

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

+ + + + +

28th ANNUAL REGULATORY INFORMATION CONFERENCE

COMMISSIONER BARAN PLENARY

+ + + + +

WEDNESDAY,

MARCH 9, 2016

+ + + + +

ROCKVILLE, MARYLAND

+ + + + +

The Regulatory Information Conference met in the Grand Ballroom at the Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Rockville, Maryland, at 9:13 a.m., Michael F. Weber, Director of the Office of Nuclear Regulatory Research, facilitating.

PRESENT:

JEFF BARAN, Commissioner, Nuclear Regulatory
Commission

MICHAEL F. WEBER, Director, Office of Nuclear
Regulatory Research

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

C O N T E N T S

Director Michael Weber - Opening Remarks.....3
Commissioner Jeff Baran Remarks.....4
Question and Answer Session.....24

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

P-R-O-C-E-E-D-I-N-G-S

9:13 a.m.

1
2
3 MR. WEBER: Well, good morning everyone.
4 Welcome to day two of the Regulatory Information
5 Conference.

6 Welcome back for this bright, sunny day.
7 And hopefully the weather outside won't distract you
8 from focusing your attention on our sessions here today
9 in the Plenary, and also in our technical sessions this
10 afternoon.

11 You may have noticed throughout the course
12 of the week that this image will frequently show on the
13 screens. We're doing that because we want to call your
14 attention to the Second International Regulators
15 Conference on Nuclear Security.

16 Some of you may be aware that NRC and other
17 government agencies here in the United States sponsored
18 the first of those conferences back in December 2012.
19 And we've been working with our Spanish counterparts to
20 arrange and host this seminar, which will be in Madrid,
21 in Spain May 11 through 13 of 2016.

22 It's especially timely given the attention
23 that the global community has right now on nuclear
24 security. And we want to emphasize this conference to
25 your attention so that you can participate if you chose

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to do so. We would certainly encourage that. And
2 hopefully we'll see you in Madrid.

3 It is my privilege now to introduce our
4 final Commissioner Plenary. And that is a Plenary
5 address that will be given by Commissioner Baran.

6 Commissioner Baran began his service at the
7 Nuclear Regulatory Commission on October 14, 2014. And
8 his term ends in June 2018.

9 Well prior to arriving at the Nuclear
10 Regulatory Commission, Commissioner Baran worked for
11 the U.S. House of Representatives for more than 11
12 years. He most recently served as the Staff Director
13 in the -- for the Energy and Environment for the
14 Democratic Staff of the House Energy and Commerce
15 Committee.

16 And that Committee has oversight of the
17 Nuclear Regulatory Commission. So, it's important for
18 his current service that he has that experience to draw
19 from in providing oversight as one of his primary areas
20 of responsibility of the Nuclear Regulatory Commission.

21 While he worked in Congress, Commissioner
22 Baran worked on a range of NRC issues. Including new
23 reactor licensing, existing reactor oversight and
24 decommissioning, high level and low level radioactive
25 waste, and uranium mining, milling and enrichment.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 He helped to coordinate the efforts of six
2 Federal agencies, including the NRC, and two Native
3 American Tribes to clean up uranium contamination
4 present on the Navajo Reservation. He also helped
5 negotiate bills related to pipeline safety, energy
6 efficiency, hydro power, and medical isotopes that were
7 enacted with bipartisan support.

8 Commissioner Baran earned a Bachelor's
9 Degree and a Master's Degree in Political Science from
10 Ohio University, and a Law Degree from Harvard Law
11 School.

12 Ladies and gentlemen, please join me in
13 welcoming Commissioner Baran.

14 (Applause)

15 COMMISSIONER BARAN: Thanks Mike. Good
16 morning everyone. I hope everyone enjoyed the first
17 day of the RIC and arrived rested and ready for day two.
18 It's a packed schedule today.

19 Last year I talked a little about all the
20 advice I was getting for my first RIC speech. And I
21 think that all worked out fine.

22 But here's the thing, I didn't get any
23 advice at all for my second RIC speech. None. And so
24 I've been grappling with big questions like, should I
25 include a joke at the beginning of the speech?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And here's what I decided to do, here's how
2 I decided to handle this. I decided to take a Project
3 Aim approach to this question. And I did a little
4 re-baselining and determined that a joke was not vital
5 to the core purpose of my remarks.

6 (Laughter)

7 COMMISSIONER BARAN: I'm sorry. I know
8 you're disappointed. But we all have to make tough
9 choices in this Project Aim environment. And the joke
10 was on the shed list.

11 (Laughter)

12 COMMISSIONER BARAN: As I recently told
13 one of our Congressional Oversight Committees at a
14 hearing, some cuts just make sense.

15 Well, that was the plan until this morning
16 anyway. And then I saw that Darius Dixon from POLITICO
17 Pro, came through for a second year in a row with a joke
18 for me to deliver today.

19 So I thought well, that's efficient. And
20 I decided to demonstrate a little agility by throwing
21 it into my remarks. So, here it goes. Are you guys
22 ready for this?

23 That's the -- where is the enthusiasm?

24 That is --

25 (Laughter)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 COMMISSIONER BARAN: You've had too many
2 of these and now you know what you're going to get.
3 Okay, here we go.

4 A Higgs boson particle walks into a church,
5 but the preacher says, get out of here. You call
6 yourself the God particle when there is only one true
7 God.

8 The Higgs boson replies, well, if I'm not
9 here, how can you have mass?

10 (Laughter)

11 COMMISSIONER BARAN: If you like that
12 joke, thank you. If it wasn't your cup of tea, please
13 take it up with Darius. He's probably around here
14 somewhere.

