

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER DIAZ

SUBJECT: **SECY-99-241 - RULEMAKING PLAN, PHYSICAL SECURITY REQUIREMENTS FOR EXERCISING POWER REACTOR LICENSEES' CAPABILITY TO RESPOND TO SAFEGUARDS CONTINGENCY EVENTS**

Approved x *[Signature]* Disapproved Abstain

Not Participating

COMMENTS:

I approve the comprehensive approach contained in Option 3 for revising Part 73. This rulemaking has the potential to enhance the structure and clarity of our regulatory fabric, and I am looking forward to receiving the proposed rule, especially the much-needed clarification of the definition of radiological sabotage. I also believe that considering the effects of operational intervention to mitigate the effects of radiological sabotage will inject more realism into the NRC's regulatory process.

In developing the rule, the staff should pay particular attention to the degree to which risk insights can be used to develop target sets, and to the integration of security inspections and performance indicators into the new oversight process. The rule should provide for flexibility in implementing its provisions, and, most importantly, it should not burden operational safety at nuclear power plants.

[Signature]

SIGNATURE

10/ 22 /99

DATE

Entered on "AS" Yes x No