



SECRETARY

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

March 20, 2013

COMMISSION VOTING RECORD

DECISION ITEM: SECY-12-0110

TITLE: CONSIDERATION OF ECONOMIC CONSEQUENCES
WITHIN THE U.S. NUCLEAR REGULATORY
COMMISSION'S REGULATORY FRAMEWORK

The Commission acted on the subject paper as recorded in the Staff Requirements Memorandum (SRM) of March 20, 2013.

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".

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Macfarlane
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
EDO
PDR

VOTING SUMMARY – SECY-12-0110

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MACFARLANE	X					X 2/1/13
COMR. SVINICKI	X					X 2/7/13
COMR. APOSTOLAKIS			X			X 12/6/12
COMR. MAGWOOD			X			X 12/10/12
COMR. OSTENDORFF	X					X 1/10/13

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: Chairman Allison M. Macfarlane
SUBJECT: SECY-12-0110 – CONSIDERATION OF ECONOMIC
CONSEQUENCES WITHIN THE U.S. NUCLEAR
REGULATORY COMMISSION'S REGULATORY
FRAMEWORK

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached X None _____



SIGNATURE

2/1/13

DATE

Entered on "STARS" Yes X No _____

**Chairman Macfarlane's Comments on SECY-12-0110,
"Consideration of Economic Consequences Within the U.S. Nuclear Regulatory
Commission's Regulatory Framework"**

In the aftermath of the accident at the Fukushima Dai-ichi reactors in Japan, the NRC began a more focused discussion of how the NRC's regulatory framework considers offsite property damage and other economic consequences that could result from a significant radiological release from a nuclear power plant. Following the accident, the NRC's Near-Term Task Force noted, "...an accident involving core damage and uncontrolled release of radioactive material to the environment, even one without significant health consequences, is inherently unacceptable."¹ The American Society of Mechanical Engineers' Presidential Task Force also advanced a similar thought in its overarching lesson learned that stated, "The major consequences of severe accidents at nuclear plants have been socio-political and economic disruptions inflicting enormous cost to society."²

My own experiences during a recent trip to the Fukushima Dai-ichi plant in Japan brought this topic much closer to home for me. After traveling through deserted villages with a displaced population of over 160,000 people, the real lasting impact and toll from the accident is economic, psychological, and sociological. While these three areas can quickly outrun the expertise and jurisdiction of a nuclear regulator, there are still prudent and practical steps that the NRC can take to more appropriately address the impacts of a nuclear power plant disaster.

I approve the staff's recommendation, outlined as Option 2, to begin systematic updates and enhancements to regulatory analysis guidance in a comprehensive, integrated, and coordinated fashion. Since I believe it's prudent and responsible to apply modern scientific understanding of seismic and flooding hazards to nuclear power plants as is already being pursued by the industry and the NRC, I see these efforts to update and apply current thinking regarding offsite economic costs and accident consequence analyses as a similar endeavor. Once the staff has formulated a project plan for this effort, that plan should be provided to the Commission for information.

In addition, continued effort is warranted to evaluate the merits of expanded consideration of economic consequences in our regulatory framework. The world has endured two severe nuclear power plant accidents with significant offsite consequences. I believe it's the NRC's responsibility to ensure the potential impacts on local communities are appropriately considered in the regulatory process. To this end, I join Commissioner Apostolakis in asking the staff to present a paper to the Commission on Option 3. This paper should:

- Provide economic parameters that could be added to our cost-benefit methodology to potentially expand our consideration of economic consequences;
- Provide options for the treatment of economic consequences in the regulatory framework, excluding options that would treat economic consequences as equivalent to matters of adequate protection of public health and safety; and

¹ "Recommendations for Enhancing Reactor Safety in the 21st Century: The Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident." Nuclear Regulatory Commission, July 2011, p. viii.

² "Forging a New Nuclear Safety Construct." The ASME Presidential Task Force on Response to Japan Nuclear Power Plant Events, June 2012, p. 73.

- Integrate a summary and analysis of how other federal government agencies and international nuclear regulatory bodies assess economic consequences into its recommendations.

These activities should be carried out in consultation with other relevant federal agencies to enhance learning and harmonization of efforts across the federal government.