15 I'm kidding of course, because of
16 Commissioner Ostendorff reminded us, I'm accountable
17 for the telling of that joke. And we appreciate that
18 Darius is on the NRC beat. He does a great job. And
19 I'm not just saying that because he's my trusted
20 supplier of nerdy jokes.

21 I also want to note that I'm wearing a pink
22 tie today in solidarity with Commissioner Svinicki. I
23 want to be clear that this tie is not fuchsia.

24 Commissioner Ostendorff isn't the only one
25 who struggles at the pronunciation of that word. In

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 fact my daughter Mia, pronounces it phasia. Now she's
2 four, and she also names some of her My Little Ponies,
3 phasia. But, I don't want that to distract from my --
4 the point I'm trying to make was just that you're not
5 alone Bill. You are not alone in that.

6 And I really didn't intend for my remarks
7 to be a Bill Ostendorff roast. But unfortunately the
8 time for that is coming sooner than I would like, with
9 his departure from the Commission at the end of June.

10 So Bill, I want to take this opportunity to
11 thank you for all you've done. And to let you know that
12 I've really enjoyed our time working together. We
13 don't always agree. But we agree quite a bit.

14 And even when we disagree, I appreciate
15 that we always have good, respectful discussions of our
16 views. Often finding common ground on a constructive
17 way forward. I really appreciate that.

18 You are a person of integrity and
19 principal, not to mention tremendous experience. And
20 your departure will be a loss for the Commission.

21 The Naval Academy on the other hand will be
22 lucky to have you back. But they'll have to wait a few
23 more months as we continue to benefit from your
24 insights.

25 During those next few months and beyond,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the Commissioner will remain focused on post-Fukushima
2 safety enhancements and lessons learned. Friday of
3 course, will mark the five years since the nuclear
4 accident at the Fukushima Daiichi plant in Japan.

5 It is a sobering reminder of the need for
6 renewed and constant vigilance by independent safety
7 regulators and power plant operators. And it is a
8 natural and appropriate time to take stock of where we
9 are.

10 I will be traveling to Fukushima later this
11 month. It will be my first trip to the site. And it
12 will probably be the most important trip I've taken
13 during my time as a Commissioner.

14 I've heard over and over again, what a
15 profound impact seeing the scene of the accident and the
16 affected areas has on people. Fellow Commissioners,
17 NRC Senior Managers, licensee executives, they all
18 leave Japan deeply affected by what they saw and heard,
19 and motivated to ensure that it never happens again.

20 In the aftermath of the Fukushima accident,
21 the Commission set a goal of completing NRC's response
22 to the accident within five years. Now that we've
23 arrived at the five-year mark, I think it's clear that
24 we've made significant progress, but still have a lot
25 of work left to do.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Licensees are implementing the NRC order on
2 mitigating strategies. That order requires plants to
3 have equipment onsite and offsite to respond to
4 beyond-design-basis events.

5 You can see that progress on the ground.
6 I've been to Arkansas Nuclear One, Dresden, Catawba,
7 North Anna, Watts Bar. And if you visit these plants,
8 you'll see a dome or other structure with equipment for
9 responding to beyond-design-basis events and uniform
10 connections for those generators, pumps and hoses.

11 This is new equipment since Fukushima.
12 And I think there's broad agreement that it will enhance
13 the ability of operators to respond to major natural
14 disasters and other potential hazards.

15 The efforts to comply with the mitigating
16 strategies order should be complete at almost every
17 plant by the end of this year. Every site should also
18 have new spent fuel pool instrumentation in place by the
19 end of the year, so that operators will have reliable
20 information on the water levels in their spent fuel
21 pools.

22 Seismic and flooding hazard reevaluations
23 are ongoing. And interim measures are being taken in
24 some cases. But we need to acknowledge that licensees
25 and the NRC staff both have quite a bit of work ahead

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of them to complete and review these seismic
2 probabilistic risk assessments and flooding analysis.

3 It's going to take a few more years to
4 finish that analytical work. And determine whether any
5 additional site-specific steps need to be taken to
6 better protect plants from earthquakes or floods.

7 The installation of severe accident
8 capable hardened vents at BWR units with Mark 1 or Mark
9 2 containments requires substantial physical
10 modifications to the plants. And will not be complete
11 until 2018 and 2019.

12 So, that's where we stand on some of the
13 most safety significant enhancements required by the
14 Commission. That's not an exhaustive discussion of
15 every step the agency has taken, but I think it
16 highlights several key elements of the Commissioner's
17 post-Fukushima activities.

18 During my time on the Commission, over the
19 last year and a half, my colleagues and I voted on
20 several Fukushima related policy and rule making
21 matters. We agreed on some of those issues. And
22 others I would have gone farther.

23 One example is NRC's treatment of Severe
24 Accident Management Guidelines, or SAMGs. Since they
25 were introduced in the late 1990s, SAMGs have been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 voluntary.

2 The Commission had to decide whether NRC
3 should include a requirement for SAMGs in the proposed
4 mitigating beyond-design basis events rule. I
5 strongly believe we should have done so.

6 In the wake of Fukushima, NRC inspectors
7 evaluated the status of SAMGs and the findings were
8 troubling. Some plants had outdated SAMGs. Others
9 had emergency responders without SAMG training.

10 The Fukushima Near-Term Task Force
11 therefore recommended making SAMGs mandatory. And the
12 NRC staff agreed. They recommended requiring SAMGs so
13 that they would be enforceable. The staff was not
14 confident that SAMGs would be maintained and effective
15 at every plant in the United States in the absence of
16 such a requirement.

17 The staff's regulatory analysis showed
18 that making SAMGs enforceable would provide a
19 substantial safety benefit. And industry told the
20 Commission that requiring SAMGs would have little or no
21 additional cost.

