



SECRETARY

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

RELEASED TO THE PDR  
12/22/99  
date initials

December 21, 1999

COMMISSION VOTING RECORD

DECISION ITEM: SECY-99-168

TITLE: IMPROVING DECOMMISSIONING REGULATIONS  
FOR NUCLEAR POWER PLANTS

The Commission (with Chairman Meserve and Commissioners Diaz, McGaffigan, and Merrifield agreeing in part and disagreeing in part; and Commissioner Dicus agreeing) approved in part and disapproved in part the subject paper as recorded in the Staff Requirements Memorandum (SRM) of December 21, 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 SRM of December 21, 1999.

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

DFO2

## VOTING SUMMARY - SECY-99-168

### RECORDED VOTES

|                  | APRVD | DISAPRVD | ABSTAIN | NOT PARTICIP | COMMENTS | DATE     |
|------------------|-------|----------|---------|--------------|----------|----------|
| CHRM. MESERVE    | X     | X        |         |              | X        | 11/22/99 |
| COMR. DICUS      | X     |          |         |              | X        | 11/9/99  |
| COMR. DIAZ       | X     | X        |         |              | X        | 7/13/99  |
| COMR. McGAFFIGAN | X     | X        |         |              | X        | 11/24/99 |
| COMR. MERRIFIELD | X     | X        |         |              | X        | 10/21/99 |

### COMMENT RESOLUTION

In their vote sheets, the Chairman and Commissioners Diaz, McGaffigan, and Merrifield approved in part and disapproved in part the staff's recommendation; Commissioner Dicus approved the staff's recommendation. The Commission approved the staff's recommendation for Option 2 of the initiative for improving nuclear power plant decommissioning regulations, but disapproved moving beyond phase 1 until further inputs can be obtained. Commissioner Diaz disapproved the staff's plan and schedule for the completion of the spent fuel pool risk assessment because he believed this issue, and the zirconium fire scenario in particular, has been studied for years, and sufficient technical data exists to support making regulatory decisions now. Further, he indicated that the staff's preliminary generic analyses rely on unrealistic assumptions to develop bounding cases of risk and spent fuel heat up. All Commissioners provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on December 21, 1999.