I join Commissioner Ostendorff in applauding the staff for their comprehensive analysis and research of these issues, and I agree that the knowledge management value of the paper sets an example for policy papers to emulate.


Allison M. Macfarlane

2/1/13
Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER SVINICKI
SUBJECT: SECY-12-0110 – CONSIDERATION OF ECONOMIC
CONSEQUENCES WITHIN THE U.S. NUCLEAR
REGULATORY COMMISSION'S REGULATORY
FRAMEWORK

Approved XX Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached XX None ___



SIGNATURE

02/7/13

DATE

Entered on "STARS" Yes No ___

**Commissioner Svinicki's Comments on SECY-12-0110
Consideration of Economic Consequences within the
U.S. Nuclear Regulatory Commission's Regulatory Framework**

I approve the staff's recommended Option 2, to enhance the currency and consistency of the existing framework through updates to guidance documents integral to performing cost-benefit analyses in support of regulatory, backfit, and environmental analysis, subject to the following comments and additional direction. This paper provided the staff's analysis of NRC's current processes for considering economic consequences arising from offsite property damage caused by radiological contamination events. This analysis was a staff-initiated activity and was not undertaken at the Commission's direction.

As a result of its analysis, the staff concludes that the NRC's existing regulatory framework for considering offsite property damage "is sound and affords sufficient flexibility to account for the offsite economic consequences associated with unintended radionuclide releases and subsequent land contamination." The NRC's approach was also affirmed by the NRC's Near-Term Task Force (NTTF) following the accident at the Fukushima Dai-ichi nuclear power station. The NTTF examined the NRC's current approach to land contamination and concluded that:

The current NRC approach to land contamination relies on preventing the release of radioactive material through the first two levels of defense-in-depth, namely protection and mitigation. Without the release of radioactive material associated with a core damage accident, there would be no significant land contamination. The task force also concludes that the NRC's current approach to the issue of land contamination from reactor accidents is sound. [NTTF Report, page 21.]

Having completed two re-assessments of the agency's approach to this issue -- both undertaken subsequent to the accident at Fukushima Dai-ichi and both concluding that the NRC's approach is sound -- it is appropriate to return this issue to a footing of stability, discontinue any perpetual development of potential options, and endorse this conclusion.

The agency currently has a significant number of higher-tier, post-Fukushima regulatory actions underway (approximately forty, by the count of some). I share the observation of Commissioner Ostendorff that our Principles of Good Regulation challenge us to exercise restraint in having multiple aspects of the regulatory framework concurrently in a state of transition, without imminent threat to health and safety or without other, requisite justification. Although some members of the Commission assess that sufficient information to decide this matter is lacking, I disagree. I have assessed this paper, related background and history, and the information provided in the Commission's public meeting on this topic. I find the assessments thorough and searching. Consequently, I am prepared to approve this recommendation and move forward.

As proposed by Commissioner Ostendorff, the staff should provide a comprehensive paper on Option 2 implementation, for the Commission's review and approval, so it is clear how the actions the staff proposes to take under this option will "harmonize regulatory guidance across the agency." I agree also with Commissioner Apostolakis that policy issues could arise during the staff's efforts to "improve guidance for estimating offsite economic costs" or to "identify potential areas to develop new guidance, as needed, for other regulatory applications." The development of implementation approaches for Option 2 will expose such policy issues and these issues should be brought to the Commission for review and approval.

Further, based on the conclusions establishing the soundness of NRC's current approach, the staff's proposed implementation activities should be undertaken at a pace, and resourced at a level, consistent with the degree of their contribution to risk-reduction and to the achievement of established NRC public health and safety goals. Specifically, the identification of new areas to develop guidance for other regulatory applications under Option 2 should be limited and should be resourced as a lower priority than activities under Option 2 associated with applying SOARCA insights and improving guidance and analysis tools (such as the MACCS2 computer code) based on up-to-date data and advancements in accident consequence assessment knowledge. The staff should provide the Commission with a regulatory gap analysis prior to developing new guidance for application across business lines (e.g., materials, fuel cycle facilities, or emergency preparedness). Also, the staff should provide to the Commission, for its review and approval, any cost benefit model developed for use in guidance documents to address offsite property damage costs. This would include any proposed methodology for changing the calculated value of averted dose referenced in NUREG-1530.

