

February 9, 2000

COMMISSION VOTING RECORD

DECISION ITEM: SECY-00-0002
TITLE: PART 50 RULEMAKING PLAN FOR DECOMMISSIONING TRUST PROVISIONS

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of February 9, 2000.

This Record contains a summary of voting on this matter together with the individual vote sheets and the SRM of February 9, 2000.

Annette Vietti-Cook
Secretary of the Commission

Attachments: 1. Voting Summary
2. Commissioner Vote Sheets
3. Final SRM

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR
DCS

VOTING SUMMARY - SECY-00-0002

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MESERVE	X				X	1/18/00
COMR. DICUS	X					1/24/00
COMR. DIAZ	X					1/18/00
COMR. McGAFFIGAN	X					1/21/00
COMR. MERRIFIELD	X					1/18/00

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and Chairman Meserve provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on February 9, 2000.

Commissioner Comments on SECY-00-0002

Chairman Meserve

I note that trust agreements are not subject to formal NRC review and approval and that only changes that the licensee deems to be material are reported to the Commission in the biennial decommissioning fund status report ([10 CFR 50.75\(f\)\(1\)](#)).

Under these circumstances, in order to avoid unfortunate surprises, I believe that any specific trust fund terms and conditions necessary to protect the funds fully should be set out in the rule itself, not in the regulatory guide. Sample language for trust agreements consistent with the terms and conditions within the rule may be provided within the associated regulatory guide.