RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Chairman Gregory B. Jaczko

SUBJECT: COMSECY-10-0007 – PROJECT PLAN FOR THE REGULATORY PROGRAM REVIEW TO SUPPORT EXTENDED STORAGE AND TRANSPORTATION OF SPENT NUCLEAR FUEL

Approved _X_ Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached _X_ None ___

SIGNATURE

01/27/10
DATE

Entered on "STARS" Yes _x_ No ___

Chairman Jaczko's Comments on COMSECY-10-0007,
"Project Plan for the Regulatory Program Review to Support Extended Storage and Transportation of Spent Nuclear Fuel"

I approve the staff's plan for review of the regulatory program to support extended storage and transportation of spent nuclear fuel. I agree with the overall strategy of the plan, as well as the areas that staff has indicated should be focused on over the next several years. Given that there are many interrelated aspects of the staff's activities extending out until the year 2020, the staff should pay careful attention to the timing and sequencing of activities. For example, I would expect that some items in this plan may already have been impacted by the subsequent Commission direction regarding waste confidence.

This is a long-term project that will require significant resources; therefore, staff should update the Commission more frequently than annually, as suggested. Instead, the staff should provide the Commission with an informational memorandum every six months that updates the status of activities and any changes in future direction for the program review.

I understand that other Commissioners may be interested in seeing an additional integrated, prioritized, and resource-loaded plan before approving parts of this plan. Although I understand the desire to work out the details of the plan, I believe that the plan provided in this COMSECY is the appropriate level of detail for approval at this time. The integration and resource-loading is the responsibility of the program office and, as I mentioned above, will likely need to be adjusted frequently.

10/27/10

Gregory B. Jaczko Date

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER SVINICKI

SUBJECT: COMSECY-10-0007 – PROJECT PLAN FOR THE REGULATORY PROGRAM REVIEW TO SUPPORT EXTENDED STORAGE AND TRANSPORTATION OF SPENT NUCLEAR FUEL

Approved XX In Part Disapproved XX In Part Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached XX None ___

SIGNATURE

11/17/10
DATE

Entered on "STARS" Yes ✓ No ___

Commissioner Svinicki's Comments on COMSECY-10-0007
Project Plan for the Regulatory Program Review to Support Extended Storage and Transportation of Spent Nuclear Fuel

I approve in part and disapprove in part the staff's Project Plan for the Extended Storage and Transportation Regulatory Program Review (Enclosure 1 to COMSECY-10-0007). The staff has done yeoman's work in responding to the very dynamic landscape in this area, but important changes have taken place in the months intervening since this plan was prepared (specifically, the Commission's action on the waste confidence rule and accompanying direction to the staff on long-term activities in this area), which make it necessary, in my view, for the staff to reconcile this project plan with the direction in the Staff Requirements Memorandum (SRM) on SECY-09-0090. Consequently, I approve the overall goals and phased approach of the plan, as well as the specific activities outlined below, but disapprove the remainder of the plan, at this time.

The staff should submit a revised plan to the Commission that 1) integrates the activities outlined in this project plan with those directed in the waste confidence decision SRM, 2) prioritizes this integrated set of activities, and 3) provides resource estimates for the activities. While this plan is under development, the staff should continue to work on regulatory improvement initiatives that have been identified as priorities, heretofore. Activities proposed in the project plan relating to security and financial assurance are not near-term regulatory priorities for modification at this time and should not be included in the plan. I support also the proposal that the staff update the Commission periodically and believe an annual update should be sufficiently frequent. Of course, the staff can bring policy matters to the Commission at any time, should circumstances dictate.

Kristine L. Svinicki 11/17/10

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Apostolakis

SUBJECT: COMSECY-10-0007 – PROJECT PLAN FOR THE REGULATORY PROGRAM REVIEW TO SUPPORT EXTENDED STORAGE AND TRANSPORTATION OF SPENT NUCLEAR FUEL

Approved __X__ **Disapproved** __X__ **Abstain** _____

Not Participating _____

COMMENTS: **Below** _X_ **Attached** ___ **None** ___

I approve in part and disapprove in part the staff's Project Plan for the Extended Storage and Transportation Regulatory Program Review, subject to the following. I agree with staff that a plan is needed for storage and transportation of spent nuclear fuel beyond 120 years and agree with staff's overall approach and project objectives. I approve: 1) staff advancing the regulatory process improvement review to identify near-term efficiency and effectiveness enhancements to the licensing and inspection programs, 2) continuing with its current research activities, and 3) the extended storage and transportation gap assessments identified as Phase 1 of the project. Recent Commission Budget direction and direction on the Waste Confidence Decision have an impact on the staff's proposed plan. In view of the recent Commission direction, I do not believe it is prudent for the Commission to approve the complete plan or the projected schedule at this time.