Additionally, I share the observation of Commissioner Magwood, in his vote, that the staff's use of qualitative factors in arriving at its recommendation on the installation of vent filters (in SECY-12-0157) did not have the benefit of being informed by a Commission decision on this matter (regarding the adequacy of the NRC's consideration of economic consequences within the regulatory framework.) This is unfortunate. As noted by Commissioners Apostolakis, Magwood, and Ostendorff, the sequencing of staff efforts and resultant papers on not just this, but a number of issues, has not been optimal. Although there are multiple, contributing causes, I diagnose one of them to be the creation of a separate body – the Steering Committee – to consider and coordinate nuclear safety matters in the post-Fukushima timeframe. The existence of a unique body to perform this function should not be necessary inside a mature safety regulator. Although the creation of this coordinating council arguably served a purpose in the weeks and months immediately following the accident in Japan, as we approach the two year anniversary of the accident, the time has come to re-integrate these activities back into each line organization – each of which already has a core responsibility for nuclear safety. The staff should propose to the Commission a fixed date, to occur during the current Fiscal Year, to sunset the Steering Committee and return accountability for the underlying activities to each program office. Reintegrating these activities into the program offices and business lines will also allow for greater budgetary oversight and scrutability and should return the agency to more disciplined adherence to standing processes and internal directives.

In that vein, the staff should ensure adherence to the Commission's policy for review of proposed new requirements by the Committee to Review Generic Requirements (CRGR). The CRGR, under its charter, is responsible for ensuring that proposed generic backfits to be imposed on NRC-licensed power reactor, new reactors, or nuclear materials facilities are appropriately justified based on backfit provisions of applicable regulations or the Commission's backfit policy. Although the charter provides for an exception to CRGR review, it emphasizes that this exception should only be invoked in rare instances where an immediately effective action is required for circumstances that pose an immediate or imminent threat to adequate protection of the public health and safety. By providing an additional, independent look at proposed agency actions -- by staff not responsible for development of those proposed actions -- review by the CRGR enhances the rigor of the NRC's analyses.

Finally, I note that the agency is being asked by external parties to evaluate regulatory differences between Japan and the United States by conducting a full review of the differences that existed at the time of the Fukushima Dai-ichi accident. In my vote on SECY-11-0093, dated July 19, 2011, I stated that "the Commission's review of any proposed regulatory changes must, in my view, be informed by a comparison of U.S. and Japanese regulatory requirements, focused on those areas most relevant to the initiating sequence of events at Fukushima, but also comparing regulatory requirements regarding mitigation capability. Without this comparison, NRC's post-Fukushima response will lack a strong basis for determining the adequacy of, or strengthening, where necessary, the U.S. nuclear regulatory framework. The staff's plan should, therefore, also include a proposal for how NRC will undertake such a comparison." Although a broad-based comparison did not achieve support at that time, I renew my proposal that the staff be directed to conduct this broad-based regulatory comparison.

The NRC has now acted on a number of high-priority Tier 1 actions and this comparison could serve as a useful, interim evaluation of whether any important areas for lessons-learned have escaped our scoping process. Further, the Government of Japan, as well as other knowledgeable bodies, has produced reports on the causes of the events at Fukushima Dai-ichi. The NRC staff could tap into considerable work already done, easing the resource demands on the NRC to conduct this comparison. As the new regulatory body in Japan, the Nuclear Regulation Authority, has begun establishing new nuclear safety and emergency planning requirements for Japanese nuclear facilities, the U.S. media has reported the fact that some of Japan's new requirements were already longstanding components of the U.S. regulatory system. If the NRC were to conduct and publish a regulatory comparison, such a report could serve as a mechanism to communicate the NRC's expert views on this topic to the American public, much as was done by NRC regarding our security requirements after the attacks of September 11, 2001.



