



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

January 16, 2007

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-06-0231

TITLE: NRC IMPLEMENTATION PLAN FOR THE RADIATION
SOURCE PROTECTION AND SECURITY TASK FORCE
REPORT

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of January 16, 2007.

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".

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

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

VOTING SUMMARY - SECY-06-0231

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. KLEIN	X				X	12/20/06
COMR. McGAFFIGAN	X				X	12/14/06
COMR. MERRIFIELD	X				X	12/4/06
COMR. JACZKO	X				X	12/18/06
COMR. LYONS	X				X	12/4/06

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on January 16, 2007.

NOTATION VOTE


RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: CHAIRMAN KLEIN
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR
THE RADIATION SOURCE PROTECTION AND
SECURITY TASK FORCE REPORT

Approved X Disapproved Abstain

Not Participating

COMMENTS: Below Attached X None



SIGNATURE

Dec. 20, 2006

DATE

Entered on "STARS" Yes ✓ No

Chairman Klein's Comments on SECY-06-0231

I approve the staff's implementation plan for the Radiation Source Protection and Security Task Force, subject to the comments below:

The Implementation Plan discussion for recommendation 12-1, "Alternative Technologies," indicates a change in the lead agency from FDA to NRC. This activity has a significant focus on encouraging the use of alternative technologies to radioactive materials, which has the potential to discourage the beneficial uses of radioactive materials. In a lead role for this activity, staff could be put in a position that is contrary to our Strategic Objective of enabling the use of radioactive materials for beneficial purposes. This activity could also involve evaluating and potentially encouraging the use of technologies that are not within NRC's authority, such as machine-produced radiation. Staff should consider whether this activity would be more suitably lead by one of our Federal partners, whose mission or objectives include evaluating and potentially encouraging such alternative technologies. Whether in a lead or participatory role, the staff should strive to ensure that this activity recognizes and considers the beneficial uses of radioactive materials, and includes an appropriate evaluation of potential negative impacts for all options considered.

I agree with Commissioner Merrifield that the resource allocations for activities for which detailed implementation plans have not yet been developed should be deferred until more is known about the impacts of these activities.

I approve the priorities for each of the activities, subject to Commissioner Lyons comment to make the Financial Assurance activity a medium priority.

NOTATION VOTE

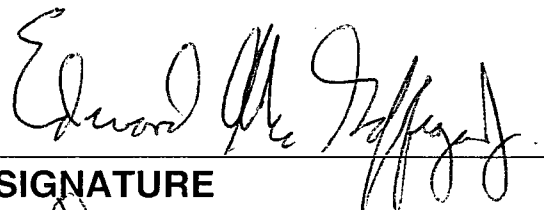
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR
THE RADIATION SOURCE PROTECTION AND
SECURITY TASK FORCE REPORT

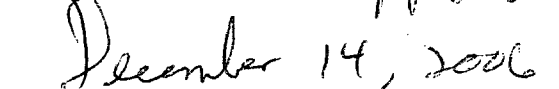
Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached None _____



SIGNATURE



DATE

Entered on "STARS" Yes No _____

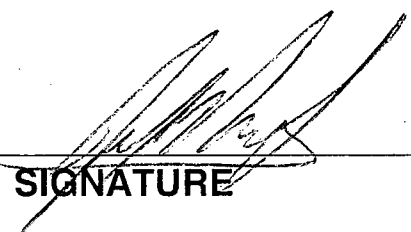
NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR
THE RADIATION SOURCE PROTECTION AND
SECURITY TASK FORCE REPORT

Approved Disapproved _____ Abstain _____
Not Participating _____

COMMENTS: Below _____ Attached None _____



SIGNATURE

12/4/06

DATE

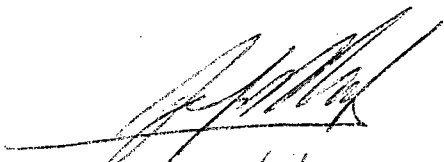
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Comments from Commissioner Merrifield on SECY-06-0231:

I approve the staff recommendations in SECY-06-0231, NRC Implementation Plan for the Radiation Source Protection and Security Task Force Report, as discussed in the following paragraphs.

