



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

SECRETARY

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.

A handwritten signature in black ink, appearing to read "Annette 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

VOTING SUMMARY - SECY-15-0032

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. BURNS	X				X	5/28/15
COMR. SVINICKI	X				X	6/8/15
COMR. OSTENDORFF	X				X	4/8/15
COMR. BARAN	X				X	4/9/15

**NOTATION VOTE**

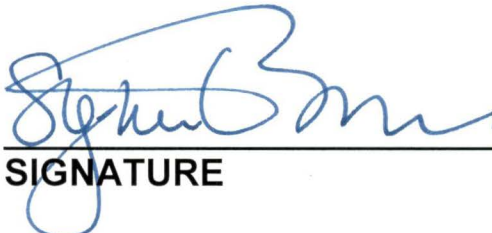
**RESPONSE SHEET**

TO: Annette Vietti-Cook, Secretary  
FROM: Chairman Burns  
SUBJECT: SECY-15-0032: Reviewing Documents for Public Release Using Sensitive Unclassified Non-Safeguards Information Guidance

Approved  Disapproved  Abstain

Not Participating

COMMENTS: Below  Attached  None



SIGNATURE

27 May 2015

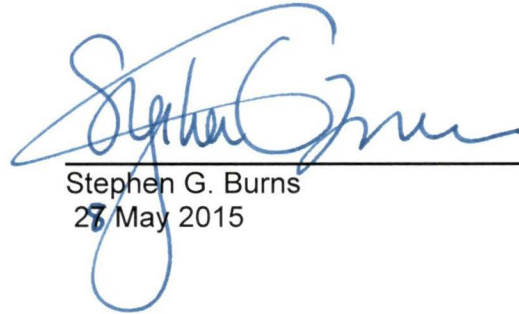
DATE

Entered in "STARS" Yes  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.



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Stephen G. Burns  
27 May 2015

**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** COMMISSIONER SVINICKI  
**SUBJECT:** SECY-15-0032: Reviewing Documents for Public Release Using Sensitive Unclassified Non-Safeguards Information Guidance

Approved XX Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below XX Attached \_\_\_\_\_ None \_\_\_\_\_

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.

  
\_\_\_\_\_  
SIGNATURE

06/ 8 /15  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No \_\_\_\_\_

**NOTATION VOTE**

**RESPONSE SHEET**

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER OSTENDORFF  
SUBJECT: SECY-15-0032: Reviewing Documents for Public Release Using Sensitive Unclassified Non-Safeguards Information Guidance

Approved X Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_\_\_ Attached X None \_\_\_\_\_

  
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DATE

Entered on "STARS" Yes X No \_\_\_\_\_

**Commissioner Ostendorff's Comments on SECY-15-0032 "Reviewing Documents for Public Release Using Sensitive Unclassified Non-Safeguards Information Guidance"**

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  
**SUBJECT:** SECY-15-0032: Reviewing Documents for Public Release Using Sensitive Unclassified Non-Safeguards Information Guidance


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.

  
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**SIGNATURE**

4/9/15  
\_\_\_\_\_  
**DATE**

Entered on "STARS" Yes ✓ No \_\_\_\_\_