22 So making SAMGs an enforceable requirement
23 would have increased safety without being burdensome.
24 When I weighed the pros and cons, I concluded that the
25 proposed rule should have included that requirement.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Including the requirement in the proposed
2 rule wouldn't have represented a final agency decision
3 on whether to impose the regulatory requirement. It
4 would merely have allowed members of the public to share
5 their views on such a proposal.

6 After a strong, well supported staff
7 recommendation to propose a SAMGs requirement, I
8 thought we owed it to the public to solicit a broad range
9 of views on the merits of such a requirement.

10 I approached the Containment Protection
11 and Release Reduction rulemaking the same way. This
12 was commonly referred to as the filtered vents
13 rulemaking.

14 In this case, the staff had prepared a draft
15 regulatory basis for the rulemaking. That's the step
16 before a proposed rule. At that early stage in the
17 rulemaking, the staff thought it made sense to require
18 severe accident water addition and management, which
19 licensees were already preparing to implement.

20 But the staff planned to have the
21 independent experts on the Advisory Committee on
22 Reactor Safeguards review the draft regulatory basis,
23 and also get public comment on the document before
24 presenting it to the Commission. The Commission
25 decided to terminate the rulemaking prior to getting

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 ACRS feedback and without public comment.

2 Frankly, I think that was the wrong way to
3 go. Stakeholders were expecting a rulemaking to
4 consider a requirement for filtered vents. I think we
5 should have followed through and given the public a
6 chance to weigh in on that important question before
7 making any decisions.

8 NRC required severe accident capable
9 hardened vents back in 2013 because we learned from
10 Fukushima that venting to reduce pressure and
11 containment could be critical to safety in certain
12 accident scenarios. If we expect plants to vent in
13 these situations, it's reasonable to ask in a public
14 comment period, whether the vented radioactive gasses
15 should be filtered before being released into the
16 environment.

17 Seeking public comment is not a final
18 regulatory decision. It's an opportunity for
19 interested stakeholders to express their views, and for
20 the Agency to consider those comments in its decision
21 making.

22 Let me mention one other area where I think
23 the Agency should do more work than it has to date. And
24 that's on several of the Tier 2 and Tier 3 action items.

25 Fukushima lessons learned activities were

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 placed on a longer term track for completion in Tier 2
2 or Tier 3 based on skill set availability or the need
3 for more analysis. Not because they aren't
4 particularly significant safety issues.

5 The NRC staff and the Commission assigned
6 priority levels to these near-term task force
7 recommendations in late 2011, because they reflect
8 valuable lessons from the Fukushima accident that
9 warranted additional attention.

10 Most of the Tier 2 action items were
11 ultimately incorporated into Tier 1 efforts. But
12 several Tier 2 and Tier 3 items remain unresolved.

13 One example is an examination of the need
14 for reliable hardened vents for containment designs
15 other than BWR Mark 1 and 2s. The list of remaining
16 items also includes reevaluating external hazards other
17 than seismic and flooding hazards, such as drought and
18 extreme temperatures.

19 My view is that NRC should do a thorough
20 safety analysis of each outstanding item before
21 deciding whether any additional actions need to be
22 taken. The staff did this for some items, but I thought
23 their recent analysis was insufficient for other items.

24 We all share an interest in addressing the
25 open post-Fukushima items in a timely way. But, we need

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to ensure that they are resolved and closed after an
2 open-minded examination of the safety issues based on
3 the latest information.

4 A full analysis would not necessarily
5 result in additional regulatory requirements. But
6 when someone asks me whether we fully examined all of
7 the items identified as lessons from the Fukushima
8 accident, I want to be able to respond with an
9 unqualified yes. So I look forward to review the
10 staff's ongoing work on the remaining open items.

11 I'm very encouraged by the staff's
12 commitment to ensure the proactive and routine
13 evaluation of new external hazard information in a
14 systematic manner. I think the staff is absolutely
15 right that we need to actively seek out new scientific
16 information that may deepen and refine our
17 understanding of external hazards.

18 Periodic or continuous reassessment of
19 external hazards is crucial in light of the impacts of
20 climate change on some hazards such as flooding and
21 drought. These climate-related hazards are expected
22 to exceed historical levels in the future.

23 We simply cannot assume that the frequency,
24 intensity, and duration of these events will be static.
25 Improving our processes to better account for this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 reality, is an important Tier 3 effort that I will be
2 closely following.

3 I want to touch on a separate issue that has
4 implications for NRC's response to Fukushima. And that
5 is the question of how our regulatory analysis should
6 consider quantitative and qualitative factors.

7 We've heard a lot of concern about the
8 agency's consideration of so-called qualitative
9 factors in its regulatory analysis. I think the term
10 qualitative factors can be confusing, or at least
11 imprecise. Qualitative factors are really just
12 non-quantified benefits and costs.

13 In my view, we need to think about this in
14 the context of what we're trying to accomplish with a
15 regulatory analysis of a proposed regulatory action. A
16 basic tenant of regulatory analysis is that it should
17 examine all relevant costs and benefits, whether they
18 can be quantified or not.

19 If a benefit or cost can be adequately
20 quantified, there is obviously no need to conduct
21 further analysis of that benefit or cost. But, if a
22 benefit or cost cannot be adequately quantified, it is
23 appropriate and necessary to conduct a qualitative
24 analysis of that benefit or cost.

25 The ability to adequately quantify one or

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 two benefits clearly cannot preclude consideration of
2 other non-quantified benefits. Otherwise, the result
3 would be an incomplete or inadequate examination of the
4 true costs and benefits of a proposed regulatory action.

