

June 13, 2000

COMMISSION VOTING RECORD

DECISION SECY-00-0110

ITEM:

TITLE: EVALUATION OF THE FEASIBILITY OF NRC CREATING AND MAINTAINING A WEB PAGE SERVING AS A BULLETIN BOARD FOR AGREEMENT STATE RULEMAKING ACTIVITIES

The Commission (with Chairman Meserve and Commissioners Dicus, McGaffigan and Merrifield agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum ([SRM](#)) of June 13, 2000. Commissioner Diaz approved in part and disapproved in part.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

Annette Vietti-Cook
Secretary of the Commission

Attachments: 1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR

VOTING SUMMARY - SECY-00-0110

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MESERVE	X				X	6/2/00
COMR. DICUS	X				X	5/30/00
COMR. DIAZ	X	X			X	5/31/00
COMR. McGAFFIGAN	X					5/26/00
COMR. MERRIFIELD	X				X	5/25/00

COMMENT RESOLUTION

In their vote sheets, Chairman Meserve and Commissioners Dicus, McGaffigan and Merrifield approved the staff's recommendation and some provided additional comments. Commissioner Diaz approved in part and disapproved in part. He would have preferred to approve implementation of alternative 2 only at this time. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on June 13, 2000.

Commissioner Comments on SECY-00-0110

Chairman Meserve

I approve the staff recommendation to implement alternative 3. It provides useful information in a cost-effective manner.

Commissioner Dicus

I approve the staff's recommendation of Alternative 3 and commend the staff in examining the various alternatives for making State rulemaking information available to all interested stakeholders. In an era of paperless technology, I am pleased to see that the staff was able to evaluate and readily propose the use of existing technology that will resolve an issue raised by stakeholders, but yet minimally impacts NRC resources.

Commissioner Diaz

Until the ADAMS user assessment which the Chairman requested on May 22, 2000, is completed and we see the results of the Action Plan, I believe it may be best to postpone alternative 3 and begin to implement alternative 2. I find the advantages of alternative 2 to outweigh its disadvantages. For example, the staff states that 28 out of 30 Agreement States have State websites. Therefore, the 7 Agreement States radioactive control program that do not have their own websites use their State's websites. Regarding availability of proposed Agreement States rules, the Office of State and Tribal Programs' (STP) experience has been that although the procedures call for Agreement States submittal, most States submit only the final rules. The discussion of alternative 3 recognizes this fact when it notes that the STP office gets most rules through IMPEP. (In this regard, alternative 3 would require the STP office to take the time to input into ADAMS the rules it acquires through IMPEP -- a task which is currently very labor intensive.) Therefore, although not opposed in concept to alternative 3, I believe alternative 2 has a better chance of success and approve it for implementation.

Commissioner Merrifield

I approve the staff's recommendation to implement alternative 3 as a means of serving as a bulletin board for Agreement State rulemaking activities. I commend the staff for investigating a variety of options for Commission consideration. I prefer alternative 3 because the costs are reasonable and alternative 3 includes a cross reference of each Agreement State's rulemaking to the corresponding NRC regulation. I believe this cross reference is just as valuable as the physical link to each Agreement State's web site associated with state regulations. I understand that not all States have web sites and therefore the program will not address all appropriate state regulations. However, States have a responsibility to evolve with the computer age as well as the Federal government, and I hope this effort will spur greater uniformity among the States in this regard.