



SECRETARY

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

August 19, 2011

COMMISSION VOTING RECORD

DECISION ITEM: SECY-11-0093

TITLE: NEAR-TERM REPORT AND RECOMMENDATIONS FOR
AGENCY ACTIONS FOLLOWING THE EVENTS IN JAPAN

The Commission (with Commissioner Magwood approving and Commissioners Svinicki, Apostolakis and Ostendorff approving in part and disapproving in part) acted on the subject paper as recorded in the Staff Requirements Memorandum (SRM) of August 19, 2011.

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 "Andrew L. Bates".

Andrew L. Bates
Acting 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-11-0093

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. JACZKO	X				X	8/9/11
COMR. SVINICKI	X	X			X	7/19/11
COMR. APOSTOLAKIS	X	X			X	7/28/11
COMR. MAGWOOD	X				X	7/19/11
COMR. OSTENDORFF	X	X			X	7/27/11

NOTATION VOTE

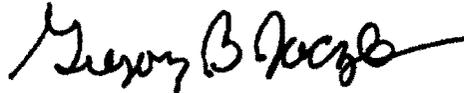
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Chairman Gregory B. Jaczko
SUBJECT: SECY-11-0093 – NEAR-TERM REPORT AND
RECOMMENDATIONS FOR AGENCY ACTIONS
FOLLOWING THE EVENTS IN JAPAN

Approved X Disapproved Abstain

Not Participating

COMMENTS: Below Attached X None



SIGNATURE

8/9/2011

DATE

Entered on "STARS" Yes X No

Chairman Jaczko's comments on SECY-11-0093
"Near-Term Report and Recommendations for Agency Actions Following
the Events in Japan"

Over the years, I have cast many votes on issues that have had impacts - some minor, some major - on the course of nuclear regulation. The votes the Commission will cast on the Task Force report's recommendations will have impacts for a very different reason. In this case, the Commission is reacting to a real accident at a plant with a design similar to designs licensed and built in the United States. Not since the Three Mile Island plant accident has the Commission had such a significant task. At the same time the Commission is addressing these issues, it is also on the verge of making final decisions on several design certifications and combined license applications for reactors that may actually be built if licensed. These are both tasks the agency has not confronted for decades.

To address the first challenge, the Commission established a process of in-depth study by a dedicated group of NRC staff members to proceed in two phases. The first phase, the matter presently in front of the Commission, was to be completed in 90 days to learn if there were immediate actions that should be taken based on information available now, and given the short time frame, was to be independent of industry efforts. The second phase was to be completed in six months and started near the end of the 90 day review effort, but ultimately when additional and final lessons from the Fukushima Dai-ichi accident were developed.

On July 12, the Task Force completed its report and made it available to the public. I thank Dr. Charles Miller and the other members of the Task Force for all their work in conducting the near-term review. The report's analysis and recommendations reflect their experience, expertise, and commitment to nuclear safety. I would also like to acknowledge Chuck Casto, who has tirelessly worked in Japan, the hundreds of dedicated employees who staffed the operations center around the clock, as well as many others, both here and abroad, who served the agency, our country, and the Japanese people, since the accident occurred. Additionally, I note the many other NRC staff who supported this review, as well as the Federal Emergency Management Agency, the Institute for Nuclear Power Operations, the Environmental Protection Agency and other groups and individuals who shared their views with the Task Force.

In laying out a Regulatory Framework for the 21st Century, the Commission's Task Force developed a comprehensive set of 12 recommendations it believed are needed to strengthen nuclear safety. In developing their report and recommendations, the members of the Task Force had full access to the entire NRC staff, conducting more than 100 hours of interviews. They also spent thousands of hours reviewing agency products and information, and consulted closely with the NRC site team in Japan. With 135 years of collective experience, the Task Force clearly has a stake in the NRC's current regulations. I believe the Task Force found that the status quo of our existing regulatory framework is no longer acceptable - calling for changes to the regulations that we have long relied on for adequate protection. These recommendations, both near term and longer, range in areas from loss of electrical power to earthquakes, flooding, spent fuel pools, venting, and emergency preparedness. Throughout the report, the Task Force emphasized that effective NRC action is essential in addressing these challenges and that voluntary industry initiatives are no substitute for strong and effective NRC oversight.

Almost immediately after receiving the Task Force report, the Commission began discussions of the process to review the report, and not, unfortunately, on the content of the report and its profound meaning for nuclear safety. Several of my colleagues have found one aspect of the report they accept without question. The most frequently cited statement is that "continued operation and continued licensing activities do not pose an imminent risk to public health and safety." A majority of the Commission appears to accept this statement without the need for further scrutiny, debate, or discussion. On the other hand, the substantial body of the Task

Force report which details safety gaps in our regulatory system, and all of the recommendations about how to close those gaps do require additional analysis, according to my Commission colleagues.

When the report was presented to the Commission, it became clear that my colleagues wished to have additional stakeholder engagement before acting on the recommendations. I agreed with that approach and therefore followed our normal Commission procedure for developing an agenda for the Commission to consider. I worked with the agency's senior managers to develop a plan of action that included multiple public Commission meetings and written comments from external stakeholders and the NRC staff to provide the Commission with all the input it would need to disposition each of the 12 recommendations made by the Task Force. I made a commitment to my colleagues that the NRC staff would stand ready to provide them with any additional information they needed to be able to make their decisions. My only request was that we work to complete this activity within approximately 90 days so that we could disposition the safety issues in a prompt and finite amount of time. Given the logical, straightforward approach taken by the Task Force and the fact that the Commission had been briefed twice in the preceding months on the progress of their review, and the fact that the recommendations were telegraphed quite clearly during the public briefings, this is a task that I felt was eminently reasonable to accomplish in that timeframe.

Rather than voting directly on the Task Force's recommendations, my colleagues have instead elected to vote proposals outlining their own approach to managing the process. As I have indicated on many prior occasions, I believe this is a result of a flawed voting system that encourages the Commission to sidestep the actual substantive policy issues presented, and this current situation is just one more example. I mention it here not to further distract us, for this Task Force Report involves far too many substantive policy issues that require our undivided attention, but in the hope that my colleagues and I can come together at some point in the future to fix our voting process in a way that will discourage this type of ineffectiveness.

