



SECRETARY

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

June 10, 2011

COMMISSION VOTING RECORD

DECISION ITEM: SECY-11-0061

TITLE: A REQUEST TO REVISE THE INTERIM ENFORCEMENT POLICY FOR FIRE PROTECTION ISSUES ON 10 CFR 50.48(C) TO ALLOW LICENSEES TO SUBMIT LICENSE AMENDMENT REQUESTS IN A STAGGERED APPROACH (RIN 3150-AG48)

The Commission (with Commissioners Svinicki, Apostolakis, Magwood, and Ostendorff agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 10, 2011. Chairman Jaczko disapproved 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 black ink, appearing to read "Annette L. Vietti-Cook", written over a horizontal line.

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-11-0061

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. JACZKO		X			X	5/27/11
COMR. SVINICKI	X				X	5/26/11
COMR. APOSTOLAKIS	X				X	5/20/11
COMR. MAGWOOD	X				X	5/20/11
COMR. OSTENDORFF	X				X	5/13/11

COMMENT RESOLUTION

In their vote sheets, Commissioners Svinicki, Apostolakis, Magwood, and Ostendorff approved and Chairman Jaczko disapproved 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 June 10, 2011.

NOTATION VOTE

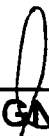
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Chairman Gregory B. Jaczko
SUBJECT: SECY-11-0061 – A REQUEST TO REVISE THE INTERIM ENFORCEMENT POLICY FOR FIRE PROTECTION ISSUES ON 10 CFR 50.48(C) TO ALLOW LICENSEES TO SUBMIT LICENSE AMENDMENT REQUESTS IN A STAGGERED APPROACH (RIN 3150-AG48)

Approved _____ Disapproved X Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___



SIGNATURE

5/27/14

DATE

Entered on "STARS" Yes x No ___

Chairman Jaczko's comments on "A Request to Revise the Interim Enforcement Policy for Fire Protection Issues On 10 CFR 50.48(C) to Allow Licensees to Submit License Amendment Requests in a Staggered Approach" (RIN 3150-AG48)

I disapprove of further extending enforcement discretion for NFPA-805 amendment requests. Rarely, if ever, do I think blanket enforcement discretion is an effective or appropriate regulatory approach. Moreover, I have been focused on fire protection issues during my time at this agency for a reason – it is because we know that despite plant modifications made as a result of our current deterministic approach to fire protection (appendix R requirements), fires can still contribute significant risk to a plant - as much as 50 percent to a plant's overall core damage frequency.

Despite the significant risk fire plays at a reactor, if the Commission approves this proposal, some licensees would have had **more than eight years** to identify fire protection deficiencies and to develop appropriate risk informed strategies and modifications to address those deficiencies. For example, of the 16 licensees that submitted letters of intent to file NFPA-805 license amendment requests between November 2005, and July 2006, it is possible that they could be allowed to have new fire protection deficiencies remain beyond enforcement until the staff begins its multi-year review of the application - which may not begin until as late as July 2014.

This over eight year time frame is the result of three different extensions to the overall timeline for NFPA 805. First, in 2005, the Commission granted an extension of nearly one year to the deadline for licensees to submit a letter of intent to transition to the new regulations. Second, in 2006, the Commission granted an extension of an additional year to allow a three-year timeline for a licensee to complete its license amendment submittal to transition to the new regulations from the time the licensees submitted their letter of intent. At that time, these extensions allowed a total of five years during which licensees were not held accountable for deficiencies in the fire protection area. When the Commission approved the third extension in 2008, licensees were given extended enforcement discretion for six months after the completion of the second pilot before we would begin to take appropriate enforcement actions for deficiencies. It was anticipated then that the first pilot would have been completed in December 2009, and the second in March 2010. The first pilot was then actually completed in June 2010, and the second in December 2010, adding nearly an additional year to this enforcement discretion period, until June 29, 2011.