Kristine L. Svinicki

02/7/13

NOTATION VOTE

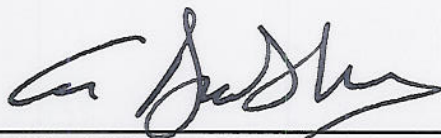
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER APOSTOLAKIS
SUBJECT: SECY-12-0110 – CONSIDERATION OF ECONOMIC
CONSEQUENCES WITHIN THE U.S. NUCLEAR
REGULATORY COMMISSION'S REGULATORY
FRAMEWORK

Approved Disapproved Abstain

Not Participating

COMMENTS: Below Attached None



SIGNATURE

12/6/12

DATE

Entered on "STARS" Yes No

**Commissioner Apostolakis' Comments on SECY-12-0110
Consideration of Economic Consequences within the
U.S. Nuclear Regulatory Commission's Regulatory Framework**

The Commission faces the prospect of making a number of significant policy decisions related to the regulatory framework for power reactors that are clearly linked. This is also recognized by the Advisory Committee on Reactor Safeguards (ACRS), which has pointed to the following decisions as "challenging issues that are closely interrelated: resolution of Fukushima Near-Term Task Force Recommendation 1, resolution of the Risk Management Task Force recommendations in NUREG-2150, regulatory treatment of the economic consequences from severe accidents, and guidance for the installation of filters in containment hardened venting systems." (Letter dated November 13, 2012.) Thus, it may not be optimal for the Commission to decide these issues independently of each other.

For example, a decision on the regulatory treatment of economic consequences of severe accidents could have a real impact on the analysis used to judge the significance of filtered vents and whether to require them. Additionally, the decision on Near-Term Task Force (NTTF) Recommendation 1 would benefit from consideration of the broader Risk Management Task Force (RMTF) recommendations. The staff will present options regarding the RMTF recommendations to the Commission six months after a Commission decision on Recommendation 1. Ideally, these two decisions would be made in reverse order.

Bearing these thoughts in mind, I conclude that I do not have enough information to make a final decision related to the three options presented by the staff in SECY-12-0110. Specifically, I need more detailed information related to how Option 2 and certain aspects of Option 3 would be implemented. Nevertheless, and as explained below, we can still make progress by obtaining additional information and analyses that will support our review without precluding any options for the upcoming decisions on NTTF Recommendation 1 and the RMTF recommendations.

Under Option 2, the staff would "systematically update and enhance regulatory analysis guidance in a more comprehensive, integrated, and coordinated fashion." The staff stated that, in addition to ongoing updates, the staff would "improve guidance for estimating offsite economic costs based on up-to-date data and advancements in accident consequence assessment knowledge (e.g., SOARCA insights, the current Level 3 probabilistic risk assessment project, and Fukushima follow-up activities), as applicable. In addition, staff would identify potential areas to develop new guidance, as needed, for other regulatory applications (e.g., materials, fuel cycle facilities, security, and emergency preparedness) and conforming changes to associated documents across business lines." Although the staff states that this option maintains the current regulatory framework, policy issues could arise (e.g., use of a particular decontamination level) during the staff's efforts to "improve guidance for estimating offsite economic costs" or to "identify potential areas to develop new guidance, as needed, for other regulatory applications." Policy issues such as these should be brought to the Commission for consideration.

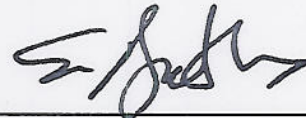
I also need additional information regarding Option 3 to explore the merits of potential changes to the regulatory framework to more expressly consider adverse offsite economic consequences from severe accidents. However, there is one aspect of Option 3 which does not warrant further exploration, namely, treating economic consequences as equivalent in regulatory character to matters of adequate protection of public health and safety. Such an exploration would require substantial staff resources and dilute our focus on public health and safety.

It is worth noting that property damage considerations are already included in NRC's cost-benefit determinations conducted within regulatory, backfit, and environmental analyses. The Commission has considered changes to the agency's treatment of economic consequences on several occasions and has consistently found that our existing framework is sound, as did the Fukushima NTTF. In light of this background, the Commission should have as much specific information as possible in considering proposals to change the way we currently address economic consequences.

