

December 15, 1999

COMMISSION VOTING RECORD

DECISION ITEM: SECY-99-268
TITLE: FINAL RULE -- AP600 DESIGN CERTIFICATION

The Commission (with all Commissioners agreeing) approved the subject paper as noted in the Affirmation Session and recorded in the Affirmation Session Staff Requirements Memorandum (SRM) of December 15, 1999.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission, and the Affirmation Session SRM of December 15, 1999.

Annette Vietti-Cook
Secretary of the Commission

Attachments: 1. Voting Summary
2. Commissioner Vote Sheets
3. Final SRM

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR
DCS

VOTING SUMMARY - SECY-99-268

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MESERVE	X				X	12/8/99
COMR. DICUS	X				X	12/3/99
COMR. DIAZ	X				X	12/6/99
COMR. McGAFFIGAN	X				X	11/19/99
COMR. MERRIFIELD	X				X	11/29/99

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the Commission affirmed the final rule as noted in the Affirmation Session and reflected in the Affirmation Session SRM issued on December 15, 1999.

Commissioner Comments on SECY-99-268

Chairman Meserve

I approve the NRC's amendment of its regulations to certify the AP600 standard plant design. I also approve the staff's recommendations (1) to publish the Final Rule for the AP600 Design Certification in the Federal Register; (2) to approve the final environmental assessment; and (3) to certify that the

rule, if promulgated, will not have a negative economic impact on a substantial number of small entities. I concur in Commissioner McGaffigan's commendation of the staff for their accomplishments in the AP600 design certification review.

Commissioner Dicus

I join with my fellow Commissioners in commending the staff for a job well done.

Commissioner Diaz

I approve the staff's recommendation to publish the final rule that will amend [10 CFR Part 52](#) to certify the AP600 standard plant design. I also approve the final environmental assessment. The staff is to be commended for its thorough and timely review of this application.

As it did in the proposed rule published in the Federal Register (64 FR [EXIT](#) 27626), the staff should discuss in the supplementary information that Section VIII.B.5 (the 10 CFR 50.59-like change process) may be revised in the future as part of the Part 52 rulemaking. This future revision should make the change process for Part 52 compatible with the recent revisions to [10 CFR 50.59](#).

Commissioner McGaffigan

I approve the staff's recommendation to publish the Final Rule for the AP600 Design Certification and commend the staff and the ACRS for their efforts both in completing a sound technical review and also in accomplishing their review in a timely manner that supports stakeholder needs.

Commissioner Merrifield

I approve the staff's recommendation to publish the Final Rule that would amend 10 CFR Part 52 to certify the AP600 standard plant design. I commend the staff for their thorough and timely review of this application.