



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

August 31, 2005

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-05-0126

TITLE: SUMMARY OF ACTIVITIES RELATED TO GENERIC
SAFETY ISSUES

The Commission (with Chairman Diaz and Commissioners Merrifield and Jaczko agreeing) disapproved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of August 31, 2005. Commissioner Lyons approved the subject paper.

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 Diaz
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
EDO
PDR

VOTING SUMMARY - SECY-05-0126

RECORDED VOTES

| | APRVD | DISAPRVD | ABSTAIN | NOT PARTICIP | COMMENTS | DATE |
|------------------|-------|----------|---------|-----------------|----------|---------|
| CHRM. DIAZ | | X | | | X | 8/9/05 |
| COMR. MERRIFIELD | | X | | | X | 8/23/05 |
| COMR. JACZKO | | X | | | X | 8/18/05 |
| COMR. LYONS | X | | | | | 7/29/05 |

COMMENT RESOLUTION

In their vote sheets, Chairman Diaz and Commissioners Merrifield and Jaczko disapproved the staff's recommendation and provided some additional comments. Commissioner Lyons approved the staff's recommendation. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on August 31, 2005.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: CHAIRMAN DIAZ
SUBJECT: **SECY-05-0126 - SUMMARY OF ACTIVITIES
RELATED TO GENERIC SAFETY ISSUES
(WITS198300621)**

Approved *[Signature]* Disapproved xx ^{w/comments} Abstain _____
Not Participating _____

COMMENTS:

Comments attached.

[Signature]
SIGNATURE
Aug 9, 05
DATE

Entered on "STARS" Yes No _____

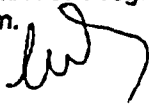
CHAIRMAN REC'D
05 JUL 19 PM 3:13

Chairman Diaz' Comments on SECY-05-0126

I disapprove the staff recommendation to discontinue future annual Commission papers on the Generic Issues Program. The Generic Issues Program is described in the Strategic Plan and is an important strategy in ensuring the protection of public health and safety. I am concerned that the program may not be receiving an appropriate level of attention. There are currently 16 open Generic Safety Issues (GSIs), the oldest dating back over 20 years. Furthermore, this past year no GSIs have been closed. As a result, I believe there should be renewed attention to the GSI program to ensure that regulatory issues are resolved in a timely manner. Discontinuation of the annual paper may result in less attention being paid to this important program.

Additionally, the Commission needs to be kept better informed as important policy decisions related to GSIs are made, in order to allow the Commission to engage in a meaningful and timely manner. Last year the staff chose to rely on voluntary alternatives for GSI 189 rather than pursue rulemaking. The memorandum to the Commission describing this change in direction was not provided until mid-June of this year.

The annual Commission Paper is also an effective tool to communicate to the public the progress made in the Generic Issues Program. Although there are other publicly available documents addressing the Generic Issues Program, the annual paper appears to provide the best overall summary of the program.



NOTATION VOTE

RESPONSE SHEET


TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: **SECY-05-0126 - SUMMARY OF ACTIVITIES
RELATED TO GENERIC SAFETY ISSUES
(WITS198300621)**

Approved _____ Disapproved Abstain _____

Not Participating _____

COMMENTS:

See attached comments.



SIGNATURE

8/33/05

DATE

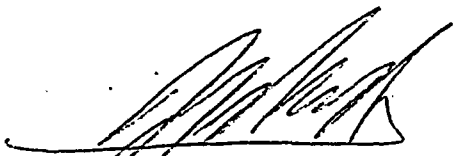
Entered on "STARS" Yes No _____

Commissioner Merrifield's Comments on SECY-05-0126

I disapprove the recommendation to discontinue the annual status report to the Commission. While I continue to encourage the staff to eliminate unnecessary redundant reports, I share Chairman Diaz' concern that some of the issues in the Generic Issues Program may not be receiving an appropriate level of attention. I believe the Commission is open to criticism by our stakeholders that we are sometimes slow to resolve generic safety issues, when an issue can remain on the books for 20 years.

I know that all generic safety issues are not created equal. The Commission has no trouble resolving significant safety issues in a timely fashion, because everyone can agree that something must be done, and resources can be reallocated, if necessary, to ensure the public health and safety are maintained. The problem in resolving generic issues comes at the other end of the spectrum, with issues that may be generic but may have only marginal safety significance. These issues tend to linger because they are given a low priority in the planning, budgeting, and program management (PBPM) process. I can understand that low priority work must take a back seat to higher priority work, and sometimes low priority work must be deferred. That being said, I do not believe we should have any generic safety issues open for 20 years. If the agency cannot devote resources to a generic safety issue within a reasonable period of time, it should be resolved as not being sufficiently generic or safety significant. I believe our public stakeholders would rather have an answer to their concerns, even if that answer is "no," rather than being kept in limbo for 20 years. The staff should develop a plan that will resolve the older generic issues still on the books, and ensure that future generic issues are resolved in a timely manner.

I want the staff to continue providing an annual status report to the Commission on the Generic Issues Program, but not in its current format. After reviewing the various reports in which the staff provides information on generic safety issues, I believe the best information is contained in NUREG-0933 and the NRR Director's Quarterly Status Report. While NUREG-0933 provides the most detailed information on both open and closed generic issues, it is more than the Commission needs as a status update of open generic safety issues. The July 2005 NRR Director's Quarterly Status Report provided good summaries of GSI 189 (hydrogen igniters) and GSI 191 (PWR ECCS sump performance) by including a brief description of the issues, milestones and dates, current status, potential problems, reasons for schedule changes, resources expended, and technical contacts. I believe the staff should be directed to continue submitting the annual status report on the Generic Issues Program to the Commission, reformatted to provide comprehensive summaries on all 16 open GSIs, similar to the two summaries in the July 2005 NRR Director's Quarterly Report. In addition, the summaries should include the date the generic issue was opened and the estimated completion date for each of the 7 stages described in Management Directive 6.4, "Generic Issues Program." Presenting the information in this form will allow the Commission offices to quickly review the status of all the open issues and intervene at an earlier stage, if necessary, to preclude issues remaining open for decades without being resolved.



8/23/05

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER JACZKO
SUBJECT: **SECY-05-0126 - SUMMARY OF ACTIVITIES
RELATED TO GENERIC SAFETY ISSUES
(WITS198300621)**

Approved _____ Disapproved X Abstain _____

Not Participating _____

COMMENTS: *See attached comments.*



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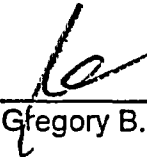
8/18/05

DATE

Entered on "STARS" Yes X No _____

Commissioner Jaczko's Comments on SECY-05-0126, "Summary of Activities Related to Generic Safety Issues."

I disapprove of the staff's recommendations to discontinue the annual Commission report on the Generic Issues Program. I concur with the comments of the Chairman in his vote on this issue. In particular, as the Chairman indicated in his vote, this report is a very useful tool to communicate with the Commission, the licensees and the public the status of items in the Generic Issues Program.

 8/18/05
Gregory B. Jaczko Date

NOTATION VOTE

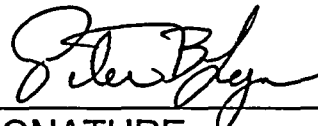
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER LYONS
SUBJECT: **SECY-05-0126 - SUMMARY OF ACTIVITIES
RELATED TO GENERIC SAFETY ISSUES
(WITS198300621)**

Approved Disapproved Abstain

Not Participating

COMMENTS:



SIGNATURE

7/29/05

DATE

Entered on "STARS" Yes No