Although I cannot make a decision on the proposed options at this time, there is an opportunity to make progress on how to update and enhance regulatory analysis guidance and how to treat economic consequences in the regulatory framework. Therefore, I propose that the staff provide the Commission with a notation vote paper that:

1. Identifies the potential changes to current methodologies and tools that would enhance regulatory analysis guidance under current Option 2.
2. Provides economic parameters that could be added to our cost-benefit methodology to potentially expand our consideration of economic consequences.
3. Provides options for the treatment of economic consequences in the regulatory framework, excluding options that would treat economic consequences as equivalent to matters of adequate protection of public health and safety

This paper should be provided to the Commission within nine months of the SRM on SECY-12-0110.



George Apostolakis
12/6/12

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MAGWOOD
SUBJECT: SECY-12-0110 – CONSIDERATION OF ECONOMIC
CONSEQUENCES WITHIN THE U.S. NUCLEAR
REGULATORY COMMISSION'S REGULATORY
FRAMEWORK

Approved _____ Disapproved X Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___



SIGNATURE

10 December 2012
DATE

Entered on "STARS" Yes X No ___

**Commissioner Magwood's Comments on SECY-12-0110,
"Consideration of Economic Consequences
within the U.S Nuclear Regulatory Commission's Regulatory Framework"**

Our consideration of the lessons learned from the accident at Japan's Fukushima Daiichi nuclear power plant has prompted numerous discussions of how the NRC's regulatory framework considers the economic consequences associated with severe accidents at nuclear power plants. In many such discussions, it has been apparent that some observers believe that NRC ignores socioeconomic impacts. Fortunately, staff's paper, SECY-12-0110 does a very good job of detailing how the NRC currently incorporates offsite property damage and other economic consequences in its decision-making. While this analysis does not address the totality of the questions before us, but it does reflect the fact that our current framework is not blind to these important matters.

Nevertheless, many stakeholders have opined that NRC's framework—which focuses on human health and safety—does not do enough to capture a full consideration of the socioeconomic impacts from Fukushima-scale nuclear accidents. As I have indicated in many venues, my personal observations in the exclusion zone surrounding the Fukushima Daiichi site highlight the terrible impacts on lives and property that can result from large radioactive releases. However, the question remains: whether and how to deal with such scenarios in a framework that has successfully protected human health and safety for so many years.

In reviewing whether more should be done, staff has proposed a number of options for Commission consideration that seek to modify our current regulatory framework. This question represents, I believe, the single most important, impactful, and far-reaching decision the Commission must make in the aftermath of the Fukushima accident. Such a decision requires careful, well-considered analyses, a review of the full range of impacts from various degrees of policy shift, and a full understanding of how this decision interrelates with the many other post-Fukushima regulatory matters that the Commission must evaluate.

Unfortunately, staff's current effort, as reflected by the subject paper, falls well short of meeting this challenge. I therefore join Commissioner Apostolakis in his comments on this paper and support the entirety of his vote and recommendations.

In addition, after reviewing the November 13, 2012 letter from the Advisory Committee on Reactor Safeguards (ACRS) and the comments provided during the subsequent December 6, 2012 meeting of the ACRS with the Commission, I am convinced that we risk making suboptimal decisions unless we sequence appropriately the Commission's decisions on key matters including but not limited to Near-Term Task Force Recommendation 1; regulatory treatment of the economic consequences from severe accidents; and consideration of filters for containment venting systems. Currently, we are to consider these matters, which the ACRS highlighted as interrelated, in isolation. I believe that proceeding in this manner has been a mistake from the beginning and not addressing this problem now will serve only to magnify the

error. Staff should present the Commission with a well-thought plan to consider the various post-Fukushima issues in an optimal sequence, allowing for sufficient time by the staff to ensure that the Commission receives the staff's best work. Holding to the previous, aggressive schedules must not be a rationale to present the Commission with anything less than the staff's finest effort.

There are many benefits to an optimal sequencing of these decisions. As an example, our recent meeting with the ACRS highlighted the fact that staff has applied qualitative analysis at the basis of its recommendation to move forward with the installation of filtered vents—which did not pass the normal quantitative cost-benefit test. As I stated in the meeting, the use of qualitative analysis as the basis of a policy recommendation erodes our efforts to be a predictable and consistent regulator since one can justify essentially any decision using qualitative arguments.

