening remarks. He welcomed all the participants, announced the background and the objectives of the workshop and finally expressed his high expects for the workshop.
3. In the Session 1, Dr. CRESWELL, Leonard, Deputy Director for Nuclear New Build of the Office for Nuclear Regulation (ONR) and lead for the NEA-international mission, introduced the ONR's mission that "securing the protection of people and society from the hazards of the nuclear industry". He stressed that the ONR strives to be valued by all its stakeholders and influence the improvements in a nuclear industry to promote a culture of continuous improvement and sustained excellence in operations in an industry that controls its hazards effectively. In the UK, the independence of the regulatory authority from the influence of the government and industry is key to the process of regulation, to the industry, to the government, and to the stakeholders. In fulfilling its mission, the ONR pursues its core activities of; influencing improvement, ensuring compliance; engagement with all stakeholders; and making balanced judgments. The ONR exists to inject robust, independent, technical expert scrutiny into the utilization of nuclear energy. The ONR does not have a position on the existence on nuclear energy in the UK; however, since the government has decided to utilise nuclear energy, the ONR's role is to ensure that the nuclear industry properly discharges its responsibility for safety and security so that people and society are protected for the hazards of the nuclear industry.

4. Mr. LACHAUME, Jean-Luc, Deputy Director-General of the Nuclear Safety Authority (ASN) presented the mission, history, organisation, resources, duties and responsibilities of the ASN. He presented the ASN values of independence, competence, rigor, and transparency which guide the agency in its duties. He emphasised the importance of the transparency to the public. In fact, any person in France has the right to obtain any information that the public authorities, the nuclear licensees, the persons responsible for transport of radioactive materials or holders of such materials receive or produce. In France, the High Committee for Transparency and Information on Nuclear Safety, Local Information Committees (CLIs) and the licensees' annual public report system under the Nuclear Transparency and Safety (TSN) Act has functioned to ensure transparency. He then discussed the duties and responsibilities of the ASN which include: drafting regulations; delivering authorisations regarding nuclear installations and activities; providing controls through inspections & enforcement actions; contributing to the emergency situations response and to inform the public. The ASN purview covers the whole nuclear cycle including facilities for enrichment and fabrication, power stations, waste facilities, laboratories and research reactors, as well as, transportation packages, medical facilities and industrial plants.

5. Mr. CASTO, Charles, the Head of the Director of Site Operations – Japan and the Office of Nuclear Reactor Regulation, US Nuclear Regulatory Commission (NRC) introduced the organisational values of the NRC, namely, integrity, service, openness, commitment, cooperation, excellence and respect. He stressed the importance of independence in their safety decision making in licensing and oversight. He also pointed out that it is necessary to clearly set responsibilities of related organisations in the national response plan in case of an emergency. For regulatory oversight, he reviewed the NRC regulatory oversight programme and its significance determination process as the US approach for a predictable and open regulatory process. Additionally, he noted the NRC principles of a good regulator, (i.e., independence, openness, efficiency, clarity and reliability) to which every person in the agency is expected to perform his or her duties. He also stressed that the NRC top management supports and encourages all managers and staff to participate in an open co-operative work environment, in which diversity of opinion is valued and expected.

6. Dr. RYU, Yong Ho, Principal Researcher of the Nuclear Safety HQ of the Korea Institute of Nuclear Safety (KINS) presented the reorganisation of regulatory body in the Republic of Korea in order to ensure independence and take a holistic approach including nuclear safety, security and safeguards. The new organisation, the Nuclear Safety and Security Commission (NSSC) adopts the slogan, “Nuclear Safety and Security, Our Top Priority”. The NSSC Core Values are: excellence in regulation; independence from outside influence and pressure; transparency in regulatory process; fairness in regulatory activities; and reliability of regulatory decisions. He introduced the public confidence model and measures for increasing public confidence that are the challenges for the future. Based on the Korean experience, Dr. Ryu discussed some of the potential challenges that NSSC may encounter, such as transition change management, securing staff, and emotional separation from the former organisation. He also noted that special efforts are needed to establish regulator’s identity and role and to construct strong safety culture of regulatory body.

