

PREPARED STATEMENT OF STEPHEN G. BURNS

Senate Committee on Environment and Public Works

September 9, 2014

Chairman Boxer, Ranking Member Vitter, and members of the Committee, I want to thank you for this opportunity to appear today before the Committee on Environment and Public Works. I am honored to have been nominated by President Obama to serve as a Commissioner on the Nuclear Regulatory Commission (NRC) and, if confirmed, I pledge that I will dedicate myself to the critical safety and security mission of the agency and to cooperate with the Committee in fulfilling its important oversight role.

I want to thank my family, particularly my wife Joan and my children Christopher and Allison, for their support and encouragement as I appear before you today. I want also to express my appreciation to former colleagues with whom I worked over the years at the NRC who have extended their best wishes on my nomination.

My professional life reflects a tradition of public service in my family that goes back to my grandfather, a volunteer fireman in White Plains, New York, and my father who served as a career officer in the U.S. Army and who, after retiring from the military, served local governments in Westchester County, New York, and in Massachusetts. I learned from my father the importance of integrity and honesty in carrying out one's responsibilities, and I have tried to incorporate those values in whatever position I have been assigned.

As you may know, I retired as a career employee at the NRC in 2012 before taking on my current post at the Organisation for Economic Co-operation and Development's Nuclear Energy Agency (NEA) in Paris. I joined the NRC in 1978 as attorney in the agency's honors program after receiving my law degree from George Washington University and my baccalaureate degree from Colgate University in New York. I was provided tremendous opportunities as a young lawyer to work with NRC technical staff on a number of critical issues facing the agency, such as the implementation of safety improvements identified after the Three Mile Island accident and enhancements to NRC's enforcement and investigations programs. An important experience for me was my on-site support to an NRC incident investigation team in its evaluation of the loss of feed-water incident at the Davis-Besse plant in 1985, one of the most significant operational events after the Three Mile Island accident. These early years at the agency taught me the importance of good communication and cooperation with the NRC staff to support the NRC's mission.

From 1986-1991, I served on the staff of Commissioner and then Chairman Kenneth M. Carr, a retired Navy Admiral who had served on the USS Nautilus, the first nuclear submarine, and who had later commanded the Atlantic submarine fleet. As his legal advisor and later chief of staff during his chairmanship, I was deeply involved in the efforts to adopt the licensing reform proposals that are now being applied to new reactor licensing under NRC regulations,

including combined operating licenses, as well as to adopt the maintenance rule and establish a framework for the license renewal.

After Admiral Carr's term ended in 1991, I was selected to head the new Office of Commission Appellate Adjudication, which the Commission had established to assist it in taking more direct responsibility for appeals in agency adjudications involving licensing and enforcement matters. In organizing the new office, I focused on establishing a process that would allow the Commission to reach timely decisions in adjudicatory matters.

I returned to the Office of the General Counsel in 1994 as Associate General Counsel and also served as the Deputy General Counsel from 1997 - 2009. In these positions, I was the senior counsel to the Executive Director for Operations and managed the legal staff responsible for providing advice on licensing and enforcement actions, personnel and contracting matters, and representing the NRC staff in agency adjudications. I served on a number of agency task forces on significant issues such as the initial implementation of the agency's license renewal process and assessing nuclear security in the wake of the September 2001 terrorist attacks.

The Commission approved Chairman Dale Klein's appointment of me as General Counsel in 2009. As General Counsel I managed a staff of some 110 employees who provided legal services across the entire range of agency activities and who represented the NRC in the federal courts. I was mindful of the responsibility to support all Commissioners in carrying out their duties. I always sought to ensure that my advice reflected due consideration of the relevant legal principles, statutes, and precedent.

I retired from the NRC in 2012 after nearly 34 years of service to assume my current position as Head of Legal Affairs at the NEA. My current duties include providing legal support to joint research projects on nuclear safety, supporting the contracting parties to the Paris Convention on third party nuclear liability, publishing a semi-annual journal on nuclear law, and conducting educational programs on nuclear law. For example, over the past two weeks I participated in the annual International School of Nuclear Law, a two-week course hosting nearly 60 participants from about 40 countries to cover the fundamental legal principles necessary for the safe and secure use of radioactive material and operation of nuclear installations.

During my work at the NEA, I have noted the tremendous esteem in which the international community holds the NRC and its staff. If confirmed, I commit to working with my fellow Commissioners to ensure that this respect continues to be well-deserved. I believe my prior experience at the NRC and in the international field has prepared me well to undertake the duties of Commissioner. I have developed a deep appreciation of the need to effectively integrate scientific, engineering, and legal principles in carrying out the agency's responsibilities. I have enormous respect for the dedicated work of the NRC staff in accomplishing the NRC's mission, I understand the importance of ensuring the strength and integrity of the institution to carry out its mission, and I am committed to the goals articulated

in the NRC's Principles of Good Regulation – independence, openness, efficiency, clarity and reliability.

Thank you again for the opportunity to appear before you and I would be pleased to answer your questions.