

UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 15, 2006

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-06-0212

TITLE: PREPARATION OF ANNUAL REPORTS ON RADIOACTIVE MATERIALS RELEASED IN GASEOUS AND LIQUID EFFLUENTS AND IN SOLID WASTES SHIPPED FOR DISPOSAL BY COMMERCIAL NUCLEAR POWER PLANTS

The Commission (with Commissioners McGaffigan, Merrifield, and Jaczko agreeing) disapproved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of November 15, 2006. Chairman Klein and Commissioner Lyons approved the paper.

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 cursive script, appearing to read "Annette L. Vietti-Cook".

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
EDO
PDR

VOTING SUMMARY - SECY-06-0212

RECORDED VOTES

| | APRVD | DISAPRVD | ABSTAIN | NOT PARTICIP | COMMENTS | DATE |
|------------------|-------|----------|---------|-----------------|----------|----------|
| CHRM. KLEIN | X | | | | X | 11/3/06 |
| COMR. McGAFFIGAN | | X | | | X | 10/23/06 |
| COMR. MERRIFIELD | | X | | | X | 11/9/06 |
| COMR. JACZKO | | X | | | X | 10/26/06 |
| COMR. LYONS | X | | | | X | 10/26/06 |

COMMENT RESOLUTION

In their vote sheets, Commissioners McGaffigan, Merrifield, and Jaczko disapproved the subject paper. Chairman Klein and Commissioner Lyons approved the paper. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on November 15, 2006.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary


FROM: CHAIRMAN KLEIN

SUBJECT: SECY-06-0212 - PREPARATION OF ANNUAL
 REPORTS ON RADIOACTIVE MATERIALS RELEASED
 IN GASEOUS AND LIQUID EFFLUENTS AND IN SOLID
 WASTES SHIPPED FOR DISPOSAL BY COMMERCIAL
 NUCLEAR POWER PLANTS

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached X None _____



 SIGNATURE

11/07/06

 DATE

Entered on "STARS" Yes / No _____



CHAIRMAN KLEIN'S COMMENTS ON SECY-06-0212

I approve the staff's recommendation to not proceed with the development of a process to prepare annual reports on effluents and solid waste. I agree with Commissioner Lyons that the staff's September 2006, "Liquid Radioactive Release Lessons Learned Task Force Final Report" provides the understanding of the tritium issue that the Commission was interested in during its deliberations on the FY 2006 midyear resource review. I would further note that nuclear power plant licensees submit annual effluent release reports that are publicly available and accessible through ADAMS. In addition, these reports are referenced in an NRC fact sheet on "Environmental Monitoring," available on the NRC website. The staff should, however, establish easily navigable links to the reports on the NRC's public website to make them more accessible to interested stakeholders. Finally, I agree with Commissioner McGaffigan that the staff should either develop a Regulatory Issue Summary, or work with NEI, to establish guidance that encourages nuclear power plant licensees to standardize their annual effluent release reports.

JK
11/03/06

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

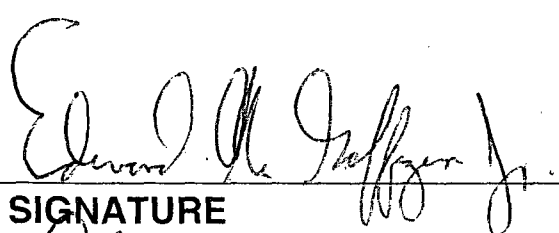
FROM: COMMISSIONER MCGAFFIGAN

SUBJECT: SECY-06-0212 - PREPARATION OF ANNUAL
REPORTS ON RADIOACTIVE MATERIALS RELEASED
IN GASEOUS AND LIQUID EFFLUENTS AND IN SOLID
WASTES SHIPPED FOR DISPOSAL BY COMMERCIAL
NUCLEAR POWER PLANTS

Approved _____ Disapproved Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached None _____



SIGNATURE

October 23, 2006

DATE

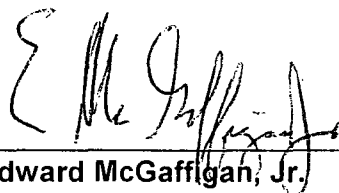
Entered on "STARS" Yes No _____

Commissioner McGaffigan's Comments on SECY-06-0212

I disapprove the staff's recommendation and approve Alternative A with modifications. I believe that annual summaries of air and liquid effluents from nuclear power plants serve useful purposes. Among these is the good story these reports tell about the incredibly low levels of radioactivity in effluents that licensees have achieved and maintained for years. However, I don't believe we need a rulemaking and a new web-based information collection system to get this done. That would invoke all manner of CPIC and FISMA requirements at a considerable and unnecessary expense of time and money.

As proposed by the staff, Alternative A would involve manual entry of licensees' reactor effluent and solid waste data from their 10 CFR 50.36a reports into an improved version of an existing Microsoft Access database. Staff proposes to use Access as a tool to facilitate the creation of various trend charts and tables for an annual report for publication on NRC's website. This is a simple and achievable approach. However, I believe that there is limited utility to including solid waste transfer information in future annual reports. There is no need for another national solid waste disposal report, especially if the staff would be compelled to study, track, and explain differences between NRC's reports and DOE's MIMS caused by waste processing. Therefore, I believe the staff should limit the annual reports to the information currently displayed in the REIRS Effluent Database for Nuclear Power Plants.