Clearly, there may be a need to rely on qualitative analysis to make certain policy decisions. But, in my opinion, such a step should be applied only after exhaustive analysis is completed. Accordingly if decisions on NTTF Recommendation 1 or on the regulatory treatment of economic consequences were made in the most advantageous order, staff might have a much firmer basis for its recommendation.

Not making these very important decisions in the appropriate order based on staff's best analysis and recommendations would add to the "patch-work" regulation that the NTTF warned against. We can and should avoid this.



William D. Magwood, IV Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER OSTENDORFF

SUBJECT: SECY-12-0110 – CONSIDERATION OF ECONOMIC
CONSEQUENCES WITHIN THE U.S. NUCLEAR
REGULATORY COMMISSION'S REGULATORY
FRAMEWORK

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below ___ Attached X None ___

C. Ostendorff
SIGNATURE

1/10/13
DATE

Entered on "STARS" Yes X No ___

**Commissioner Ostendorff's Comments on SECY-12-0110,
"Consideration of Economic Consequences within the
U.S. Nuclear Regulatory Commission's Regulatory Framework"**

I approve the staff's recommended Option 2. SECY-12-0110 provides an insightful "roadmap" of the NRC's history of the reactor safety goals, quantitative health objectives, and treatment of economic consequences over the previous 25 years. I appreciated the staff's thoughtful and comprehensive analysis of the complex legal and technical issues at play here. From a knowledge management standpoint, the Commission and the staff have benefitted from this retrospective. As was made clear in the paper, the Commission has considered the topic of economic consequences, and the subtopic of land contamination, over many decades of policy development. Part of this rich history includes the Commission's review of its Reactor Safety Goal Policy Statement and issue of land contamination in SECY-00-0077, which was motivated, in part, by recognition of the Chernobyl accident's societal impacts. Once again, we are prudently reassessing our policies and treatment of economic consequences in our decision-making given the accident at the Fukushima Dai-ichi plant.

Our Principles of Good Regulation state that once established, regulations should be perceived as reliable and not unjustifiably in a state of transition. This does not mean that our processes and policies should be static and immune from self-assessment. Rather, the NRC should pursue justifiable improvements based on domestic and international operating experience. I find the approach under Option 2 is consistent with this guiding principle. Therefore, while the agency's defense-in-depth philosophy and risk considerations for adequate protection of public health and safety have provided substantial ancillary protection of offsite property, I am supportive of refining our regulatory analysis tools such as the MACCS2 computer code, applying SOARCA insights, and synthesizing best practices from other Federal agencies and the international regulatory community. Simply stated, these activities are an appropriate course of action for any organization that values operating experience.

The staff should provide a comprehensive paper on Option 2 implementation so it is clear how Option 2 "would help harmonize regulatory guidance across the agency" in both the reactor and materials programs arenas. The staff should also address if and how Option 2 may influence future NRC recommendations to Congress regarding renewal of the Price-Anderson Act.

Commissioners Apostolakis and Magwood, as well as the ACRS, have appropriately highlighted several Commission papers and staff efforts that are related to the policy options for treatment of economic consequences. I agree with Commissioner Magwood that the sequence of these papers has not been optimal. Nevertheless, the Commission has a rare opportunity to cast a vote on conceptual matters while having before us an application of those concepts: the BWR Mark I and II containment venting policy issue in SECY-12-0157. That paper provided an excellent case study in the application of economic consequence methodologies and the relationship of quantitative and qualitative factors in decision-making. I found that the staff's treatment of economic consequences in the BWR containment venting policy paper illustrated that the existing regulatory structure is flexible and robust enough to appropriately appreciate these economic considerations. The paper also highlighted for me that we currently have sufficient information to conclude that the existing framework for the treatment of economic consequences is appropriate and would simply benefit from modest updates and enhancements through the staff's recommended Option 2.

Although there are a number of interrelated policy issues either currently before us or soon to be before us, in the interest of enhancing regulatory predictability and stability, the Commission should provide a final disposition of the economic consequence issues now to provide a foundation for subsequent staff work on Near Term Task Force Recommendation 1 and the Risk Management Task Force. Doing otherwise could lead to a form of regulatory paralysis because of the constant prospect of regulatory framework changes on the horizon. Such changes are not necessary; our treatment of economic consequences and land contamination is fundamentally sound.