

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle, Secretary

FROM: COMMISSIONER DIAZ

SUBJECT: **SECY-98-051 - GUIDANCE IN SUPPORT OF FINAL RULE
ON RADIOLOGICAL CRITERIA FOR LICENSE
TERMINATION**

Approved ^{with comments} ☒ lud Disapproved ☐ Abstain ☐

Not Participating ☐ Request Discussion ☐

COMMENTS: see attached lud

Bill Diaz
SIGNATURE

Release Vote ☒ / ☐ /

5-17-98
DATE

Withhold Vote ☐ / ☐ /

Entered on "AS" Yes ☒ No ☐

Commissioner Diaz's Comments on SECY-98-051

I approve the staff's proposal to publish the regulatory guidance and supporting documents for comment and use for a 2 year period. I believe it is critical before finalizing this guidance for licensees to be given an opportunity to use the regulatory guide and supporting documents to demonstrate their effectiveness. This new approach of utilizing a dose-based screening model, the DandD computer code, and progressing to a more detailed site specific analysis as necessary is consistent with the NRC's move toward a risk-informed regulation.

In reference to the ACNW letter of April 29, 1998, I agree that it is important to ensure that unnecessary conservatism is not introduced into decommissioning assessments as may occur when implementing ALARA through use of the DandD screening model. I support the concept that if a licensee complies with the 25 mrem dose criterion using the screening methodology, the licensee will have met the intended ALARA requirement. NRC should retain its flexibility to adjust the new DandD model if additional studies invalidate the linear no-threshold dose response hypothesis. Finally, it is certain that increased use of risk-informed and ultimately performance-based methods in license termination will lead to stronger and more consistent regulatory decisions, which in turn, should assist in alleviating the conflicts between NRC and EPA associated with dual regulation.

