

A F F I R M A T I O N V O T E

R E S P O N S E S H E E T

RELEASED TO THE PDR

3/23/94
date

J
initials

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER REMICK

SUBJECT: SECY-94-034 - ISSUANCE OF FINAL RULE
REINSTATING NONPROFIT EDUCATIONAL EXEMPTION
AND DENIAL OF PETITION FOR RULEMAKING

w/comment

APPROVED DISAPPROVED _____ ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

*Excellent work!
see attached edit*

9403290251 940228
PDR COMMS NRCC
CORRESPONDENCE PDR

250062

[Signature]
SIGNATURE

RELEASE VOTE

28 Feb 94
DATE

WITHHOLD VOTE

ENTERED ON "AS" YES No _____

[Signature]
F013
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*exceptions such as the recent one, Workshops,
meeting of the Advisory Committee on the medical
uses of isotopes, and*

the Commission. The Commission has seen nothing either in the petition or comments on the petition that would lead it to change its approach in this area. The Commission would like to emphasize, however, that licensees are always welcome and expected to comment on proposed rulemakings, ⁱⁿ excluding the accompanying cost-benefit analyses, and that such comments, along with the day-to-day interaction between licensees and the agency, in the Commission's view provide an adequate and successful method of keeping each group apprised of the other's concerns.

2. Comment. The Commission received a potpourri of comments on other aspects of the petition. A number of commenters disagreed with the petition, arguing that medical licensees should not receive an exemption, as the costs of such an exemption would be borne by other licensees to whom the additional fees would have no relation, and that every licensee should pay its fair share. Other commenters stated that the fees should be abolished entirely, which would remove the dilemma over granting exemptions. One commenter argued for basing an exemption on the function for which the license is utilized, not the function of the licensed organization. Some commenters argued that fees should be based on factors such as the amount of radioactive sources possessed, the number of procedures performed or the size of the nuclear department within a hospital. Certain commenters suggested expanding the number of exemptions to include Government agencies, along with those licensees which provide products and services to medical and educational