

**Opening Statement of the Honorable Ed Whitfield**  
**Subcommittees on Energy and Power and Environment and the Economy**  
**Hearing on “Oversight of the Nuclear Regulatory Commission”**  
**September 9, 2015**

*(As Prepared for Delivery)*

The NRC’s reputation as the “gold standard” nuclear regulator was established over the 40 years since its creation in 1975. The commission’s reliance on its principles of good regulation - independence, openness, efficiency, clarity, and reliability – are the foundation of its credibility as it protects public health and safety through licensing and regulation of nuclear power plants. This reputation was well-earned, even as the industry experienced milestone events such as the nuclear emergency at Three Mile Island and the terrorist attacks of September 11th.

However, proposed regulatory actions such as the mitigation-beyond-design-basis and the containment protection rulemaking recently threatened to deviate from these principles and potentially diminish the commission’s credibility. In fact, I had sent a letter with Chairman Upton expressing concerns over the inappropriate use of “qualitative factors” by the NRC to justify rulemakings in the absence of any quantitative cost-benefit justification. Unfortunately, we have not yet received a response from the Commission.

It was therefore encouraging that the commission recognized the need to ensure that regulatory requirements are “appropriately justified” and that the commission “adhere to its regulatory framework and uphold the principles of good regulation,” as Commissioner Ostendorff highlighted.

I also appreciate the commission’s commitment to serve as a reliable regulator by resolving actions in a timely manner. Both the NRC and the nuclear industry responded to the 2011 accident at the Fukushima plant in Japan with a robust reexamination of safety, emergency preparedness and have reinforced our confidence in the safe operation of our nuclear power plants. The commission’s direction to develop a plan to now resolve the remaining post-Fukushima recommendations is an appropriate step to providing reliability in the regulatory regime.

I am concerned about the need to appropriately align NRC’s budget and staffing levels with the organization’s workload. Over the previous ten years, NRC’s budget, staff, and backlog of licensing actions have steadily increased while the number of operating reactors and total licensing actions has decreased. These trends are troubling and are not indicative of an organization committed to efficiency. The NRC now has a number of initiatives underway to examine the cause of these trends and recommend a strategy to improve performance. I look forward to hearing how the commission will consider these efforts in an effort to improve the organization’s efficiency.

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