



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 1, 2013

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-13-0070

TITLE: STATUS REPORT ON POWER UPRATES

The Commission acted on the subject paper as recorded in the Staff Requirements Memorandum (SRM) of August 1, 2013.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", written over a horizontal line.

Annette L. Vietti-Cook  
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Macfarlane  
Commissioner Svinicki  
Commissioner Apostolakis  
Commissioner Magwood  
Commissioner Ostendorff  
OGC  
EDO  
PDR

VOTING SUMMARY - SECY-13-0070

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MACFARLANE	X				X	7/9/13
COMR. SVINICKI	X	X			X	7/16/13
COMR. APOSTOLAKIS	X				X	7/15/13
COMR. MAGWOOD	X	X			X	7/24/13
COMR. OSTENDORFF	X				X	7/9/13

**NOTATION VOTE**

**RESPONSE SHEET**

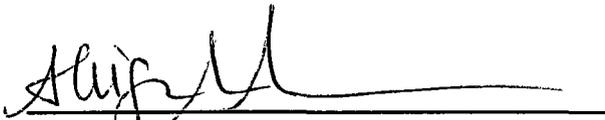
**TO:** Annette Vietti-Cook, Secretary  
**FROM:** Chairman Allison M. Macfarlane  
**SUBJECT:** SECY-13-0070 – STATUS REPORT ON POWER UPDATES

Approved  X  Disapproved   Abstain

Not Participating

**COMMENTS:** Below  X  Attached   None

I agree with the staff that the frequency of the Power Uprate Status Report should be reduced. In fact, given the maturity of the program, I believe it is no longer necessary for a paper to be provided to the Commission. Should specific issues arise regarding technical or timeliness issues related power uprate applications, the staff should keep the Commission informed using less resource-intensive means, such as Commissioner Assistant briefings.

  
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**SIGNATURE**  
7/9/13  
\_\_\_\_\_  
**DATE**

Entered on "STARS" Yes  X  No

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER SVINICKI  
SUBJECT: SECY-13-0070 – STATUS REPORT ON POWER  
UPDATES

Approved XX In Part Disapproved XX In Part Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_ Attached XX None \_\_\_

  
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SIGNATURE

07/16/13  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No \_\_\_\_\_

## **Commissioner Svinicki's Comments on SECY-13-0070 Status Report on Power Uprates**

I approve in part and disapprove in part the four staff planned actions that accompany its annual status report on power uprates (SECY-13-0070). I thank the staff for this report, which I find most informative, each year.

The staff requests that the Commission approve reducing the frequency of the status report to a biennial basis. In the votes already cast on this matter, there is approval to eliminate this report entirely, as long as the staff updates the summary table of information regarding power uprates on the agency's public website (a task the staff was not requesting relief from and which, presumably, they would continue doing in any event.)

Although I would reluctantly support reducing the frequency to biennial, the elimination of this report to the Commission gives me pause. Perhaps my colleagues read the current annual report differently. As I review it, the report informs me that, of the 14 power uprate applications currently pending, the review of 11 of them is substantially delayed due to various issues. Of the 11 delayed applications, 8 have been under review by the NRC for approximately two years and three have been pending for over nine years. [As a reminder, the applicable performance metric for completion of these power uprate reviews is no more than 6 months for measurement uncertainty and 12 months for extended.] Of the five power uprates approved during the last reporting period, not a single one met the agency's performance metrics for review duration.

Taking only these two points, and disregarding the other technical challenges discussed in the annual status report (a discussion which, I might add, is not available simply by reviewing the agency's webpage on power uprates), seems far from evidence of the "mature" and stable program my colleagues describe. I also reflect on the fact that Congress has stipulated that NRC report to it every six months on the status of power uprates pending before the agency. I question whether it is advisable for the Commission to receive reporting on no set frequency regarding a program that the Congress asks to be updated on twice a year.

The paper states that there have been resource constraints associated with aligning and dedicating staff to meet power uprate schedules. As projected by the staff, however, the recent cancellation of projected power uprate applications will result in a resource savings of 3.9 full-time equivalents for Fiscal Year 2014. Therefore, resource limitations should not be the cause of any delay in completing power uprate reviews within the current timeliness metrics, which, I would note, have already been relaxed for any applications received during the last reporting period and those received going forward.

I disapprove the staff's plan to eliminate the update of completed requests for additional information (RAIs) on the NRC's public website. Such action is a false economy. Licensees have communicated to me that review of completed NRC RAIs on the submittals of other licensees is a key element to informing the preparation of their subsequent submittals to NRC on the same topic. If the agency fails to make such completed RAIs publicly accessible on our website, it is likely the quality of future submittals will stagnate or diminish, and the staff will end up addressing the same RAIs over and over again.

