



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

JUL 31 1984

Mr. Charles Young  
262 Sheffield Lane  
Glen Ellyn, Illinois 60137

Dear Mr. Young:

Your June 14, 1984 letter to Chairman Palladino in which you commented on the regulation 10 CFR 50.54(x) and (y) which permits deviations from technical specifications in an emergency, and asked that it be cancelled has been referred to me for reply.

I would like to emphasize that the rule cannot be invoked by a licensee at will. Specific circumstances must exist before the rule can be used and controls exist to prevent abuse. These are set out below:

1. An emergency situation must exist.
2. Licensee action must be reasonable.
3. The action taken must be immediately needed to protect the public health and safety.
4. No action consistent with the license is available.
5. Licensee must immediately notify NRC via the dedicated phone lines.
6. The action must be approved, as a minimum, by a licensed senior operator.

The rule makes it clear that the burden for safe operation and proper action that may be needed to protect the public health and safety in an emergency rests with the licensee. With this rule, a licensee cannot excuse itself from responsible action on the basis that the license prevented it.

On balance, we believe the rule is worthwhile and an improvement to safety and therefore should be retained.

Sincerely,

Original Signed by  
H. R. Denton

Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

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