

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: CHAIRMAN SVINICKI

SUBJECT: COMSECY-17-0026: REQUEST TO CHANGE THE REPORTING FREQUENCY ON PETITIONS UNDER TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS*, SECTION 2.206

Approved _____ Disapproved XX Abstain _____

Not Participating _____

COMMENTS: Below XX Attached _____ None _____

I disapprove the NRC staff's request to reduce the frequency of the quarterly 10 CFR 2.206 petition status reports to semi-annually. I agree with my colleagues that the current report is issued on a frequency that strikes the appropriate balance between the prudent use of agency resources and the timely public dissemination of information on the status of the petitions themselves. The suggestion that members of the Commission trawl the agency website to stitch together Director's Decisions and status letters to petitioners, or place intermittent calls to agency petition managers to inquire about petition status is neither an efficient nor effective use of the Commission's time, nor does such burden shifting satisfy the staff's obligation, under law, to keep the Commission fully and currently informed on matters within its functions.



SIGNATURE

09/29/17

DATE

Entered on "STARS" Yes No _____

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Baran

SUBJECT: COMSECY-17-0026: REQUEST TO CHANGE THE REPORTING FREQUENCY ON PETITIONS UNDER TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS*, SECTION 2.206

Approved Disapproved Abstain Not Participating

COMMENTS: Below Attached None

In this paper, the NRC staff requests Commission approval to change the frequency of status reports on section 2.206 enforcement petitions from quarterly to semiannually. These reports are the only publicly available NRC documents that provide a full overview of the status of all active 2.206 petitions. In 2013, the Commission disapproved the staff's request to terminate these reports altogether and instead relaxed the reporting frequency from monthly to quarterly. In my view, quarterly reporting still strikes the right balance between using staff resources efficiently and providing timely information to the public. Several recent 2.206 petitions have garnered significant public attention, and stakeholders remain very interested in the agency's examination of the safety issues raised in such petitions. The staff's quarterly reports allow stakeholders to follow developments on multiple petitions by reading a single document. Quarterly reporting also helps keep NRC's management and staff focused on completing timely analysis of the issues raised by the petitions. For these reasons, I disapprove the staff's recommendation to reduce the frequency of the reports.

Entered in "STARS"

Yes
No



SIGNATURE

9/8/17

DATE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Commissioner Burns
SUBJECT: COMSECY-17-0026: REQUEST TO CHANGE THE REPORTING FREQUENCY ON PETITIONS UNDER TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS*, SECTION 2.206

Approved Disapproved Abstain Not Participating

COMMENTS: Below Attached None

I disapprove the NRC staff's request to reduce the frequency of the quarterly 10 CFR 2.206 petition status reports to semi-annually. The proffered rationale for the change is that the reduced reporting frequency would save approximately 80 hours of staff resources per year and that other avenues are available to provide comparable information on petition status. Even assuming that there is some resource saving to be achieved (an assertion as to which I harbor substantial skepticism based on personal experience in being assigned responsibility early in my career for preparing *monthly* status reports), those savings do not outweigh the benefits of having the fixed snapshot of a quarterly report that can be used by the Commission as well as the public to monitor staff progress and engagement on section 2.206 petitions. As Commissioner Baran noted in his vote, the current reporting scheme "strikes the right balance" between efficient use of staff resources and timely information on section 2.206 petitions.

In considering the staff's proposal, I did consider the staff's suggested alternative paths to obtaining status information, but did not see that they provided advantages over the current scheme; i.e., the SharePoint entries for individual petitions contain less information than the quarterly compilation of status of all petitions and reliance on a draft unified report in progress has its limitations.

Although the staff is responsible in the first instance for resolution of section 2.206 petitions, the Commission retains an important oversight role and potential decision-making authority in the process. The quarterly report on pending petitions helps the Commission fulfill its role. Accordingly, I disapprove the staff's request to decrease the frequency of the 10 CFR 2.206 petition status reports.

Entered in STARS

Yes
No



Signature

15 September 2017

Date