

April 21, 1999

COMMISSION VOTING RECORD

DECISION ITEM: SECY-99-079

TITLE: REPORT TO CONGRESS ON ABNORMAL OCCURRENCES FOR FISCAL YEAR 1998

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of April 21, 1999.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commissioners, and the SRM of April 21, 1999.

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Annette Vietti-Cook  
Secretary of the Commission

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

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

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VOTING SUMMARY - SECY-99-079

RECORDED VOTES

	<b>APRVD</b>	<b>DISAPRVD</b>	<b>ABSTAIN</b>	<b>NOT PARTICIP</b>	<b>COMMENTS</b>	<b>DATE</b>
CHRM. JACKSON	X					3/30/99
COMR. DICUS	X				X	3/31/99
COMR. DIAZ	X				X	4/6/99
COMR. McGAFFIGAN	X				X	3/26/99
COMR. MERRIFIELD	X				X	4/6/99

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on April 21, 1999.

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Commissioner Comments on SECY-99-079

Commissioner Dicus

I approve the Report to Congress on Abnormal Occurrences for FY 98 including the items proposed for Appendix C subject to the following comment:

Staff's proposed text in Appendix C for NRC and Agreement State materials licensees contains the statement that there were no reports of contamination in FY 98 resulting from loss of control of licensed materials. However, on September 18, 1998, NRC issued PNO-II-98-041 concerning the finding of thorium contamination at a castings plant in Alabama (attached). The text should be revised to take this event into account. In doing so, comment should be made that this is the 29<sup>th</sup> radioactive contamination event at a U.S. metal making mill since 1983.

#### **Commissioner Diaz**

I approve the draft AO report for transmission to Congress.

Although I believe that we should keep the Congress and the American public fully and currently informed, I do not believe that the issues pertaining to nuclear power plants proposed for Appendix C should be included in the report, since they did not represent radiological events or hazards to the public. However, if the majority of the Commission elects to include them, their descriptions should be revised to present an appropriate risk informed perspective. Furthermore, in Appendix C, the nuclear power plant and materials issues should not be segregated; rather, they should be presented in order of highest to lowest risk so that the report's readers can gain an understanding of the relative risks and hazards involved in the use of AEA materials in our society.

Consistent with the increased use of risk insights throughout the agency, the Appendix C criteria should be revised to be more risk informed before next year's AO report is drafted. This will allow the report to present an appropriate risk informed perspective on those issues that the Commission elects to include in Appendix C.

Additionally:

- The title page should be updated to reflect the report's correct originating organization within the NRC, since AEOD no longer exists.
- The discussion regarding the promulgation of the AO criteria on page 10 of the report should be updated to reflect the latest Commission direction on "Other Events of Interest" in the 9/4/98 SRM on [SECY-98-175](#).

#### **Commissioner McGaffigan**

Recently, ComEd completed its safe shutdown analysis optimization study. The results of this study indicated that, for certain cases, additional systems could have been used for post-fire safe shutdown. In addition, this study concluded that, for fires in certain plant areas, some of the credited shutdown actions could have been taken from inside the control room in lieu of having to take these actions from outside the control room. Therefore, the results of this study may demonstrate that the original fire risk estimates reported in the IPEEE were overstated. The staff has not yet reviewed ComEd's revised fire risk assessment.

Based on the results of this analysis, changes to the plant related to the control room control capability of the safe shutdown makeup pump, station blackout diesel, and the high pressure coolant injection pump are planned. In addition, plant improvements are planned for the 125Vdc breaker control power distribution system and the fire protection features provided for the unit 1 reactor feed pump area in the turbine building.

Even though the post-fire safe shutdown methodology weaknesses did not result in an actual challenge or failure of a safety system, the potential that a severe fire could challenge the effective implementation of this methodology for certain fire areas did exist.

#### **Commissioner Merrifield**

I approve the Report to Congress on Abnormal Occurrences for Fiscal Year 1998 subject to the following comments:

1. The Table of Contents in Attachment 1 is erroneous. The page numbers in the table do not always correctly correspond to the actual text. In fact, all of page numbers under **Preface** are in error. I ask that the staff correct the errors and conduct a quality assurance review of the document before it is issued.
2. I have similar concerns about the Quad Cities writeup pertaining to fire protection deficiencies (Proposed Appendix C Events) as expressed by Commissioner McGaffigan. The current writeup does not put the matter in proper context given the recently completed safe shutdown analysis optimization study and does not adequately address the extent of the corrective actions planned by the licensee. Therefore, I endorse the changes proposed by Commissioner McGaffigan.