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International Cooperation and Regulatory Perspectives:
the International Nuclear Regulators Association

by

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Good morning, ladies and gentlemen--member delegates. In my dual capacity as the Chairman of the U.S. Nuclear Regulatory Commission and as the first Chairman of the International Nuclear Regulators Association (INRA), it is my pleasure to address the Steering Committee on this auspicious Fortieth Anniversary of the founding of the Nuclear Energy Agency (NEA).

My topic today is the INRA: its goals, objectives, structure, activities, and cooperative linkages with other international bodies. Since its constitution in May 1997, I have spoken about the INRA in various fora, including the IAEA-sponsored Senior Regulators Meeting in October 1997, and last December at meetings of the OECD/NEA Committee on Nuclear Regulatory Activities (CNRA) and the Committee on the Safety of Nuclear Installations (CSNI). Therefore, as many of you have been present at these meetings, I will discuss only briefly the background of the INRA, focusing instead on what has been accomplished thus far, and what activities we plan for the future.

Background

What are the roots of the INRA? Simply put, the Association evolved from the perceived need for national nuclear regulators to have an independent, dedicated forum in which to discuss issues of mutual concern.

I believe we all agree that nuclear safety must remain the responsibility of the nation states in which the technology is utilized. However, safe nuclear electric generation and effective regulation of nuclear energy and reactor byproduct materials are topics that transcend national boundaries. The successful creation of a global nuclear safety culture requires the maintenance of an ongoing international dialogue.

In the wake of the Three Mile Island and Chernobyl accidents, increased attention focused on ensuring the highest levels of safety and security in civil nuclear programs worldwide through

cooperation and assistance activities. Nuclear operators recognized early the imperative of combining their national efforts in the cause of enhanced safety. Since the 1980s, organizations such as the Institute for Nuclear Power Operation (INPO) and the World Association of Nuclear Operators (WANO) have provided nuclear operators with an organized focus for improvements, resulting in a safer and more economical nuclear industry.

These private sector activities have been paralleled in the intra-governmental arena. Several multilateral assistance initiatives--including those addressing the safety of Soviet-designed reactors in Central and Eastern Europe, and the establishment of the Group of 24 Nuclear Safety Coordination--have been most effective when the efforts have been harmonized among donors. The Group of 7 (G-7) industrialized nations recognized the importance of nuclear safety issues, and created the Nuclear Safety Working Group (G-7 NSWG) to coordinate their assistance and cooperation activities. Under their broader charters, the OECD/NEA and the International Atomic Energy Agency (IAEA) also have established technical programs of work addressing nuclear safety. Each of these organizations continues to demonstrate the value of sharing policy and technical perspectives in the pursuit of enhancing nuclear safety culture worldwide. The Convention on Nuclear Safety (CNS) is the capstone of these governmental efforts, codifying widely held views regarding how best to achieve safe national nuclear programs. In all of these public and private initiatives, the central safety role of a technically competent, independent regulatory authority with adequate resources has been affirmed.

The existence of multiple and occasionally overlapping nuclear safety activities has prompted the formation of a growing number of multilateral and regional regulator meetings and groups. Examples of these efforts include the annual meetings of the OECD/NEA Committee on Nuclear Regulatory Activities (CNRA), the Committee on the Safety of Nuclear Installations (CSNI), and the ad hoc Heads of Regulatory Agency Meetings; the IAEA Senior Regulators Meetings; the VVER Owners' Regulatory Group; the CANDU Owners Group; and ad hoc meetings of European Union regulators. These meetings provide a valuable supplement to the mix of worldwide nuclear safety enhancing efforts. However, as a rule, these meetings (1) have taken place under the aegis of organizations with diverse mandates, (2) have been technically oriented, and (3) have not, in general, involved policy discussions among the heads of national regulatory agencies.

Senior nuclear regulators themselves have maintained informal bilateral contacts and, on an ad hoc basis, have arranged meetings to discuss issues of mutual interest, mainly within the context of meetings at the OECD/NEA and the IAEA. Prior to 1997, however, no permanent forum existed which was devoted solely to the mutual interests of senior regulators or to harmonizing their regulatory priorities.

INRA Initiative

In the Fall of 1996, a group of senior regulators meeting near Paris reached consensus on convening a working group to discuss formulating a free-standing, independent organization specifically derived from and focused on the needs of national nuclear regulatory bodies. The working group first convened in Washington in January 1997, and subsequently, in a Paris meeting in May 1997, eight regulatory body heads agreed on a Terms of Reference document that officially constituted the International Nuclear Regulators Association. The Terms of Reference were signed by the heads of national nuclear regulatory agencies from eight countries--Canada, France, Germany, Japan, Spain, Sweden, the United Kingdom, and the United States.

