

March 20, 2002

COMMISSION VOTING RECORD

DECISION ITEM: SECY-02-0021

TITLE: FINAL RULE ON REVISION OF THE SKIN DOSE
 LIMIT, 10 CFR PART 20

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Affirmation Session Staff Requirements Memorandum (SRM) of March 20, 2002.

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

/RA/

Annette L. 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-02-0021

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	PARTICIP	NOT COMMENTS	DATE
CHRM. MESERVE	X					3/04/02
COMR. DICUS	X					2/28/02
COMR. DIAZ	X					2/28/02
COMR. McGAFFIGAN	X					3/08/02
COMR. MERRIFIELD	X					3/07/02

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments or edits. Their votes were affirmed during a public meeting held on March 20, 2002. Subsequently, the comments of the Commission were noted in an Affirmation Session SRM issued on March 20, 2002.

Commissioner Comments on SECY-02-0021

Commissioner Diaz

The Summary in the draft Federal Register notice (FRN) states that the “. . .result of this rulemaking is to make the skin dose less restrictive . . .” Because this is a public document, it needs to be made clear that this was not the overall objective of the rulemaking. The Summary, and other sections of the FRN, as appropriate, should be expanded to include a brief layman’s explanation of why a less restrictive regulation that changes the definition and method of calculating the dose to the skin and extremities will not only provide adequate protection of workers, but be an improvement, e.g., the rulemaking would reduce the whole-body exposures and nonradiological health risks, such as heat stress, to workers.

Commissioner Merrifield

I appreciate the staff’s considerable efforts on this rulemaking and support their recommendation. However, I agree with Commissioner Diaz that the staff should more clearly convey the objective of the rulemaking in the draft Federal Register notice. I also believe that enhancements should be made to the draft public announcement. While it may be clear to some stakeholders that the rulemaking is risk-informed, reduces unnecessary regulatory burden, and provides a substantial increase in worker safety, I do not believe that the public announcement conveys these attributes in a manner that would be clear to the overwhelming majority of our stakeholders.