June 15, 2015

COMMISSION VOTING RECORD

DECISION ITEM: SECY-15-0032

TITLE: REVIEWING DOCUMENTS FOR PUBLIC RELEASE USING SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION GUIDANCE

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 15, 2015.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

Annette L. Vietti-Cook
Secretary of the Commission

Enclosures:
1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Burns
Commissioner Svinicki
Commissioner Ostendorff
Commissioner Baran
OGC
EDO
## VOTING SUMMARY - SECY-15-0032

### RECORDED VOTES

<table>
<thead>
<tr>
<th></th>
<th>APRVD</th>
<th>DISAPRVD</th>
<th>ABSTAIN</th>
<th>PARTICIP</th>
<th>COMMENTS</th>
<th>DATE</th>
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<tr>
<td>CHRM. BURNS</td>
<td>X</td>
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<td>5/28/15</td>
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<td>COMR. SVINICKI</td>
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<td>X</td>
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<td>6/8/15</td>
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<td>COMR. OSTENDORFF</td>
<td>X</td>
<td></td>
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<td>X</td>
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<td>4/8/15</td>
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<tr>
<td>COMR. BARAN</td>
<td>X</td>
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<td>4/9/15</td>
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NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Chairman Burns

Approved ___ Disapproved _____ Abstain _____
Not Participating _____
COMMENTS: Below _____ Attached ___ X None _____

SIGNATURE

27 May 2015
DATE

Entered in “STARS” Yes ___ X No _____
Chairman Burns' Remarks on SECY-15-0032
Reviewing Documents for Public Release Using
Sensitive Unclassified Non-Safeguards Information Guidance

I approve the staff's recommendation to discontinue the presumptive withholding from public release of fire protection and emergency planning and response information. Instead, consistent with staff's recommendation, beginning six months from the date of the Staff Requirements Memorandum (SRM) issued in response to this paper, the staff should prospectively and proactively apply the NRC's Sensitive Unclassified Non-Safeguards Information (SUNSI) Policy to the review, release, and withholding of fire protection and emergency preparedness documentation. In addition I support the staff's efforts to proactively review and release, consistent with the NRC's SUNSI Policy, Final Safety Analysis Reports (FSARs) and updated FSARs also beginning six months from the date of the SRM issued in response to this paper.

The staff should keep the Commission informed of any significant budget impacts resulting from the staff's activities, as well as any negative impacts to staff's efforts to reduce the licensing backlog.

Stephen G. Burns
27 May 2015
I approve the staff's recommendations. As noted in the paper, at the time the Commission previously directed the staff to restrict presumptively the public disclosure of certain categories of sensitive unclassified information concerning nuclear power reactors and materials licensees and certificate holders following the terrorist attacks of September 11, 2001, the agency had not yet established overarching guidance for the treatment of sensitive information. The agency has now developed, and had in place for some time, its generally applicable Sensitive Unclassified Non-Safeguards Information (SUNSI) Policy. It is appropriate for this policy to be operative here.

In light of this activity being unbudgeted and the staff's acknowledgement that resource impacts could be significant with respect to review and release of FSARs, updated FSARs, and emergency preparedness documents, I join Chairman Burns in stipulating that the staff keep the Commission informed of any significant budget impacts resulting from the staff's activities. As a reminder, the term "significant" is defined under established Commission policy as the diversion from a planned program of work of an amount greater than $500,000 or 4 Full-Time Equivalents.
NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER OSTENDORFF

Approved X  Disapproved ____  Abstain ____
Not Participating ____

COMMENTS: Below ___ Attached X___ None ___

[Signature]

DATE  7/8/15

Entered on "STARS" Yes X___ No ___

I approve the staff’s recommendation that the Commission revise its policy regarding review of documents for public release to the extent that it would apply the NRC’s SUNSI Policy to documents containing fire protection and emergency preparedness information. These documents would be subject to routine review for disclosure consistent with the NRC’s SUNSI Policy upon receipt from external entities or after preparation by the staff if they do not contain sensitive information. I also approve the staff’s request to withdraw the direction provided in Staff Requirements Memoranda (SRM) SECY-04-0191 and SRM-SECY-05-0101 to the extent that those SRMs approved presumptive withholding of these documents. Finally, I agree with the staff’s recommendation to proactively review and release Final Safety Analysis Reports (FSARs) and FSAR updates, also consistent with our SUNSI Policy. These three categories of documents are well suited to be proactively reviewed using the now well established NRC SUNSI Policy. I commend the staff for acting in an open and transparent manner, consistent with our Principles of Good Regulation and the President’s January 21, 2009, memorandum regarding disclosure of information.

These policy revisions should take effect prospectively on the schedule proposed by the staff (i.e., 6 months after Commission approval) to allow the staff time to engage industry on this matter, inform the public of the policy change, and to develop or finalize guidance on marking and releasing these documents. The staff should keep the Commission informed of any significant budget impacts of this effort on internal staff resources.
NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Commissioner Baran

Approved X Disapproved ____ Abstain ____

Not Participating ____

COMMENTS: Below X Attached ____ None ____

I approve the staff’s recommendation to discontinue the presumptive restriction on the release of fire protection and emergency planning and response information. According to the staff, "much of the information that has been presumptively restricted from release is not considered to be sensitive information and is not withholdable under FOIA." Starting six months after the SRM for this paper is issued, the staff will prospectively and proactively review many emergency planning and fire protection documents under the NRC’s Sensitive Unclassified Non-Safeguards Information (SUNSI) Policy and publicly release the portions of those documents that are not redacted under the SUNSI Policy. I also support the staff’s efforts to begin publicly releasing updates to licensees’ Final Safety Analysis Reports.

I applaud the staff for taking a fresh look at NRC’s document disclosure policies in order to enhance transparency and openness and for responding to public feedback regarding these policies. It is important for the agency to continually look for ways to improve how we interact with and make information available to the public.

SIGNATURE

DATE

Entered on “STARS” Yes √ No ____