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Tug of war begins over new nuclear regulatory agency

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While the government wants to establish a new organization to regulate nuclear energy issues, bureaucratic turf fighting is delaying an agreement on what form that new agency should take.

The **sloppy handling of the accident at the Fukushima No. 1 nuclear power plant led to criticism of the Nuclear and Industrial Safety Agency** as a nuclear regulator. **Subsequent reports that NISA officials were involved in efforts to manipulate public opinion about nuclear energy** has led the public to lose trust in the agency.

Its current position within the Ministry of Economy, Trade and Industry, which is in charge of promoting nuclear energy, has led to criticism that NISA was too lenient toward power companies.

In explaining a draft proposal for the new regulatory agency, Goshi Hosono, the state minister in charge of handling the nuclear accident, said on Aug. 5, "By separating the new agency from METI, we will divide the functions of regulation and usage and create an organization that is capable of dealing with crisis management, including measures to deal with terrorism."

A major function of NISA is to conduct periodic inspections of nuclear power plants. However, the agency has promoted regulatory measures in line with METI's policy of seeking increased usage of nuclear plants by, for example, lengthening the period in which continuous operations are possible by reducing the frequency of periodic inspections and stressing to local governments the safety of the power plants.

Under the proposed reorganization, **not only will NISA be separated from METI, but it would also be merged with the Nuclear Safety Commission of Japan as well as the departments in the science and technology ministry that handle regulation of nuclear power plants to create a stronger agency.**

The new agency would be an **independent body under the jurisdiction of either the Environment Ministry or the Cabinet Office.**

However, there is yet no agreement on which agency should oversee the new regulatory agency because there are advantages and disadvantages to placing the regulatory body under either agency.

After the Chernobyl nuclear accident in 1986, and the detection of soil contaminated with radiation in Germany, the agencies handling environmental administrative matters and nuclear regulation were merged to form the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety.

In Japan, the proposed nuclear safety agency would also handle bringing the Fukushima nuclear accident under control as well as the future decommissioning of nuclear reactors.

If the agency was placed under the Environment Ministry, there are expectations for a synergistic effect because the ministry already handles various environmental regulation matters.

However, officials have raised doubts about the Environment Ministry's ability to coordinate policy among various ministries **in a time of crisis management.**

The **Cabinet Office, on the other hand, is seen as better capable of crisis management since various functions are already combined under the agency and coordinating policy has long been considered a strong point.**

However, the Cabinet Office does not directly hire new bureaucrats out of universities. If a state minister in charge of the new regulatory agency was also to be named, laws would have to be revised and that would require further coordination between the ruling and opposition parties.

Under the proposal, two points being emphasized about the new agency is **its independence and ability to handle crisis situations.**

Referring to NISA, Hosono said, **"Officials had a weak sense of crisis management in handling the nuclear accident and there was insufficient cooperation with the Self-Defense Forces, police and firefighters."**

Under Hosono's proposal, a state minister in charge specifically of nuclear regulation would be appointed to allow for quicker decision-making.

A major problem facing the new agency is securing the personnel needed to carry out its duties.

Under the proposal, the Japan Atomic Energy Agency, which handles the inspection of nuclear facilities and is also in charge of the Monju fast-breeder reactor, would remain in the science and technology ministry due to strong pressure for such a move from ministry officials.

However, Kenji Sumita, professor emeritus of nuclear engineering at Osaka University, said, "They should merge all necessary agencies, including those handling radiation medicine and research institutions, in order to concentrate personnel in one organization."

(This article was written by Hidenori Tsuboya and Jin Nishikawa.)