5 Let me put these general concepts in the
6 context of NRC's response to Fukushima. If NRC had only
7 considered the benefits that we can fully quantify when
8 determining how to respond to the accident, we likely
9 would have missed some important benefits, and probably
10 would not have taken the actions we needed to take.

11 A Fukushima type event is a very low
12 probability. So, when you run the numbers, it is
13 difficult for even common sense steps to pass a cost
14 benefit test that looks exclusively at quantified
15 benefits.

16 In fact, it's not clear that any of NRC's
17 major post-Fukushima requirements that had broad
18 support would have passed such a test. The Commission
19 required mitigation strategies and initially hardened
20 vents as necessary for adequate protection of public
21 health and safety, which is an exception to the backfit
22 rule.

23 Spent fuel pool instrumentation was
24 required under an administrative exemption to the
25 backfit rule. As a result, none of these safety

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 enhancements were subject to a cost-benefit analysis.

2 A narrow focus on quantified costs and
3 benefits probably would have resulted in NRC taking no
4 regulatory action at all after Fukushima. I don't
5 think many people believe that would have been the right
6 outcome.

7 There's nothing new or novel about
8 including a qualitative discussion of unquantified
9 benefits and costs in a regulatory analysis. Under
10 executive orders and Office of Management and Budget
11 guidance, it is well established that "a complete
12 regulatory analysis includes a discussion of
13 non-quantified, as well as quantified, benefits and
14 costs."

15 And that has been the longstanding practice
16 at NRC. Many of our security, emergency preparedness,
17 and radiation protection requirements result in
18 significant non-quantified benefits. Take security as
19 an example. No one can accurately calculate the odds
20 of a terrorist attack on a specific nuclear power plant.

21 So the benefit of having security at that
22 plant can't be precisely quantified. Does that mean
23 there is no benefit from having security at nuclear
24 power plants? Of course not.

25 Disregarding those unquantified benefits

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 isn't going to improve the rigor of a cost benefit
2 analysis. It will have precisely the opposite effect.
3 Ignoring unquantified benefits would result in a skewed
4 analysis that would almost certainly point to the wrong
5 regulatory outcome.

6 I think we intuitively know this to be true.
7 Not every regulatory decision boils down to its effect
8 on core damage frequency.

9 As Chairman Burns discussed yesterday,
10 regulating is a craft. It's not a rigid formula.
11 Defense in depth matters. Enforceability matters.
12 Public confidence matters. Those benefits cannot be
13 quantified, but they must be factored into our decision
14 making.

15 Power plant decommissioning is another
16 area where I believe we need to look beyond easily
17 quantified risks. In the last few years, five U.S.
18 reactors have permanently shut down. And three more
19 have announced plans to close in the near term.

20 When a nuclear plant shuts down, it's a big
21 deal for the company, for the employees, and for the
22 community. And it also changes the risk profile of the
23 plant and the contours of NRC's regulatory oversight.

24 But NRC does not currently have regulations
25 specifically tailored for this transition from

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 operations to decommissioning. As a result, licensees
2 with reactors transitioning to decommissioning
3 routinely seek exemptions from many of the regulations
4 applicable to operating reactors.

5 I see two main purposes for the
6 decommissioning rulemaking effort that is now underway,
7 and both are important. First, it will allow NRC to
8 move away from regulating by exemption in this area.
9 The exemption approach isn't efficient for anyone, and
10 it provides no opportunity for public comment.

11 And second, the rulemaking provides a
12 chance for NRC and all of our stakeholders to take a
13 fresh look at our decommissioning process and
14 requirements. Stakeholders have strong views about
15 important questions like the appropriate role of state
16 and local governments, whether NRC should approve a
17 post-shutdown decommissioning activities report, and
18 the appropriateness of the three general
19 decommissioning options and the time frames associated
20 with those options.

21 The rulemaking process gives us an
22 opportunity to benefit from a range of stakeholder
23 views. I don't know what the ultimate rule will look
24 like at the end of this process. But, I do know that
25 we need to thoughtfully consider the ideas presented by

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 stakeholders with an open mind.

2 Let me turn to an organizational issue that
3 is a major focus for the Commission right now, Project
4 Aim. The agency is implementing Project Aim to
5 increase our efficiency and agility, while remaining
6 focused on our core mission of protecting public health
7 and safety.

8 The goal is to implement NRC's existing
9 scope of work more efficiently, to identify any outdated
10 and unnecessary initiatives, and to adjust to declining
11 workloads in some areas. Project Aim is not about
12 relaxing regulatory oversight of licensee performance
13 and safety.

14 The NRC staff has done a tremendous amount
15 of work to generate a list of 151 proposals that would
16 reduce costs in the coming months. The Commission is
17 reviewing those now.

18 I think the vast majority of these items are
19 going to make a lot of sense. But, I'm going to take
20 a hard look at these measures to make sure that none of
21 them could compromise NRC's ability to carry out its
22 safety mission.

23 We'll also soon be considering additional
24 options for streamlining our processes and procedures
25 to allow the agency to do the same work with fewer

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 resources. We appreciate all the suggestions and
2 feedback we've received from those who work at NRC and
3 with NRC.

4 Before we turn to questions, I owe some of
5 you a thanks for your hospitality. Since last year's
6 RIC, I've had the pleasure of visiting a number of
7 operating reactors, new reactor construction sites, a
8 decommissioning site, a research and test reactor, a
9 fuel cycle facility, a low-level waste facility, and
10 materials licensees.

11 And I'm planning additional visits this
12 year. I get a lot out of every site visit, seeing
13 equipment and conditions first hand, and talking
14 directly to our resident inspectors and the workers and
15 management at the facilities.