Given these circumstances and where the Commission currently stands, I have several options with this vote. I could simply vote on the recommendations themselves; I could vote on the process to consider the recommendations; or I could vote on a combination of the two. Each of these options has pros and cons.

Under the first option I would be forced to offer my views on the Task Force's substantive recommendations without the benefit of hearing from stakeholders and other NRC managers. I would note, however, that the agency's most senior managers have told me that they support all of the 12 high-level recommendations and a broad cross-section of the agency's stakeholders – including Members of Congress from both parties, public interest groups, major newspapers, and the Administration - have publicly encouraged us to implement the recommendations expeditiously, and the industry has been actively expressing their views on these issues as well.

My particular interest in hearing more from our stakeholders is to better understand the realities of implementation and to explore the Task Force finding that there is no imminent threat. Clearly the Commission must be willing to challenge this Task Force's finding just as vigorously as the safety recommendations themselves, even if the Commission agrees with it in the end. This is, after all, the most profound statement in the entire report. Because I have not had the opportunity to fully explore these issues, voting now on the merits of the 12 recommendations - rather than by October after a series of public Commission meetings, public engagements, and discussions with my Commission colleagues as I had proposed - is less than ideal.

The second option - voting only on process at this point - has the advantage of being in line with the majority of my colleagues on the Commission who have voted on process rather than on the substance of the recommendations. This approach has the disadvantage, however, of encouraging the current Commission's preoccupation with process at the expense of nuclear safety policy - a focus which makes this important government body less effective and less

efficient. In addition, this option would ensure that, along with the votes of my colleagues, the Commission would never vote on the 12 actual safety recommendations as presented by the Task Force.

As in many dilemmas, the best option here is to do both – vote on the process and the substance.

Process

Having said that, I offer the following principles for consideration of the 12 Task Force recommendations:

First, the Commission should vote within 90 days on each recommendation.

Second, the Commission should hear from additional NRC managers and staff on implementation issues within sufficient time to move forward in 90 days. On this point, several of my colleagues have also proposed a paper from the staff prioritizing the Task Force recommendations. I would note that the Task Force has already done much of that work by providing a prioritization of actions by outlining near-term orders and rulemakings, along with longer term reviews. Since a majority of my colleagues favor this proposal, I could support the paper provided it was completed within 45 days, and the Commission would then complete its vote within 90 days of Task Force's report.

Third, the Commission should conduct all of this activity openly and transparently. The Commission should meet with stakeholders in public meetings and we should deliberate in public to ensure all Commissioners have equal and contemporaneous access to stakeholder, staff, and Commissioner views.

As I review the votes of my colleagues, I find there are many areas of agreement that we could move forward on within the 90 day timeframe. There are, however, several proposed process arguments with which I do not agree. I am troubled by the suggestion of Commissioner Magwood to have the staff prepare a series of analyses and time-consuming voting papers for each of the 34 specific actions outlined in an appendix of the Task Force report. This is a level of micro-management that the Commission should not engage in and it could take years to complete. Instead I believe the staff should provide the Commission with their best judgment on implementation challenges they would face in carrying out the recommendations of the Task Force if approved by the Commission and prioritize the 12 recommendations to help the Commission understand the time line for implementation.

In addition, I strongly oppose Commissioner Svinicki's proposal, supported by other members of the Commission, for the staff to provide the charter for the long-term Task Force to the Commission. This document is a tool for managing staff work and is not a policy issue for the Commission's consideration. To enshrine such a working level document in a Commission vote limits the ability of the Executive Director for Operations to manage the agency and resources under his direction.

I appreciate Commissioner Ostendorff addressing some substantive issues in his vote by offering his view on six specific areas that he believes warrant short-term attention. I do have concerns however, with his proposal that the staff should prepare papers (papers whose general purpose I do not necessarily oppose) through the "lens of the Task Force's finding that the currently regulatory approach has served the Commission and the public well." This would seem to direct the staff to completely reconsider all the recommendations in the Task Force's report, including those that concern near-term reactor safety issues, defeating the purpose of

establishing the Task Force to begin with. Moreover it is unclear what this requirement actually means.

I encourage the Commission to direct the staff to consider the recommendations as the Task Force presented them – namely, 12 recommendations with specific implementation suggestions for each. That will ensure a more transparent accounting of the Commission's action on each recommendation. I think it is important to keep in mind, even where a recommendation calls for rulemakings or orders, there will be several opportunities for the Commission to further decide the policy options. For instance, if the Commission approves a rulemaking, the staff would provide the proposed rule language to the Commission for its approval, stakeholders would then provide comments on the proposed rule in writing and in meetings, and then the Commission would be asked to approve any final rule after the staff has considered stakeholder input. This is the normal process for the Commission to consider rulemakings and involves a great deal of Commission, NRC staff, and stakeholder feedback. All that is before the Commission now is a decision about whether or not to begin that well-established process.

Substance

Regarding the substance of the Task Force report, I will first break down the recommendations into three groups and add the caveat that my views on these recommendations may evolve with additional stakeholder interactions.

In the first group are the four recommendations for a long-term review which the staff did not have sufficient information to make specific recommendations at this time. It would seem obvious that the Commission could dispense with these recommendations promptly and forward them to the long-term review efforts. My only direction regarding these recommendations is that they should ultimately be addressed to ensure complete implementation within five years. It is possible, however, that stakeholder interactions will convince me that some or all of the recommendations in this category do have sufficient basis to begin implementation now.

In the second group are the six recommendations that directly apply to licensees, and the Task Force had sufficient information to make specific recommendations for action. I will discuss each of these recommendations in detail. The third group involves two recommendations focused on the NRC itself.

Below are my comments for the recommendations that fall into that second category. These six specific near-term recommendations are actions that the agency should require licensees to do now, either through rulemaking, orders, or a combination of both.

Recommendation 2 requires licensees to reevaluate and upgrade as necessary the design-basis seismic and flooding protection of structures, systems, and components for each operating reactor. Such protection from natural phenomena is critical for the safe operation of nuclear power plants due to the potential for common-cause failures and the potential for significant core damage as demonstrated at Fukushima. In fact, the Task Force recommended a rulemaking and two near-term orders underscoring the importance and high priority of this recommendation.

