



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

OFFICE OF THE
SECRETARY

October 13, 2010

COMMISSION VOTING RECORD

DECISION ITEM: SECY-10-0112

TITLE: REPORT REGARDING ENCOURAGING STATES AND
LICENSEES TO COMPLETE NATIONAL SOURCE
TRACKING SYSTEM CREDENTIALING AND TO USE THE
SYSTEM ELECTRONICALLY

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of October 13, 2010.

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, appearing to read "Annette Vietti-Cook".

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
EDO
PDR

VOTING SUMMARY - SECY-10-0112

RECORDED VOTES

		APRVD	DISAPRVD	ABSTAIN	PARTICIP	NOT COMMENTS	DATE
CHRM. JACZKO		X				X	9/29/10
COMR. SVINICKI		X				X	9/30/10
COMR. APOSTOLAKIS	X					X	9/30/10
COMR. MAGWOOD		X				X	9/29/10
COMR. OSTENDORFF	X					X	10/1/10

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 October 13, 2010.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

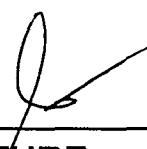
FROM: Chairman Gregory B. Jaczko

SUBJECT: SECY-10-0112 – REPORT REGARDING
ENCOURAGING STATES AND LICENSEES TO
COMPLETE NATIONAL SOURCE TRACKING SYSTEM
CREDENTIALING AND TO USE THE SYSTEM
ELECTRONICALLY

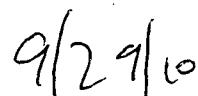
Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached X None _____



SIGNATURE



DATE

Entered on "STARS" Yes x No _____

**Chairman Jaczko's Comments on SECY-10-0112,
"Report Regarding Encouraging States and Licensees to Complete
National Source Tracking System Credentialing and to Use the System Electronically"**

I approve the staff recommendation contained in SECY-10-0112 regarding methods for increasing the electronic use of the National Source Tracking System (NSTS). I agree that licensee's electronic use of the system must be increased, and that Option 1 is the preferred way to reach the desired result at this time.

The tracking of these sources is required by the Energy Policy Act of 2005. The General Accountability Office, the NRC Office of Inspector General, the Permanent Subcommittee on Investigations, various members of Congress, and the Independent External Review Panel have all recognized that a reliable and updated NSTS is a critically important part of our national security framework for dangerous sources. The Commission has repeatedly indicated in the past that the NSTS has a key role in improving NRC's ability to track radioactive sources, thereby permitting earlier detection and prevention of loss or theft.

The NSTS has been in use for the last 18 months. I recognize that during that time, the staff has put a tremendous amount of effort into improving NSTS and into encouraging licensees to use the system. Staff has held workshops, performed telephone outreach, provided presentations at conferences, issued Regulatory Issue Summaries, and performed many other outreach activities. I highly commend the staff for these efforts. The staff should continue these outreach efforts and report back to the Commission in six months with a progress report.



Gregory B. Jaczko

9/29/10

Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER SVINICKI

SUBJECT: SECY-10-0112 – REPORT REGARDING
ENCOURAGING STATES AND LICENSEES TO
COMPLETE NATIONAL SOURCE TRACKING SYSTEM
CREDENTIALING AND TO USE THE SYSTEM
ELECTRONICALLY

Approved XX Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached XX None _____



SIGNATURE

9/30/10
DATE

Entered on “STARS” Yes No _____

Commissioner Svinicki's Comments on SECY-10-0112
Report Regarding Encouraging States and Licensees to Complete National Source
Tracking System Credentialing and to Use the System Electronically

I approve the staff's recommended Option 1, to continue with the current regulatory requirements, with continuing efforts and developments to promote credentialing for on-line access to the National Source Tracking System (NSTS) by licensees, to investigate other viable authentication means, and to streamline alternative electronic methods to input transaction information into the NSTS. Although I have concerns about the potential security vulnerabilities of reducing the current Level 4 security requirements of the NSTS, given the sensitivity of the information contained in it, I support and would be informed by an analysis of this issue in a paper for Commission review and approval, as proposed by Commissioner Magwood, in his vote.



Kristine L. Svinicki 9/30/10

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Apostolakis

SUBJECT: SECY-10-0112 – REPORT REGARDING
ENCOURAGING STATES AND LICENSEES TO
COMPLETE NATIONAL SOURCE TRACKING SYSTEM
CREDENTIALING AND TO USE THE SYSTEM
ELECTRONICALLY

Approved X **Disapproved** _____ **Abstain** _____

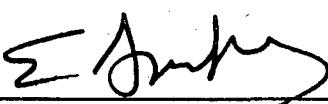
Not Participating _____

COMMENTS: Below X Attached None _____

I approve the staff's recommendation to continue with the current regulatory requirements, with continuing efforts and developments to promote credentialing for on-line access to National Source Tracking System (NSTS) by licensees, to investigate other viable authentication means, and to streamline alternative electronic methods to input transaction information into the NSTS.