16 So, I look forward to reconnecting with
17 many of you during this conference, and meeting with
18 some of you for the first time, either here or in the
19 field. With that, I'm happy to take any questions you
20 may have. Thank you.

21 (Applause)

22 MR. WEBER: Thank you, Commissioner. We
23 have a few questions so far. And if you have additional
24 questions, please avail yourself of the cards that are
25 being walked up and down the aisles.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 The first question builds on your remarks
2 on decommissioning.

3 COMMISSIONER BARAN: Uh-huh.

4 MR. WEBER: And it deals with your views on
5 safe store, and whether you're comfortable with NRC's
6 current policy on that topic.

7 COMMISSIONER BARAN: Well, I think -- I
8 think this is exactly the question, one of the questions
9 we've asked the public in the Advanced Notice of
10 Proposed Rulemaking. And I want to get public comment
11 on.

12 I think stakeholders have a range of views
13 on this issue. My understanding, this was obviously
14 before my time, when the regulations were initially
15 established and the 60-year time period was
16 established, the thought was that that would basically
17 allow for decommissioning to start in about 50 years
18 after shutdown.

19 And at that time, the amount of low level
20 waste would have reduced dramatically, I think by around
21 90 percent. And radiation levels would have also
22 reduced significantly, down too about maybe two percent
23 of where they were.

24 And so I think that was the technical
25 thinking at that time behind the 60-year time frame.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 We're seeing some plants now move at a much quicker pace.
2 And obviously, states and localities and people living
3 in these communities have an interest in seeing that
4 land in many cases, return to productive use as soon as
5 possible.

6 And so, I think we as an agency benefit from
7 taking a fresh look at that. Let's hear from the public
8 on this.

9 We have the Advance Notice of Proposed
10 Rulemaking out there. I believe there are questions
11 specifically on this topic in that ANPRM. And I'm
12 really interested to see what we get back from that.

13 We're also going to have next week, as I
14 think was mentioned yesterday, a Commission meeting on
15 decommissioning and the rulemaking next week. And
16 we'll be hearing from a number of state and local
17 officials, community members who are engaged on these
18 issues at the various plants that have shut down
19 recently, or are expected to shut down in the near
20 future.

21 So, I think we'll get additional feedback
22 then too.

23 MR. WEBER: And that meeting is Tuesday
24 morning with the Commission. You can tune in live and
25 watch it via web-streaming.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 A related question is your views on the
2 reliability of NRC's requirements for decommissioning
3 trusts. Are they sufficient?

4 COMMISSIONER BARAN: Well, the answer I
5 think is the same really. And this is another topic
6 that we have included in the Advanced Notice of Proposed
7 Rulemaking, and are taking comments on.

8 I know there are a lot of strong views on
9 that as well. And I think we benefit from hearing from
10 the public on that.

11 We also have to be a little bit careful on
12 that, because we have adjudications pending that are
13 related to that question. So, I'm a little bit limited
14 in what I can say on that.

15 MR. WEBER: Okay. Moving along to the
16 CPRR rulemaking.

17 COMMISSIONER BARAN: Um-hum.

18 MR. WEBER: You had some remarks on that in
19 your comments and your presentation today. The
20 questions -- there's several questions here.

21 One has to do with, didn't the Commission
22 receive an ACRS letter on the decision to end the CPRR
23 rulemaking?

24 COMMISSIONER BARAN: We did. We did
25 receive one. We received it after the decision was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 made. But we absolutely did receive an ACRS letter on
2 that.

3 MR. WEBER: Okay. And then there's a
4 related question on how do you reconcile your views on
5 the need for containment filters with the clear results
6 of the backfit analysis?

7 COMMISSIONER BARAN: Well, to be clear, I
8 hadn't reached the conclusion that filtered vents were
9 appropriate. The argument I was making or my view is
10 that at that stage of the process, that very early stage
11 in the rulemaking process, we shouldn't have taken that
12 option or any of the options off of the table before
13 getting public comment on them.

14 And you know, particularly I think that's
15 generally true. And you may have noticed that was kind
16 of a theme of my remarks. I place a lot of value on
17 getting public comment on proposed agency's actions,
18 either at the proposed rules stage or even earlier,
19 whether it's on a regulatory basis, which is most likely
20 what it would be.

21 I think there's a lot of value in that. And
22 I don't think that we have to have everything figure out
23 at the point where we get public comment on something.

24 I agree that it's important to have a well
25 baked, thought through product to put out for public

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 comment. But, it's not I think uncommon at all for
2 agencies to be exploring different possibilities of how
3 to approach an issue, having not reached obviously a
4 final conclusion. It's just the proposed rule stage or
5 even earlier in the process.

6 So, I think it's a good time to get public
7 feedback on both specific proposed regulatory actions,
8 but also the accompanying regulatory analysis. There
9 are, I think, often going to be insights that folks will
10 have about cost benefits and how we approach those in
11 a regulatory analysis. And I think we benefit from that
12 as well.

13 So, you know, I think particularly though
14 in the context of the filtered vents rulemaking, there
15 was a really clear expectation, I think, at the time the
16 Commission, and again, this was prior to when I arrived
17 at the Commission, when the Commission decided to go
18 down the rulemaking path there.

19 You know, I think there was a clear majority
20 at that time for at least taking a close look at filtered
21 vents and whether that made sense as a requirement. And
22 I think there was an expectation there for -- among our
23 stakeholders that they'd get a chance to weigh in on
24 that.

25 That there would be a proposal at some point

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that at least addressed filtered vents. And that they
2 would have a chance to weigh in on. And you know, and
3 I think it was just the wrong approach to not give them
4 that chance to weigh in on that important question.