It is easy to see the value of this recommendation based upon experiences with our own reactors as well. Recently, our inspectors identified a finding of substantial safety significance in a licensee's flood protection measures. As a result, the licensee appropriately made physical changes to their site to improve their ability to withstand flooding. While the floods in the Midwest we have seen this year did not directly impact the safety related components of the sites, they underscored the possibility of unpredictable and sudden challenges from natural phenomena to a plant's safety. Also recently, the NRC staff identified concerns with one of our licensee's design basis flood analysis. In response, the licensee redid the design basis analyses and discovered that additional measures were needed to adequately protect their sites

from external flooding. If the licensee had not initiated a licensing action that warranted the additional NRC review, the shortcomings in their flooding analysis may not have been uncovered.

Based on our own experience and the lessons we can draw from Fukushima today, there appears to be good reason to have all licensees reevaluate seismic and flooding design basis analyses and if necessary, make improvements. Additional stakeholder interaction, however, would provide useful information for the Commission to consider the specific implementation mechanisms. We have also seen the benefits of our licensees doing a similar review of probable maximum flooding which has resulted in improvements to dams and other embankments that strengthened their ability to withstand such an event. This recommendation should be promptly adopted.

Recommendation 4 provides for improving mitigation of station blackout events (SBO) where a nuclear plant loses all AC power. While many of the contributing causes to the conditions leading to core damage at Fukushima Dai-ichi remain unknown at this time, operating strategies and equipment did not provide sufficient operating margin to prevent core damage for the low-probability events involving extended loss of AC power. There is no doubt that the cross-cutting aspect of the prolonged loss of electrical power at Fukushima Dai-ichi severely impacted the ability of the site's operators to prevent and to mitigate the accident. The Task Force recommended in the near term that the NRC strengthen station blackout mitigation capability at all operating and new reactors for design-basis and extended design-basis events. Specifically, the Task Force recommended that the Commission direct the staff to begin the actions to further enhance the ability of nuclear power plants to deal with the effects of prolonged SBO conditions at single and multiple unit sites without damage to the nuclear fuel in the reactor or spent fuel pool, and without the loss of reactor coolant system or primary containment integrity. The Commission already recognized the importance of this issue when it held a meeting on April 28, 2011. At that time, it was clear changes were needed to our requirements. The Task Force sensibly established two implementation strategies, a rule change and an order. In this case I have sufficient information to fully endorse this recommendation. The rule change will provide ample opportunity for stakeholder involvement and the order is consistent with common sense actions, which in some cases already are being taken by licensees.

The fifth recommendation requires reliable hardened vent designs in boiling water reactors (BWRs) with Mark I and Mark II containments. Even though we do not know the specific details of the Fukushima operators' use of hardened vents, we do know the containments were over-pressurized, that hydrogen was generated, and that there were explosions. Furthermore, we know from our own inspections that the industry's implementation of this voluntary initiative is inconsistent and it certainly did not envision the need to vent in an extended station blackout condition. Ensuring that BWR Mark I and Mark II containments have reliable hardened venting capability would significantly enhance the capability of these types of BWRs to mitigate an extended design-basis accident. Here again, we see the potential implication of the cross-cutting effect a prolonged loss of electrical power has on the ability to prevent and to mitigate accidents. Only eight BWR units in the United States have Mark II containment designs. Three of these units have installed hardened vents, and the remaining five units at three sites do not have hardened vents. I support taking action on this recommendation, which through a proposed rulemaking would benefit from implementation discussions with stakeholders.

Recommendation 7 would enhance nuclear power plant operators' ability to add water and to provide instrumentation in order to remotely observe conditions of spent fuel pools. I agree with the Task Force that the reliability and availability of U.S. spent fuel pool makeup systems would be better ensured if the NRC had a requirement for those systems to have safety-related electrical systems. It also makes much more sense to have a seismically qualified means to supply water to the spent fuel pools rather than a trial-and-error method such as obtaining pumper trucks employing high booms to spray water from a distance into the spent fuel pools. While in many circumstances directly observing level markings in the spent fuel pool provides a

simple and reliable means of indication, it is also sensible that operators should have alternative methods of obtaining a spent fuel pool level other than having to go physically to that location. As we have seen with Fukushima Dai-ichi, there may be prolonged periods where it is physically impossible to get a direct indication of spent fuel pool conditions due to infrastructure damage, poor lighting, or other adverse conditions such as smoke and high radiation.

I also believe the Commission should consider in the long term if there should be new regulations to require licensees to move spent fuel to dry cask storage within a specific timeframe. This step, recognizing the inherent safety benefits of dry storage and combining that knowledge with the new ISFSI security regulations under development, may provide a safer and more secure disposition for spent fuel. I also believe that an NRC-developed pilot probabilistic risk assessment provides additional supporting evidence of the benefits of having more of the spent fuel held in dry storage.

I approve Recommendation 8 to provide for the strengthening and integration of onsite emergency response capabilities such as emergency operating procedures, severe accident management guidelines, and extensive damage mitigation guidelines. The accidents at Fukushima highlight the importance of having plant operators who are well prepared and well supported by technically sound and practical procedures, guidelines, and strategies. It is clear that a properly planned and coordinated approach to command and control, and decision making during an emergency is vital. The findings from our inspectors of this important aspect revealed an inconsistent implementation of Severe Accident Management Guidelines (SAMGs) attributed to their voluntary nature. As the accident at Fukushima has clearly shown, both prolonged station blackout and multiple unit events present new challenges to dealing with emergencies. The use of a performance-based emergency planning approach could be an effective means to address these challenges. As with other areas, the implementation of this recommendation would benefit from extensive stakeholder interaction. Adding additional procedures to the requirements will necessarily change how operators train and potentially change the number of operators needed. The Commission must carefully understand how licensees can best accomplish this.

In Recommendation 9, once again we see the cross-cutting aspect of a prolonged station blackout. The effectiveness of onsite emergency actions is a very important part of the overall safety of nuclear power plants. In the interest of strengthening emergency preparedness, I approve this Task Force recommendation that facility emergency plans need to address prolonged station blackouts and multiple unit events. This recommendation, when implemented, would strengthen our current system substantially by requiring more formal, rigorous, and frequent training of reactor operators and other onsite emergency response staff on realistic accident scenarios with realistic conditions.

