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POLICY ISSUE

(NEGATIVE CONSENT)

February 10, 1994

SECY-94-030

FOR: The Commissioners

FROM: James M. Taylor
Executive Director for Operations

SUBJECT: CONTINUATION OF THE "NUCLEAR SAFETY" JOURNAL

PURPOSE:

To inform the Commission that DOE, responding to our letter urging continuation of the previous joint DOE-NRC funding arrangement for the Nuclear Safety journal, has notified us that the Department will not change its decision to discontinue funding, and that, in view of this response, the staff intends to continue the journal's publication by full NRC funding.

BACKGROUND:

On October 4, 1993, by SECY-93-273, the staff informed the Commission that, absent contrary guidance from the Commission, it intended to continue the Nuclear Safety journal by providing full funding, DOE funding having been discontinued. The publication had been jointly funded previously.

By SRM dated November 3, 1993, the Commission requested the EDO to send a letter to DOE indicating the Commission's request for DOE to reconsider its decision not to fund the journal. The SRM directed the EDO to inform the Commission of DOE's response.

CONTACT:
G. Sege, RES
492-3904

NOTE: TO BE MADE PUBLICLY AVAILABLE
WHEN THE FINAL SRM IS AVAILABLE.

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DISCUSSION:

DOE's response, from Assistant Secretary O'Toole, along with the letter to DOE written in accordance with the SRM, are included here as Enclosures 1 and 2.

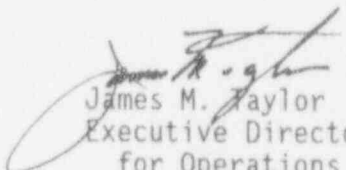
The DOE letter acknowledges the journal's "long and distinguished history," but cites "grave fiscal restraints," the journal's "minimum coverage of activities of specific interest to the Department," and the existence of other journals containing nuclear safety subject matter as DOE's reasons for reaffirming its decision to discontinue its funding of Nuclear Safety. In addition, the letter refers, erroneously, to "the sale of only one copy of a recent issue of the Journal from the Superintendent of Documents." (See Enclosure 3 for distribution facts.)

To avoid disrupting the continuity of this periodical journal's publication, the staff plans to act promptly to assume its full funding, for reasons set forth in SECY-93-273.

RECOMMENDATION:

That the Commission note that:

1. Absent guidance to the contrary from the Commission, the staff will in approximately 10 days commit to continuation of Nuclear Safety through NRC funding only.
2. The staff will explore ways to reduce publication costs, as directed by the November 3, 1993 SRM.


James M. Taylor
Executive Director
for Operations

Enclosures:

1. Letter, T. O'Toole, DOE, to J. Taylor, NRC, dated January 26, 1994
2. Letter, J. Taylor, NRC, to T. O'Toole et al., DOE, dated November 16, 1993
3. Distribution of Nuclear Safety Journal

SECY NOTE: In the absence of instructions to the contrary, SECY will notify the staff on Friday, February 25, 1994, that the Commission, by negative consent, assents to the action proposed in this paper.

DISTRIBUTION:

Commissioners
OGC
OCAA
OIG
OPP
EDO
SECY



Department of Energy
Washington, DC 20585

January 26, 1994

Mr. James M. Taylor
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Mr. Taylor:

I am responding to your letter of November 16, 1993 for the other addressees as well as for myself. As you know, this office assumed responsibility for funding of the Nuclear Safety Journal after an internal Department of Energy reorganization.

The substantial reductions in funding for nuclear research and development programs for FY 1994 and future years forced difficult decisions regarding funding priorities. Although the Journal has increasingly focused its coverage on activities related primarily to commercial power plant activities, with minimum coverage of activities of specific interest to the Department, funding for the Journal has been strikingly unbalanced. The Nuclear Regulatory Commission has contributed approximately 20 percent of the total cost, the balance being funded by the Department. In view of the Department's grave fiscal restraints in funding nuclear activities, such subsidization cannot be continued.

The Journal has had a long and distinguished history. The maturity of the industry and its associated infrastructure has brought forth an extensive series of journals, domestic and foreign, that should ensure that nuclear safety activities continue to receive appropriate attention. Indeed the availability of these other journals may account for the sale of only one copy of a recent issue of the Journal from the Superintendent of Documents.

I appreciate your interest in the continuation of the Journal. However, in view of the above, the Department cannot continue funding of the Journal. I hope you appreciate the necessity for us to continue funding only those activities that are absolutely critical for the success of our program.

