



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

June 2, 2006

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-06-0097

TITLE: PROPOSED RULEMAKING TO AMEND 10 CFR PARTS 19, 20, AND 50: OCCUPATIONAL DOSE RECORDS, LABELING CONTAINERS, AND THE TOTAL EFFECTIVE DOSE EQUIVALENT (RIN 3150-AH40)

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 2, 2006.

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

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
EDO
PDR

VOTING SUMMARY - SECY-06-0097

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. DIAZ	X				X	5/10/06
COMR. McGAFFIGAN	X				X	5/19/06
COMR. MERRIFIELD	X				X	5/16/06
COMR. JACZKO	X					5/24/06
COMR. LYONS	X				X	5/18/06

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on June 2, 2006.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: CHAIRMAN DIAZ
SUBJECT: **SECY-06-0097 - PROPOSED RULEMAKING TO
AMEND 10 CFR PARTS 19, 20, AND 50:
OCCUPATIONAL DOSE RECORDS, LABELING
CONTAINERS, AND THE TOTAL EFFECTIVE
DOSE EQUIVALENT (RIN 3150-AH40)**

Approved Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.

Luis Diaz
SIGNATURE

May 10, 06
DATE

Entered on "STARS" Yes No

Chairman Diaz's Comments on SECY-06-0097

I agree with the staff's determination that the proposed amendments would effectively aid in reducing administrative and information collection burdens while maintaining protection of the health and safety of workers, the public, and the environment.

I approve the staff's recommendation to publish in the *Federal Register* the proposed amendments to 10 CFR Parts 19, 20, and 50. I also agree that the staff should certify that, based on the information currently available, the proposed rule, if adopted, is not likely to have a significant economic impact on a substantial number of small entities.

A handwritten signature in black ink, appearing to be 'LD', is written below the second paragraph of text.

NOTATION VOTE

RESPONSE SHEET

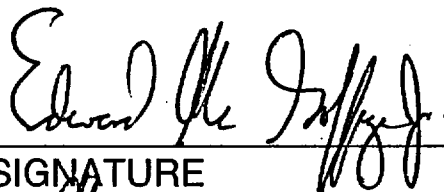
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: **SECY-06-0097 - PROPOSED RULEMAKING TO
AMEND 10 CFR PARTS 19, 20, AND 50:
OCCUPATIONAL DOSE RECORDS, LABELING
CONTAINERS, AND THE TOTAL EFFECTIVE
DOSE EQUIVALENT (RIN 3150-AH40)**

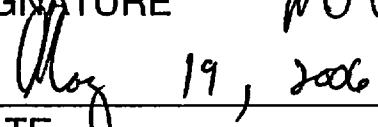
Approved ^{w/comments and edits} Disapproved Abstain

Not Participating

COMMENTS:

See attached.



SIGNATURE


DATE

Entered on "STARS" Yes No

Commissioner McGaffigan's Comments on SECY-06-0097

I approve for publication in the Federal Register the proposed amendments to 10 CFR Parts 19, 20, and 50. I also agree that, based on the information currently available, the proposed rule, if adopted, is not likely to have significant economic impact on a substantial number of small entities. I am providing the following edits to the draft federal register notice.

1. draft federal register notice, p. 2, middle of the page,

"E-mail comments to: SECY@nrc.gov. If you do not receive a reply e-mail confirming . . ."

2. draft federal register notice, p. 7, first full paragraph

"The NRC is proposing a change to the notification requirement in 10 CFR 19.13(b) so that licensees would ~~continue the current~~ provide reporting to for all occupationally exposed individuals ~~except for those individuals whose annual dose does not exceed~~ 1 millisievert (mSv) (100 millirem (mrem)) TEDE or 1 mSv (100 mrem) to any individual organ or tissue in the preceding year. . ."

3. draft federal register notice, p. 7, second full paragraph

"In the draft rule language previously published by the NRC (69 FR 8350; February 24, 2004), the proposed threshold for reporting doses to individuals was two percent of the dose limits in 10 CFR ~~20.1201~~(a). . ."

