



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 12, 2004

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-04-0199

TITLE: REQUEST FOR AUTHORIZATION TO ISSUE A
 LICENSE FOR THE IDAHO SPENT FUEL
 FACILITY, UNDER 10 CFR PART 72

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of November 12, 2004.

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

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", written over a horizontal line.

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Diaz
 Commissioner McGaffigan
 Commissioner Merrifield
 OGC
 EDO
 PDR

SECY NOTE: THIS COMMISSION VOTING RECORD WILL BE MADE AVAILABLE TO
 THE PUBLIC 10 WORKING DAYS AFTER ISSUANCE OF THE SRM.

VOTING SUMMARY - SECY-04-0199

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. DIAZ	X				X	11/2/04
COMR. McGAFFIGAN	X					11/3/04
COMR. MERRIFIELD	X					11/10/04

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on November 12, 2004.

SECY NOTE: THIS COMMISSION VOTING RECORD WILL BE MADE AVAILABLE TO THE PUBLIC 10 WORKING DAYS AFTER ISSUANCE OF THE SRM.

NOTATION VOTE


RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: CHAIRMAN DIAZ
SUBJECT: **SECY-04-0199 - REQUEST FOR AUTHORIZATION TO
ISSUE A LICENSE FOR THE IDAHO SPENT FUEL
FACILITY, UNDER 10 CFR PART 72**

Approved xx ^{w/ comments} Disapproved _____ Abstain _____
Not Participating _____

COMMENTS:

See attached comments.


SIGNATURE
Nov 2, 04
DATE

Entered on "STARS" Yes No _____

Chairman Diaz' Comments on SECY-04-0199

I approve the staff's request to issue a license to Foster Wheeler Environmental Corporation, for the interim storage of spent fuel at the Idaho spent fuel (ISF) facility, in accordance with 10 CFR Part 72.

The paper states that the staff will: 1) develop appropriate additional security measures (ASMs) to be provided to the licensee after issuance of the Part 72 license, but well in advance of facility operation; and 2) consider Interim Compensatory Measures issued to other similar licensed facilities when determining the appropriate ASMs for the ISF facility. In developing these ASMs, the staff should consider the degree to which current DOE security measures and practices meet the intent of previous Commission direction and staff practices for spent fuel storage facilities.

Finally, I agree with the staff's plan to advise the Commission of any new policy issues regarding the imposition of ASMs for this facility, before issuing the ASMs.

NOTATION VOTE

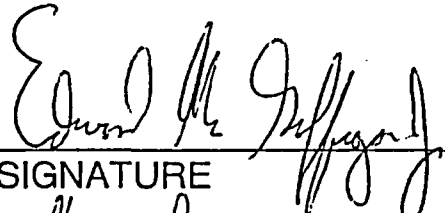
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: SECY-04-0199 - REQUEST FOR AUTHORIZATION TO
ISSUE A LICENSE FOR THE IDAHO SPENT FUEL
FACILITY, UNDER 10 CFR PART 72

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:



SIGNATURE

November 3, 2004

DATE

Entered on "STARS". Yes No _____

NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: **SECY-04-0199 - REQUEST FOR AUTHORIZATION TO
ISSUE A LICENSE FOR THE IDAHO SPENT FUEL
FACILITY, UNDER 10 CFR PART 72**

Approved Disapproved Abstain

Not Participating

COMMENTS:

No additional comments.



SIGNATURE

11/10/04

DATE

Entered on "STARS" Yes No