Sincerely,

A handwritten signature in cursive script, reading "Tara O'Toole", is positioned above the typed name.

Tara O'Toole, M.D., M.P.H.
Assistant Secretary
Environment, Safety and Health



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

November 16, 1993

The Honorable Tara O'Toole
Assistant Secretary for
Environment, Safety and Health

Mr. Daniel A. Dreyfus
Acting Director
Office of Nuclear Energy

Mr. James F. Decker
Acting Director
Office of Energy Research
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Ms. O'Toole and Messrs. Dreyfus and Decker:

I am writing at Commission direction to request that the Department of Energy reconsider its decision to discontinue funding the Nuclear Safety journal. The NRC has been contributing to the funding of this journal and we would welcome the opportunity to continue our participation in its joint funding with DOE.

We believe strongly that continuation of Nuclear Safety is in the national interest, benefiting both DOE and NRC mission objectives. Nuclear Safety is the only journal in the U.S. dedicated to the subject of nuclear safety, though articles related to nuclear safety appear in a variety of other journals. Through its specialized concentration, the Nuclear Safety journal is an efficient vehicle for disseminating to the nuclear community information of a high quality on nuclear safety -- and especially on nuclear safety research. The journal has a track record of over 30 years of internationally recognized excellence. Beneficiaries of this information include the NRC and its contractors, the nuclear industry, DOE and its contractors, various segments of the public, and the academic community. Of particular interest to the NRC is the benefit that continuing publication of Nuclear Safety could provide to NRC licensees in exercising initiative in ensuring safety in their plants beyond minimal compliance with NRC regulatory requirements. Ready access to up-to-date nuclear safety information, including new developments, is important for this purpose.

The journal serves DOE's interest in contributing to the retention and furthering of nuclear energy as a robust energy technology option. The utility of the journal to DOE has recently been further enhanced by broadening its coverage to include the safety aspects of waste disposal and waste management, an area in which DOE has substantial involvement and interest, and by publishing selected summaries of nuclear-safety-related

events at DOE facilities. DOE's lack of support of the journal could be interpreted by some as a decline in DOE's interest in safety.

Nuclear Safety serves as a mechanism for maintaining technical expertise within the United States, and it is an excellent medium for technical peer review of state-of-the-art science communication in nuclear safety technology.

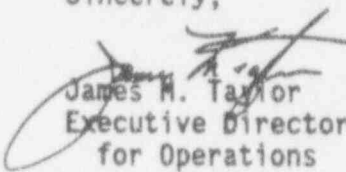
Nuclear Safety provides a valuable service to the country, the nuclear community, and the NRC and DOE. One evidence of this is that articles from Nuclear Safety have been cited numerous times in various scientific and engineering journals, as noted in the Science Citation Index (SCI). A survey of the SCI by NRC Library staff indicated at least 520 citations between 1974 and 1987, and 53 citations between 1988 and 1993.

Nuclear Safety serves international as well as national objectives. U.S. results are disseminated abroad while articles from foreign contributors inform U.S. readers about developments in other countries. The journal's continued publication by the U.S. Government is appropriate to the United States' position as the country with the largest nuclear establishment and as world leader in nuclear safety research, particularly in view of the Administration's policy on improvement of the safety of Soviet-design reactors operating in former Soviet Union and other Eastern and Central European countries.

For all these reasons, we urge DOE to reconsider its decision to discontinue funding the Nuclear Safety journal.

Please call me (301-504-1700) or Eric Beckjord, Director, Office of Nuclear Regulatory Research (301-492-3700) if you wish to discuss this matter.

Sincerely,


James M. Taylor
Executive Director
for Operations

DISTRIBUTION OF NUCLEAR SAFETY JOURNAL*

Provided to the Superintendent of Documents, Government Printing Office (GPO) for sales.	1,475
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Of these 1,041 were sold as prepaid annual subscriptions; the remaining 434 copies were for other current distributions and future back-issue sales.

For GPO, to Depository Libraries	820
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To Library of Congress	15
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Distributed by DOE Office of Scientific and Technical Information (OSTI)	795
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325 of these went to DOE and its national laboratories and other contractors; 350 to NRC; 120 to various other U.S. and foreign recipients.

Held by OSTI for future single-copy requests from DOE staff or DOE contractors	20
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Total copies printed	3,125
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*) 1993 figures, from E. Silver, Editor-in-chief, Nuclear Safety.
(Informal communication to G. Sege, NRC, 2/4/94.)