This lengthy history clearly shows that licensees have had ample time to prepare for their submittals. In addition to being able to review the pilots' applications, the staff has conducted numerous and frequent workshops, public meetings, and provided answers to frequently asked questions (FAQs) to more than adequately guide applicants through the licensing process. The agency has also had ample time and should have done a better job of accurately identifying and obtaining the necessary resources during this period to be more prepared to receive these applications.

Moreover, it could be that in some cases, licensees may not have applied sufficient resources in order to comply with the Commission's June 29, 2011 date for the submittal of an NFPA 805 license amendment request. If a licensee submits an acceptable LAR on that date, they will receive additional enforcement discretion during the staff's review of their application. Unfortunately, while approving the staggered approach to review of these applications, the Commission also voted to grant unlimited blanket enforcement discretion to transitioning licensees who have indicated their intent to file a license amendment request for NFPA-805

regardless of their actual progress in doing so. Thus, in some instances, utilities are potentially being rewarded for their intentional lack of preparation and compliance with the Commission's direction.

In my support for the staggered approach to submittal, I did not support the Commission granting additional enforcement discretion finding it premature at that time since the staff's paper on enforcement discretion options had not yet arrived. With the staff's proposal now before the Commission, I cannot support the staff's recommendation because it could have impact that I feared – essentially rewarding those licensees who may not have been prepared to submit their applications as required. As I previously stated in my vote in COMSECY-08-0022, continued enforcement discretion only delays the resolution of these issues by providing an incentive for licensees to spend resources in other areas that do not address fire protection. Continued enforcement discretion would permit lingering fire protection deficiencies from being identified rather than supporting the positive benefits provided by an active oversight program. Specifically, the chief benefits include the potential for a reduction in core damage frequency, and active and comprehensive oversight of nuclear power plants' fire protection programs without restrictions being placed upon inspectors.

Based on the previous Commission votes in SECY-11-0033, it appears predestined that the Commission will support additional enforcement discretion. If that is truly where this Commission is comfortable positioning the agency, then at a minimum, the Commission should limit this free pass on enforcement actions to previously identified deficiencies by licensees that, as of June 29, 2011, were already in the extended enforcement discretion period (i.e. those already beyond the initial three year window from the date of their letter of intent to the submission of their license amendment request). Any new fire protection deficiencies should be subject to the normal enforcement policy. There is no reason licensees should need up to an additional three years to identify what should have already been accomplished. It's like a student being assigned to write a lengthy research paper at the beginning of a school term. Without consequences and oversight, most students will wait until the last week to write the paper.

The bottom line is that licensees have had years to identify fire protection deficiencies and the Commission must close this very long chapter of not enforcing all fire protection violations.

It is disappointing enough that we, as a regulator, have allowed the transition to NFPA-805 to be voluntary. But the continued willingness to tie inspectors' hands by limiting the tools they have available to ensure we meet our mission of protecting public health and safety, is more than disappointing – it is unacceptable.



Gregory B. Jaczko 5/27/11
Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER SVINICKI
SUBJECT: SECY-11-0061 – A REQUEST TO REVISE THE INTERIM ENFORCEMENT POLICY FOR FIRE PROTECTION ISSUES ON 10 CFR 50.48(C) TO ALLOW LICENSEES TO SUBMIT LICENSE AMENDMENT REQUESTS IN A STAGGERED APPROACH (RIN 3150-AG48)

Approved XX Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached XX None _____

Original vote on 05/26/11.



SIGNATURE

OS
06/3/11

DATE "ORIGINAL VOTE DATED 5/26/11"

Entered on "STARS" Yes XX No _____

Commissioner Svinicki's Comments on SECY-11-0061
"A Request to Revise the Interim Enforcement Discretion Policy for Fire Protection
Issues on 10 CFR 50.48(c) to Allow Licensees to Submit License Amendment Requests
In a Staggered Approach (RIN 3150-AG48)"

I approve the staff's recommendation to publish the *Federal Register* notice (FRN) (Enclosure 1 to SECY-11-0061), subject to the attached edits, announcing the revision to the Enforcement Policy to extend the enforcement discretion to correspond with a staggered license amendment request (LAR) submittal schedule. In general, compared to the currently effective interim enforcement policy, the revision before the Commission appears to grant less flexibility to licensees in some areas while giving the NRC wider latitude to apply the policy in conjunction with internal NRC procedures. I propose some revisions to the revised interim enforcement policy to better align it with the NRC's Principles of Good Regulation of clarity and reliability.