4. draft federal register notice, p. 8, first full paragraph. It appears that information collection burdens would remain the same, but reporting burdens would be lower.

"Based upon this information, the proposed change to the regulations would result in a significant reduction in administrative and reporting ~~information collection~~ burdens on licensees. . ."

5. draft federal register notice, p. 15, second response

". . . Under the proposed regulations, the licensee would be required to provide only those reports (NRC Form 5s) to an individual whose recorded dose exceeded the reporting threshold of 1 mSv (100 ~~m~~rem) at that facility.

6. draft federal register notice, Section III. Public comments.

In general, the staff's response to each comment should clearly state whether NRC agrees or disagrees, and the basis for any change or lack thereof.

FRN, p. 15, second response, add a new opening sentence:

"The NRC believes that the applicability of the criterion is clear and no further changes are required. . ."

FRN, p. 17, first response, add a new opening sentence:

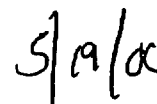
"The NRC disagrees with this comment. . ."

7. draft federal register notice, p. 43, second paragraph under Section 3.3.4, last sentence, extra "\$"

" . . . For a discounted flow of funds at a 7 percent rate, the estimated savings per nuclear power plant and for the nuclear power industry are \$120,000 ($\$8,500 \times 13.77$) and \$12 million ($\$880,000 \times 13.77$), respectively."



Edward McGaffigan Jr.



(Date)

NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: **SECY-06-0097 - PROPOSED RULEMAKING TO
AMEND 10 CFR PARTS 19, 20, AND 50:
OCCUPATIONAL DOSE RECORDS, LABELING
CONTAINERS, AND THE TOTAL EFFECTIVE
DOSE EQUIVALENT (RIN 3150-AH40)**

Approved Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.



SIGNATURE

5/16/06

DATE

Entered on "STARS" Yes No

Comments from Commissioner Merrifield on SECY-06-0097:

I approve the staff recommendations in SECY-06-0097 with one edit as described below. This is an appropriate action that reduces regulatory burdens but also maintains adequate protection of the public health and safety.

My editorial comment is to revise the third sentence of the first paragraph in the *Federal Register* Notice to read as follows:

“The proposed rule would also amend the definition of TEDE to beclarify that it is consistent with current Commission policy.”

NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER JACZKO
SUBJECT: **SECY-06-0097 - PROPOSED RULEMAKING TO
AMEND 10 CFR PARTS 19, 20, AND 50:
OCCUPATIONAL DOSE RECORDS, LABELING
CONTAINERS, AND THE TOTAL EFFECTIVE
DOSE EQUIVALENT (RIN 3150-AH40)**

Approved Disapproved _____ Abstain _____
Not Participating _____

COMMENTS:

SIGNATURE
5/24/06

DATE

Entered on "STARS" Yes No _____


NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER LYONS
SUBJECT: **SECY-06-0097 - PROPOSED RULEMAKING TO AMEND 10 CFR PARTS 19, 20, AND 50: OCCUPATIONAL DOSE RECORDS, LABELING CONTAINERS, AND THE TOTAL EFFECTIVE DOSE EQUIVALENT (RIN 3150-AH40)**

Approved Disapproved _____ Abstain _____

Not Participating _____

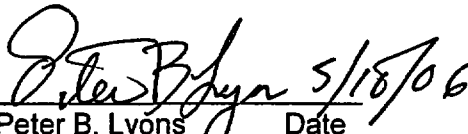
COMMENTS:

Peter B. Lyons 
SIGNATURE
5/ 18 /06
DATE

Entered on "STARS" Yes No _____

Commissioner Lyons' Comments on SECY-06-0097

I approve staff's recommendation to publish in the *Federal Register* the proposed amendments to 10 CFR Parts 19, 20, and 50. I also agree that staff should certify that, based on the information currently available, the proposed rule, if adopted, is not likely to have significant economic impact on a substantial number of small entities.


Peter B. Lyons Date 5/18/06