



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

June 23, 2006

SECRETARY

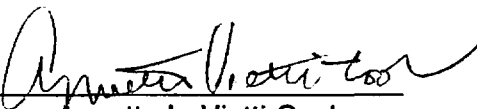
COMMISSION VOTING RECORD

DECISION ITEM: SECY-06-0137

TITLE: REQUEST BY RHODE ISLAND TO RELINQUISH
AUTHORITY FOR SEALED SOURCE AND DEVICE
EVALUATION AND APPROVAL

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 23, 2006.

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


Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
EDO
PDR

SECY NOTE: This Commission Voting Record will be released to the public 5 working days after dispatch of the letter to the Governor.

VOTING SUMMARY - SECY-06-0137

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. DIAZ	X					6/15/06
COMR. McGAFFIGAN	X					6/14/06
COMR. MERRIFIELD	X				X	6/19/06
COMR. JACZKO	X					6/16/06
COMR. LYONS	X					6/16/06

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and Commissioner Merrifield provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on June 23, 2006.

NOTATION VOTE

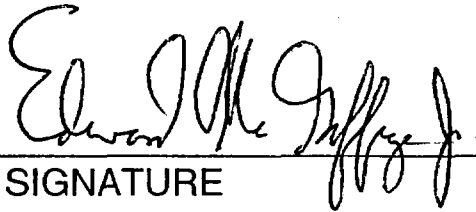
RESPONSE SHEET

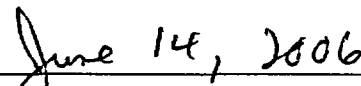
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: **SECY-06-0137 - REQUEST BY RHODE ISLAND TO
RELINQUISH AUTHORITY FOR SEALED SOURCE
AND DEVICE EVALUATION AND APPROVAL**

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:



SIGNATURE


DATE

Entered on "STARS" Yes No _____

NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: **SECY-06-0137 - REQUEST BY RHODE ISLAND TO
RELINQUISH AUTHORITY FOR SEALED SOURCE
AND DEVICE EVALUATION AND APPROVAL**

Approved Disapproved Abstain

Not Participating

COMMENTS:

*I approve, subject to the attached
modifications to the letter to Governor
Carciari.*



SIGNATURE

6/19/06

DATE

Entered on "STARS" Yes No

DRAFT

The Honorable Donald L. Carcieri
Governor of Rhode Island
Providence, RI 02908

Dear Governor Carcieri:

In response to your May 16, 2006, request to relinquish Rhode Island's authority to evaluate and approve sealed source and device (SS&D) applications, I asked the U.S. Nuclear Regulatory Commission staff to prepare a paper on the issue so that the Commission could act on your request. After reviewing your proposal and the staff's analysis, the Commission has decided to assume regulatory authority for SS&D evaluations and approvals within the State of Rhode Island, effective July 1, 2006. For your information, I have enclosed a pre-publication copy of the Federal Register Notice announcing this change. Rhode Island will retain authority to regulate the manufacture and use of SS&D within the State in accordance with its Section 274b Agreement with the NRC.

x
x
x

Your staff may contact Janet R. Schlueter, Director, Office of State and Tribal Programs, at (301) 415-3340, if they have any questions regarding this matter.

Sincerely,

Nils J. Diaz

Enclosure:
As stated

cc: Marie Stoeckel, Chief
Office of Occupational & Radiological Health
Rhode Island Department of Health

ENCLOSURE 2

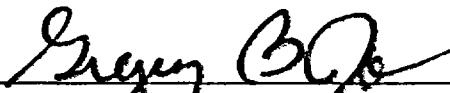
NOTATION VOTE
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER JACZKO
SUBJECT: **SECY-06-0137 - REQUEST BY RHODE ISLAND TO
RELINQUISH AUTHORITY FOR SEALED SOURCE
AND DEVICE EVALUATION AND APPROVAL**

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:



SIGNATURE

6 / 16 / 06

DATE

Entered on "STARS" Yes No _____

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER LYONS
SUBJECT: **SECY-06-0137 - REQUEST BY RHODE ISLAND TO
RELINQUISH AUTHORITY FOR SEALED SOURCE
AND DEVICE EVALUATION AND APPROVAL**

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:

Josephine M. Piccone
for Peter B. Lyons

SIGNATURE

6/16/06

DATE

Entered on "STARS" Yes No _____