

PROJECT NUMBER 34, 46, 62, 66, 61, 76, 72, 116 + 150
PROPOSED RULE (55FR12374)

34

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USNRC



GULF STATES UTILITIES COMPANY

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Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Gentlemen:

Gulf States Utilities (GSU) is pleased to comment on the Commission's proposed rule regarding willful misconduct by unlicensed persons (55FR12374 dated 4/3/90).

GSU agrees that it is beneficial to licensees for the NRC to focus its enforcement authority on the willful misconduct of individuals that would compromise the safe operation of River Bend Nuclear Station. Moreover, GSU supports the enforcement of regulation to vendors and product suppliers and concurs that these entities should be regulated by the NRC and should be subject to NRC orders.

In addition, however, the proposed rule suggests that unlicensed employees at nuclear power plants be subject to these same restrictions. It is in this regard that GSU feels that the proposed enforcement mechanism is potentially troublesome. For example, GSU foresees this amended rule adversely impacting communication, performance, and individual responsibility of River Bend unlicensed personnel if they are subject to civil penalties for wrongdoing which the NRC subsequently deems "willful". Furthermore, expansion of the NRC's enforcement authority to encompass misconduct that may not be a violation of Commission regulations cannot help but have a chilling effect on the willingness of individuals participating in licensed activities when the exposure to civil and criminal penalties is so broad and undefined.

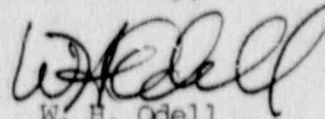
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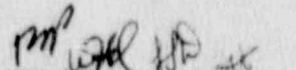
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In conclusion, GSU endorses NUMARC's position on this proposed amendment and supports the principle concerns of the NRC. However, GSU feels that the broad enforcement authority suggested by the NRC in the aforementioned proposal is unnecessary and that the current governing regulation is adequate for ensuring that River Bend personnel, whether licensed or unlicensed, are held accountable for any willful misconduct. GSU would suggest that the NRC reconsider the broad scope of this proposal and appreciates the opportunity to provide comments on this proposed rule.

Sincerely,



W. H. Odell
Manager-Oversight
River Bend Nuclear Group



TFP/LAE/LLD/KCH/ch