In December 2010, staff is to provide the Commission with a plan for a longer-term waste confidence rulemaking to address the impacts of storage beyond 120 years. In that paper, staff should address the integration of the two plans.

SIGNATURE

11/12/10
DATE

Entered on "STARS" **Yes** _X_ **No** ___

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER MAGWOOD

SUBJECT: COMSECY-10-0007 – PROJECT PLAN FOR THE REGULATORY PROGRAM REVIEW TO SUPPORT EXTENDED STORAGE AND TRANSPORTATION OF SPENT NUCLEAR FUEL

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___

SIGNATURE

8 November 2010
DATE

Entered on "STARS" Yes X No ___

Commissioner Magwood's Comment on COMSECY-10-0007
Project Plan for the Regulatory Program Review to Support Extended Storage and Transportation of Spent Nuclear Fuel

I applaud the staff's ongoing efforts to develop clear plans to deal with the complex issues associated with the long-term storage of spent nuclear fuel. I recognize that many of the technical and regulatory matters raised by the extended storage of commercial spent fuel raise many new questions and I believe the proposed Project Plan is an excellent step forward in dealing with the challenges ahead.

I therefore approve the staff proposal to proceed with activities as outlined in the plan. However, the Commission will not be in a position to give final approval until this proposed plan is definitively reconciled with the recent SRM on the Waste Confidence Decision and the Commission's budget direction for FY 2012. I recognize that the staff's response to the SRM on SECY-09-0090 may impact the timing and priorities associated with work described in the COMSECY-10-007 Plan. Therefore, I recommend that staff integrate key elements of the COMSECY-10-007 Project Plan into the staff's response to SRM-SECY-09-0090 on Waste Confidence that is scheduled to come to the Commission in December. The December document should reflect the resources available in the FY 2012 budget and present the Commission with a prioritization of the various elements of the plan and impacts should some activities be deferred.

I recognize that incorporating these changes to the December paper might require additional time; therefore, staff should provide the Commission with a proposed schedule of work for its approval by November 30, 2010.

4/8/10

William D. Magwood, IV Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER OSTENDORFF

SUBJECT: COMSECY-10-0007 – PROJECT PLAN FOR THE REGULATORY PROGRAM REVIEW TO SUPPORT EXTENDED STORAGE AND TRANSPORTATION OF SPENT NUCLEAR FUEL

Approved __X__ Disapproved __X__ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached __X__ None ___

_____
SIGNATURE

10/14/10
DATE

Entered on "STARS" Yes __X__ No ___

Commissioner Ostendorff's Comments on COMSECY 10-0007, "Project Plan for the Regulatory Program Review to Support Extended Storage and Transportation of Spent Nuclear Fuel"

I approve in part and disapprove in part of the staff's plan for the regulatory program review to support the extended storage and transportation of spent nuclear fuel. In particular, I approve of the overall goals and phased approach of the plan, as well as initiation of the activities noted below. I disapprove at this time the remainder of the plan until such time as the Commission reviews and approves a revised plan which is integrated, prioritized, and resource loaded.

I believe that technical and regulatory activities to support the safe and efficient regulation of longer term spent fuel storage are important. While the goals of the plan and the staff's phased approach are appropriate, the plan did not provide how the activities under each phase of the plan would be prioritized or integrated and how the substantial resources devoted to the plan would be allocated. A prioritized, integrated, and resource loaded plan would help to ensure that those activities that provide the most near term regulatory and safety benefits are completed first and that activities are appropriately timed and informed by the outcomes of other plan activities. In addition, the Commission's recent direction regarding initiation of a waste confidence rule will likely result in substantial revisions to the plan.

Therefore, the staff should submit a revised plan to the Commission that is prioritized and integrates both the plan's current activities and the Commission's recent direction to initiate a waste confidence rule. This plan should include the resources required for each of the plan's main activities. While this revised plan is being developed, the staff should continue to work on regulatory improvement initiatives which have been emphasized as a priority by our stakeholders, integration of the Commission's direction regarding waste confidence into the plan, and the aging management research that is the basis for many of the plan's activities.

Due to the uncertainties with regard to regulatory needs and their dependence on the outcome of research, activities in the areas of financial assurance and security should not be included in the plan at this time. Rather, a placeholder should be included in the plan for the staff to determine whether additional work in these areas is needed after the staff's short term research activities are completed. Given the substantial resources involved, the staff should ensure that the performance metrics in the revised plan provide a clear measure of whether the plan's implementation has resulted in efficiencies in the regulatory processes which enhance the safety or security of spent fuel storage and transportation.