

April 13, 1998

COMMISSION VOTING RECORD

DECISION ITEM: SECY-97-273

TITLE: STAFF REQUIREMENTS -- SECY-96-221 -- "IMPROVING NRC'S CONTROL OVER, AND LICENSEES' ACCOUNTABILITY FOR, GENERALLY AND SPECIFICALLY LICENSED DEVICES"

The Commission (with Commissioners Dicus, Diaz, and McGaffigan agreeing) disapproved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of April 13, 1998. Chairman Jackson approved the paper, but also agreed with the other Commissioners that the proposed approach by the staff did not go far enough in meeting the recommendations in the Working Group study.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commissioners, and the SRM of April 13, 1998.

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Annette L. Vietti-Cook  
Acting Secretary of the Commission

Attachments: 1. Voting Summary  
2. Commissioner Vote Sheets  
3. Final SRM

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
OGC  
EDO  
PDR  
DCS

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VOTING SUMMARY - SECY-97-273

RECORDED VOTES

	<b>APRVD</b>	<b>DISAPRVD</b>	<b>ABSTAIN</b>	<b>NOT PARTICIP</b>	<b>COMMENTS</b>	<b>DATE</b>
CHRM. JACKSON	X				X	3/5/98
COMR. DICUS		X			X	2/5/98
COMR. DIAZ		X			X	2/18/98
COMR. MCGAFFIGAN		X			X	3/17/98

COMMENT RESOLUTION

Chairman Jackson approved the paper but believed that the staff proposal did not adequately meet the recommendations in the Working Group study. Commissioners Dicus, Diaz, and McGaffigan disapproved the paper primarily for that same reason. Chairman Jackson and Commissioner McGaffigan noted that because of significant changes since the 1991 proposed rule was issued for comment, the rule should be republished for comment before going to the final rule stage. Commissioner McGaffigan suggested that drafting a new proposed rule may be less resource intensive. Commissioners Dicus and Diaz would have preferred to finalize the rule directly. Additional comments were provided on the need to update the Enforcement Policy, the

follow up procedures with licensees, coordination with other Federal and State agencies, resource estimates and the need to reprogram resources, dealing with orphan sources, and vendor requirements. Subsequently, the comments of the Commission were incorporated in the guidance to staff as reflected in the SRM issued on April 13, 1998.