



UNITED STATES  
- NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

March 29, 1982

A-13

MEMORANDUM FOR: William J. Dircks  
Executive Director for Operations

FROM: Richard C. DeYoung, Director  
Office of Inspection and Enforcement

SUBJECT: LETTER FROM NORTHEAST UTILITIES REGARDING  
PROMPT NOTIFICATION SYSTEMS

By letter dated January 18, 1982, Northeast Utilities requested an exemption from the prompt notification system deadline for the Haddam Neck and Millstone facilities. This request was denied February 3, 1982. Northeast Utilities requested that their request be reconsidered in a February 9, 1982 letter, and I am responding to your request that I review the situation.

The policy that OIE has followed with regard to implementation of prompt notification is that all exemption requests would be denied. However, any mitigating circumstances would be taken into account for determining enforcement action if needed. This was based on Commission comments during the August 27, 1981 meeting and as subsequently published in the Federal Register notice of the final rule changing the deadline to February 1, 1982. A similar interpretation was made by Northeast Utilities as stated in their October 20, 1981 letter to Samuel J. Chilk:

"It is apparent from the transcript of the August 27, 1981 Commission meeting that the February 1, 1982 date was chosen by the NRC with the knowledge that not all licensees could meet even that implementation date. The Commission apparently believes that the most likely reason for a licensee being unable to meet the February 1, 1982 date is the result of inadequate diligence towards compliance with the original July 1, 1981 date. The Commission intended that the February 1, 1982 date, in conjunction with the threat of immediate enforcement action, would expedite the installation of the prompt notification systems and also would illustrate to licensees the importance of meeting NRC implementation dates."

In considering the situation at Northeast Utilities, specifically, none of the problems that they have presented are particularly unique. Other utilities in similar situations were able to meet the deadline. Their diligence in attempting to comply with the requirement may also be questionable.

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Northeast Utilities was specifically discussed at the February 4, 1982 closed Commission meeting on enforcement action with respect to the degree of diligence shown by the utility as reflected in their correspondence to that date.

As requested by OGC, we have drafted a response to Northeast Utilities for the Chairman's signature which is being forwarded with this memorandum.

\*Original Signed By  
R. C. DeYoung\*

Richard C. DeYoung, Director  
Office of Inspection and Enforcement

Enclosure:  
Response to Northeast Utilities

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\*For previous concurrences  
see attached ORC

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> *JHickman:esp	*SRamos	*KPerkins	BGrimes	JSniezek	RCDeYoung
> 2/23/82	2/23/82	2/24/82	3/12/82	3/17/82	3/17/82