

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Chairman Gregory B. Jaczko

SUBJECT: SECY-12-0046 – OPTIONS FOR REVISING THE
REGULATORY APPROACH
TO GROUND WATER PROTECTION

Approved X Disapproved Abstain

Not Participating

COMMENTS: Below Attached X None



SIGNATURE

4/27/12

DATE

Entered on "STARS" Yes x No

**Chairman Jaczko's comments on SECY-12-0046,
"Options for Revising the Regulatory Approach to Ground Water Protection"**

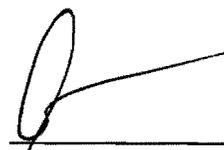
I continue to support my previous votes on SECY-11-0019, "Senior Management Review of Overall Regulatory Approach to Groundwater Protection," and SECY-11-0076, "Improving the Public Radiation Safety Cornerstone of the Reactor Oversight Process." It's simply not acceptable for licensees to have accidental releases of radiation – even onsite, and then in a less than objective and transparent way, voluntarily explain the consequences of these leaks. Communicating the significance of these events to the public using objective, risk informed, performance based regulatory criteria, including the use of enhanced performance indicators, would go a long way towards providing the public with accurate and easily understandable information.

In that light, I support key portions of Option 2 that could be implemented today with minimal impact as the most reasonable and reliable means to ensure that leaks to the groundwater and the environment do not someday result in more significant offsite consequences. Specifically, I support adopting regulations incorporating elements of the Nuclear Energy Institute's "Industry Ground Water Protection Initiative," and the Nuclear Energy Institute's "Industry Initiative on Underground Pipes and Tanks Integrity," thereby removing the voluntary nature of this guidance.

I also support adopting a regulation to change reporting requirements requiring licensees to promptly report ground water monitoring data for leaks and spills, which the licensee would make publicly available on a web site. The agency should require licensees to report more frequently than annually as currently required for effluent and environmental monitoring information including data on ground water monitoring results, and radioactive effluent summary reports.

Regarding environmental monitoring, I think the industry could do much more to enhance public confidence and trust by providing publicly available real time information concerning effluent releases and offsite radiation levels. As evidenced by the annual effluent reports, the nuclear industry has a good record of maintaining their releases as low as reasonable achievable. Furthermore, many of these instrumented parameters are already remotely monitored. Modern day electronic sensors are inexpensive and capable of providing real time information via the internet, or short message service (SMS) such as text messages.

The staff provided information that approximately 40 percent of the licensees had not fully implemented the industry's voluntary program elements. Even with approximately eight percent of the program elements being incomplete, until the staff completes its inspection of those licensees with incomplete program elements we do not know the significance of this information. This illustrates the inherent weakness of allowing voluntary initiatives. As I have previously stated, voluntary initiatives are no substitute for the regulator consistently and appropriately enforcing its regulatory requirements to monitor, control, and limit releases of radioactive materials from nuclear power plants.



Gregory B. Jaczko

4/27/12

Date