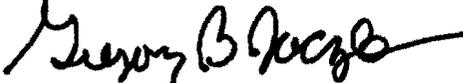
The final two recommendations fall into the third group of actions focused on the NRC itself.

I support the Task Force's first recommendation to establish a logical, systematic, and coherent regulatory framework that appropriately balances adequate protection, defense-in-depth and risk considerations. I believe that as a longer term action, the Commission should incorporate this recommendation. In doing so, this would provide a clearer structure for future Commission decisions regarding the issues that should be subject to NRC requirements and what those requirements should be. The Task Force envisioned a framework in which the current design-basis requirements would remain largely unchanged and extended design-basis requirements (e.g., for anticipated transient without scram (ATWS) and station blackout (SBO)) would be complemented with a more balanced and effective application of defense-in-depth. This recommendation would also strengthen the defense-in-depth philosophy by including explicit requirements informed by a state-of-the-art probabilistic risk assessment as needed for extended design-basis events. Most importantly, this recommendation also tightens the loose ends of our regulations by addressing voluntary industry initiatives so that they do not become a substitute for regulatory requirements.

Recommendation 12 is one area where I would have benefitted from holding a public Commission meeting to gain a further understanding of this issue. While I believe through the course of implementing the other recommendations, this recommendation could be achieved, I think a greater clarity could be brought to this recommendation. I believe we should always strive for improving the efficiency of NRC programs and strengthening the regulatory oversight of licensees by focusing more attention on defense-in-depth requirements. This issue will, however, require extensive discussions about implementation. Changes to our inspection program ultimately relate to resource considerations that must be carefully planned.

In light of the Task Force's work, I see no reason why the Commission cannot provide clear direction to the staff to address each of the Task Force's recommendations within 90 days. That does not mean the Commission would be taking final action on these matters. Several of the recommendations require rules or orders that may take months or years to develop.

These are not normal times for the NRC or for our licensees. We all know that some changes are in order, and none of us want to make rushed, poor decisions. We must move forward, however, with the urgency called for by these safety issues. That is why I have called for the NRC and the nuclear industry to commit to complete and implement the process of learning and applying the lessons of the Fukushima accident within five years - by 2016. This will require much hard work by our staff, strong and decisive leadership by the Commission, and an even stronger commitment by our licensees.

 8/9/2011
Gregory B. Jaczko Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER SVINICKI
SUBJECT: SECY-11-0093 – NEAR-TERM REPORT AND
RECOMMENDATIONS FOR AGENCY ACTIONS
FOLLOWING THE EVENTS IN JAPAN

Approved XX Disapproved XX Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached XX None _____



SIGNATURE

07/19/11

DATE

Entered on "STARS" Yes No _____

**Commissioner Svinicki's Comments on SECY-11-0093
"Near-Term Report and Recommendations for Agency Actions
Following the Events in Japan"**

I have studied carefully the recommendations of the Near-Term Task Force review of insights from the Fukushima Dai-ichi accident (the enclosure to SECY-11-0093). The members of the Near-Term Task Force have covered tremendous ground in the short, three months provided to them. After a more extensive examination than earlier, NRC post-Fukushima efforts were able to undertake, the Task Force has concluded that a sequence of events like the Fukushima accident is unlikely to occur in the United States and that continued operation and continued licensing activities do not pose an imminent risk to public health and safety. In addition to providing this safety re-assurance to the Commission and the public, the Task Force's work – conducted with some urgency, given their mission of finding any near-term deficiencies or re-confirming the safety of continued operations – now allows the agency the opportunity to proceed with the systematic and methodical review of lessons-learned that the Commission directed at the outset. Moreover, the agency is now in a position to conduct the fulsome stakeholder engagement and review by the Advisory Committee on Reactor Safeguards, which the Commission, in my view, reluctantly excused the Near-Term Task Force from undertaking, given the urgency of the Task Force's work to evaluate any near-term risks.

The SECY paper itself provides no NRC staff view of the Task Force Report. Lacking the NRC technical and programmatic staff's evaluation (beyond that of the six NRC staff members who produced the Task Force Report), I do not have a sufficient basis to accept or reject the recommendations of the Near-Term Task Force. I will cast my vote, therefore, in terms of both approving and disapproving, and will lay out the path forward that I approve pursuing in carrying forward with this important work. Having before us now the Near-Term Task Force recommendations, and understanding how far the team was able to progress in its analysis in 90 days, I believe it is necessary for the Commission to revise the path it set in SRM-COMGBJ-11-0002 and to modify the structure of the agency's longer term review of Fukushima lessons learned. In my view, the NRC finds itself at the appropriate point now to move away from small group taskings – including the Commission itself attempting to labor in isolation – towards integrating more fully the regulatory response arising from the events at Fukushima into the activities of NRC's line organizations.

Because this SECY notation vote paper contains no recommendation from the NRC's Executive Director for Operations (EDO), I consulted with the EDO and Deputy Executive Director for Reactor and Preparedness Programs directly, to understand their expert views on the Task Force Report. I also solicited from the EDO a recommendation of a path forward for NRC action regarding the Task Force Report. The EDO has recommended to me that, while some of the Task Force's recommendations, or sub-recommendations, could be treated separately, he has reviewed the recommendations in his capacity as EDO and believes there is value in evaluating the entire body of recommendations in a holistic manner. In addition, many external stakeholders have devoted considerable effort to similar lessons learned initiatives, and there would be a benefit to developing alignment on the objectives, approaches, and schedules for implementing safety improvements. Therefore, the EDO believes that directing the staff to provide the Commission with a proposed plan of its approach for (1) obtaining stakeholder input on the Task Force's recommendations, (2) analyzing stakeholder input, and (3) providing the Commission feedback on each of the recommendations would accomplish the objective of obtaining meaningful stakeholder input. As part of this plan, the staff would solicit input in a manner that will ensure broad stakeholder feedback is received and evaluated, and would

report back to the Commission on each of the near term Task Force recommendations once this has occurred. I understand that the Deputy Executive Director for Reactor and Preparedness Programs concurs in this recommendation.

I agree with this view and approve this path forward as the one the NRC should adopt, to move into the next phase of its Fukushima lessons-learned review. The staff's plan should be provided within 45 days of the date of the SRM on SECY-11-0093, in the form of a notation vote paper, to be delivered to each Commissioner office concurrently and containing the NRC staff recommendation of how to proceed with the evaluation of each Task Force Report recommendation, as further described above. This plan should also include a plan for stakeholder engagement on each recommendation, or set of related recommendations, and should include a schedule, with milestones, including any meetings that the staff would recommend the Commission itself conduct.

