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NRC ISSUES INTERIM ENFORCEMENT POLICY ON Y2K

The Nuclear Regulatory Commission approved issuance of an interim enforcement policy that allows the use of "enforcement discretion" under certain circumstances for nuclear power plants during Y2K transition periods.

The interim policy describes the process for utilities seeking exercise of "enforcement discretion" from the NRC during primarily the December 31 - January 1 transition. This process would allow a plant to continue operation without being in compliance with its license conditions, only if there is a minimal potential impact on safety while continued plant operation is considered necessary to help maintain a reliable and stable electrical grid. The interim policy builds on the agency's existing policy on exercise of enforcement discretion to consider the unique aspects associated with the Y2K transition.

Enforcement discretion will only be exercised if the NRC is satisfied that the action is consistent with protecting public health and safety and is warranted in the circumstances presented by the utility.

Prior communication with NRC and approval to exercise enforcement discretion to allow continued plant operation in certain circumstances are required. Without this approval utilities are expected to take actions in conformance with their license requirements and applicable regulations. A communications loss between nuclear power plants and the NRC is unlikely given the communications contingency plans developed. However, if established communication channels are lost, utilities could use the satellite telephone that NRC resident inspectors will have at each plant site to contact the agency and obtain approval for enforcement discretion, if necessary.

All nuclear plants are expected to be Y2K ready prior to December 31. The interim enforcement policy is part of NRC's contingency planning for Y2K. A request for comments on the interim policy was announced in a June 14 press release. As part of NRC's Y2K contingency planning, the agency will have staff available at its Operations Center December 31 to respond to Y2K issues and requests for enforcement discretion.

The interim policy applies to three Y2K transition or rollover periods: December 31, 1999 through January 3, 2000; February 28, 2000 through March 1, 2000; and December 30, 2000 through January 1, 2001.

The full text of the interim policy will be published shortly in the Federal Register and will be available in the NRC's Public Document Room, 2120 L Street, N.W., Washington, DC. It will also be available on NRC's Y2K web site at: www.nrc.gov/NRC/NEWS/year2000.html.

The "Year 2000" or Y2K problem refers to computers' potential inability to recognize dates beginning with January 1, 2000, and beyond. It arises from computer programs that use two-digit numbers to represent a calendar year (such as "98" for 1998). For example, computer systems could read "00" as 1900, rather than 2000, potentially causing computer systems to malfunction. "Y2K ready" means that functions provided by computer systems will be carried out successfully with the coming of the Year 2000.

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