I approve the staff's plan to reduce to annual a survey of power reactor licensees on their plans for uprate license amendment applications. However, the staff should not mistake current energy market circumstances for a persistent condition. The staff may well elect to increase the frequency of its survey of licensee uprate plans in the future, if conditions change, as the staff is shortchanging its own work planning processes through diminished awareness of submittals on their way to the NRC.

I approve staff's plan to reduce to biennial its solicitation by memorandum for internal NRC stakeholder input on the program. Given the Commission's apparent lack of interest in routine reporting from the staff on the power uprate program, this reduced frequency in receiving internal feedback would appear to be an appropriate, commensurate action.

  
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Kristine L. Svinicki 07/16/13

**NOTATION VOTE**

**RESPONSE SHEET**

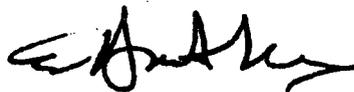
**TO:** Annette Vietti-Cook, Secretary  
**FROM:** Commissioner Apostolakis  
**SUBJECT:** SECY-13-0070 – STATUS REPORT ON POWER  
UPDATES

Approved  X  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

**COMMENTS:** Below  X  Attached \_\_\_ None \_\_\_

I agree with the staff that the frequency of the power uprate status reports to the Commission should be reduced. I also agree with the Chairman and Commissioner Ostendorff that, due to the maturity of the program and in light of the current environment of reduced resources, it is not necessary to continue to provide a periodic status report. I agree with Commissioner Ostendorff that the staff should continue to maintain up-to-date information on the status of power uprates on the NRC's public web page and promptly inform the Commission of any significant challenges that arise during program implementation.



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SIGNATURE

7/15/13

\_\_\_\_\_  
DATE

Entered on "STARS" Yes  x  No \_\_\_

**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** Commissioner Magwood  
**SUBJECT:** SECY-13-0070 – STATUS REPORT ON POWER UPRATES

Approved  X  Disapproved  X  Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

**COMMENTS:** Below  X  Attached \_\_\_\_\_ None \_\_\_\_\_

I thank staff for the June 2013 Power Uprate Program Status Report. As this report clearly demonstrates, the agency and its licensees are encountering a range of difficult technical challenges associated with power uprates. The agency has encountered recent significant examples that highlight the inherent complexity of major projects at nuclear power plants. While the power uprate program is mature, the reality is that each plant is different, each vendor is different, and the prospect for unanticipated issues in the conduct of any major project at a nuclear power plant cannot be discounted. While I am conscious of the current fiscal environment, continued close Commission oversight of this and other programs that involve major changes are made at nuclear power plants is warranted; when projects at nuclear plants go awry, public confidence is eroded and agency resources are expended at a vastly greater rate. I therefore disapprove staff's request to reduce the frequency of the power uprate status report.

I do, however, approve staff's requests to make other programmatic reductions—with the exception of staff's plan to no longer update listings of RAIs for completed reviews on the public web site. I question how much would be saved by the proposed step and I believe that these listings are necessary for both transparency and efficiency.



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SIGNATURE

24 July 2013

\_\_\_\_\_  
DATE

Entered on "STARS" Yes  X  No \_\_\_\_\_

**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** COMMISSIONER OSTENDORFF  
**SUBJECT:** SECY-13-0070 – STATUS REPORT ON POWER UPRATES

Approved  X  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

**COMMENTS:** Below  X  Attached \_\_\_\_\_ None \_\_\_\_\_

I commend the staff's accomplishments in implementing the power uprate program. This program is of significant importance to the Commission and our stakeholders and it continues to be a high priority for the Agency. I appreciate the staff identifying their proposal to reduce the frequency of the power uprate status reports, particularly in the current environment of reduced resources. In light of the maturity of the program and to achieve even greater efficiencies, I agree with Chairman Macfarlane that the periodic status report is no longer necessary. The staff should continue to maintain up-to-date status information for power uprates on the NRC's public web page. In addition, the staff should promptly inform the Commission of any significant challenges that arise during program implementation. Lastly, I would encourage the staff to continue to identify opportunities such as this to shed workload. It is increasingly important in this time of budgetary constraints to focus our resources on the highest priority actions, and to look for efficiencies in implementing our programs.

W. Ostendorff  
SIGNATURE

7/9/13  
DATE

Entered on "STARS" Yes \_\_\_\_\_ No \_\_\_\_\_