Additionally, the Commission's review of any proposed regulatory changes must, in my view, be informed by a comparison of U.S. and Japanese regulatory requirements, focused on those areas most relevant to the initiating sequence of events at Fukushima, but also comparing regulatory requirements regarding mitigation capability. Without this comparison, NRC's post-Fukushima response will lack a strong basis for determining the adequacy of, or strengthening, where necessary, the U.S. nuclear regulatory framework. The staff's plan should, therefore, also include a proposal for how NRC will undertake such a comparison.

The draft charter for the second phase of the review should also be provided to the Commission for its review and approval, as a notation vote paper (separate from the broader plan), as soon as possible, but in any event, no later than two weeks from the date of the SRM on SECY-11-0093. I personally support the general structure described to me by the NRC staff – that of a Steering Group, reporting to the EDO – but I believe the Commission must endorse or modify the charter itself, in a notation voting paper, in order to express its expectations and set the course for the agency's follow-on work.

Executive Order 13579, on the topic of "Regulation and Independent Regulatory Agencies," states that wise regulatory decisions depend on public participation and on careful analysis of the likely consequences of regulation. In that vein, the delivery of the Near-Term Task Force report is not the final step in the process of learning from the events at Fukushima. It is an important, but early step. Now, the conclusions drawn by the six individual members of the Near-Term Task Force must be open to challenge by our many stakeholders and tested by the scrutiny of a wider body of experts, including the ACRS, prior to final Commission action. The proposed path outlined here is intended to get us there with appropriate dispatch but without shortchanging the thoroughness and deliberation of our response.



Kristine L. Svinicki

07/19/11

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER APOSTOLAKIS

SUBJECT: SECY-11-0093 – NEAR-TERM REPORT AND
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Approved XX Disapproved XX Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___



SIGNATURE

7/28/11

DATE

Entered on "STARS" Yes No _____

**Commissioner Apostolakis' Comments on SECY-11-0093
Near-Term Report and Recommendations for Agency Actions
Following the Events in Japan**

I commend the Near-Term Task Force for its comprehensive review of NRC processes and regulations in light of the events in Japan. The Task Force has done an outstanding job of fulfilling its charter and developing a wealth of information for consideration by the Commission. The six individuals comprising the Task Force worked under difficult circumstances and with less-than-complete information regarding the events that occurred at the Fukushima Daiichi Nuclear Power Plants. They are to be congratulated for producing a well thought-out report on the early insights from Fukushima as they relate to the U.S. fleet of operating power reactors and to new reactors currently under review.

The Task Force found that the current regulatory system has served the Commission and the public well and it concluded that a sequence of events like that which occurred at Fukushima is unlikely to occur in the United States. As I discussed at the Task Force briefing to the Commission on July 19, 2011, many people have referred to the events at Fukushima as "unthinkable" and imply that we should strive to protect U.S. plants from events that are of extremely low probability. However, there is growing evidence that the historical record of tsunamis had not been used properly to determine the design basis at Fukushima Daiichi and, consequently, the protection of the plants was not sufficient. The accident was not of extremely low probability, i.e., it was not "unthinkable". This observation suggests that we should be mindful of striking a proper balance between confirming the correctness of the design basis and expanding the design basis of U.S. plants.

The Task Force stated that its review activities were structured to reflect insights from past lessons-learned efforts including those that followed the 1979 accident at Three Mile Island (TMI). As the Task Force pointed out, "the post-TMI review considered a number of actions that were proposed for general safety enhancement rather than being directed at specific safety weaknesses revealed by the TMI accident. As a result, some of the actions taken by the NRC after TMI were not subjected to a structured review and were subsequently not found to be of substantial safety benefit and were removed." I join the Task Force in its desire to avoid repeating such a mistake.

The Task Force concluded that "continued operation and continued licensing activities do not pose an imminent risk to public health and safety". At the same time, the Task Force is proposing to build on the existing safety foundation with twelve specific recommendations. I agree with Commissioner Magwood's statement that some of the Task Force's proposals raise technical and regulatory questions that will require further analysis. The Task Force recommendations will also require thoughtful interactions with external stakeholders. In addition, the Commission will benefit from the recommendations of NRC senior managers and the Advisory Committee on Reactor Safeguards (ACRS) during its deliberations on these issues. At the same time, I support Chairman Jaczko's goal of reaching a timely disposition of the Task Force's recommendations. In my view, the Commission should strive to reach a decision on the recommendations within 90 days from the date of the SRM for SECY-11-0093.

The Chairman's Tasking Memorandum dated March 23, 2011 (COMGBJ-11-0002) directed the staff to establish a near-term and a longer-term review of the events in Japan. With the completion of the near-term review, I propose that the following actions be implemented to

assist the Commission in reaching a timely disposition on the Near-Term Task Force recommendations:

1. I agree with Commissioners Svinicki, Magwood, and Ostendorff that the Executive Director for Operations (EDO) should provide a notation vote paper proposing a charter updating the structure of the longer-term review contained in the Chairman's tasking memorandum. I agree with Commissioner Ostendorff's suggestions regarding the content of the charter. The staff's paper should be submitted to the Commission no later than two weeks from the date of the SRM for SECY-11-0093.
2. I join Commissioners Magwood and Ostendorff in directing the EDO to prepare a notation vote paper prioritizing the Task Force recommendations. The paper should evaluate each recommendation, explain the basis for the prioritization, and identify any additional recommendations that the staff deems appropriate. During its deliberations, the staff should interact with external stakeholders. The paper should be submitted to the Commission within 45 days from the date of the SRM for SECY-11-0093.
3. I support the Chairman's proposal that the Commission hold public meetings with the staff and external stakeholders to offer an opportunity to provide feedback on the Task Force recommendations directly to the Commission.
4. As soon as possible after the EDO has provided to the Commission the paper requested in item 2 above, the ACRS should review the staff's evaluation and prioritization of the Task Force recommendations and submit a report to the Commission.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MAGWOOD
SUBJECT: SECY-11-0093 – NEAR-TERM REPORT AND
RECOMMENDATIONS FOR AGENCY ACTIONS
FOLLOWING THE EVENTS IN JAPAN

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached None _____



SIGNATURE

19 July 2011

DATE

Entered on "STARS" Yes No _____

Commissioner Magwood's Comments on SECY-11-0093
"Near Term Report and Recommendations for
Agency Actions Following The Events in Japan"

On March 23, 2011, the Commission approved formation of a task force to conduct a systematic and methodical review of NRC's regulatory requirements, program and processes and to recommend whether the agency should make near term improvements as a result of the events at the Fukushima Dai-ichi nuclear power plant in Japan. This task force was established on March 30, 2011 and, after months of works, provided the Commission with a report on July 12, 2011.

