



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 30, 1999

Ms. Loraine Morong
117, Piscataqua Bride Road
Madbury, NH 03820-6805

SUBJECT: REPLY TO YOUR CARD TO DAVID MEYER OFFICE OF ADMINISTRATION,
NUCLEAR REGULATORY COMMISSION

Dear Ms. Morong:

I am responding to your card received in August 1999, to David L. Meyer of the Nuclear Regulatory Commission's (NRC's) Office of Administration. Your card provided comments on the NRC's interim enforcement policy regarding enforcement discretion for nuclear plants during the Year 2000 (Y2K) transition.

The NRC expects all licensees to operate their nuclear facilities safely in accordance with the NRC's regulations and requirements, including the facility's technical specifications (TS). When a licensee fails to comply with the license requirements, the NRC evaluates the noncompliance in accordance with its Enforcement Policy to determine appropriate enforcement action. In rare instances, licensees may be unable to comply with specific license conditions. Literal compliance with the TS in these unanticipated situations may involve undesirable plant transients and forced compliance with the TS may not be in the best interest of overall public health and safety. In these limited circumstances, the NRC's Enforcement Policy provides for granting a specific type of enforcement discretion called a Notice of Enforcement Discretion (NOED) to allow a facility to continue to operate in non-compliance with its TS for a short period of time. In the past, the NRC granted and, in the future, expects to grant an NOED infrequently. Granting of an NOED does not, however, limit the NRC from taking subsequent enforcement action as appropriate for the circumstances. Please be assured that the NRC would grant an NOED only when it is clearly satisfied that its action is consistent with protecting the public health and safety.

With respect to Y2K-related issues, the NRC is actively working with the industry groups and licensees to assure that Y2K-related issues affecting US nuclear power plants are identified and corrected well before December 31, 1999. The NRC and licensees have developed contingency plans to ensure that nuclear facilities would continue to operate in a safe manner during the Y2K transition periods. Although the need should be unlikely, the NRC has developed the Interim Enforcement Policy for addressing potential Y2K-related contingencies. Licensees are also implementing appropriate actions to prevent Y2K-related events. As part of its Y2K contingency plan, the NRC's Interim Enforcement Policy provides for granting an NOED to allow continued operation when, despite licensees' best efforts, nuclear facilities face Y2K-related issues involving very little risk but resulting in potential noncompliance with the license and requiring shutdown. Such NRC actions may be necessary to prevent potential localized or widespread power outages that may have short- and long-term consequences. Accordingly, continued safe operation of nuclear power plants during critical Y2K periods may be necessary for maintaining stable and reliable electrical power. When the NRC determines that plant safety will not be unacceptably affected by exercising the discretion, it may grant an NOED. The NRC would grant an NOED only when it is clearly satisfied that its action is consistent with the agency's mission to protect public health and safety.

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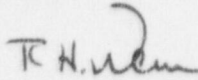
Loraine Morong

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You also specifically referred to North Atlantic Energy Services Company, the licensee for the Seabrook Station. This licensee has reported that Seabrook was Y2K ready prior to July 1, 1999. Seabrook Y2K activities have been in accordance with the NRC's approved industry guidelines, as verified during an NRC on-site review.

I trust that you will find the above information responsive to your letter. Should you have any questions or comments regarding these matters, please call me toll-free at 1-800-368-5642.

Sincerely,



Richard H. Wessman, Deputy Director
Division of Engineering
Office of Nuclear Reactor Regulation

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Sincerely,

Original signed by:

Richard H. Wessman, Deputy Director
Division of Engineering
Office of Nuclear Reactor Regulation

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