

# YANKEE ATOMIC ELECTRIC COMPANY

DOCKETED  
USNR 2.C.2.2  
FYC 82-20



1671 Worcester Road, Framingham, Massachusetts 01701

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October 15, 1982

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Secretary of the Commission  
United States Nuclear Regulatory Commission  
Washington, D. C. 20555

PROJECT NUMBER **24**  
PROPOSED RULE **PR-50**  
**(47 FR 35996)**

Attention: Docketing and Service Branch

Subject: Comments Pertaining to Applicability of License Conditions and  
Technical Specification in an Emergency; Proposed Rule  
(47FR35996, 18 August 1982)

Dear Sir:

Yankee Atomic Electric Company appreciates the opportunity to comment on the subject document. Yankee Atomic owns and operates a nuclear power plant in Rowe, Massachusetts. The Nuclear Services Division also provides engineering and licensing services for other nuclear power plants in the Northeast including Vermont Yankee, Maine Yankee, and Seabrook 1 and 2.

We stand in strong support of the NRC's proposal that permits licensees, during emergency situations when normal measures toward compliance may not be protective of public health and safety, to make reasonable departures from license conditions or technical specifications. NRC properly recognizes that technical specifications applicable during normal operations may not be applicable, or desirable, during situations of unforeseen circumstances that might occur. We believe that specific provisions should be promulgated, as NRC has proposed, in order to remove the existing enforcement disincentives that prohibit a reactor operator from making judgements that could better serve the public interest than would rote observance of some technical specifications.

The Commission solicited comments on whether to change the proposed rule to include standards that (1) would specifically identify when licensees were permitted to depart from license conditions or technical specification or (2) would specifically identify when NRC could take enforcement action against impermissible departures. In response, Yankee Atomic believes that the text of the proposed rule need not be changed. We feel such standards would nullify whatever gains toward safer overall plant operation are achieved by the rule, as currently proposed. Licensees must retain discretion, during

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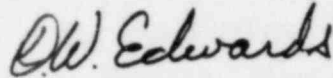
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emergencies to exercise the proposed waiver of license conditions or technical specification, and sufficient NRC authority already exists for taking enforcement action against any unreasonable exercises of such licensee discretion.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY



D. W. Edwards, Director  
Operational Projects/Licensing

REHelfrich/dd



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**GULF STATES UTILITIES COMPANY**

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October 14, 1982  
RBG-13,551  
File Code G9.23

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

Attention: Docketing and Service Branch

Gentlemen:

DOCKET NUMBER 25  
PROPOSED RULE PR-50  
(47 FR 35996)

Gulf States Utilites Company (GSU) has reviewed the proposed rule concerning the "Applicability of License Conditions and Technical Specifications in an Emergency (47FR35996)."

GSU supports the proposed clarifications to Title 10 Code of Federal Regulations Part 50 which allows an operator to deviate from a technical specification during an emergency only if the technical specification could prevent necessary protective action.

We appreciate the opportunity to comment on this proposed rule.

Sincerely,

J. E. Booker  
Manager-Engineering & Licensing,  
River Bend Nuclear Group

JEB/~~RA~~/kt

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Acknowledgment by email 10/27/82 emp