I congratulate this six-person team for its impressive effort. The task force members worked independently, drawing on their substantial experience and their interactions with NRC staff to produce a very important report. In creating this process, the Commission determined that it was vital to determine whether an analysis of the events at the Fukushima Dai-ichi plant could identify any imminent safety risks to U.S. facilities as soon as possible. Therefore, the task force was instructed to work on a very compressed schedule.

As a result, the task force was required to work without the benefit of the full analytical resources of the agency, stakeholder input, contact with licensees, or the formal advice of the Advisory Committee for Reactor Safeguards. Despite these circumstances, the task force was able to complete a wide-ranging report that highlights many compelling issues. All six members of the task force are to be commended for their dedication to this endeavor.

I expect that our many stakeholders are pleased to learn that, based on the hard work of this task force, a full consideration of NRC's regulatory framework in light of the events at Fukushima verifies that there are no imminent threats to safety at U.S. nuclear power plants. Perhaps the most important comment from the task force is the following:

The current [U.S.] regulatory approach, and more importantly, the resultant plant capabilities allow the Task Force to conclude that a sequence of events like the Fukushima accident is unlikely to occur in the United States and some appropriate mitigation measures have been implemented, reducing the likelihood of core damage and radiological releases. Therefore, continued operation and continued licensing activities do not pose an imminent risk to public health and safety.

Further, the task force goes on to emphasize:

Although complex, the current regulatory approach has served the Commission and the public well and allows the Task Force to conclude that a sequence of events like those occurring in the Fukushima accident is unlikely to occur in the

United States and could be mitigated, reducing the likelihood of core damage and radiological releases.

Nevertheless, as this agency has indicated on many occasions, there are lessons to learn from Fukushima that can be used to consider further improvements in our regulatory framework. The task force has highlighted many areas for consideration, providing the Commission with 12 thought-provoking recommendations.

Some of the task force's comments raise very complex technical and regulatory questions that will require significant analysis. In particular, I note that the Commission will need to understand and discuss the task force's recommendations regarding its proposed regulatory approach to beyond design basis requirements (or, as the task force prefers to call them, "extended design basis" requirements). In many ways, these recommendations break new ground that could have very far-reaching consequences.

I also note that, given the task force's limitations, it was not possible to give all issues the consideration they deserve. As a key example, at the task force's final briefing to the Commission on July 19, 2011, task force members indicated that they did not yet have sufficient information from the Fukushima experience to identify whether there are lessons for the U.S. to consider regarding the use of potassium iodide. Moreover, the task force pointed out that, lacking the medical expertise required to understand the implications of any data that is forthcoming from Japan, they would not be in a position to render a judgment in any event. Clearly, such expertise exists elsewhere and we must consult with experienced personnel in and out of government to reach the best conclusion. I do not view this as an isolated case; it is my view that to assure the full consideration of this and many other issues, the agency must engage fully outside experts and stakeholders.

Fortunately, the NRC has the analytical resources and stakeholder engagement capabilities to deal with these matters in an efficient manner. The Commission's SRM for COMGBJ-11-0002, which authorized the creation of the task force, was structured to allow the recommendations of the task force to be reviewed and, where appropriate, implemented using NRC's expert staff organizations, established stakeholder processes, and ACRS review. Since the task force has found no imminent risk to public health and safety, we have the opportunity to apply our resources and processes to best effect.

The Chairman has publically proposed a "roadmap" that entails a series of Commission meetings over the next few months that would facilitate public outreach and an eventual decision by the Commission to assign work to the staff. I appreciate this proposal and look forward to working with my colleagues to schedule any meetings necessary to complete this work. However, I believe that we should not wait any longer to engage the full NRC staff in this effort; the staff can engage stakeholders in rapid, comprehensive fashion—with multiple issues receiving priority attention in parallel—while the Commission continues its consideration of the lessons learned from Fukushima.

Therefore, as anticipated by the SRM that created the Task Force, I recommend that the Executive Director of Operations immediately assign review of the task force report recommendations to the steering committee of senior managers established for that purpose. The steering committee should consider the task force recommendations to be of high priority and work with line organizations to adjust their activities accordingly. In keeping with NRC's transparent and open processes, this review should include dialogue with all stakeholders including public interest groups; industry; Federal, state, and local agencies; and members of the public. This step is vital as it will allow us to benefit from the efforts of organizations outside the NRC that have devoted significant time and resources to considering how to respond to the lessons of Fukushima.

Also, as anticipated by the task force SRM, staff should work with the ACRS to obtain its formal review of all task force recommendations.

I note that the task force report provides somewhat greater specificity than I, at least, had anticipated when the Commission developed the SRM. Moreover, the Commission is finalizing additional guidance to the staff, through COMWDM-11-0001/COMWCO-11-0001, regarding enhancements to the agency's stakeholder engagement practices that should be made with regard to this and other efforts. Therefore, it is appropriate for the Commission to review and approve an update of the charter for the steering committee through a notation vote paper (a draft charter was provided to the Commission in the form of a Commissioner's Assistants note on June 28, 2011). This notation vote paper should be submitted to the Commission no later than two weeks from the date of the SRM for SECY-11-0093.

I recommend that all proposed actions arising from this review (including the application of orders when found to be necessary to respond to existent threats to safety), as well as reasonable options, be provided to the Commission via notation vote papers for its review and final approval.

Further, while I appreciate the task force's conclusion that continued operation of nuclear power plants and continued licensing activities do not pose an imminent risk to public health and safety, there may be some recommendations that can and should be implemented essentially immediately. Given this, I further recommend that within 20 days of the SRM associated with this SECY paper, the EDO should provide the Commission with a notation vote paper that identifies and makes recommendations regarding any task force suggestions that can, and in staff's judgment, should be implemented without further delay.

