



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

March 16, 2017

EA-16-212

Mr. Mark E. Reddemann
Chief Executive Officer
Energy Northwest
P.O. Box 968, Mail Drop 1023
Richland, WA 99352-0968

SUBJECT: COLUMBIA GENERATING STATION – NOTICE OF VIOLATION; NRC
SECURITY INSPECTION REPORT (05000397/2017405)

Dear Mr. Reddemann:

This letter refers to the inspection conducted by the U.S. Nuclear Regulatory Commission (NRC) at your Columbia Generating Station. The purpose of the inspection was to ensure compliance of your security training and security equipment performance, testing, and maintenance programs. The inspectors discussed the preliminary inspection findings with members of your staff at the conclusion of the on-site portion of the inspection. A final exit briefing was conducted (telephonically) with Mr. W. Hettel, Vice President, Operations, and other members of your staff on December 5, 2016. The results of the inspection and details regarding the apparent violations were provided to you in NRC Security Inspection Report 05000397/2016404 (NRC's Agencywide Documents Access and Management System (ADAMS) Accession ML17010A215) dated January 10, 2017.

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violations by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated February 6, 2017, Mr. W. Hettel provided a response to the apparent violations. The response indicated that Energy Northwest accepted these violations, has taken prompt action to return to full compliance, and has implemented comprehensive corrective actions for long-term sustained compliance. Because the letter contains Security-Related Information, it is not publicly available in ADAMS.

Based on the information developed during the inspection and the information that you provided in your February 6, 2017, letter, the NRC has determined that violations of NRC requirements occurred. These violations are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding them are described in detail in NRC Security Inspection Report 05000397/2016404. The violations were evaluated in accordance with the NRC

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M. Reddemann

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Enforcement Policy, which is included on the NRC's Web site at <http://www.nrc.gov/about-rc/regulatory/enforcement/enforce-pol.html>. Because of the potential consequence associated with the violations, the violations have been categorized as an escalated enforcement action in accordance with the NRC Enforcement Policy.

In accordance with the NRC Enforcement Policy, a civil penalty is considered for an escalated enforcement action. Because your facility has been the subject of escalated enforcement action within the past 2 years (EA-14-240, escalated enforcement action on September 28, 2015, and a \$35,000 civil penalty, ADAMS Accession ML15271A078) the NRC considered whether credit was warranted for *Identification* and *Corrective Action* in accordance with the civil penalty assessment process in Section 2.3.4 of the NRC Enforcement Policy. The NRC has determined that *Identification* credit is warranted because your personnel identified the condition. The NRC has also determined that *Corrective Action* credit is warranted for your prompt and comprehensive corrective actions. Your corrective actions were described in NRC Security Inspection Report 05000397/2016404 and your letter dated February 6, 2017.

Therefore, to encourage prompt identification and comprehensive correction of violations, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty. In addition, the violations listed in the Notice constitute escalated enforcement action that may subject you to increased inspection effort.

The NRC has concluded that the information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, the results achieved, and the date when full compliance was achieved is already adequately addressed on the docket in NRC Security Inspection Report 05000397/2016404 and in your response letter, dated February 6, 2017. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified below.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be made available for public inspection in the NRC's Public Document Room or from the NRC's ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

However, the enclosure contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from ADAMS. If Security-Related Information is necessary to provide an acceptable response, should you choose to provide one, please mark your entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

M. Reddemann

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If you have any questions concerning this matter, please contact Mr. Mark Haire, Chief, Plant Support Branch 1, at 817-200-1527.

Sincerely,

/RA Scott Morris Acting For/

Kriss M. Kennedy
Regional Administrator

Docket No. 50-397
License No. NPF-21

Nonpublic Enclosure:
Notice of Violation
w/Attachment: Supplemental Information

cc w/encl.: S. Sullivan, Energy Northwest

~~OFFICIAL USE ONLY – SECURITY RELATED INFORMATION~~

COLUMBIA GENERATING STATION – NOTICE OF VIOLATION; NRC SECURITY INSPECTION REPORT (05000397/2017405) – MARCH 16, 2017

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Cover Letter Only: ADAMS: Non-Publicly Available Non-Sensitive Keyword:
 SUNSI Review: By: Yes No Publicly Available Sensitive NRC-002

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