5 It's a tough one though. Because if you --
6 once you get to the stage of weighing the pros and cons
7 there, we all faced the reality, which is a positive
8 reality, that the likelihood you would need a filtered
9 vent is very, very low.

10 It's a very low probably situation. On the
11 other hand, in the event you found yourself in that
12 situation, a filtered vent would likely have a really
13 huge impact on the amount of radioactive material
14 released.

15 So, I don't know -- I haven't reached a firm
16 conclusion about how I would come out on that. But, I
17 have reached a firm conclusion that it's something we
18 should have asked people about.

19 MR. WEBER: Okay. Here's a couple of
20 questions that pertain to quantitative and
21 non-quantitative analysis. The questioner notes that
22 quantitative analysis has generally clear
23 methodologies upon which practitioners generally
24 agree.

25 Whereas qualitative analysis can be more

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 open ended and somewhat ambiguous.

2 COMMISSIONER BARAN: Um-hum.

3 MR. WEBER: Do you have suggestions for
4 good practices that should be followed in conducting
5 qualitative analysis?

6 And then there's a similar related question
7 about incorporating non-quantifiable benefits into
8 regulatory cost benefit analysis, and what about
9 including non-quantifiable costs in those analysis?
10 Should it be a one-sided analysis? Or should it be more
11 of a balanced analysis?

12 COMMISSIONER BARAN: Absolutely. I agree
13 with that. And we should -- we need to look at both
14 quantified and unquantified costs and benefits.

15 My view is we need to be weighing all the
16 costs, all the benefits. And in an ideal world, you
17 would perhaps be able to quantify everything. I mean,
18 that would be the easiest way I think, to weigh the pros
19 and cons of a potential action.

20 But, in the world in which we actually live,
21 you can't quantify every benefit. You can't quantify
22 every cost. Although I think the quantification on the
23 cost side tends to be a little bit easier.

24 But, I would acknowledge there are costs
25 you can't quantify. We absolutely should consider

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 those in our analysis of the pros and cons of a proposed
2 regulatory action.

3 And so, going to the question of, you know,
4 do I have suggested best practices here.

5 MR. WEBER: Um-hum.

6 COMMISSIONER BARAN: Fortunately, that is
7 something that is being developed. The staff -- the
8 Commission agreed that with the staff recommendation,
9 that the guidance that we have for cost benefit analysis
10 should be updated.

11 And particularly, with respect to the
12 qualitative piece. To make sure that we're providing
13 our regulatory analysts with a good best practices
14 guide.

15 How do you evaluate the qualitative
16 factors, or how you qualitatively analyze a
17 non-quantified benefit or cost to make sure that we're
18 clear about how that's being done, we're transparent in
19 how we're identifying those, how we're weighing them.
20 And we need that transparency.

21 We need it all laid out both for the
22 decision maker, because we're going to be trying to
23 weigh the pros and cons, but also for the public and for
24 interested stakeholders. So that everyone who's
25 following a potential action can look and say okay, I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 understand how the staff came out on this.

2 They've looked at defense in depth and
3 they're weighing it in this way against the quantified
4 costs for example. So, I think we need a lot of clarity
5 on that. We need a lot of transparency.

6 It's true that for benefits and costs that
7 cannot be fully quantified, you have a challenge of how
8 to weight that. And there's no one answer to that.
9 There's no simple answer.

10 And that's really where the judgement of
11 the Commission comes in. That's why you have five or
12 four or maybe three Commissioners to weigh those pros
13 and cons in a transparent manner and come to a decision.

14 But, I think, I guess if you take something
15 from my remarks on that discussion of quantitative
16 factors and qualitative analysis of unquantified or
17 non-quantified benefits and costs, it's this. I think
18 we need to look at all the costs, all the benefits,
19 whether we can quantify them or not, and I don't think
20 we're going to get to better results by discounting
21 entire benefits just because they can't be quantified.

22 I don't think that's going to lead to the
23 right result. I think that's where you get a skewed
24 analysis.

25 MR. WEBER: Okay. Thank you.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 COMMISSIONER BARAN: Um-hum.

2 MR. WEBER: And I did not write this
3 question as the Director of Research. But, with
4 respect to plant decommissioning, is there value to be
5 obtained by collecting materials and components from
6 decommissioning plants to use in researching the
7 effects on operating plants. Particularly those who
8 seek subsequent license renewal?

9 COMMISSIONER BARAN: Hum. Do you have an
10 opinion on that? I don't have a -- I don't have a strong
11 view on that. But, I would imagine -- I would suspect
12 the answer is yes.

13 MR. WEBER: The answer is yes.

14 COMMISSIONER BARAN: Thank you.

15 (Laughter)

16 MR. WEBER: In fact, we're doing that.
17 Here's a question dealing with spent fuel storage.

18 What's your response to concerns that the
19 continued storage rule generic environmental impact
20 statement does not adequately address broad safety
21 concerns at nuclear power plants?

22 COMMISSIONER BARAN: My response is that
23 the D.C. Circuit Court of Appeals is going to decide this
24 question. I was actually -- I went to the oral
25 arguments. This case is pending before the D.C.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Circuit right now.

2 I went to oral arguments I guess a couple
3 of weeks ago. They were fascinating to watch. And
4 we'll see what the D.C. Circuit decides.

5 I think the general approach of having a
6 generic environmental impact statement makes a lot of
7 sense. I was not here for that decision. But, it's
8 clear to me that whether we landed in the right spot or
9 not, is going to be decided by the Federal courts. And
10 we'll see what they have to say on that.

11 I do think it's worth mentioning one piece,
12 which is related. Because we do get questions about
13 this. Which is, is the continued storage rule the
14 agency's endorsement of leaving spent nuclear fuel
15 onsite indefinitely?