Prior to its submission to the Commission, this revision was not made available for comment. Because of this, and because the revised policy will be effective upon its publication in the *Federal Register*, the staff should be open to recommending modifications or clarifications to the policy, or enhancements to the policy's mechanics, that are identified during the course of its implementation period.

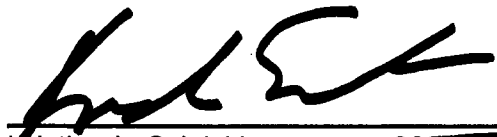
One such instance occurs in the first full paragraph on page 5 of the FRN, where the policy states that a failure on the part of the licensee to submit an acceptable LAR on or before the NRC-approved date will result in a loss of enforcement discretion. However, licensees with appropriate justification and staff approval may regain enforcement discretion once an acceptable LAR is submitted. Taken literally, this statement says that under no circumstances will licensees be able to continue to have enforcement discretion if they do not make the original submittal dates in their commitment letters. In some cases, this inflexibility may be impractical for both the staff and licensees, particularly those who will commit to submittal dates that are two or more years in the future. Circumstances could arise that would cause a reasonable person to determine that a further delay in making a particular submittal would be prudent. The staff should revisit this portion of the policy with stakeholders to identify ways that it could be made more practical, and should solicit for such suggestions in the FRN itself, concurrent with its publication.

Also, the criteria for assessing the timeliness and quality of licensee responses to requests for additional information (RAIs) in the first full paragraph on page 9 of the FRN are not clear. The footnoted reference supporting this paragraph, NRR Office Instruction LIC-101, "License Amendment Review Procedures," does not provide the requisite, additional clarity. Furthermore, LIC-101 is listed in ADAMS as being not publicly available, so this footnote could have the effect of leading stakeholders down a blind alley; hence, my edits propose that this footnote be deleted. The staff should publicly engage stakeholders to come to an agreed-upon set of criteria that will be used to assess RAI response timeliness and quality. The staff should inform the Commission of these criteria.

I agree with Commissioner Magwood that periodic progress updates from the staff would be beneficial. The staff should provide the Commission with semi-annual status reports of the progress of the NFPA-805 LAR reviews, the first of which should arrive within six months of the issuance of the Staff Requirements Memorandum arising from this SECY paper. These reports should: discuss cases where enforcement discretion has not been granted; include statistics on RAI issuance and response; and assess the consistency of the application of this enforcement

policy across all licensees. Consistent with my vote on SECY-11-0033, I continue to share concerns similar to those of Commissioner Magwood, regarding the potential diversion of resources to these efforts from other, ongoing initiatives of greater risk significance. I support his request that the staff provide information regarding the impact of this effort on other programs and plans, and would have them do so in concert with the semi-annual update.

In closing, I would highlight, as others have, that our existing regulatory framework for fire protection, guided by the requirements in 10 CFR Part 50, Appendix R, is effective in ensuring public health and safety.



Kristine L. Svinicki 88/ 711
05/31/11

staggering the LAR submittals. In SRM-SECY-11-0033, dated April 20, 2011, the Commission approved this staggered approach and instructed the staff to submit a Commission paper with an attached proposed revision to the NFPA 805 interim Enforcement Policy for Commission approval.

II. Discussion

Initially, the NRC expected to receive approximately 16 LARs in 2007. However, because of the unforeseen complexity of the transitioning process, the interim Enforcement Policy has undergone a number of revisions that have changed the submittal due date for many licensees. These revisions have created a "grouping effect," and now the NRC expects approximately 23 LARs by the end of June 2011. The Commission has approved the use of additional resources for NFPA 805 LAR reviews and working with industry to develop and create a staggered LAR submittal schedule. The NRC held a public meeting on April 14, 2011, during which the staff and stakeholders discussed the staggered approach ~~method~~. The meeting focused on (1) the staggered approach to LAR submittals, (2) identifying industry considerations for staggered LAR submittals, and (3) discussing the staff's LAR review approach and adjustment to monthly status meetings.

