



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

September 6, 2006

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-06-0142

TITLE: OPTIONS AND RECOMMENDATIONS FOR REPLENISHING
EXPIRED POTASSIUM IODIDE (KI)

The Commission ultimately approved Option 2, replenish the existing KI supply, in the subject paper as recorded in the Staff Requirements Memorandum (SRM) of September 6, 2006.

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 Klein
 Commissioner McGaffigan
 Commissioner Merrifield
 Commissioner Jaczko
 Commissioner Lyons
 OGC
 EDO
 PDR

VOTING SUMMARY - SECY-06-0142

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. KLEIN	X				X	8/17/06
COMR. McGAFFIGAN	X	X			X	6/23/06
COMR. MERRIFIELD	X				X	8/10/06
COMR. JACZKO	X				X	6/28/06
COMR. LYONS	X				X	8/18/06

COMMENT RESOLUTION

The Commission ultimately approved Option 2, replenish the existing KI supply, in the subject paper, as reflected in the SRM issued on September 6, 2006.

NOTATION VOTE

RESPONSE SHEET


TO: Annette Vietti-Cook, Secretary
FROM: CHAIRMAN KLEIN
SUBJECT: **SECY-06-0142 - OPTIONS AND
RECOMMENDATIONS FOR REPLENISHING
EXPIRED POTASSIUM IODIDE (KI)**

Approved XX Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:

See attached comments.



SIGNATURE

8/17 /2006

DATE

Entered on "STARS" Yes ___ No ___

Chairman Klein's comments on SECY-06-0142, Options and Recommendations for Replenishing Expired Potassium Iodide

I approve the staff's recommendation to extend the shelf life of stockpiled potassium iodide (Option 3) and replace those tablets that have been pre-distributed to certain States with populations in the 10-mile emergency planning zones of commercial nuclear power plants, subject to the modifications outlined below.

I agree with Commissioner Merrifield that responsibility for funding, distribution and management of potassium iodide should reside with those entities that have direct responsibility for implementing offsite protective measures. The staff should work with the affected States and the Departments of Homeland Security and Health and Human Services to identify a more appropriate lead agency for the potassium iodide program. That said, in view of the pending expiration of the shelf life of the potassium iodide already provided by the NRC, and the fact that funding to provide potassium iodide has been included in the NRC's budget, it would be inequitable to refuse to address the potassium iodide shelf life issue with little advance warning given to the States. Therefore, I approve a one-time potassium iodide shelf life extension and/or tablet replenishment, as requested by each State. This one-time action should be carried out as proposed by Commissioner Jaczko, which would give preference to Option 3's shelf life extension, with potassium iodide replenishment under Option 2 for States that request it. It should be made clear that this is a one-time action, and I do not support any further extension of this NRC program to distribute potassium iodide.

NOTATION VOTE

RESPONSE SHEET

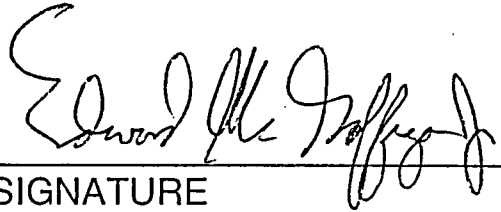
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: **SECY-06-0142 - OPTIONS AND
RECOMMENDATIONS FOR REPLENISHING
EXPIRED POTASSIUM IODIDE (KI)**

Approved ^{in part} Disapproved ^{in part} Abstain _____

Not Participating _____

COMMENTS:

See attached comments.



SIGNATURE

June 23, 2006

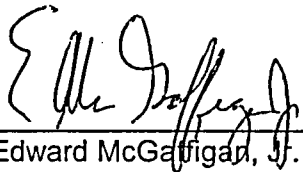
DATE

Entered on "STARS" Yes No _____

Commissioner McGaffigan's Comments on SECY-06-0142

I approve Option 2, replenishing the existing KI supply, as I believe this option is most consistent with our commitment to the current policy that KI is a reasonable and prudent supplement to evacuation and sheltering for populations within the 10-mile EPZ, depending on specific local circumstances. Choosing this option will not risk any erosion in the public's confidence in the program. I believe costs associated with this option are still low and should not be the basis for a decision that could be regarded as a change in Commission policy were it forced upon the States and Tribal Government. Option 2 is also most consistent with the possibility that the Consumer Product Safety Council may require childproof packaging for KI tablets, making much, if not all, of the existing stockpile obsolete.

That being said, I believe Option 3 is safe and sensible, and I in no way question the prudence of extending the shelf-life of stockpiled KI. This is, after all, a component of iodized salt and is likely to have a very long shelf-life unless it is totally abused. However, use of Option 3 should be at the behest of the States and Tribal Council, and should not be imposed by the NRC unilaterally. Should a State or Tribal Government wish to take the staff's recommended steps of extending the shelf-life of their stockpiled KI and replace only tablets that have been pre-distributed, then the NRC should comply with such a request. Absent such a request, however, the baseline policy should be the replenishment of the existing KI supply.


