



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

January 16, 2007

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-06-0231

TITLE: NRC IMPLEMENTATION PLAN FOR THE RADIATION  
SOURCE PROTECTION AND SECURITY TASK FORCE  
REPORT

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of January 16, 2007.

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".

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-06-0231

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. KLEIN	X				X	12/20/06
COMR. McGAFFIGAN	X				X	12/14/06
COMR. MERRIFIELD	X				X	12/4/06
COMR. JACZKO	X				X	12/18/06
COMR. LYONS	X				X	12/4/06

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on January 16, 2007.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: CHAIRMAN KLEIN  
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR  
THE RADIATION SOURCE PROTECTION AND  
SECURITY TASK FORCE REPORT

Approved  X  Disapproved       Abstain      

Not Participating      

COMMENTS: Below       Attached  X  None      

  
\_\_\_\_\_  
SIGNATURE

Dec. 20, 2006  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  ✓  No

**Chairman Klein's Comments on SECY-06-0231**

I approve the staff's implementation plan for the Radiation Source Protection and Security Task Force, subject to the comments below:

The Implementation Plan discussion for recommendation 12-1, "Alternative Technologies," indicates a change in the lead agency from FDA to NRC. This activity has a significant focus on encouraging the use of alternative technologies to radioactive materials, which has the potential to discourage the beneficial uses of radioactive materials. In a lead role for this activity, staff could be put in a position that is contrary to our Strategic Objective of enabling the use of radioactive materials for beneficial purposes. This activity could also involve evaluating and potentially encouraging the use of technologies that are not within NRC's authority, such as machine-produced radiation. Staff should consider whether this activity would be more suitably lead by one of our Federal partners, whose mission or objectives include evaluating and potentially encouraging such alternative technologies. Whether in a lead or participatory role, the staff should strive to ensure that this activity recognizes and considers the beneficial uses of radioactive materials, and includes an appropriate evaluation of potential negative impacts for all options considered.

I agree with Commissioner Merrifield that the resource allocations for activities for which detailed implementation plans have not yet been developed should be deferred until more is known about the impacts of these activities.

I approve the priorities for each of the activities, subject to Commissioner Lyons comment to make the Financial Assurance activity a medium priority.

NOTATION VOTE

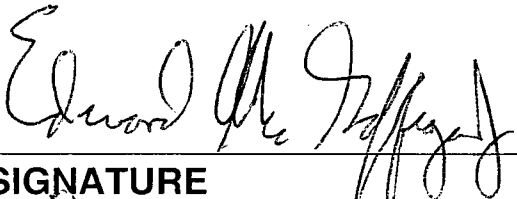
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER MCGAFFIGAN  
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR  
THE RADIATION SOURCE PROTECTION AND  
SECURITY TASK FORCE REPORT

Approved  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_\_\_ Attached  None \_\_\_\_\_

  
\_\_\_\_\_  
SIGNATURE

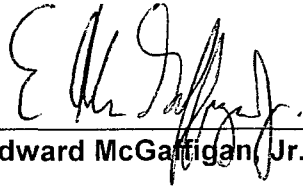
December 14, 2006  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No \_\_\_\_\_

**Commissioner McGaffigan's Comments on SECY-06-0231**

I approve SECY-06-0231, the "NRC Implementation Plan for the Radiation Source Protection and Security Task Force Report." Overall, I believe this plan represents a successful milestone in the continuing work of the NRC staff and the rest of the Task Force to develop an integrated implementation plan. I look forward to both the integrated plan at the end of this month, and annual updates of the NRC plan.

I also agree with Commissioner Lyons' proposed modification to increase the priority of the financial assurance recommendation for Category 1 and 2 sources. I realize that this may put us ahead of DOE's current schedule for it's Record of Decision for permanent disposal of GTCC waste, and whatever Congressional legislation may be required to affect DOE's decision. However, I believe that NRC should stay ahead of DOE in this regard, to ensure that licensees begin to set aside sufficient funds to meet our disposal requirements.



Edward McGaffigan, Jr.

12/19/06  
(Date)

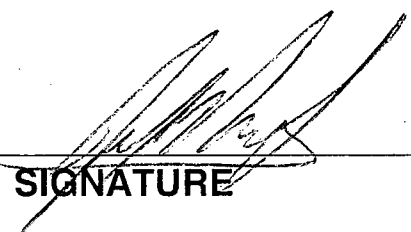
NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER MERRIFIELD  
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR  
THE RADIATION SOURCE PROTECTION AND  
SECURITY TASK FORCE REPORT

Approved  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_  
Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_\_\_ Attached  None \_\_\_\_\_

  
\_\_\_\_\_  
SIGNATURE  
  
12/4/06  
\_\_\_\_\_  
DATE

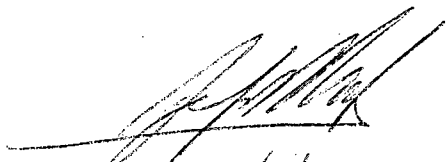
Entered on "STARS" Yes  No \_\_\_\_\_

Comments from Commissioner Merrifield on SECY-06-0231:

I approve the staff recommendations in SECY-06-0231, NRC Implementation Plan for the Radiation Source Protection and Security Task Force Report, as discussed in the following paragraphs.

