



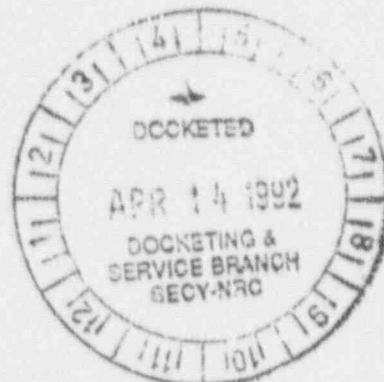
WASHINGTON PUBLIC POWER SUPPLY SYSTEM

P.O. Box 968 • 3000 George Washington Way • Richland, Washington 99352

April 3, 1992

Docket 50-397

Mr. Samuel J. Chilk, Secretary
U.S. Nuclear Regulatory Commission
Attn: Docketing and Service Branch
Washington, D.C. 20555



4

Dear Mr. Chilk:

Subject: **COMMENTS ON REVISED POLICY STATEMENT: POLICY AND PROCEDURE FOR ENFORCEMENT ACTIONS**

The Washington Public Power Supply System, a U. S. Nuclear Regulatory Commission (NRC) licensee, has reviewed the revised policy statement on enforcement actions (57 Federal Register 5791) and provides the following comments for your consideration.

We see the current revision as a significant improvement over the prior policy in terms of the guidance provided to the NRC staff in determining severity levels and encouragement of licensee initiatives to identify and correct problems. We are particularly encouraged by the change which directs that the NRC may refrain from proposing a civil penalty for Severity Level II or III violations involving old design issues which are licensee identified, documented, and timely corrected. We believe this is the proper message for the NRC to send to the industry.

However, we are concerned with the fact that the policy seems to be creating some new requirements through examples given. Additionally, we are troubled by the changes which broaden the latitude given to the NRC staff to take escalated enforcement actions without a firm basis, but on the need to "send a message." The decision to take escalated enforcement should always be based on objective evidence and safety significance, not subjective feelings or a desire to send a message to the licensee or the industry.

The Supply System has participated in the preparation and review of comments being submitted by the Nuclear Management and Resources Council, Inc. (NUMARC) and support those comments as representing our own positions. We have also participated in the preparation of comments by the legal firm of Winston & Strawn and accept those comments as our own.

DS10

Mr. Samuel J. Chilk

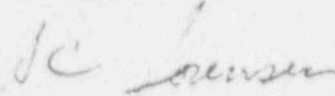
Page 2

April 3, 1992

**COMMENTS ON REVISED POLICY STATEMENT: POLICY AND PROCEDURE
FOR ENFORCEMENT ACTIONS**

We appreciate the opportunity to review and comment on this NRC policy and trust that our comments will be of benefit in your process. Should you have any questions regarding our comments, please contact me at (509) 372-5238.

Very truly yours,



G.C. Sorensen, Manager
Regulatory Programs (Mail Drop 280)

GCS:sn

cc: NS Reynolds, W&S
Document Control Desk, NRC
DL Williams, BPA (399)
NRC Site Inspector, (901A)