

January 29, 1999

COMMISSION VOTING RECORD

DECISION SECY-98-278

ITEM:

TITLE: PROPOSED RULE - "CHANGES TO REQUIREMENTS FOR ENVIRONMENTAL REVIEW FOR
RENEWAL OF NUCLEAR POWER PLANT OPERATING LICENSES (10 CFR PART 51)"

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of January 29, 1999.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commissioners, and the SRM of January 29, 1999.

Annette Vietti-Cook
Secretary of the Commission

Attachments: 1. Voting Summary
 2. Commissioner Vote Sheets
 3. Final SRM

cc: Chairman Jackson
 Commissioner Dicus
 Commissioner Diaz
 Commissioner McGaffigan
 Commissioner Merrifield
 OGC
 EDO
 PDR
 DCS

VOTING SUMMARY - SECY-98-278

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. JACKSON	X					1/7/99
COMR. DICUS	X				X	12/14/98
COMR. DIAZ	X					12/10/98
COMR. McGAFFIGAN	X				X	12/16/98
COMR. MERRIFIELD	X					12/21/98

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved 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 January 29, 1999.

Commissioner Comments on SECY-98-278

Commissioner Dicus' Comments on SECY-98-278

I approve the staff's request to publish the proposed changes to 10 CFR 51 and release for public comment, the supporting draft supplemental generic environmental impact statement, with the following comment:

The proposed rule states, in part:

(M) The environmental impacts presented in Summary Table S-4 of 51.52 may be adopted in individual power plant license renewal reviews as long as the candidate site at Yucca Mountain is under consideration for licensing.....

This could be interpreted that if additional sites are considered in the future, licensees can adopt the environmental impacts presented in S-4, as long as Yucca Mountain is under consideration. I do not believe this is the staff's intent. As such, I recommend the staff reword the proposed rule to ensure it is clear that a review, similar to that for Yucca Mountain, would need to be performed for any future site(s) under consideration. In addition, I recommend the staff clarify this issue in the Background and Discussion sections of the Federal Register notices.

Commissioner McGaffigan's Comments on SECY-98-278

See edited pages attached to vote sheet dated December 16, 1998.