The Association determined its objectives to be as follows:

- To establish a forum for the most senior nuclear regulatory officials to exchange views on broad regulatory policy issues (including technical, legal, economic, and administrative issues);
- To build a global nuclear safety culture;
- To encourage the most efficient use of resources in areas of common interest;
- To work to enhance the stature of nuclear regulatory organizations worldwide;
- To seek consensus on how nuclear regulatory issues can be approached and implemented;
- To facilitate international cooperation in regulation;
- To work to advance nuclear safety through cooperation among its members, cooperation with relevant existing intergovernmental organizations (such as the OECD/NEA and the IAEA), with other national nuclear regulatory organizations, and other groups and organizations, as appropriate; and
- To identify emerging nuclear regulatory challenges.

The Association meets twice a year, hosted by its Chairman--and with participating heads of national regulatory organizations covering their own expenses of participation. The Association issues group reports and recommendations as appropriate.

Within the organizations represented, the INRA membership is held by the most senior nuclear regulatory officials. The organizational membership is based on a series of criteria related to the maturity, size and scope of the national nuclear program; the existence of a well-established, independent nuclear regulatory authority; and a commitment to the provisions of the Convention on Nuclear Safety. The initial membership of eight countries will remain stable for the first two years, while the members deliberate on the most effective methods of achieving their goals and objectives. INRA members will then reconsider the possible expansion of membership.

Key Accomplishments

What has the INRA accomplished in the three meetings held thus far? Beginning with the constituting meeting in Paris in May 1997, the Association has discussed issues significant to both national and international nuclear safety regulation. It also has provided input on topics of nuclear safety concern to the May 1998 Moscow Energy Ministerial and the June 1998 Heads of State summit of the G-7 and Russia. It also has worked to create bridges to established multilateral organizations concerned with nuclear safety. To ensure regular communication and possible future cooperation, the INRA has set out to formalize channels of communication with both the IAEA and with OECD/NEA. Finally, since disposal of radioactive waste is a topic of primary concern to INRA members, in January 1998 the Association was given a comprehensive tour of the Yucca Mountain High-Level Radioactive Waste Exploratory Studies Facility in Nevada.

Over the course of the first two meetings, each member country made a presentation on the effect on nuclear safety of trends in national electric generation. One element of particular interest was the fact that competition in the electric power industry was placing an increased emphasis on reducing costs, including some that may have a bearing on nuclear safety. As a result, the group identified several areas in which regulatory organizations might wish to give increased attention, including attention to self-assessment, with an emphasis on how to maintain and enhance technical, personnel, and financial resource capabilities necessary to assure safety in a changing industrial environment. As a corollary activity, the Association agreed to identify a set of fundamental elements in nuclear safety regulation that are common to the various regulatory systems of nuclear countries. These elements, which help to define the essential characteristics of a sound national nuclear regulatory infrastructure, would be made publicly available, as appropriate, to assist all countries in enhancing and evaluating their regulatory regimes.

Building on these discussions, and in its first opportunity to affect government policies and perspectives on nuclear safety issues, an Association Statement on “Ensuring Nuclear Safety in an Increasingly Competitive Electricity Sector” was provided by INRA members to their national representatives to the March 1998 Energy Ministerial in Moscow. The INRA contribution was reflected in the Energy Ministerial final communique. Shortly thereafter, the Association drafted a separate statement on nuclear safety for national Foreign Ministers in preparation for the May 1998 G-7/G-8 Economic Summit in Birmingham, attaching the list of key elements of nuclear safety. I am pleased to note that the Summit final communique reaffirmed the G-7/G-8 commitment to nuclear safety.

The Association members also felt it would be useful to review the different regulatory approaches of its members, focusing on how regulatory processes impact nuclear safety. Although differences exist in the history, development, current structure, and scope of responsibilities of various national nuclear regulatory bodies, as well as in the degree to which nuclear energy plays a role in any given national energy strategy, the Association members were interested in the overarching similarities among these disparate programs. This exercise has solidified for INRA members the value of sharing insights on how best to fulfill fundamental safety objectives, to meet technical and policy challenges, to ensure effectiveness as regulators, and to position these regulatory organizations for change in national and global economics. At our next meeting in January 1999, we intend to discuss further these five concepts: (1) Independence, (2) Powers and Sanctions of Regulatory Bodies, (3) Regulatory Process, (4) Internal Quality Assurance, and (5) Regulatory Effectiveness.

