

ENERGY NORTHWEST

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Chief, Rules and Directives Branch
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Office of Administration
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Subject: **COMMENTS ON: "BEST PRACTICES TO ESTABLISH AND
MAINTAIN A SAFETY CONSCIOUS WORK ENVIRONMENT"
(69 FR 7025, FEBRUARY 12, 2004)**

Dear Sir or Madam:

Energy Northwest appreciates the opportunity to provide comments on this important industry issue. We also endorse the comments provided by the Nuclear Energy Institute (NEI) on behalf of the industry. While we understand the need for maintaining and improving our safety conscious work environment (SCWE), one must question the need for an NRC "best practices" document. The nuclear industry has recognized the need for establishing a SCWE and has undertaken initiatives to provide guidance for strengthening these programs. The NRC could use its resources more wisely by working with the industry to develop or revise these industry guidelines. There is an established process, with many successes, where industry guidelines have been developed with NRC involvement. The NRC has endorsed these guidelines through existing and appropriate methods, such as Regulatory Issue Summaries for those issues that do not have a regulatory basis. Issuing a "best practices" document is not the role of the NRC and should remain the responsibility of the industry.

In addition, the concept of an NRC-issued "best practices" document raises concerns with the regulatory status or enforceability of such a document. The outline form in which it is currently written could easily be used as a regulatory checklist to maneuver licensees into program elements that may not be necessary or appropriate. Licensees must retain the flexibility in defining their programs while maintaining and improving their SCWE. It should be noted that the industry has a well-established industry forum for SCWE with broad participation.

The draft document includes contradictory and inappropriate items, such as incentive programs and specific requirements for contractor oversight. If the NRC decides to go forward with a "best practices" document, we request an opportunity to provide specific comments on the document, regardless of the vehicle used to promulgate it.

Temp File = ADM-013

F-REFDS = ADM-03
Call = L. Jarrier (445)

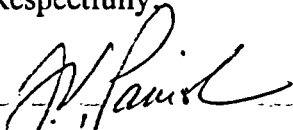
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In conclusion, issuing such a "best practices" document is not the role of the NRC. This role belongs with the industry. There is no appropriate mechanism for the NRC to issue a "best practices" document and doing so may introduce a new level of regulatory confusion, both for the industry and the NRC.

If you have any questions or wish to discuss this matter further, please contact me at (509) 377-8031.

Respectfully



JV Parrish
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cc: Ellen Ginsberg - NEI