An industry working group is currently generating a list of transitioning licensees with suggested corresponding LAR submittal dates necessary to support this staggered submittal approach. Once the working group completes the list, the staff will review and decide whether to approve it. The NRC expects the sequencing of the submittals to result in approximately 7 LARs by July 1, 2011; 10 additional LARs by July 1, 2012; another 10 LARs by July 1, 2013;

and the remainder by July 1, 2014. The NRC will require licensees, with the exception of the first group of licensees scheduled to submit around July 1, 2011, to submit a letter by June 29, 2011, that acknowledges their new commitment date. Enforcement discretion will continue while the staff is processing and responding to the commitment letters.

Once this process is completed, the NRC will hold the licensee accountable for submitting an acceptable LAR on the date as stated in its commitment letter. A failure on the part of the licensee to submit an acceptable LAR on or before the NRC approved date will result in a loss of enforcement discretion. However, licensees with appropriate justification and staff approval may regain enforcement discretion once an acceptable LAR is submitted. If enforcement discretion is not granted, any identified noncompliance with the requirements of 10 CFR 50.48(b) (or the requirements in a fire protection license condition) may be subject to enforcement actions. While the LAR is under review, enforcement discretion will continue as long as the noncompliances meet the criteria as stated in the policy. The NRC staff will maintain the number of scheduled reviews per year. For example, the staff will work with licensees, if necessary, to amend the submittal schedule to substitute one site for another if a submitted LAR does not pass the NRC's acceptance review.

Nuclear safety is the first consideration in any request for additional enforcement discretion. The NRC will continue to apply normal inspection schedules and processes during the transition process (including staggering the LAR submittals) to ensure that licensees maintain their existing fire protection program licensing basis. The approved fire protection program uses numerous levels of defense in depth with regard to fire protection. Most noncompliance^{ct} issues only affect one level of defense in depth, leaving two or more "layers" of protection to provide significant safety margin. Licensees must address all nonconforming

X

conditions with adequate compensatory measures to ensure fire safety with sufficient defense-in - X
depth. As a result, the plant preserves nuclear safety because the licensee implements
compensatory measures that offset the risk of the nonconforming conditions in accordance with
the approved fire protection program. Therefore, extending enforcement discretion should not
significantly impact fire safety.

PROCEDURAL REQUIREMENTS:

Paperwork Reduction Act

This policy statement does not contain new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

The Office of Management and Budget (OMB) approved existing requirements under OMB Control Number 3150-0136.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

transition to 10 CFR 50.48(c) and ends (1) 3 years after that initial start date or (2) on the date as specified in the licensee's commitment letter, as amended and approved by the NRC. If the licensee is unable to submit its license amendment request (LAR) within the timeframe stated above, it will lose its enforcement discretion. However, licensees with appropriate justification and staff approval may regain enforcement discretion once an acceptable¹ LAR is submitted. If enforcement discretion is not granted, any identified noncompliances may be subject to enforcement action.

Once an acceptable LAR is submitted, enforcement discretion for previously identified noncompliances² and any newly identified noncompliances discovered either by the licensee or the NRC while the LAR is under review will continue to be in place until the NRC dispositions the LAR.³ If the NRC finds the amendment request unacceptable but gives the licensee an opportunity to provide supplemental information, the enforcement discretion will continue while the licensee prepares the supplemental information, provided that it submits the information within the timeframe stipulated by the staff. If the NRC finds the amendment acceptable after receipt of the supplemental information, enforcement discretion will continue until the NRC dispositions the amendment. A licensee that submits an LAR that is not acceptably supplemented or an LAR that was initially characterized as unacceptable with no opportunity to provide supplemental information will lose its enforcement discretion. However, licensees with appropriate justification and NRC approval may regain enforcement discretion once an

¹ The agency will use the Office of Nuclear Reactor Regulation's (NRR) Office Instruction, LIC-109, "Acceptance Review Procedures," to evaluate the LAR for acceptability.

