



SECRETARY

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

May 10, 2016

COMMISSION VOTING RECORD

DECISION ITEM:           SECY-16-0042

TITLE:                     RECOMMENDED IMPROVEMENTS FOR RULEMAKING  
                                  TRACKING AND REPORTING

The Commission acted on the subject paper as recorded in the Staff Requirements Memorandum (SRM) of May 10, 2016.

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 that reads "Andrew L. Bates".

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Andrew L. Bates  
Acting Secretary of the Commission

Enclosures:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Burns  
Commissioner Svinicki  
Commissioner Ostendorff  
Commissioner Baran  
OGC  
EDO  
PDR

VOTING SUMMARY – SECY-16-0042

RECORDED VOTES

	<u>APPROVED</u>	<u>DISAPPROVED</u>	<u>ABSTAIN</u>	<u>NOT PARTICIPATING</u>	<u>COMMENTS</u>	<u>DATE</u>
Chrm. Burns	X				X	04/19/16
Cmr. Svinicki	X				X	05/03/16
Cmr. Ostendorff	X				X	04/22/16
Cmr. Baran	X				X	04/28/16

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary

**FROM:** Chairman Burns

**SUBJECT:** SECY-16-0042: RECOMMENDED IMPROVEMENTS  
FOR RULEMAKING TRACKING AND REPORTING

Approved  X  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_ Not Participating \_\_\_\_\_

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

I commend the staff for providing thoughtful proposals to address the direction in my February 2016 tasking memorandum to develop a single, unified approach to track rulemaking activities and inform the public and other stakeholders. I approve the staff's plan to develop a centralized rulemaking activity-tracking tool and replace the Rulemaking Activity Plan, Common Prioritization of Rulemaking Report, and Petition for Rulemaking Status Report with the Annual Rulemaking Report. I also approve the staff's proposal to discontinue the Rulemaking Activities by Fiscal Year Report. I support the staff's plans to re-design the rulemaking pages on the NRC's public website to present accurate "real time" data, issue a glossary for rulemaking terminology, and implement conforming changes to office procedures and management directives.

**Entered in STARS**

Yes  x

No \_\_\_\_\_



Signature

19 April 2016

Date

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** COMMISSIONER SVINICKI  
**SUBJECT:** SECY-16-0042: RECOMMENDED IMPROVEMENTS  
FOR RULEMAKING TRACKING AND REPORTING

Approved XX Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_ Not Participating \_\_\_\_\_

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

I approve the staff's proposed activities. In general, they appear to be a rational set of recommendations to align the various rulemaking reports that have grown up over the years. Although the staff is a bit downbeat regarding the potential for these changes to result in efficiencies, we are eliminating a number of different reports. Consequently, I am more optimistic that modest savings may result. I share the concern expressed by Commissioner Ostendorff, that in receiving the one substantive annual rulemaking report that will remain, the Commission will be required to chase down scattered links all over the Internet to compile a complete picture of agency rulemaking activities. This shifts the staff's burden, under law, of keeping the Commission "fully and currently informed" by requiring the Commission to hunt and peck across the Web for kernels of information. The Congress recently clarified its expectation that the Commission take the commanding role in agency rulemaking, and the Commission instituted concomitant changes to agency processes. We should not squander this progress now by failing to compile for the Commission's review, at least on an annual basis, one complete picture of agency rulemaking activities to inform the Commission's budget decisions each summer. The staff should reconsider the proposed format for the annual, internal rulemaking report to provide sufficient stand-alone content and heft for informed and timely Commission budget deliberations.

  
\_\_\_\_\_  
SIGNATURE

05/ 3 /16  
\_\_\_\_\_  
DATE

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

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** Commissioner Ostendorff  
**SUBJECT:** **SECY-16-0042: RECOMMENDED IMPROVEMENTS FOR RULEMAKING TRACKING AND REPORTING**

Approved  Disapproved  Abstain  Not Participating

**COMMENTS:** Below  Attached  None

I thank the Chairman for issuing his Tasking Memo directing the staff to develop a single, unified approach to track rulemaking activities and inform the public and other stakeholders. I thank the staff for the timely response that addressed the objectives of the Chairman's Tasking Memo. I approve, consistent with the Chairman, the staff's recommendations to improve tracking and reporting of rulemaking activities. Specifically, I approve the staff's recommendation to do the following;

- develop a centralized rulemaking activity-tracking tool;
- issue an Annual Rulemaking Report that would replace four long-standing reports without affecting those reports required by law or Executive Order;
- redesign the rulemaking pages on the NRC's public website to provide information that is closer to "real time";
- issue a glossary for rulemaking terminology; and
- implement conforming changes to the office procedures and management directives.

I agree that a single Annual Rulemaking Report would be efficient and eliminate duplicative efforts needed to develop the Rulemaking Activity Plan, Common Prioritization of Rulemaking Report, Petition for Rulemaking Status Report, and the Rulemaking Activities by Fiscal Year Report. However, the level of detail found in the compilation of those reports will not be available in the Annual Rulemaking Report without links to Regulations.Gov and access to the centralized rulemaking activity-tracking tool. The staff has not proposed linking the Annual Rulemaking Report to the centralized activity-tracking tool. Therefore, to enable the Commission and other internal stakeholders a complete picture of rulemaking activities, the staff should provide appropriate links to the centralized activity-tracking tool within the Annual Rulemaking Report.

**Entered in STARS**

Yes   
No

  
\_\_\_\_\_  
**Signature**  
9/22/16  
\_\_\_\_\_  
**Date**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary

**FROM:** Commissioner Baran

**SUBJECT:** SECY-16-0042: RECOMMENDED IMPROVEMENTS  
FOR RULEMAKING TRACKING AND REPORTING

Approved  Disapproved  Abstain  Not Participating

COMMENTS: Below  Attached  None

I approve the staff's recommendations to improve the tracking and reporting of NRC's rulemaking activities by (1) developing a centralized rulemaking activity tracking tool, (2) issuing an internal Annual Rulemaking Report to replace four current rulemaking reports, (3) redesigning the agency's public website to present up-to-date data on rulemaking activities, and (4) issuing a glossary of rulemaking terms. These proposals are worthwhile and responsive to the Chairman's tasking memorandum. I also approve implementing conforming changes to office procedures and management directives as part of this effort. In addition, I agree with the staff that modifying the existing SharePoint tool is the better, more cost-effective approach for developing a centralized rulemaking activity tracking capability.

In the context of tracking rulemaking activities and the glossary of rulemaking terms, the staff should not classify rules under the headings "could impose new burden" or "could reduce burden." While the agency evaluates and considers the benefits and costs of potential regulatory actions, it is not appropriate to categorize our rulemakings on the basis of whether they "burden" particular stakeholders. The staff should use neutral, objective descriptions, such as "could establish new requirements" and "could reduce or clarify existing requirements."

**Entered in STARS**

Yes

No



Signature

4/28/16

Date