



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

August 4, 2015

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-15-0077

TITLE: OPTIONS FOR EMERGENCY PREPAREDNESS FOR
SMALL MODULAR REACTORS AND OTHER NEW
TECHNOLOGIES

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of August 4, 2015.

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 blue ink, appearing to read "Annette L. Vietti-Cook", written over a horizontal line.

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
PDR

VOTING SUMMARY - SECY-15-0077

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. BURNS	X				X	7/24/15
COMR. SVINICKI	X				X	7/20/15
COMR. OSTENDORFF	X				X	7/10/15
COMR. BARAN	X				X	7/23/15

RESPONSE SHEET

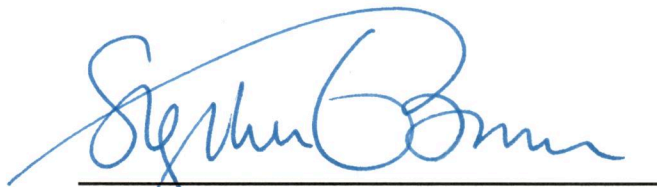
TO: Annette Vietti-Cook, Secretary

FROM: Chairman Burns

SUBJECT: SECY-15-0077: OPTIONS FOR EMERGENCY
PREPAREDNESS FOR SMALL MODULAR REACTORS
AND OTHER NEW TECHNOLOGIES

Approved X Disapproved Abstain Not Participating

COMMENTS: Below Attached X None



SIGNATURE

24 July 2015

DATE

Entered in "STARS" Yes x No

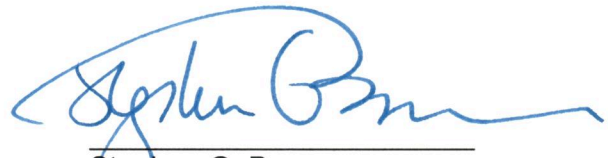
**Chairman Burns comments on SECY-15-0077
Options for Emergency Preparedness for Small Modular Reactors
and Other New Technologies**

I approve the staff's recommendation to pursue Option 1 under which the staff would develop an emergency preparedness (EP) framework containing regulations and guidance for small modular reactors (SMRs) and other technologies separate from the existing EP regulations for the current operating fleet of large light-water reactors. I agree with my colleagues that this approach will provide greater regulatory stability and more opportunity for external stakeholder involvement in the development of EP requirements for SMRs and non-light-water reactor technologies.

In developing the EP framework for SMRs and other technologies, the staff should keep the Commission's previous direction in mind. In the Staff Requirements Memorandum for SECY-14-0038, "Performance-Based Framework for Nuclear Power Plant Emergency Preparedness Oversight," the Commission stated:

The staff should be vigilant in continuing to assess the NRC's emergency preparedness program and should not rule out the possibility of moving to a performance-based framework in the future. The Commission notes the potential benefit of a performance-based emergency preparedness regimen for small modular reactors, and the staff should return to the Commission if it finds that conditions warrant rulemaking.

This rulemaking provides an opportunity for the staff to further explore the pros and cons of a performance-based EP framework.



Stephen G. Burns
24 July 2015

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER SVINICKI

SUBJECT: SECY-15-0077: OPTIONS FOR EMERGENCY
PREPAREDNESS FOR SMALL MODULAR REACTORS
AND OTHER NEW TECHNOLOGIES

Approved XX Disapproved _____ Abstain _____ Not Participating _____

COMMENTS: Below XX Attached _____ None _____

I approve the staff's recommendation to initiate rulemaking as described in the paper. Given the forecasted duration of the rulemaking activity, and the need for extensive stakeholder outreach on the underlying topic, it will likely not be possible to establish a new rule by the time of initial small modular reactor reviews. For these cases, the staff should be prepared to adapt an approach to emergency planning zones for SMRs under existing exemption processes, in parallel with its rulemaking efforts.