The Radiation Source Protection and Security Task Force Report contains 28 activities (10 recommendations plus 18 actions). As the lead Agency for the Task Force, the NRC will be involved to some extent in all the activities. However, NRC has the lead or co-lead in 18 actions (6 recommendations plus 12 actions). The current budget has 1 FTE per year to manage overall Task Force activities and staff states that 8 of its lead/co-lead activities are adequately addressed under existing budgeted programs. For those budgeted activities, staff should continue as planned.

However, there are 10 NRC lead/co-lead actions (5 recommendations and 5 actions) which are currently not budgeted in FY07 or FY08. Although staff has provided resource estimates for these 10 activities, staff states that a detailed implementation plan has not been developed for a number of these activities. Until a better estimate of the budget impact is known, I am reluctant to approve the specific resource numbers. However, the staff has prioritized these 10 activities and I approve the priorities as provided by the staff as a starting point for determining the proper allocation of funds through the normal budget process. The two high priority activities are properly characterized and should receive appropriate funding through the normal budget review process. The other activities are of lower priority and should be funded as the normal budget process determines. In addition, there are 5 activities which are low priority but which also are estimated to involve fairly small amounts of staff resources. Staff believes they can address these five activities without impacting current activities, and this approach should be used until more information is known about these activities.



12/4/06



NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER JACZKO  
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR  
THE RADIATION SOURCE PROTECTION AND  
SECURITY TASK FORCE REPORT

Approved  X  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_\_\_ Attached  X  None \_\_\_\_\_

  
\_\_\_\_\_  
SIGNATURE

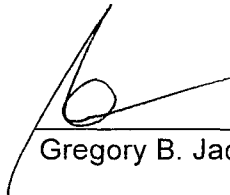
12/18/06  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  X  No \_\_\_\_\_

**Commissioner Jaczko's Comments on SECY-06-0231  
NRC Implementation Plan for the Radiation Source Protection  
and Security Task Force Report**

I approve of the "U.S. Nuclear Regulatory Commission Implementation Plan for the Radiation Source Protection and Security Task Force Report." The Energy Policy Act of 2005, which created the task force, charged the Commission with taking any action the Commission deems appropriate for ensuring the safety and security of radioactive sources under its jurisdiction. While some of the recommendations or actions identified by the task force will require implementation by our task force federal partners, I believe the staff should encourage them to define their implementation strategy as soon as practical to assist them in acquiring the necessary resources through their agencies to complete the tasks identified in the report.

The implementation plan identified the evaluation of financial assurance for Category 1 and 2 sources as a low priority. I believe the priority for this recommendation should be high. Given the many challenges the nation faces with the abandonment and prolonged storage of these sources, the Commission should expand its requirements for financial assurance to licensees with risk significant sources if they are not already covered by our regulations. Waiting too long to impose the necessary requirements on licensees who possess risk significant sources only increases the risk or likelihood that these sources may be improperly dispositioned. Also, I support Commission Lyons' comment to consider Category 3 sources in the Commission's evaluation of expanding its financial assurance requirements.

  
\_\_\_\_\_  
Gregory B. Jaczko                      12/18/04  
Date

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER LYONS  
SUBJECT: SECY-06-0231 - NRC IMPLEMENTATION PLAN FOR  
THE RADIATION SOURCE PROTECTION AND  
SECURITY TASK FORCE REPORT

Approved  Disapproved  Abstain

Not Participating

COMMENTS: Below  Attached  None

  
\_\_\_\_\_  
SIGNATURE

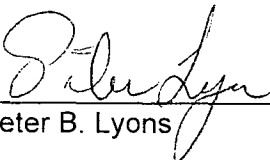
12/7/06  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No

**Commissioner Lyons' Comments on SECY-06-0231**

I approve the staff's proposed implementation plan with one modification. I believe an important regulatory issue is making sure that licensees have sufficient funding for final disposition of Category 1, 2 and 3 sources. Therefore, I believe that the priority for the Evaluation of Financial Assurance (R9-02) should be medium. I also agree with Commissioner Merrifield that the other priorities provided by the staff are a good starting point for determining the proper allocation of funds through the normal budget process.

I appreciate staff's efforts to develop an NRC implementation plan and its leadership in developing an integrated implementation plan that outlines the activities of all the Federal agencies. I look forward to receiving the annual status reports. Receipt of the annual status reports should approximately coincide with delivery of the annual budget submission documents. Such an action would help inform the Commission's review of the annual budget submission.

 12/7/06  
Peter B. Lyons Date