

## **Commissioner McGaffigan's Comments on SECY-00-0009**

I approve the proposed rulemaking plan. I am interested in how selective implementation of the NFPA standard will be handled in the proposed rule. This was an important issue in the revised source term rulemaking. The allowance of selective implementation is implied by the last sentence in the section of the rulemaking plan on impact on licensees, which states: "The level of effort required by each plant will depend upon the degree (emphasis added) to which risk-informed and performance-based approaches are adopted over the plant's existing deterministic approaches." This is an apparent change from an earlier staff position that the NFPA standard would need to be universally applied, if adopted by a licensee. I suspect the selective implementation issue will be an important element of the rulemaking and should be discussed in the statements of consideration in the proposed rule.