

AFFIRMATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Chairman Gregory B. Jaczko

SUBJECT: SECY-11-0106 – FINAL RULE: U.S ADVANCED
BOILING-WATER REACTOR AIRCRAFT IMPACT
DESIGN CERTIFICATION AMENDMENT (RIN 3150-
AI84)

Approved X Disapproved Abstain

Not Participating

COMMENTS: Below Attached X None



SIGNATURE

9/2/11

DATE


Entered on "STARS" Yes X No

**Chairman Jaczko's Comments on SECY-11-0106,
"Final Rule: U.S. Advanced Boiling Water Reactor Aircraft
Impact Design Certification Amendment"**

I approve the staff's recommendation to publish the final rule that will amend Appendix A to 10 CFR Part 52 so that applicants intending to construct and operate a U.S. Advanced Boiling Water Reactor (ABWR) complies with the Aircraft Impact Assessment (AIA) rule. I believe that this amendment will help ensure that the new nuclear power plants built in accordance with the ABWR design is capable of ensuring public safety if impacted by a large, commercial aircraft.

Since the scope of this amendment is limited to the analysis necessary to meet the requirements of the AIA rule, the NRC's Near-Term Task Force recommendations listed in the "Recommendations for Enhancing Reactor Safety in the 21st Century" report are not applicable to this amendment. Therefore, I can support issuance of this final rule prior to the Commission acting on the individual recommendations by the Near-Term Task Force.

The statements of consideration contain extensive discussion on the use of multiple suppliers, but a minimal discussion on the technical aspects of the amendment. Prior to submittal of the final rule to the *Federal Register*, the staff should expand the discussion section of the statements of consideration concerning the technical evaluation of the amendment to include a complete, but brief description of the key design features and functional capabilities that satisfied the requirements 10 CFR 50.150, consistent with the level of – not the amount of – detail in section 19s, "Design Features for Protection Against a Large, Commercial Aircraft Impact," of the publicly available final safety evaluation report.



Gregory B. Jaczko

9/30/11

Date