Finally, within 45 days of the SRM associated with this SECY paper, the EDO should provide the Commission with a notation vote paper recommending a prioritization of the recommendations from the task force. This paper should identify, based on the process overseen by the EDO and the steering committee, any high-priority items that can be presented to the commission before the end of 90 days after the issuance of an SRM. Input from stakeholders must be considered when developing any recommended schedule. I believe this approach will allow the agency to conduct its evaluation of the entire body of task force recommendations in a holistic manner.



William D. Magwood, IV 7/19/11
Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER OSTENDORFF
SUBJECT: SECY-11-0093 – NEAR-TERM REPORT AND
RECOMMENDATIONS FOR AGENCY ACTIONS
FOLLOWING THE EVENTS IN JAPAN

Approved Disapproved Abstain

Not Participating

COMMENTS: Below Attached None



SIGNATURE

7/27/11

DATE

Entered on "STARS" Yes No

**Commissioner Ostendorff's Comments on SECY-11-0093
Near-Term Report and Recommendations for
Agency Actions Following the Events in Japan**

I want to thank the Task Force for their dedicated efforts in completing their review in a relatively short period of time. Their report represents a very significant first step in learning from the events at Fukushima. That said, there is much more to be done. I would like to thank Dr. Charles Miller for his committed leadership of the Task Force. While I have some views that differ from those of the Task Force, that is expected and to be encouraged in an agency that prides itself on openness and transparency.

This is perhaps one of the most important votes I will cast as a Commissioner. The gravity of this subject mandates thoughtful reflection upon the NRC's *Principles of Good Regulation – Independence, Openness, Efficiency, Clarity, and Reliability*. With these principles in mind, I have carefully reviewed the Task Force report, sought input from the NRC staff, and listened to the views of my colleagues on the Commission. I will offer my views on SECY-11-0093 organized under these main areas: (I) Overarching decision-making principles; (II) Addressing the NRC's regulatory framework – Task Force recommendation 1; (III) Short-term regulatory actions; and (IV) Governance of the NRC's actions going forward and the long-term review.

I. Overarching decision-making principles

Following the March 23, 2011 tasking memorandum for COMGBJ-11-0002, I was keenly interested in what judgments the Task Force would make regarding the safety of U.S. operating reactors of all designs. To this very point, I highlight that the Task Force observed that (page 18):

Although complex, the current regulatory approach has served the Commission and the public well and allows the Task Force to conclude that a sequence of events like those occurring in the Fukushima accident is unlikely to occur in the United States and could be mitigated, reducing the likelihood of core damage and radiological releases.

Therefore, in light of the low likelihood of an event beyond the design basis of a U.S. nuclear power plant and the current mitigation capabilities at those facilities, the Task Force concludes that continued operation and continued licensing activities do not pose an imminent risk to the public health and safety and are not inimical to the common defense and security.

The above findings anchor my views on how to responsibly move forward in assessing the Task Force recommendations. Let me offer four additional observations:

- 1) In October 2010, an Integrated Regulatory Review Service team conducted an international peer review mission to assess the NRC's regulatory program and found that "the NRC has a comprehensive and consistent regulatory system that has been

developed in a determined manner” and that “the NRC has a strong drive for continuous improvement in its own performance and has well achieved its goals”;

- 2) The Fukushima tragedy occurred in another country whose regulatory structure is quite different from that found in the U.S.;
- 3) I agree with the statements made by Commissioner Apostolakis at the July 19, 2011 Commission meeting, that the occurrence of the tsunami on March 11 was not an unthinkable external event; and
- 4) There is still a great deal that we do not know about Fukushima concerning the sequence of events, failure modes of equipment, functionality, and execution of procedures, etc.

These four observations helped frame my study of the Task Force report and recommendations.

As noted earlier, the NRC’s *Principles of Good Regulation* are relevant to my decision-making on the Task Force report. Regarding the process for addressing the Task Force recommendations and the long-term review, I believe that three of these principles deserve specific mention. First, the principle of *Clarity* calls for the Commission to provide immediate direction to the staff on the philosophical approach that should guide the disposition of the Task Force recommendations. Second, the principle of *Reliability* leads me to conclude that to ensure that our regulations are not in an unjustifiable state of transition, the substantial institutional knowledge and operational experience of the NRC should be fully utilized in moving forward to address the Task Force recommendations. Third, the principle of *Openness* requires us to engage external stakeholders in a meaningful way. The spirit of this third principle underlies the June 23, 2011 COM on “Engagement of Stakeholders Regarding the Events in Japan” that I co-authored with Commissioner Magwood (COMWDM-11-0001/COMWCO-11-0001). In that light, I support the underlying premise of Chairman Jaczko’s proposal for the Commission to have public meetings to engage stakeholders and to inform Commission decision-making in a timely, responsive manner. I look forward to working with all of my colleagues on the Commission to determine the appropriate subjects and schedule for such Commission meetings.

II. Addressing the NRC’s regulatory framework – Task Force recommendation 1

I appreciate the Task Force’s thoughtful accounting of the background for the NRC’s current regulatory framework. Some in the press have focused on the use of the word “patchwork” in the report to describe the NRC’s existing regulatory framework. I think that term diminishes the dynamic, evolving nature of the NRC’s regulatory framework. Our predecessors took certain concrete actions in response to the events at Three Mile Island and the attacks of September 11, 2001. With the benefit of hindsight, one could suggest there may have been better ways to approach certain issues at the time. But, I am not a critic of those past actions. Rather, I personally believe that previous NRC staff and Commissions used their best judgment to frame

courses of action appropriate to address the problems they faced. While that regulatory approach, one of a dynamic and evolving nature, may not have the coherence of a framework that might be developed with the luxury of being done in a closed room at one static point in time, it does not mean that the framework is not effective. To the contrary, I believe that the NRC's Reactor Oversight Process (ROP) is a key example of an evolutionary change that has resulted in a rigorous oversight program that is focused on safety in the areas of greatest risk significance. Since 2000, NRC inspection findings in the ROP have brought to light substantive issues on nuclear reactor operations, plant design, maintenance, and defense-in-depth, and corresponding corrective actions to address such findings.

