

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
May 14, 2007

The Commission met in open session, pursuant to notice, at 12:45p.m.,

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission

PETER B. LYONS, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN CYR, General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

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[12:45p.m.]

PROCEEDINGS

CHAIRMAN KLEIN: Madam Secretary, I believe we have an affirmation today.

ANNETTE VIETTI-COOK: We have one item. It's a final rule. Requirements for expanded definition of byproduct material. The Commission is being asked to act on a final rule amending 10 CFR Parts 20, 30, 31, 32, 33, 35, 50, 61, 62, 72, 110, 150, 170, and 171 to establish the regulatory framework for certain radium sources, accelerator-produced material, and certain discrete sources of naturally occurring radioactive material (NARM). The final rule revises the definition of "byproduct material," adds a definition for "discrete source," and amends existing regulations and adds certain provisions in order to provide the regulatory framework for the newly added byproduct material. The Commission has voted to approve the publication and implementation of this final rule, subject to the changes and comments noted in the attachment. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

COMMISSIONER LYONS: Aye.

ANNETTE VIETTI-COOK: Commissioner Jaczko had previously indicated that he'd approve this paper and had he been present he would have affirmed his prior vote. That's all I have.

CHAIRMAN KLEIN: Any other comments?

COMMISSIONER MCGAFFIGAN: Mr. Chairman, I just want to comment. The staff did amazing work in this period of time. I don't know whether we met all the time lines laid out a couple of years ago in the Interim Policy Act to get to this point on May 13, 2007. It's about 21 months after the law had been passed we made this amazing achievement. I hope the staff realizes that.

COMMISSIONER MERRIFIELD: I concur with that comment.

CHAIRMAN KLEIN: Thank you. Meeting's adjourned.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING:	Affirmation Session
	(PUBLIC MEETING)
PLACE OF MEETING:	Rockville, Maryland
DATE OF MEETING:	May 14, 2007

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: NANCY GREATHEAD

Reporter: (TAPE RECORDING)