The Radiation Source Protection and Security Task Force Report contains 28 activities (10 recommendations plus 18 actions). As the lead Agency for the Task Force, the NRC will be involved to some extent in all the activities. However, NRC has the lead or co-lead in 18 actions (6 recommendations plus 12 actions). The current budget has 1 FTE per year to manage overall Task Force activities and staff states that 8 of its lead/co-lead activities are adequately addressed under existing budgeted programs. For those budgeted activities, staff should continue as planned.

However, there are 10 NRC lead/co-lead actions (5 recommendations and 5 actions) which are currently not budgeted in FY07 or FY08. Although staff has provided resource estimates for these 10 activities, staff states that a detailed implementation plan has not been developed for a number of these activities. Until a better estimate of the budget impact is known, I am reluctant to approve the specific resource numbers. However, the staff has prioritized these 10 activities and I approve the priorities as provided by the staff as a starting point for determining the proper allocation of funds through the normal budget process. The two high priority activities are properly characterized and should receive appropriate funding through the normal budget review process. The other activities are of lower priority and should be funded as the normal budget process determines. In addition, there are 5 activities which are low priority but which also are estimated to involve fairly small amounts of staff resources. Staff believes they can address these five activities without impacting current activities, and this approach should be used until more information is known about these activities.



12/4/06

NOTATION VOTE


RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER JACZKO
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR
THE RADIATION SOURCE PROTECTION AND
SECURITY TASK FORCE REPORT

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: Below _____ Attached X None _____



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12/18/06

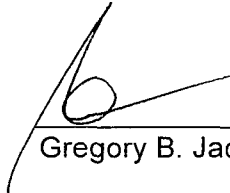
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**Commissioner Jaczko's Comments on SECY-06-0231
NRC Implementation Plan for the Radiation Source Protection
and Security Task Force Report**

I approve of the "U.S. Nuclear Regulatory Commission Implementation Plan for the Radiation Source Protection and Security Task Force Report." The Energy Policy Act of 2005, which created the task force, charged the Commission with taking any action the Commission deems appropriate for ensuring the safety and security of radioactive sources under its jurisdiction. While some of the recommendations or actions identified by the task force will require implementation by our task force federal partners, I believe the staff should encourage them to define their implementation strategy as soon as practical to assist them in acquiring the necessary resources through their agencies to complete the tasks identified in the report.

The implementation plan identified the evaluation of financial assurance for Category 1 and 2 sources as a low priority. I believe the priority for this recommendation should be high. Given the many challenges the nation faces with the abandonment and prolonged storage of these sources, the Commission should expand its requirements for financial assurance to licensees with risk significant sources if they are not already covered by our regulations. Waiting too long to impose the necessary requirements on licensees who possess risk significant sources only increases the risk or likelihood that these sources may be improperly dispositioned. Also, I support Commission Lyons' comment to consider Category 3 sources in the Commission's evaluation of expanding its financial assurance requirements.



Gregory B. Jaczko 12/18/04
Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER LYONS
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR
THE RADIATION SOURCE PROTECTION AND
SECURITY TASK FORCE REPORT

Approved Disapproved Abstain

Not Participating

COMMENTS: Below Attached None



SIGNATURE

12/7/06

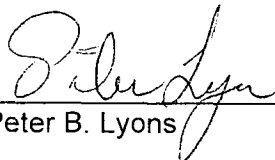
DATE

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Commissioner Lyons' Comments on SECY-06-0231

I approve the staff's proposed implementation plan with one modification. I believe an important regulatory issue is making sure that licensees have sufficient funding for final disposition of Category 1, 2 and 3 sources. Therefore, I believe that the priority for the Evaluation of Financial Assurance (R9-02) should be medium. I also agree with Commissioner Merrifield that the other priorities provided by the staff are a good starting point for determining the proper allocation of funds through the normal budget process.

I appreciate staff's efforts to develop an NRC implementation plan and its leadership in developing an integrated implementation plan that outlines the activities of all the Federal agencies. I look forward to receiving the annual status reports. Receipt of the annual status reports should approximately coincide with delivery of the annual budget submission documents. Such an action would help inform the Commission's review of the annual budget submission.

 12/7/06
Peter B. Lyons Date