

Attachment

Public Comment Proposed to the Nuclear Regulation Authority
by the Federation of Electric Power Companies on February 28, 2013

Comments on the Draft Outline of the New Safety Regulatory Requirements for Light Water Reactors for Electric Power Generation

February 28, 2013

Federation of Electric Power Companies

Summary

In developing the new safety regulatory requirements, it is important to consider factors such as consistency with international standards, performance-based regulations and continuous exchanges of opinion.

Comments/Reasons

Regarding the entire draft outline of the new safety regulatory requirements for light water reactors for electric power generation [(1) design basis, (2) severe accident management measures, and (3) earthquake and tsunami]:

Electric power companies are independently taking necessary measures for upgrading safety without waiting for the new safety regulatory requirements to come into force, while rapidly taking extensive emergency safety measures to strengthen the redundancy and diversity of power sources and cooling function. In addition to securely satisfying the new safety regulatory requirements, we also intend to take extra safety measures based on our own constant efforts, since our mission of ensuring safety is a never-ending process.

In developing the new safety regulatory requirements, it is important to consider the following issues.

(1) Consistency with international standards

The additional resolution proposed by the Committee on Environment of the House of Councilors to the bill establishing the Nuclear Regulation Authority states that all possible measures should be taken to ensure “the regulatory system is consistent with international

standards and trends based on the latest scientific and technical knowledge.” Therefore, if any regulations more stringent than the current international standards are to be imposed, we think that adequacy and rationality should be stated in the document with a scientific foundation, taking into consideration the background and reasons why the relevant international standards were established. Furthermore, the adequacy and rationality of the regulations should be presented through third-party evaluations performed by experts both in Japan and abroad.

The U.S. NRC suggests five principles (“Principles of Good Regulation”) for implementing regulatory activities (independence, openness, efficiency, clarity, and reliability). The NRC describes the principle of “efficiency” as follows: Regulatory activities should be consistent with the degree of risk reduction they achieve. Where several effective alternatives are available, the option which minimizes the use of resources should be adopted, and regulatory decisions should be made without undue delay. Thus, “efficiency” is an important factor to be taken into consideration when developing the regulatory requirements to accomplish the regulatory goal.

(2) Systematic implementation of safety measures

In some cases, safety can be assured by alternative measures which are as effective as or more effective than what is required by the new safety regulatory requirements. Therefore, we consider it is more appropriate to distinguish the immediate safety measures which must be taken promptly for ensuring safety and also the mid- to long-term safety measures to further strengthen reliability and to provide a mechanism by which electric power companies can implement safety measures in a systematic way according to the priority set by each company.

(3) Performance-based regulations

We consider it is more appropriate to regard respective specifications as illustrations of satisfying the performance-based regulations and to provide performance-based safety regulations to allow electric power companies to choose the most effective measures to improve safety through their own innovative approaches, taking into consideration the actual status of the facilities and equipment at the sites. We will continue to improve facilities and operations of the nuclear power plants by ourselves under such regulatory system to enhance the safety of the plants.

(4) Communication with the electric power companies (continuous exchange of opinions)

It is stated in the IAEA Safety Standards, GSR Part 1 “Governmental, Legal and Regulatory Framework for Safety” that “the regulatory body, while maintaining its independence, shall liaise with authorized parties to achieve their common objectives in ensuring safety. Meetings shall be held as necessary to fully understand and discuss the arguments of each party on safety related issues.” However, so far the electric power companies have only been given the opportunity to communicate with the regulators concerning confirmation of facts, with no chance for deep discussions. The electric power companies have a great deal of knowledge and data based on our experience of operating nuclear power plants. We firmly believe that we can help newly establish effective safety requirements by providing our knowledge and data. Therefore, we expect the regulators to continue to communicate with the electric power companies in order to achieve the common goal of the regulators and the power companies of ensuring safety.

(5) Discussions taking into consideration nuclear security

In the new safety regulatory requirements, the introduction of special safety features in case of terrorism such as an intentional aircraft collision is examined by illustrating specifications. However, we think that how to set the standards for measures and facilities against terrorism should be discussed in closed sessions in view of nuclear security.

(6) Principle of backfitting

Electric power companies wish to effectively invest their resources in measures that reduce risk. We consider that backfitting should be performed appropriately corresponding to the risk reduction effects and urgency in order to optimize the safety improvements according to the actual status of existing facilities.

(7) Clarification of the method to verify compliance with the new safety regulatory requirements

We consider that the methods and procedures to verify the compliance of nuclear power plants in operation and shut-down statuses to the new safety regulatory requirements should be clarified in advance.