

September 25, 1998

COMMISSION VOTING RECORD

DECISION ITEM: SECY-98-171

TITLE: PROPOSED RULEMAKING ON 10 CFR PARTS 50, 52 AND 72 REQUIREMENTS CONCERNING CHANGES, TESTS AND EXPERIMENTS AND STAFF RECOMMENDATIONS ON CHANGES TO OTHER REGULATIONS AND ENFORCEMENT POLICY

The Commission (with all Commissioners agreeing) approved publication of the proposed subject rule for a 60 day public comment period and requested the staff to specifically solicit public comment on particular areas of the rulemaking as recorded in the Staff Requirements Memorandum (SRM) of September 25, 1998.

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 September 25, 1998.

John C. Hoyle
Secretary of the Commission

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

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

VOTING SUMMARY - SECY-98-171

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. JACKSON	X	X			X	7/29/98
COMR. DIAZ	X	X			X	9/02/98
COMR. McGAFFIGAN	X	X			X	9/18/98

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendations to approve publication of the proposed rule for public comment, and use of the enforcement discretion guidance in its assessment of severity levels for violations while the rulemaking is underway, and provided some additional comments. In particular, all Commissioners disapproved the staff's proposed margin of safety criterion (50.59(c)(2)(vii) in the proposed rule) and its

definition and each Commissioner provided an option for evaluation during the comment period. The Commissioners also specifically requested comments on a number of other issues. Because of the need to finalize this rule as expeditiously as possible and because SECY-98-171 has already been publicly available since July 29, 1998, the Commission agreed to a 60 day comment period, and that the staff complete the revised 50.59 rule by February 19, 1999. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on September 25, 1998.