As stated earlier, the Task Force noted that "the current regulatory approach has served the Commission and the public well." I also reiterate what I stated at the July 19, 2011 public Commission meeting on the near-term report: "While I support thoughtful consideration of any potential safety enhancements in a systematic and holistic manner, I do not believe that our existing regulatory framework is broken."

Consistent with the NRC's organizational value of *Excellence* that drives us to be continuously improving and self-aware, I support moving forward, but not at this time, with Task Force recommendation 1. Such an effort would constitute a highly significant undertaking for the entire agency and realistically would take some number of years to accomplish. While I support the notion of enhancing our existing framework, I firmly believe that any such effort should be undertaken as a separate, distinct effort from the rest of the Fukushima Task Force recommendations. Acting upon recommendation 1 in the near-term will distract the NRC from timely and responsive action on those Task Force recommendations that would enhance safety in the near-term and are ripe for execution. Therefore, I propose that recommendation 1:

- 1) Be pursued independent of any activities associated with the review of the other Task Force recommendations; and
- 2) Be deferred for action and commence only after receiving future direction from the Commission. To facilitate this Commission direction, the EDO should submit a notation vote paper to the Commission that would take into account the cumulative lessons learned and stakeholder input from the review of other Task Force recommendations, and provide the Commission with a full range of options for addressing recommendation 1. This notation vote paper should be provided to the Commission no later than 18 months from the date of the final Staff Requirements Memorandum (SRM) for SECY-11-0093.

III. Short-term regulatory actions

I agree with Commissioner Magwood that there are short-term actions that the agency should consider to enhance safety. As such, I support Commissioner Magwood's recommendation with some modification. Specifically, I recommend that within 30 days (instead of 20 days) of the final SRM associated with this paper, the EDO should provide the Commission with a

notation vote paper that identifies and makes recommendations regarding any Task Force recommendations that can, and in the staff's judgment, should be implemented, in part or in whole, without unnecessary delay. I would add additional guidance that the staff should, in framing these short-term actions, consider the wide range of regulatory tools available. Again, these short-term actions should be assessed using the NRC's existing regulatory framework. Taking this step in the short-term will get the agency and licensees started down the path to implement appropriate safety enhancements sooner rather than later.

While I will carefully review the short-term actions that the EDO will submit in the notation vote paper described above, I believe I have an obligation to the NRC's external stakeholders and the NRC staff to communicate my view on certain Task Force recommendations. Based on my review and understanding of the accident at Fukushima, I believe the areas listed below warrant short-term regulatory attention and I offer them for consideration as appropriate by the EDO.

- 1) Reevaluate the seismic and flooding hazards at their sites against current NRC requirements and guidance (related to Task Force recommendation 2.1);
- 2) Perform seismic and flood protection walk-downs to identify and address plant-specific vulnerabilities and verify the adequacy of monitoring and maintenance for protection features such as watertight barriers in the interim period (related to Task Force recommendation 2.3);
- 3) Issue an advanced notice of proposed rulemaking and develop the technical basis to revise 10 CFR 50.63 to strengthen station blackout mitigation capability (related to Task Force recommendation 4.1);
- 4) Review 10 CFR 50.54(hh)(2) equipment protection from design-basis external events and additional equipment needs for multiunit events (related to Task Force recommendation 4.2);
- 5) Review venting capability and accessibility for Mark I and Mark II containments (related to Task Force recommendation 5.1); and
- 6) Maintain and train on Severe Accident Management Guidelines (related to Task Force recommendations 8.4 and 12.2).

IV. Governance of the NRC's actions going forward and the long-term review

In March, I applauded and supported Chairman Jaczko's prompt efforts to bring a proposal to the Commission for the NRC's response to the events in Japan. Now we find ourselves nearing the end of July, knowing more than what we knew in March. As I have learned more, my thinking about the NRC's response to Fukushima has certainly evolved since the Commission established the Task Force in March. Therefore, I find it timely for the Commission to build on

our earlier decisions and fine-tune our vision for the NRC's actions going forward and for the long-term review.

It is with this backdrop and the principles of *Clarity, Reliability, and Openness* in mind that I recommend the EDO provide the Commission with a notation vote paper with a charter for the structure, scope, and expectations for assessing the Task Force recommendations and the NRC's longer-term review. The draft charter should be based upon the concept envisioned by the EDO and Deputy EDO for Reactor and Preparedness Programs that establishes a senior level steering committee reporting to the EDO and supported by an internal advisory committee and an external panel of stakeholders. This charter should include as an objective that the steering committee would provide, through the EDO, an integrated, prioritized assessment of the Task Force recommendations along with its recommendations and bases for further regulatory actions. This model of review has effectively served the Commission in other significant efforts such as the Groundwater Task Force, the Davis-Besse Lessons Learned Task Force, and the Discrimination Task Force. The draft charter for Commission review should also incorporate any direction provided by the Commission in response to COMWDM-11-0001/COMWCO-11-0001. To support timely and clear Commission direction to the NRC staff, the paper should be provided to the Commission no later than two weeks after the date of the final SRM for SECY-11-0093.

In addition, I join Commissioners Magwood and Svinicki in directing the EDO within 45 days of the date of the final SRM for SECY-11-0093 to provide the Commission with a notation vote paper recommending a prioritization of the Task Force recommendations informed by the steering committee. This paper should include the technical and regulatory bases for the prioritization and include recommendations for appropriate stakeholder engagement as well as for Commission meetings.

Given that I have significant reservations about proceeding at this time to implement recommendation 1, I believe additional guidance to the envisioned steering committee and NRC staff is appropriate as they assess the Task Force report and provide their recommendations back to the Commission. At the July 19 Commission meeting, I specifically asked the Task Force the following question: "If the Commission did not approve Recommendation 1, would that change the Task Force recommendations for rulemaking and orders?" The answer I received was "yes." In that light, and given my position on deferring action on recommendation 1, I find it essential for the Commission to provide direction to the steering committee that they should assess the Task Force recommendations through the lens of the Task Force's finding that "the current regulatory approach has served the Commission and the public well." Therefore, consistent with existing practices, the staff should continue to consider risk insights and defense-in-depth to inform their recommendations on what actions may provide for a substantial increase in safety or are necessary to provide reasonable assurance of adequate protection.