I agree with Commissioner Magwood that staff should reevaluate whether NSTS should remain at the level 4 computer security requirements and the possible use of a graduated approach.

I agree with the Chairman that a six month progress report would be useful.


SIGNATURE

9/30/10
DATE

Entered on "STARS" Yes X No _____

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER MAGWOOD

SUBJECT: SECY-10-0112 – REPORT REGARDING
ENCOURAGING STATES AND LICENSEES TO
COMPLETE NATIONAL SOURCE TRACKING SYSTEM
CREDENTIALING AND TO USE THE SYSTEM
ELECTRONICALLY

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below Attached X None


SIGNATURE

29 September 2010
DATE

Entered on “STARS” Yes X No

Commissioner Magwood's Comment on SECY-10-0112
Report Regarding Encouraging State and Licensees to Complete National Source
Tracking System Credentialing and Use of the System Electronically

I approve the staff's recommendation to maintain the current regulatory requirements regarding NSTS transactions. I also approve staff's approach to continue its efforts to promote credentialing for on-line access to NSTS by licensees, to investigate other viable authentication means, and to streamline adoption of alternative electronic methods to input transaction information into the NSTS.

However, I do share the concerns expressed by some of my colleagues that more needs to be done to encourage licensees to conduct their NSTS transactions online rather than by applying faxes or other more costly, more error-prone methods. It is clear from my assessment of the program that the application of Level 4 security requirements to online NSTS access serves as a significant barrier to expanded adoption due to the increased difficulty the associated credentialing system presents to some licensees.

Therefore, I recommend that staff evaluate whether the NSTS should remain a level 4 system. If the NSTS applies a Level 3 system, the credentialing challenges and burden on users that currently characterizes access to the system will be reduced significantly. Staff should provide to the Commission a paper for its review and approval with the pros and cons of changing to Level 3 access system including expected resource impacts from changing the system, the benefit that might be gained, the type of information that would be required from the licensees to access the system, the expected challenges in implementing the revised system for those that are currently using the system on-line, and any potential security issues that could result from a lower level of access protection. Staff should also consider an option applying a graduated approach by which information associated with Category 1 sources remains accessible under Level 4 access controls.

 → 9/29/10

William D. Magwood, IV Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER OSTENDORFF

SUBJECT: SECY-10-0112 – REPORT REGARDING
ENCOURAGING STATES AND LICENSEES TO
COMPLETE NATIONAL SOURCE TRACKING SYSTEM
CREDENTIALING AND TO USE THE SYSTEM
ELECTRONICALLY

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached X None _____


Annette Vietti-Cook
SIGNATURE

10/1/10
DATE

Entered on “STARS” Yes X No _____

Commissioner Ostendorff's comment on SECY 10-0112 "Report Regarding Encouraging States and Licensees to Complete National Source Tracking System Credentialing and to Use the System Electronically"

I approve of the staff's recommended Option 1 - to continue with the current regulatory requirement, address issues as lessons are learned, and encourage licensees to access the NSTS electronically, while addressing the technical issues as they are encountered.

As discussed in the staff's paper, the staff encountered hurdles with deployment of the NSTS, especially with regard to credentialing. I also recognize the staff's diligent work in addressing a majority of the administrative issues associated with credentialing. These initial challenges caused a number of licensees to report their transactions via fax rather than on-line. However, the outreach efforts thus far have aided in increasing the number of on-line and electronic users, and the data shows a continuing upward trend such that approximately 80% of system users now report information electronically. In other words, there has been significant progress on increasing electronic usage absent a requirement within a rule to do so.

Since the system is less than 2 years old, it is prudent to allow the staff additional time to make modifications and encourage credentialing, especially given that the efforts are still yielding efficiency. In addition to the progress that has already been made, the staff is actively working on process improvements which are expected to increase electronic use, such as a revised form to be used by those submitting information to the NRC for uploading to the system. Given that data timeliness is a motivation for encouraging on-line use, staff should track metrics which will aid in quantifying improvements in data timeliness achieved by system enhancements.

Considering that the intended use of the NSTS is to be primarily Internet-based, and given the challenges with the credentialing process that have discouraged some from adopting on-line use of the system, the staff should continue to assess the feasibility of alternative credentialing strategies and seek ways to reduce the complexity of the credentialing process. Therefore, I agree with Commissioner Magwood's vote stating that staff should provide to the Commission a paper for its review and approval which evaluates whether NSTS should remain a Level 4 security system and which also considers a graded approach whereby information associated with higher risk sources remains under Level 4 security controls.