

Japan's nuclear regulatory reform may be easier said than done

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VIENNA (Kyodo) — Japan faced renewed pressure Monday from the International Atomic Energy Agency to review its nuclear safety regulatory system, which remains intact despite arguments that the industry watchdog is tied too closely to the ministry promoting nuclear power to effectively do its job.

Industry minister Banri Kaieda reiterated Tokyo's plan to separate its nuclear regulatory body from the industry ministry at an IAEA high-level conference in Vienna the same day, but doubts linger whether the painful experience of the recent nuclear crisis will lead to the creation of a more reliable regulatory system in the country.

Experts have said a change in organizational structure alone would be far from enough, while some people close to the nuclear business suggest it may not be easy to break the often-criticized ties between the utility industry and entities overseeing nuclear power plant safety.

In the wake of the March 11 quake and ensuing tsunami that crippled the Fukushima Daiichi power plant in northeastern Japan, the government appears serious about giving more independence to the Nuclear and Industrial Safety Agency, as it acknowledged that the current nuclear regulatory system involving NISA and other entities failed to "promptly respond to such a large-scale nuclear accident."

The pressure on Japan to deal with the issue is growing from the international community, with IAEA chief Yukiya Amano stressing at the outset of the five-day IAEA ministerial meeting on nuclear safety that regulators must be "genuinely independent."

In his speech, Amano also said that the U.N. nuclear watchdog would like to hold a regulatory review mission in Japan next year as a follow-up to the 2007 mission, marking a rare announcement for the IAEA, which would normally wait for a country's consent for such a mission, according to a NISA official.

From the time Japan created NISA in the Ministry of Economy, Trade and Industry in 2001 as part of the reorganization of government ministries, doubts about its independence have repeatedly been voiced within the country and also by the IAEA.

An IAEA report in 2007 said that responsibilities of various government entities involved in nuclear safety, such as NISA and another oversight body, the Nuclear Safety Commission, "seem intertwined" and recommended that the role of NISA and the NSC be "clarified," especially in producing safety guidelines. But substantial actions were not taken in response to the advices.

Under the current system, NISA is tasked with ensuring the safety of nuclear power plants and issues licenses for installation of the plants after examining the site and structure. The NSC of the Cabinet Office double-checks NISA's work and makes recommendations to regulatory bodies in the name of the prime minister.

NISA has called itself a “special institution” effectively independent from the industry ministry, but critics have often pointed to the closeness of the two organizations, as demonstrated by the fact NISA’s Director General Nobuaki Terasaka has long served as the ministry’s bureaucrat and incumbent vice industry minister Kazuo Matsunaga is a former NISA chief.

The ministry has also apparently shared cozy ties with utility companies, with a recent survey finding about 70 former elite bureaucrats assuming executive posts at electricity suppliers after retiring from the ministry over the past 50 years.

“It is a clear international trend to separate the regulator and the promoter (of nuclear energy), but Japan has lagged behind,” Hideyuki Ban, co-director of the Citizens’ Nuclear Information Center, an antinuclear power group, said.

He said that it would be “a very good thing” if the Japanese government would finally move ahead with separating NISA from the ministry and that the fact that Kaieda made Japan’s regulatory reform an “international pledge” by speaking about it during the IAEA ministerial meeting added further weight to the plan.

Kaieda bluntly admitted during a press conference in Vienna that Japan failed to “appropriately make use of the IAEA’s advice” made in relation to Japan’s regulatory system and that it was “extremely regrettable” that NISA was not separated earlier.

The minister also said 2012, when the IAEA is scheduled to conduct a review mission, would be “one target date” for carrying out the envisioned reform in Japan.

But Hideaki Shiroyama, a University of Tokyo professor specializing in nuclear regulation, stressed that, besides being “independent of something,” it is important to secure enough competent regulators for the envisioned unified regulatory entity.

Noting that people who have expertise on nuclear power in Japan are often those who have worked at nuclear reactor makers or utility firms, Shiroyama said, “Being a technician and looking at the overall situation as a regulator requires a different type of ability.”

“We have to think about developing regulators, the career patterns for them and to create an environment in which they can work with pride. That’s going to be the big challenge in the future.”

Meanwhile, some people well versed in the nuclear industry are skeptical that the nuclear safety regulatory system will ever truly be reformed.

A stronger regulatory framework could cause a backlash from utilities, said a 56-year-old engineer who is working at a company making products used for nuclear reactors. “I think it is difficult to create an effective system because it is a matter of conflicts of interests.”

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* <http://mdn.mainichi.jp/mdnnews/news/20110622p2g00m0dm024000c.html>