SIGNATURE

07/ 20 /15

DATE

Entered in "STARS" Yes ✓ No _____

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER OSTENDORFF

SUBJECT: SECY-15-0077: OPTIONS FOR EMERGENCY
PREPAREDNESS FOR SMALL MODULAR REACTORS
AND OTHER NEW TECHNOLOGIES

Approved X Disapproved _____ Abstain _____ Not Participating _____

COMMENTS: Below X Attached _____ None _____

I approve the staff's proposal to initiate a rulemaking to revise regulations and guidance for emergency preparedness (EP) for small modular reactors (SMRs) and other new technologies, such as non-light water reactors (non-LWRs) and medical isotope production facilities. This rulemaking will provide greater clarity and regulatory stability for future applicants and greater transparency for all stakeholders as the agency considers the appropriate EP requirements for these facilities. The staff should coordinate these efforts, as appropriate, with the Regulatory Improvements for Power Reactors Transitioning to Decommissioning rulemaking, which also addresses EP, and staff actions to address Tier 3 post-Fukushima items. I recognize that this rulemaking will take time to develop and that it is not practical to complete this effort before the expected submission date of the first SMR application. However, the staff should strive to complete this rulemaking in order to support issuance of any new permit, license, or certification, rather than rely on the exemption process. The staff should provide a plan and schedule for this rulemaking within six months. I ask that the staff keep the Commission informed as the technical basis is being developed.



SIGNATURE

7/10/15

DATE

Entered in "STARS" Yes _____ No _____

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Baran

SUBJECT: SECY-15-0077: OPTIONS FOR EMERGENCY
PREPAREDNESS FOR SMALL MODULAR REACTORS
AND OTHER NEW TECHNOLOGIES

Approved X Disapproved Abstain Not Participating

COMMENTS: Below Attached X None


SIGNATURE

7/23/15
DATE

Entered in "STARS" Yes X No

Commissioner Baran's Comments on SECY-15-0077, "Options for Emergency Preparedness for Small Modular Reactors and Other New Technologies"

The staff paper seeks Commission approval of the staff's recommendation to initiate a rulemaking to revise regulations and guidance related to emergency preparedness for small modular reactors (SMRs) and other new technologies, such as non-light-water reactors and medical isotope production facilities. The staff is anticipating a number of applications in the coming years, with an early site permit application for an SMR facility expected as early as the first quarter of next year. These applications likely will seek emergency planning zones (EPZs) smaller than the traditional 10-mile EPZs for large light-water reactors based on the smaller source terms associated with their smaller reactor cores and new reactor designs that include passive safety features. NRC may receive applications that would limit the EPZ to the site boundary. The staff proposes a rulemaking to establish scalable EPZs for SMRs and other new technologies by requiring applicants to demonstrate that EPA's Protective Action Guides dose limits are not exceeded at the outer bound of a proposed site-specific EPZ. Under this approach, the size of a SMR's EPZ would depend on the potential consequences of a release from a severe accident.

I approve the staff's recommendation to initiate a rulemaking on emergency preparedness for SMRs and other new non-light-water reactor technologies. A rulemaking will provide regulatory certainty to potential applicants and offer the public an opportunity to comment on novel approaches to emergency preparedness. Without a rulemaking, potential applicants likely would seek exemptions from NRC's existing EPZ requirements, which were established for large light-water reactors. Relying on the exemption process would result in NRC making important and potentially controversial safety decisions without hearing the views of interested stakeholders. The exemption process also would not provide regulatory clarity and transparency to future applicants and other stakeholders. Although some applications may be submitted and reviewed before completion of the rulemaking, the staff analysis and public comments for the rulemaking could inform the staff's review of exemption requests for those initial applications.

Some aspects of the technical work on the ongoing decommissioning rulemaking probably will inform the technical work on the SMR emergency preparedness rulemaking. However, the two rules should be developed separately so as not to delay the decommissioning rulemaking, which should be completed by 2019.