

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland

Monday, October 23, 2000

The Commission met in open session, pursuant to notice, at 3:00

p.m.,

Richard A. Meserve, Chairman, presiding.

COMMISSIONERS PRESENT:

RICHARD A. MESERVE, Chairman

GRETA J. DICUS, Member of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary

KAREN D. CYR, General Counsel

States Nuclear Regulatory

Commission on October 23, 2000 in the Commission's office at One White Flint North, Rockville, Maryland.

The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

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[3:00 p.m.]

PROCEEDINGS

CHAIRMAN MESERVE: Good afternoon. This is an affirmation session and I understand we have one item that is before us. Madam Secretary, if my colleagues have no comments, you may proceed.

COMMISSIONER DICUS: None.

MS. VIETTI-COOK: The Commission is being asked to act on Final Rules Amending 10 CFR Parts 35 and 20. 10 CFR Part 35 is being revised to make it more risk-informed and performance-based and to codify requirements for certain therapeutic devices. 10 CFR Part 20 is being revised in response to a Petition for Rulemaking from the University of Cincinnati to allow a licensee the discretion to permit visitors to a hospitalized radiation patient to receive up to 5 millisievert in a year from exposure to the hospitalized radiation patient. The Commission has voted to approve the publication and implementation of these final rules subject to the attached changes. Would you please affirm your votes?

CHAIRMAN MESERVE: Aye

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye

MS. VIETTI-COOK: Commissioner Diaz had previously indicated that he would have approved this rulemaking and had he been present would have affirmed his prior vote. That's all I have.

CHAIRMAN MESERVE: Good. Thank you very much. With that, we're adjourned. [3:05 p.m.]

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: October 23, 2000

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: DARLENE K. WRIGHT

Reporter: (TAPE RECORDING)