Edward McGaffigan, Jr. 6/23/06

(Date)

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: **SECY-06-0142 - OPTIONS AND
RECOMMENDATIONS FOR REPLENISHING
EXPIRED POTASSIUM IODIDE (KI)**

Approved Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.

/RA/
SIGNATURE
08/10/06
DATE

Entered on "STARS" Yes No

Commissioner Merrifields' Comments on SECY-06-0142:

I approve Option 1 as described in SECY-06-0142. The Commission has stated that Potassium Iodide (KI) can be considered as a protective measure for the general public to supplement the sheltering or evacuation strategies, for specific local conditions, employed by the states in the event of a severe nuclear power plant accident through the promulgation of 10 CFR 50.47(b) (10) . I believe KI is a prudent measure in implementing these strategies, however, the responsibility for the funding, distribution and management of the tablets should reside with those entities that have direct responsibility for implementing offsite protective measures. Consistent with my previous votes on the subject of roles and responsibilities for KI, I believe it is appropriate at this time to work with the Department of Homeland Security (DHS) and other cognizant Federal agencies responsible for consumer products to align funding, distribution and product management (e.g., shelf life studies, packaging requirements) of this drug with the appropriate authorities. As I stated in my vote on SECY-01-0069, DHS (formerly FEMA), has been given the primary responsibility for off-site emergency planning. As such, the staff should work to return the KI program which is clearly part of an off-site contingency plan to DHS.

Since the Commission's decision to take the lead for the initial distribution of KI in early 2001, other government agencies have initiated actions to establish standards for the packaging, dosage and distribution of this drug product. In January 2005, the FDA approved of a liquid pediatric version of the drug which is supplied by DHHS (NRC pays shipping fees) and currently, the Consumer Product Safety Council is currently considering additional packaging requirements that would cause the NRC to once again revisit the existing stockpile. There are other government agencies (e.g., DHHS, DHS) which have the experience and the expertise to administer a nationwide drug program and to establish standards to assure the health and safety of the public. As such, the NRC should revisit their position as documented in the January 19, 2001 *Federal Register* Statements of Consideration "...the Commission may consider extending the program to fund stockpile replenishment but has made no commitments in this regard," and take this opportunity to turn over the maintenance of this viable protective measure to other equally responsible public health and safety organizations.

The staff should work with the affected States, Department of Homeland Security and the Department of Health and Human Services to identify a more appropriate lead agency for the KI program. In addition, it may be more appropriate for another entity, more experienced in consumer product consumption to initiate and conduct the KI shelf life extension study referenced in the staff's paper.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER JACZKO
SUBJECT: **SECY-06-0142 - OPTIONS AND
RECOMMENDATIONS FOR REPLENISHING
EXPIRED POTASSIUM IODIDE (KI)**

Approved Disapproved Abstain

Not Participating

COMMENTS: See attached comments.



SIGNATURE

6/28/06


DATE

Entered on "STARS" Yes No

Commissioner Jaczko's Comments on SECY-06-0142
Options and Recommendations for Replenishing Expired Potassium Iodide

I agree with Commissioner McGaffigan that the preferred option is a combination of the staff's recommended option 3, to extend the shelf-life of stockpiled potassium iodide and replace pre-distributed potassium iodide, and option 2, to replace all potassium iodide. Unlike Commissioner McGaffigan, however, I support the staff moving forward with option 3 as the preferred option, but allowing a state to request the replacement of all the potassium iodide it has, if the state prefers to replace the supply of rather than extend the shelf-life of potassium iodide the state received.

Potassium iodide continues to be a low-cost, common sense element of possible protective action recommendations in the event of a potential release from a nuclear power plant. I appreciate the efforts of the staff to work with states to develop the most effective means to ensure its availability.

 6/28/06
Gregory B. Jaczko Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER LYONS

SUBJECT: **SECY-06-0142 - OPTIONS AND
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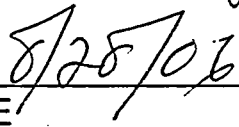
Approved Disapproved Abstain

Not Participating

COMMENTS: Below Attached None



SIGNATURE



DATE

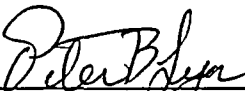
Entered on "STARS" Yes No

Commissioner Lyons' Comments on SECY-06-0142

I approve Option 2 as described by the staff and support the comments of Commissioner McGaffigan regarding this option.

However, I join the Chairman in believing that it is important for the Commission to be definitive regarding whether or not the NRC will continue to provide this support to the States and Tribes. I strongly endorse the Commission making clear that the replenishment afforded under Option 2 will not be renewed in the future.

Further, the staff should work with the Departments of Health and Human Services and Homeland Security toward a policy for distribution of KI, under applicable law and regulation, that is rational, coherent, and well integrated with similar public protection measures provided by federal, state, tribal, and/or local governments.


Peter B. Lyons


Date