Also, I reviewed several 10 CFR 50.36a reports in ADAMS and found that, despite the format guidance in Regulatory Guide 1.21, there are considerable differences in the reporting formats between licensees. I believe the staff should either develop a Regulatory Information Summary, or work with NEI to establish industry guidance, that encourages licensees to standardize their annual reports to reduce the staff's burden in assembling the annual reports.



Edward McGaffigan, Jr.

10/23/06
(Date)

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

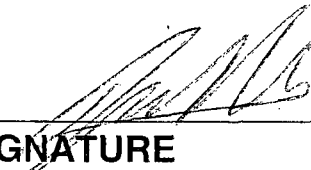
FROM: COMMISSIONER MERRIFIELD

SUBJECT: SECY-06-0212 - PREPARATION OF ANNUAL
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IN GASEOUS AND LIQUID EFFLUENTS AND IN SOLID
WASTES SHIPPED FOR DISPOSAL BY COMMERCIAL
NUCLEAR POWER PLANTS

Approved _____ Disapproved Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached None _____



SIGNATURE

11/9/06

DATE

Entered on "STARS" Yes No _____

Commissioner Merrifield's Comments on SECY-06-0212
"Preparation of Annual Reports on Radioactive Materials Released in Gaseous and
Liquid Effluents and Solid Wastes Shipped for Disposal
by Commercial Nuclear Power Plants"

I disapprove the staff's recommendation to not issue an annual report on effluents. I agree with Commissioner McGaffigan that the staff should implement a modified version of Alternative A, manual entry of the air and liquid effluents from nuclear power plants to generate a summary report on the NRC public web site. I believe there is value in providing information to the public that shows how little radioactivity is actually discharged from these plants every year.

I believe this report can be generated for fewer resources than the staff estimated by excluding solid waste from the report. DOE's Manifest Information Management System (MIMS) already provides information on low-level solid waste, so I see no need to create a redundant report.

I also agree with Commissioner McGaffigan that the staff, industry representatives, and other interested stakeholders should consider revising the format guidance in Regulatory Guide 1.21, "Measuring and Reporting Radioactivity in Solid Wastes and Releases of Radioactive Materials in Liquid and Gaseous Effluents from Light-Water-Cooled-Nuclear Power Plants," to encourage licensees to present the information in the 50.36a effluent reports in a plain-language standardized format to help reduce staff burden in preparing the annual summary report.



11/9/06

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

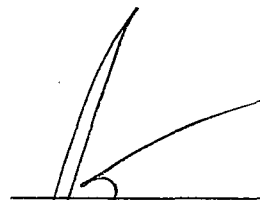
FROM: COMMISSIONER JACZKO

SUBJECT: SECY-06-0212 - PREPARATION OF ANNUAL
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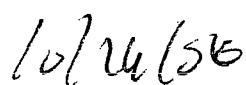
Approved _____ Disapproved X Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___



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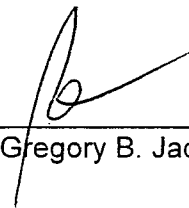
DATE

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**Commissioner Jaczko's Comments on SECY-06-0212
Preparation of Annual Reports on Radioactive Materials Released
in Gaseous and Liquid Effluents and in solid Wastes Shipped for Disposal by
Commercial Nuclear Power Plants**

I disapprove the staff's recommendation to not prepare annual reports on radioactive effluents and materials released from power reactors and approve Alternative A. I support the implementation of Alternative A because it leverages existing agency tools. Placing the radioactive effluent events, such as the recent tritium releases from power reactors, onto NRC's website is an effective way to disseminate the information to our stakeholders. Reporting the information in this manner is also consistent with my vote and the Commission's direction to the staff in the Staff Requirements Memorandum for COMSECY-06-0017.

I agree with the staff that reporting on solid radioactive waste from power reactors could cause confusion with the reporting done in the Department of Energy's (DOE's) Manifest Information Management System (MIMS) database for the same waste stream. Thus, I would agree with Commissioner McGaffigan that the staff should not duplicate DOE's efforts to keep track of this information since it is available through the MIMS database.



Gregory B. Jaczko

6/26/06

Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary


FROM: COMMISSIONER LYONS

SUBJECT: SECY-06-0212 - PREPARATION OF ANNUAL
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WASTES SHIPPED FOR DISPOSAL BY COMMERCIAL
NUCLEAR POWER PLANTS

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___



SIGNATURE

10/26/06

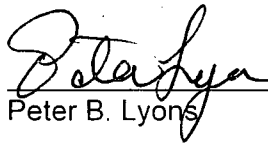
DATE

Entered on "STARS" Yes X No _____

Commissioner Lyons' Comments on SECY-06-0212

I approve the staff's recommendation to not issue an annual report on gaseous, liquid and solid effluents. I believe the staff's September 2006, "Liquid Radioactive Release Lessons Learned Task Force Final Report" provides the understanding of the tritium issue that the Commission was interested in during its deliberation of the FY2006 midyear resource review (SRM for COMSECY-06-0017).

However, I believe that the licensee reports should be used to inform NRC and the licensees' programs and members of the public. Although I don't support developing a comprehensive annual report in view of its limited staff and stakeholder use, I agree with Commissioner McGaffigan that the staff should take the necessary actions to encourage licensees to standardize their annual reports. I believe that the people living around nuclear power plants are more interested in the releases at those sites than in an annual summary. Therefore, staff should also make each licensee's annual report easily accessible through the NRC public website.


Peter B. Lyons

10/26/06
Date