

Nuclear Regulatory Commission report demonstrates serious need for nuclear industry whistleblowers

April 15, 2011

In light of the catastrophic nuclear incident following Japan's recent earthquake, a public conversation has renewed itself regarding the safety of nuclear power both at home and abroad. Between competing voices as to the appropriate role of nuclear power in the U.S. energy industry, common ground can be found in recognizing that all U.S. citizens are safer when nuclear plant employees are empowered to speak up and blow the whistle on unsafe conditions and procedures in their workplace. Sadly, however, a work environment that values open discussion is far from the norm in the nuclear power industry. A recent report by the Nuclear Regulatory Commission's Office of Inspector General brought to light, among other things, a general reticence among nuclear power plant operators to blow the whistle on substandard safety practices. Specifically, the NRC Audit Report indicated that nuclear plant operators fail, *in the majority of instances*, to self-report to the NRC instances of safety-related component failure that could have serious implications of the integrity of a nuclear power plant. Such self-reports are required by federal law. It appears that the reluctance of employees to blow the whistle stems in part from their fear of retaliation, as employees remain convinced that speaking out would endanger their livelihoods and professional standing. This unsustainable situation demonstrates the need for nuclear plant employees to feel free to raise safety concern without fear of retaliation.

[David J. Marshall](#), an attorney at Katz, Marshall & Banks, LLP, who specializes in the representation of whistleblowers in the nuclear industry, noted that "the NRC's Audit Report provides striking empirical evidence of the degree to which important safety-related concerns go unreported in the nuclear power industry. These unreported concerns implicate the safety of all Americans, and recent events in Japan have shown the catastrophic consequences that can accompany the failure of nuclear power plant safety systems. We applaud the NRC Office of Inspector General for examining these issues and urge the NRC to place additional attention on addressing whistleblower retaliation in the nuclear power industry."