

# NOTATION VOTE

## RESPONSE SHEET

RELEASED TO THE PDR

11/2/96  
date

AKW  
initials

TO: JOHN C. HOYLE  
SECRETARY OF THE COMMISSION

FROM: COMMISSIONER DICUS

SUBJECT: SECY-96-215- REQUIREMENTS FOR SHIPPING  
PACKAGES USED TO TRANSPORT VITRIFIED WASTES  
CONTAINING PLUTONIUM

APPROVED \_\_\_\_\_ DISAPPROVED X ABSTAIN \_\_\_\_\_

NOT PARTICIPATING \_\_\_\_\_ REQUEST DISCUSSION \_\_\_\_\_

### COMMENTS:

I DISAPPROVE STAFF'S APPROACH FOR MAKING A DETERMINATION UNDER 10 CFR 71.63(B)(3). I DO NOT BELIEVE USING AN EXEMPTION PROVISION IS APPROPRIATE FOR A SITUATION WHERE THERE IS AN INTENT TO ESTABLISH AN ONGOING, ROUTINE PROCESS INVOLVING SHIPMENTS OF VITRIFIED WASTE. THE STAFF SHOULD EITHER PROCEED WITH REVISING 10 CFR 71.36(B) TO ADD VITRIFIED PLUTONIUM-BEARING WASTE AS A MATERIAL FORM EXEMPT FROM THE REQUIREMENTS OF THE PARAGRAPH OR PROVIDE THE COMMISSION WITH ADEQUATE JUSTIFICATION FOR NOT PURSUING RULEMAKING.

Peter Jay Dicus  
SIGNATURE

9611130095 961018  
PDR COMMS NRCC  
CORRESPONDENCE PDR

DF0210

RELEASE VOTE / X /

080024

October 18, 1996  
DATE

WITHHOLD VOTE /    /

ENTERED ON "AS" YES \_\_\_\_\_ NO \_\_\_\_\_

COMMS