A third topic that members have addressed is the effectiveness of nuclear regulatory and safety assistance. Presentations by several of the INRA members illuminated the difficulties and challenges of multilateral nuclear safety assistance efforts in various areas of the world, particularly in light of: (1) limited resource short-term programs addressing long-term needs of the recipient states; (2) the disparate roles of recipient government, operator, and regulatory actors in making concrete changes to nuclear safety culture; and (3) the often conflicting assistance offered by different donor countries. This discussion was taken a step further in addressing the issue of transition from assistance to cooperation, as donor and recipient states redefine their needs and roles, and a comprehensive understanding of infrastructure, design, operation and safety oversight is gained. Pursuant to these discussions, INRA members are considering inviting regulatory representatives from the People’s Republic of China and the Russian Federation to make presentations on their nuclear programs, and to share their perspective on international nuclear safety assistance efforts.

A fourth effort by the group was conducted in the latest meeting held in July 1998, as INRA members drafted an Association statement on regulatory aspects of the Birkhofer Report transmitted to OECD Secretary-General Donald Johnston in September 1998. In brief, INRA members view the Birkhofer Report as a valuable contribution assisting NEA Member nations in forging a future role and course of action for the NEA. The Association strongly believes that the NEA should concentrate on the scientific and technological aspects of nuclear energy issues, and that it should remain a government-to-government forum where nuclear energy can be discussed in an objective manner. INRA members, as members of the OECD/NEA, hope that the agency will view this Association statement as an important element in deliberating the future of the NEA. To that end, they have requested that the NEA Steering Committee consider including the points of the INRA statement in the formulation of a Strategic Plan and, as appropriate, in the development of a Mission Statement for the OECD/NEA. I have asked Director-General Echavarri to make available to each of you a copy of the complete INRA statement.

Relationships With Multilateral Organizations

One issue of importance to the Association was how to best develop their relationships with other international nuclear bodies. While INRA members decided that, for the first two years they would not expand the membership, they agreed that relevant international bodies would be informed on a regular basis of the activities of the Association. If INRA members are to understand better their own domestic issues, they must work within the larger sphere of international energy demands and regulatory activities. This requires sharing knowledge to broaden international perspectives on nuclear issues, and to enhance a global nuclear safety culture at every opportunity.

The INRA plans to work with and to formulate cooperative relationships with the OECD/NEA, the IAEA, and other international groups as appropriate. To this end, activities will include making presentations; establishing formal and informal contact with counterpart organizations; developing protocols for cooperation; broadening the regular distribution list of INRA information; and inviting heads of non-member national nuclear regulatory organizations and key countries to select INRA meetings. This approach is intended to give the broadest possible effect to INRA discussions, recommendations and resolutions. It also prevents duplication of effort. Finally, it allows the INRA to coordinate better its activities with ongoing efforts in other fora. In short, the INRA will focus on working with, not displacing, other organizations.

To reach this goal, INRA members, at their July 1998 meeting, agreed that written arrangements with other international organizations would provide clarity and regularity in communication and cooperation. It was further agreed that these arrangements should take the form of an exchange of letters. To this end, IAEA Director-General El Baradei and I, as the current INRA Chairman, recently exchanged letters of cooperation while I was in Vienna. To establish a close working relationship with the OECD/NEA, the INRA has proposed a similar exchange of letters of cooperation.

Conclusion

The establishment of the INRA grew out of the need for senior regulators at the highest levels to have an independent forum to discuss issues of mutual concern, and to make policy recommendations to strengthen nuclear safety regulation. As a result of this effort, Association members hope to enhance the goal of global nuclear safety.

I also would like to note that, in an era of organizational change and in the face of increasing financial constraints, INRA and other like-minded cooperative efforts are especially important. Speaking as the Chairman of the U.S. Nuclear Regulatory Commission, I personally can verify that institutional downsizing, rapidly altering electric generation markets, the need to update regulatory approaches, and, in general, pressures to do more with less, are causing us to re-examine how best to maintain adequate regulatory safety programs. From discussions with many of you, I know the challenges these changes pose are a shared phenomenon. It is my sincere hope that we find in responding to national and international changes the opportunity to better harmonize our regulatory programs. Successfully responding to the transnational nature of both the nuclear industry and of public confidence in this technology will depend in great measure on reliable, transparent regulation, which in turn is served best through cooperative efforts such as that of INRA.

In closing, let me also underline the ongoing commitment of the Nuclear Regulatory Commission to provide highly qualified experts to the various NEA committees and working groups. I believe this activity helps to ensure the effectiveness of the NEA, and promotes the type of cooperative regulatory efforts that will provide confidence in the safe uses of nuclear energy.

Thank you for the invitation to speak at this session.