16 And I don't think anyone views it that way.
17 And they shouldn't view it that way. This is really an
18 analysis of the safety of doing so.

19 And the agency's determination that it's
20 safe to do so, is not an endorsement for doing so. It
21 doesn't mean we think it's a good idea. I'm not aware
22 of anyone who thinks that's a good idea.

23 So, I think that's something that's worth
24 mentioning in that context, in that broader context of
25 safety.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. WEBER: Okay. And in a similar vein,
2 with an election in progress, and a new administration
3 expected in 2017, --

4 COMMISSIONER BARAN: There definitely
5 will be a new administration.

6 MR. WEBER: Yes.

7 (Laughter)

8 MR. WEBER: That's not the question
9 though. So, the question is, would you support
10 congressional funding for Yucca Mountain licensing to
11 proceed in the new administration?

12 COMMISSIONER BARAN: Well I -- I don't know
13 the answer to that question, in part because I do not
14 know what that administration will look like.

15 I can tell you that I have not supported it
16 in the past for, I think, primarily the simple reason
17 that I don't see how our licensing process, our
18 adjudicatory process could function well in the absence
19 of an applicant is committed and engaged in the process.

20 We have, I believe, 288 contentions pending
21 that would need to be addressed in an adjudicatory
22 proceeding. There may well be additional contentions
23 that would be filed.

24 And so, that is, I think clearly by far the
25 largest adjudication this agency would ever conduct.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And of course typically with an adjudicatory
2 proceeding, we have an applicant who wants the license
3 and is going to engage very seriously in what is really
4 an adversarial trial-like process.

5 And in my judgement, we don't have that here
6 right now. And in the absence of that, I don't think
7 it makes sense to seek funding for that process.

8 MR. WEBER: Okay. Beginning with the end
9 in mind, what would you like to see as the hallmark of
10 your service on the Commission?

11 COMMISSIONER BARAN: Wow. I don't know.
12 I just started. Kristine Svinicki says don't answer
13 it. And I'm going to take her advice. I'm not
14 answering it.

15 (Laughter)

16 COMMISSIONER BARAN: I'm taking a pass.

17 MR. WEBER: Perhaps your jokes for the --

18 COMMISSIONER BARAN: That's why -- I don't
19 know where I'm setting the bar. I'm going to set it
20 higher than that though.

21 (Laughter)

22 MR. WEBER: Should the NRC consider
23 requiring periodic safety reviews in accordance with
24 the International Atomic Energy Agency guidance in
25 order to more formally capture recommendations and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 evaluating newly developed approaches on external
2 hazards?

3 COMMISSIONER BARAN: Well, let me answer
4 it this way, because I address this a little bit. I do
5 think that one of the Tier 3 items we have is the question
6 of basically staying current on the science related to
7 external hazards.

8 And I think the staff recognizes that's
9 important, and I agree with them, it is a very important
10 thing. And so, the staff this year is going to be taking
11 a look at how to address that question.

12 When the Near-Term Task Force looked at it,
13 I believe they recommended a periodic, every certain
14 number of years check of external hazards, to see was
15 there new information? Did we need to reevaluate an
16 external hazard, a given external hazard at a site?

17 And what the staff's looking at is, I think,
18 potentially a better alternative. We'll see what they
19 come up with over the course of a year.

20 But they're looking at something that's
21 more akin to really continuous reassessment. And
22 that's, as I mentioned in my remarks, I think a
23 recognition of the fact that historically, the agency's
24 been very interested in new information about external
25 hazards.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 But we haven't necessarily been
2 proactively seeking it. We're not going out to find
3 actively, is there new information we should be
4 considering about the flooding hazard at a site? Or the
5 seismic hazard at a site?

6 And I think it makes a lot of sense to be
7 more proactive about that. And so then that raises the
8 question about, what's the right construct? Do we have
9 a system where every certain number of years we do a
10 formal reevaluation?

11 Or can we come up with a process that on a
12 more ongoing continuous basis, ensure that we're
13 gathering that information? Considering that
14 information and acting on it if necessary?

15 I don't know what the answer to that is. I
16 want to see what the staff comes up with. I'm
17 definitely intrigued by the idea of something more
18 continuous and ongoing, rather than something more
19 periodic.

20 Both because I think it could be
21 potentially more effective if we're able to do that
22 right, because you don't have to wait large chunks of
23 time to find out if there have been changes in science.
24 But also I think, as we're thinking about efficiency,
25 you know, one could certainly imagine if we set five or

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 ten or 15 years as the reevaluation of various external
2 hazards at every site in the country.

3 That is a significant effort. It may make
4 sense to do that. But, there may be ways to do it that
5 would be more efficient. So, I'm eager to see what the
6 staff comes up with on that.

7 I think they have been really forward
8 leaning on this in their analysis that they sent up on
9 this Tier 3 item. So, I think they're going to -- I'm
10 hopeful they're going to come up with something really
11 good there.

12 MR. WEBER: The questions keep coming.

13 COMMISSIONER BARAN: Oh, great.

14 MR. WEBER: This question deals with your
15 remarks on wanting to use the rulemaking process to
16 provide an opportunity for stakeholders to comment on
17 various proposals.

18 COMMISSIONER BARAN: Um-hum.

19 MR. WEBER: Can you point to an example
20 where, in your view, receiving those comments had a
21 significant impact on the Commission's decision making?

22 COMMISSIONER BARAN: Boy, I'm probably the
23 wrong person to ask that question to. Because I haven't
24 been here that long.

25 And in my time here, we've had a number of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 rulemakings that I've weighed in on, or been a part of
2 the decision making on. But I -- because of the nature
3 of the rulemaking process, it's a bit longer than the
4 year and a half I've been here.

