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

OFFICE OF THE SECRETARY

RELEASED TO THE PDR
12/8/99 JKW
date initials

December 8, 1999

COMMISSION VOTING RECORD

DECISION ITEM: SECY-99-240

TITLE: FINAL AMENDMENTS TO 10 CFR PARTS 21, 50, AND 54 AND AVAILABILITY FOR PUBLIC COMMENT OF DRAFT REGULATORY GUIDE DG-1081 AND DRAFT STANDARD REVIEW PLAN SECTION 15.0.1 REGARDING USE OF ALTERNATIVE SOURCE TERMS AT OPERATING REACTORS

The Commission (with all Commissioners agreeing) approved the subject paper as noted in the Affirmation Session and recorded in the Affirmation Session Staff Requirements Memorandum (SRM) of December 8, 1999.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission, and the Affirmation Session SRM of December 8, 1999.

Annette Vietti-Cook

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:
1. Voting Summary
2. Commissioner Vote Sheets
3. Final SRM

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR
DCS

DF02

PDR COMMS

VOTING SUMMARY - SECY-99-240

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MESERVE	X				X	11/18/99
COMR. DICUS	X				X	11/8/99
COMR. DIAZ	X				X	11/1/99
COMR. McGAFFIGAN	X				X	11/24/99
COMR. MERRIFIELD	X				X	11/10/99

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the Commission affirmed the final rule in Affirmation Session and their comments were incorporated into the guidance to staff as reflected in the Affirmation Session SRM issued on December 8, 1999.

AFFIRMATION

RESPONSE SHEET

TO: Annette Vietti-Cook
Secretary of the Commission

FROM: CHAIRMAN MESERVE

SUBJECT: SECY-99-240 - FINAL AMENDMENTS TO 10 CFR PARTS 21, 50,AND 54 AND AVAILABILITY FOR PUBLIC COMMENT OF DRAFT REGULATORY GUIDE DG-1081 AND DRAFT STANDARD REVIEW PLAN SECTION 15.0.1 REGARDING USE OF ALTERNATIVE SOURCE TERMS AT OPERATING REACTORS

Approved X w/comment Disapproved ___ Abstain _____

Not Participating _____ Request Discussion _____

COMMENTS:

See Attached

SIGNATURE

Nov. 18, 1999
DATE

Entered on "AS" Yes ✓ No ____

Chairman Richard Meserve's Comments on SECY-99-240

Subject to the following comments, I approve the publication of the final rule and of the notice of the availability for public comment of the related draft regulatory guide and the revised section to the standard review plan:

1. I concur in the comments submitted by Commissioners Dicus and Merrifield.

2. I suggest clarification of the proposed definition of "source term" in the final rule. In response to comments, the staff has modified its proposed definition so that the draft final rule now provides that "source term" refers "to the fractions of the fission product inventory of the radionuclides released from the reactor fuel, their physical and chemical form, and the timing of their release." This definition is confusing because it does not specify the numerator or denominator of the fractions to which the definition refers. This problem might be solved by refining the definition along the following lines:

> "*Source term* refers to the magnitude and mix of the radionuclides released from the fuel, expressed as fractions of the fission product inventory in the fuel, as well as their physical and chemical form, and the time of their release."

Staff should ensure that conforming changes to the Federal Register notice are made.

3. The draft Federal Register notice associated with the final rule states on page 19 that the NRC "agrees with the proposed revision" to the definition of "source term" that was offered by NEI. In fact, however, the staff has not accepted the definition that NEI proposed (although the staff has sought to address the issue that motivated the NEI proposal). Some revision of the Federal Register notice is necessary.