

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: CHAIRMAN JACZKO  
SUBJECT: SECY-09-0123 – MATERIAL CATEGORIZATION AND  
FUTURE FUEL CYCLE FACILITY SECURITY-  
RELATED RULEMAKING

Approved X Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_ Attached X None \_\_\_

  
\_\_\_\_\_  
SIGNATURE

11/19/09  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes X No \_\_\_\_\_

**Chairman Jaczko's Comments on SECY-09-0123**  
**Material Categorization and Future Fuel Cycle Facility Security-Related Rulemaking**

I approve, with the following comments, the staff's request to pursue a revised categorization scheme for SNM, which includes a material attractiveness approach, as part of the rulemaking to update SNM and fuel cycle facility security-related regulations.

The staff should provide the Commission, as part of the rulemaking package, with the technical analysis of this approach being applied to all applications of SNM. The staff should also provide the technical analysis of this approach being applied to those RTR licensees that still utilize HEU fuel. In addition, the staff should provide an analysis of the use of a material categorization approach for MOX and potential reprocessing facilities, including applications where significant quantities of americium and neptunium are present.

The staff should engage a broad range of stakeholders as it develops the rulemaking package, including the international community, to identify efforts that may be ongoing considering different approaches including material categorization. I am particularly interested in comments received from the public about the staff's proposed approach.

 11/17/09