



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

January 5, 2005

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-04-0215

TITLE: FINAL REPORT ON RESULTS OF THE NATIONAL
MATERIALS PROGRAM PILOT PROJECTS

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of January 5, 2005.

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

VOTING SUMMARY - SECY-04-0215

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. DIAZ	X				X	1/4/05
COMR. McGAFFIGAN	X				X	1/4/05
COMR. MERRIFIELD	X				X	12/6/04

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 5, 2005.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: CHAIRMAN DIAZ

SUBJECT: **SECY-04-0215 - FINAL REPORT ON RESULTS OF THE NATIONAL MATERIALS PROGRAM PILOT PROJECTS**

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

COMMENTS:

Agree with the comments of Commissioner Merrifield and one additional comment.

lud

lud
SIGNATURE

Jan 4, 05
DATE

Entered on "STARS" Yes No _____

**Chairman Diaz' Comment on
SECY-04-0215 Final Report on Results of the
National Materials Program Pilot Projects**

I approve the staff's recommendation to continue the National Materials Program (NMP) activities to collaboratively address materials issues under the Blended option. I agree with the comments of Commissioner Merrifield that the pilot projects do not resolve the concerns with implementing an Alliance approach to managing the NMP, and that under specific circumstances the Agreement States and NRC can produce useful products and make collaborative decisions that address regulatory issues in the NMP. In addition, the staff should inform the Commission if staff resource expenditures becomes a significant portion of the overall resources needed to maintain the NMP.

NOTATION VOTE
RESPONSE SHEET

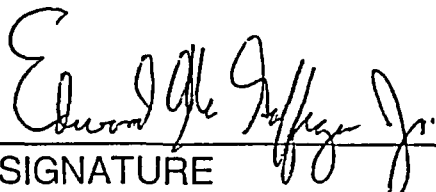
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: SECY-04-0215 - FINAL REPORT ON RESULTS OF THE
NATIONAL MATERIALS PROGRAM PILOT PROJECTS

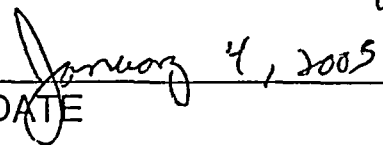
Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:

See attached comments.



SIGNATURE


DATE

Entered on "STARS" Yes No _____

Commissioner McGaffigan's Comments on SECY-04-0215

I approve the staff's recommended Option 1, to continue to use the Blended Option to work collaboratively with Agreement States. The staff and the Agreement States have been working on five pilot projects which were developed using the Blended option. The paper outlines the work accomplished in these pilots and states that the results demonstrate the likely success of an Alliance option by realizing resources savings and efficiency gains. I do not agree with this statement. The pilot projects demonstrated that NRC, OAS and the CRCPD can work together in a collaborative manner to create process plans, implementation plans, certification program evaluation and review criteria, recommendations and licensing and inspection guidance. However, none of the products produced in this effort are being used by either NRC or an Agreement State. It is not known at this point if any of these products can or will be used by the NRC or the Agreements States. I think it is premature to say that this process shows efficiency gains, if we do not know if the products are useful, or will ever be used.

I am approving the staff to continue with this work but only to allow the staff to focus on incorporating the results from these pilot projects into NRC's and/or the Agreement States' programs. The staff should not develop any more pilot studies. The staff should work to determine if the results of the first 5 pilots are useful. If for some reason the products cannot be incorporated into the current programs the staff should inform the Commission of the reasons why and how the staff plans to move forward in this area.

EMD

NOTATION VOTE
RESPONSE SHEET


TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: SECY-04-0215 - FINAL REPORT ON RESULTS OF THE
NATIONAL MATERIALS PROGRAM PILOT PROJECTS

Approved Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:

See attached comments.




SIGNATURE
12/1/04

DATE

Entered on "STARS" Yes No _____

Comments from Commissioner Merrifield on SECY-04-0215:

I approve the staff's recommended option 1 in SECY-04-0215, Final Report on Results of the National Materials Program Pilot Projects. Under this option, the NRC and Agreement States would continue to collectively address materials issues within constraints of available resources. The Office of State and Tribal Programs will continue to serve as the overall coordinating organization for working groups established by the NRC. The Organization of Agreement States (OAS) and the Conference of Radiation Control Program Directors, Inc. (CRCPD) will continue to serve as the overall coordinating organizations for working groups established by the OAS or CRCPD, respectively. The pilot projects raise, but do not resolve, serious concerns with implementing an Alliance approach to managing the national materials program. However, the pilot projects also clearly demonstrate that, under specific circumstances, a coalition made up of NRC and Agreement States can produce products useful for both organizations. Also NRC and Agreement States can collaborate in making decisions, again in specific areas, to address specific regulatory issues in the materials program. Therefore the compromise option the staff has proposed is both cost effective and implementable.



12/6/04