² These are noncompliances that were previously granted enforcement discretion before submittal of the LAR.

³ Noncompliances that are identified during the LAR review process and that are determined to be either associated with a finding of high safety significance or willful will be considered for potential enforcement action.

X

acceptable LAR is submitted. If enforcement discretion is not granted, any identified noncompliances may be subject to enforcement action.

Once the NRC accepts an LAR for licensing review, the timeliness and quality of the responses to a request^S for additional information (RAI) will significantly affect the LAR review schedule. X
Licensees that do not respond in a timely fashion^e to staff RAIs or do not provide quality RAI responses may lose enforcement discretion. X

If, after submitting the letter of intent to comply with 10 CFR 50.48(c) and before submitting the LAR, a licensee decides not to complete the transition to 10 CFR 50.48(c), the licensee must submit a letter stating its intent to retain its existing licensing basis and withdrawing its letter of intent to comply with 10 CFR 50.48(c). After the licensee's withdrawal from the transition process, the NRC, as a matter of practice, will not take enforcement action against any noncompliance that the licensee corrected during the transition process and will, on a case-by-case basis, consider refraining from taking action if reasonable and timely corrective actions are in progress (e.g., an exemption has been submitted for NRC review). The NRC will disposition noncompliances that the licensee have^S not corrected² and noncompliances that were identified after the date of the withdrawal letter¹ in accordance with normal enforcement practices. X
X

a. Noncompliances Identified During the Licensee's Transition Process

Under this interim Enforcement Policy, the NRC will normally not take enforcement action for a violation of 10 CFR 50.48(b) (or the requirements in a fire protection license

⁴ See NRR's Office Instruction, LIC 101 "License Amendment Review Procedures." X

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: George Apostolakis

SUBJECT: SECY-11-0061 – A REQUEST TO REVISE THE INTERIM ENFORCEMENT POLICY FOR FIRE PROTECTION ISSUES ON 10 CFR 50.48(C) TO ALLOW LICENSEES TO SUBMIT LICENSE AMENDMENT REQUESTS IN A STAGGERED APPROACH (RIN 3150-AG48)

Approved XX Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___



SIGNATURE

5/20/11
DATE

Entered on "STARS" Yes No _____

COMMISSIONER APOSTOLAKIS' COMMENTS ON SECY-11-0061
"A Request to Revise the Interim Enforcement Policy for Fire Protection Issues on
10 CFR 50.48(c) to Allow Licensees to Submit License Amendment Requests in a Staggered
Approach"

I approve publication of the *Federal Register* notice announcing the revision to the Enforcement Policy to extend the enforcement discretion for noncompliant fire protection issues to allow licensees to submit their license amendment requests in a staggered approach as part of the transition of nuclear power plants to the risk-informed, performance-based alternative in 10 CFR 50.48(c), "National Fire Protection Association Standard (NFPA) 805." I recognize that the transition to 10 CFR 50.48(c) is a voluntary initiative and I commend those licensees making the transition for their efforts to improve the fire protection programs at their facilities. Given the long history of the transition to 10 CFR 50.48(c), I am anxious for the industry and NRC staff to finalize the submittal schedule, the industry to come forward with high-quality license amendment requests, and the NRC staff to develop an effective and efficient review process to bring this issue to final resolution.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MAGWOOD
SUBJECT: SECY-11-0061 – A REQUEST TO REVISE THE INTERIM ENFORCEMENT POLICY FOR FIRE PROTECTION ISSUES ON 10 CFR 50.48(C) TO ALLOW LICENSEES TO SUBMIT LICENSE AMENDMENT REQUESTS IN A STAGGERED APPROACH (RIN 3150-AG48)

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached None _____



SIGNATURE

20 May 2011

DATE

Entered on "STARS" Yes No _____

**Commissioner Magwood's Comments on SECY 11-0061,
"Request to Revise the Interim Enforcement Policy
for Fire Protection Issues on 10 CFR 50.48(C) To Allow Licensees to
Submit License Amendment Requests in a Staggered Approach"**

Consistent with my vote on SECY-11-0033, I continue to support a reasonable prioritized submittal schedule for NFPA-0805 license amendment requests (LARs) and the extension of enforcement discretion to support an orderly transition. As we consider this matter, it is important to highlight the fact that our existing regulatory framework for fire protection, guided by the requirements collected in 10 CFR Part 50, Appendix R, are entirely effective in ensuring public health and safety.