7. Mr. CARUSO, Gustavo, Special Coordinator of the Nuclear Safety Action Plan, Department of Nuclear Safety and Security of the IAEA summarised the experiences and IAEA lessons learned from Integrated Regulatory Review Service (IRRS) missions since 2006 in the area of Regulatory Framework, Organisation and Independence of effective regulatory systems. Regulatory independence was highlighted in detailed taking into account all its components included in the requirements and the associated conditions of the IAEA Safety Standards. Issues and good practices recognized in several regulatory organisations and structures were also presented in order to show examples taking into account the several different national arrangements. He also emphasised the contributions of the IRRS to the continuous improvements of nuclear safety regulation worldwide and he shared the up-to-date analysis and trends of the IRRS missions and follow-ups. The importance of the effective regulatory systems is addressed in the IAEA Nuclear Safety Action Plan.

8. Ms. JACKSON, Diane, Deputy Head of the Nuclear Safety Division of the OECD/NEA introduced the roles, activities membership and strengths of the OECD/NEA. She also shared the outcome of the NEA Forum on Fukushima Dai-ichi, which included a consensus on the need for international efforts to

enhance the safety of nuclear power plants, particularly in areas such as accident management, defence-in-depth, safety culture, stakeholder communication and transparency. It was also stressed that the international community of regulatory safety organisations are committed to continuous improvement in the operation of the nuclear power plants and in the regulatory authorities. Through the NEA, international activities are already in progress in areas such as crisis communication, equipment and plant siting, emergency preparedness and decontamination. She pointed out the basis for the regulatory organisation as safety focused, independent, accountable, competent, co-operative, transparent and predictable.

9. In the Session 2, Mr. KANEKO, Shuichi, Director of the Task Force for the Reform of Nuclear Safety Regulations and Organisations, the Cabinet Secretariat of Japan, shared the vision and concrete draft of Japan's reform on nuclear safety organisation and regulation. As for the basis of its reform, throughout considerations and discussions to delineate the draft, he emphasised the importance of independence and seven principles, namely, 1) separation of nuclear regulation and promotion, 2) integration, 3) crisis management, 4) human resources, 5) new nuclear regulation, 6) transparency and 7) internationality, in accordance with the recommendation from the Advisory Committee for Prevention of Nuclear Accident. He emphasised that new nuclear safety organisation, the Nuclear Safety and Security Agency (NSSA), will be clearly separated from nuclear promotion bodies and will ensure its independence through legal framework including the delegation of regulatory decision making to the NSSA Commissioner and the function of the Nuclear Safety Investigation Committee (NSIC), which monitors and reviews the regulatory activities taken by the NSSA.

10. The participants from the international organisations and nuclear safety regulation organisations jointly made the following suggestions for Japan's reform:
 - (a) Nuclear safety regulation system should be established taking national institutions, legal system and cultures into consideration, rather than merely coping foreign practices;

 - (b) Japan's reform of nuclear safety regulatory organisation can be recognised as

a great progress in terms of ensuring de jure independence due to clear separation from any undue pressure from interested parties including nuclear promotion bodies. In creating the new organisation, it is important that the culture of the new regulatory body also reflects de facto independence by the quality of its actions and regulatory decisions;

(c) Third-party validation to regulatory measures and actions, both in peacetime and an emergency, can be important for ensuring the independence and effectiveness of nuclear safety regulation organisation in its scientific decision making. In this context, the NSIC is expected to play a crucial role in Japan's new nuclear safety regulation system;

(d) It is important that the Government of Japan should immediately take a first step the reform of nuclear safety regulation in order to restore public trusts. However, this first step should not be interpreted as a goal of the reform. Moreover, it is necessary that the Government of Japan should show the effectiveness and transparency of regulation activities under the new regulation system to the public and make efforts on its continual improvements. In this context, the Government of Japan is encouraged to accept the IAEA IRRS in order to show their improvements in the regulation system internally and externally. Also, advices and suggestions by nuclear safety regulators or international organisations through several channels (e.g. international meetings including additional NEA-coordinated expert topical meetings) could be helpful.

11. In the Closing Session, Mr. SAKURADA, Michio, Deputy Director-General of the Task Force for the Reform of Nuclear Safety Regulations and Organisations, the Cabinet Secretariat of Japan, summarised the discussion and delivered closing remarks. He showed his sincere gratitude to all the participants for their participation and cooperation on the fruitful workshop.