5 So, I haven't seen anything from start to
6 finish on that. But, I do know just in some of the
7 rulemakings I have seen since I've been here, I've seen
8 significant modifications from proposed rule to draft
9 final rule.

10 And even I think in cases where there have
11 been significant modifications from a regulatory basis
12 to a proposed rule. And so I think that's -- I think
13 there's no question that there are times where we do
14 that, where we get a lot of good feedback on something.

15 And I think that's going to be aided by one
16 of the steps, this isn't directly a response, but maybe
17 not directly, but I want to add it. Which is a good step
18 I think the Commission took prior to my arriving, which
19 is a move towards making sure that when we put out a
20 proposed rule, we also put out proposed guidance with
21 it.

22 And that wasn't always happening
23 historically. I think the main benefit of that -- well,
24 I think there are a couple of benefits to that. I think
25 if stakeholders have an opportunity to look at the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 proposed guidance or detailed guidance at the same time
2 they're contemplating comments on a proposed
3 rulemaking, they're going to better understand where
4 the agency thinks it's heading or proposing to head.

5 And that also relates back to the cost piece
6 and our estimates of costs. I think if licensees have
7 a better understanding of what it is we're proposing to
8 require in greater detail, it's much easier for them to
9 provide us good data on well, what would that cost?

10 If folks don't know where we're heading on
11 something in sufficient detail, it's much harder to
12 gauge how much is that going to cost -- how much is it
13 going to cost to comply?

14 So, I think that's another -- I think that
15 is an improvement in the rulemaking process that we've
16 had in recent years. And it's playing out. I think
17 we'll see the benefit of that.

18 But I think it's something that's going to
19 both increase the quality of the comments with respect
20 to the substance of the proposal. But also with respect
21 to the analysis of costs and benefits of a proposal.

22 MR. WEBER: Okay. The Commission has
23 recently received the results of the Inspector
24 General's Safety Culture and Climate Survey.

25 COMMISSIONER BARAN: Um-hum.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. WEBER: And there's also been recent
2 reporting on a 2.206 Petition submitted by NRC staff
3 members. What's your view with respect to this trend?

4 COMMISSIONER BARAN: Well, I have been
5 here long enough to have benefitted on numerous
6 occasions from the thoughtful comments I've seen raised
7 in non-concurrences or in briefings where folks have
8 raised different views.

9 I don't know that I've seen a 2.206 in the
10 time I've been here. But I don't think that's
11 unprecedented either.

12 I think that we have a variety of mechanisms
13 to hear from staff who have views other than the
14 prevailing view. And I think it's just really
15 valuable.

16 There have been a number of papers we've had
17 one or more non-concurrences. Sometimes
18 non-concurrences with lots of employees on them.
19 Sometimes non-concurrences with senior managers on
20 them.

21 And I think it's been really, really
22 helpful. It has -- it forces all of us, allows all of
23 us to dig that much deeper into the paper, to really
24 understand the different perspectives people have even
25 within the agency about a proposal or a topic.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And I think we benefit hugely from that.
2 Let me give you one concrete example of that, which is
3 on one of the post-Fukushima issues. Which was
4 flooding analysis and how we were going to approach that
5 as an agency or how we were approaching that as an
6 agency.

7 And I think there was a general view that
8 the flooding reevaluations that our approach to that was
9 just going a little bit more slowly or maybe even a lot
10 more slowly than had been anticipated. That it was
11 becoming a much bigger job then maybe had been
12 anticipated when we set on that course.

13 And I think what we -- the staff was
14 struggling with this, but I think the Commission
15 struggled with it as well, which is how do we balance
16 making sure we do a rigorous analysis that needs to be
17 done, of flooding hazards at sites?

18 And how do we also make sure that this is
19 -- the process is moving in a timely manner so that we
20 get to the end result?

21 You know, if we're going to have, and I
22 don't know what, we're still in this process, but let's
23 say we had a few plants where -- that would benefit from
24 additional safety enhancements.

25 We didn't want a situation where it was just

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 years and years and years before we got to that point.
2 And so, I think there -- and there were a lot of
3 non-concurrences in that case. People had very strong
4 views in different directions on it.

5 And as we at the Commission level waded into
6 that, hearing those different views was just really,
7 really valuable. I don't know that we could have done
8 the work we did there to kind of have a constructive way
9 forward and a, you know, a slight course correction
10 there, without hearing that wide range of views that we
11 heard within the agency.

12 And you know, on the topic of the IG Survey,
13 that was one thing that I heard from that Survey that
14 really concerned me. I didn't want to hear that --
15 well, I want to hear, but I was disappointed to hear that
16 folks weren't necessarily comfortable using that
17 process or were concerned about using that process.

18 I don't want any employee at this agency to
19 feel that way. I want everyone to speak up if they have
20 a concern. It's the safety agency where safety culture
21 is incredibly important.

22 We have an open environment. And we need
23 to hear those views. If people have them and they're
24 worried about something that's happening, please avail
25 yourselves of one of the many processes we have at this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 agency for expressing that concern. Because that's
2 something, you know, we as decision makers want and need
3 to hear.

4 MR. WEBER: Good answer to conclude your
5 question and answer period. We want to thank the
6 Commissioner for his great responses.

7 (Applause)

8 COMMISSIONER BARAN: Thank you.

9 MR. WEBER: And this concludes our Plenary
10 Session. It's time for a networking break. Please
11 join us at 10:30 for the start of the next technical
12 sessions. Thank you very much.

13 (Whereupon, the above-entitled matter went
14 off the record at 10:01 a.m. and resumed at
15 10:30 a.m.)

16

17

18

19

20

21

22

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701