

July 8, 1999

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-99-135 -INTERIM  
ENFORCEMENT POLICY REGARDING ENFORCEMENT  
DISCRETION FOR NUCLEAR POWER PLANTS DURING THE  
YEAR 2000 TRANSITION

The Commission has approved issuance of the interim Enforcement Policy with the following exceptions.

1. The provision that allows a licensee to make the decision to continue plant operation in violation of license conditions when communication with the NRC staff is not possible should be deleted from the Policy.
2. Criterion c. should be revised to add a concurrent requirement which asserts that the licensee has also determined that reasonable assurance of public health and safety, the environment, and security is maintained with the enforcement discretion.

On page 4 of the FRN, paragraph 1, revise line 11 to read ' ... Response Center will ~~have~~ be staffed ~~augmented~~ during the key ....'

Appendix E to the Enforcement Policy should be published in the Federal Register for a 30-day comment period, after which it should become effective.

(EDO)

(SECY Suspense:

7/30/99)

The Commission noted that, as described in SECY-99-134, the NRC has developed an extensive contingency plan associated with telecommunications which makes the loss of communications between licensees and the NRC extremely unlikely. In the event that licensees cannot establish communications with NRC headquarters or any of the NRC regional offices through established communications channels, NRC resident inspectors will have satellite communications capability and licensees should avail themselves of this opportunity. If prior NRC approval of requests for enforcement discretion cannot be obtained, licensees should conform to the requirements of their licenses.

cc: Chairman Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
OGC  
CIO  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR  
DCS