I am encouraged that the staff and licensees are coordinating to optimize the submittal schedule. In support of those efforts, I approve staff's recommendation to publish a *Federal Register* notice announcing the revision to the Enforcement Policy subject to the conditions and observations below.

In my vote on SECY-11-0033, I supported the staff's recommendation to apply additional resources to support this effort. I also cautioned that the agency's resource allocation challenges had increased substantially due to our support to Japan in the wake of recent events surrounding the Fukushima Daiichi nuclear power plant. I consider it a high priority for the agency to fully assess the technical and regulatory policy implications of Fukushima. As our efforts in this direction are still underway, we do not yet have a complete understanding of how the agency's response to Fukushima Daiichi will impact our resources and plans. However, it is reasonable to expect that actions taken by the NRC in the coming months will require the diversion of substantial staff resources. It is important that the increased resources allocated to the review NFPA-0805 LAR applications neither debilitate our post-Fukushima response nor hobble vital on-going regulatory efforts.

As staff pointed out in SECY-11-0033, the complexity and resources necessary to review the two NFPA-0805 pilot LARs were significantly underestimated by both the staff and the industry. I expect staff and the industry may encounter similar difficulties with the eight submittals expected later this year. Accordingly, I think it prudent that staff report to the Commission the status of their efforts in 6 months and provide information regarding the impact of this effort on other programs and plans.



William D. Magwood, IV

5/20/11

Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER OSTENDORFF
SUBJECT: SECY-11-0061 – A REQUEST TO REVISE THE INTERIM ENFORCEMENT POLICY FOR FIRE PROTECTION ISSUES ON 10 CFR 50.48(C) TO ALLOW LICENSEES TO SUBMIT LICENSE AMENDMENT REQUESTS IN A STAGGERED APPROACH (RIN 3150-AG48)

Approved XX Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached XX None _____



SIGNATURE

5/13/11

DATE

Entered on "STARS" Yes XX No _____

**Commissioner Ostendorff's Comments on SECY-11-0061,
"Request to Revise the Interim Enforcement Policy for Fire Protection Issues on 10 CFR
50.48(C) to Allow Licensees to Submit License Amendment Requests in a Staggered
Approach (RIN 3150-AG48)"**

I approve the staff's recommendation in SECY-11-0061. I applaud the staff for their timely efforts in working toward a practical and efficient approach for reviewing license amendment requests (LARs) associated with transition to National Fire Protection Association (NFPA) Standard 805. I am encouraged that we now find ourselves on a success path for wider implementation of this risk-informed, performance-based initiative that began when the final rule for NFPA 805 became effective in July of 2004.

As noted in my vote on SECY-11-0033, my approval of the staggered submittal approach was based upon the staff providing a revised enforcement discretion policy to the Commission for review. I have thus reviewed the revised policy and associated *Federal Register* notice provided by the staff in SECY-11-0061. I have concluded that the staff has appropriately revised the existing enforcement discretion policy to accommodate the staggered submittal approach approved by the Commission. Moreover, I note that the revised policy also specifies appropriate provisions of accountability pertaining to the quality and timeliness of LAR submittals, thereby further encouraging effective and timely review and implementation of NFPA 805 LARs.

Lastly, I commend the staff for the numerous public meetings they have conducted over the years on NFPA 805, and most recently on April 14 and May 11, 2011. It is vitally important that we continue to transact our business publicly and candidly so that our stakeholders are fully informed of the bases for our regulatory actions.