

September 8, 1999

COMMISSION VOTING RECORD

DECISION SECY-99-203
ITEM:
TITLE: REGULATORY GUIDE FOR UPDATED FINAL SAFETY ANALYSIS REPORTS IN ACCORDANCE WITH
 10 CFR 50.71(e)

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

Annette Vietti-Cook
Secretary of the Commission

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

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

VOTING SUMMARY - SECY-99-203

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
COMR. DICUS	X				X	8/20/99
COMR. DIAZ	X				X	8/21/99
COMR. McGAFFIGAN	X				X	8/5/99
COMR. MERRIFIELD	X					8/6/99

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 September 8, 1999.

Commissioner Comments on SECY-99-203

Chairman Dicus

I agree with the approach in Regulatory Guide 1.181 and NEI 98-03 (Rev. 1) for updates to FSARs, including allowing the removal of selected items that

are no longer significant.

While it is important that the NRC has provided guidance, it must be recognized that RG 1.181 and NEI 98-03 are not requirements or licensee commitments, which means that licensees must voluntarily improve their documentation and the processes for maintaining it. Given the lessons learned from Millstone, I think it important that the NRC continue to closely monitor industry efforts in FSAR updates and design basis, as discussed in the "Implementation" paragraph of the SECY. I also believe that the Commission should be kept informed of industry trends in these areas, and recommend the following guidance to the staff.

The staff should inform the Commission of the results of its program to monitor licensee efforts to update the FSARs as discussed in the SECY, including an assessment of whether the guidance for FSAR updates or design bases or both needs to be modified. As part of this assessment, the staff should consider whether additional inspections or audits of industry practices beyond normal inspection efforts are appropriate.

The staff should provide the Commission a recommended schedule for this assessment. Since FSAR updates can occur at 24 month intervals, the staff should ensure sufficient FSAR updates are received to be considered a representative sample, but should not wait for FSAR updates to be received from all facilities. Both recently licensed and older facilities should be considered in the sample.

Commissioner Diaz

I approve publication of the regulatory guide RG 1.181, with the following clarifications, as one acceptable method for compliance with 50.71(e).

The last paragraph in the "B. DISCUSSION" section of RG 1.181 should be modified to read:

1st sentence:

"...the NRC staff comments, and the clarification of Regulatory Position C.5 of DG-1083."

3rd sentence:

"...the NRC staff's comments, and addresses the concerns of Regulatory Position C.5 from DG-1083."

Because the appropriate level of detail for design basis information has a direct impact on the FSAR content, current staff effort to develop the regulatory guide for design basis should ensure that it is consistent with the guidance on updating FSARs. In addition, the staff should explore ways to expedite completion of the final regulatory guide for design basis (scheduled for 5/2000) so that these two guides can be implemented concurrently.