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September 29, 2014

The Honorable Allison Macfarlane, Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

Re: NRC SECY-14-0087

Dear Madam Chairman:

I write today on behalf of the 11,000 men and women of the American Nuclear Society to express our views on the appropriate role of "qualitative factors" in the U.S. Nuclear Regulatory Commission (NRC) regulatory decision-making process as discussed in NRC SECY-14-0087.

Nuclear power is a key part of America's energy infrastructure, enhancing grid reliability and avoiding harmful emissions from other base load electricity sources. Effective and efficient regulation of nuclear power is essential for preserving these benefits for our country. ANS believes that all government regulatory actions regarding nuclear energy, science and technology should be developed on a rigorous, scientifically sound basis, free from conjecture and unquantifiable assertions. The Society recognizes there are instances, however, when qualitative evaluations of relevant factors are appropriate to understanding the risk and cost impacts of proposed regulatory actions, especially when there is uncertainty associated with the quantitative technical information at hand. However, we believe the expanded use of qualitative factors is a dangerous road that, if traveled, could significantly undermine the Commission's credibility as an impartial regulator.

It is our understanding that SECY-14-0087 does not specifically recommend broader use of qualitative factors in Commission decision-making. Instead, it seeks to recognize the existing role of qualitative factors in the NRC's technical evaluation process and impose a more consistent and holistic framework to its consideration. If so, ANS wholeheartedly agrees with this approach.

If the Commission chooses to adopt the staff recommendations, it should be explicit in its Staff Requirements Memorandum that the NRC will continue to place the highest priority on rigorous, technically defensible, quantitative cost-benefit evaluations. Furthermore, the Commission should clarify that qualitative factors should only be considered when the costs and benefits of a particular regulatory action cannot be quantified, and not used to override an evaluation in which the net quantitative analysis results are clear. Finally, and perhaps most importantly, qualitative factors must never be used to impose subjective judgments or allow political factors to override sound technical evaluations.

The ANS strongly urges the Commission to work closely with the Advisory Committee on Reactor Safeguards (ACRS) in ensuring that its proposed methodologies for integrating qualitative factors into NRC technical evaluation are consistent with the objectives outlined above.

Please contact Craig Piercy, the ANS Washington, D.C. Representative, at (202) 973-8050 or cpiercy@ans.org, if we can be of assistance in providing additional information or answering questions. Thank you for your consideration of our views.

Sincerely,

A handwritten signature in cursive script, reading "Michael Brady-Raap".

Michael Brady-Raap
President