

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER MCGAFFIGAN

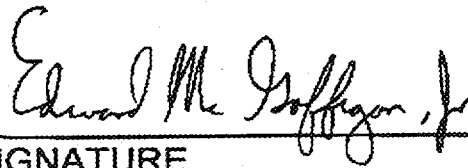
SUBJECT: SECY-99-191- MODIFICATIONS TO THE SAFETY GOAL
POLICY STATEMENT

Approved Disapproved Abstain

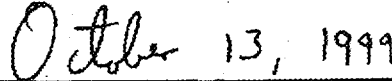
Not Participating

COMMENTS:

See attached comments.



SIGNATURE



DATE

Entered on "AS" Yes No

Commissioner McGaffigan's Comments on SECY-99-191

I approve in part and disapprove in part the staff's recommendations in SECY-99-191.

First, I associate myself with Commissioner Diaz' comments to the effect that it is premature to develop a set of overarching safety principles for all of our reactor and materials programs and join him in disapproving the staff's recommendation to conduct the proposed feasibility study. I would add that the "Conceptual Outline for Proposed High Level Safety Principles" at Attachment 1 is so general that it hardly could satisfy the expressed stakeholder desire for a clear, concise definition of adequate protection of public health and safety, which could be applied consistently across our regulatory programs. As Commissioner Diaz points out, we have many initiatives underway, most notably the new oversight process and the multi-year effort to risk-inform Part 50, which will provide a better, clearer foundation on which to build at some point in the future.

I also join Commissioner Diaz in not opposing the proposal that the staff provide the Commission a recommendation by March 30, 2000 on whether to modify the Safety Goal Policy Statement. However, I note that I have significant reservations about this undertaking. The author of this paper has been quoted (perhaps misquoted) to the effect that revision of the Safety Goal Policy Statement will be "controversial, resource-intensive and perhaps unnecessary." To that list of adjectives, I would add "premature" for many of the same reasons that Commissioner Diaz has articulated for delaying the development of the overarching safety principles.

As Dr. Ahearne pointed out at the Commission briefing last month on the recently released CSIS report, the report did call for a clear, concise definition of adequate protection. However, the report also noted that this may be impossible in the prescriptive, deterministic framework which is the basis for the vast majority of our reactor regulations today. The report encouraged us on the path to risk-informed reactor regulation and saw an opportunity in a risk-informed framework to provide clearer, more concise articulation of our safety philosophy. But the CSIS report also pointed out the hard issues to be tackled on the path to risk-informed reactor regulations and saw this as a multi-year undertaking. The report never really reconciled its expressed desire to have as soon as possible a clear, concise definition of adequate protection, perhaps only possible in a risk-informed framework, with its recognition that such a framework is still some years away from being in place. I am fearful that by responding prematurely to a desire on the part of stakeholders to have a clearer, more concise statement of safety philosophy laid out in a revised Safety Goal Policy Statement, we will divert our limited resources from the vital initiatives on the oversight process and a risk-informed Part 50. Our focus needs to remain on those initiatives.

