

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
SACRAMENTO MUNICIPAL UTILITY
DISTRICT
(Rancho Seco Nuclear Generating
Station)

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Docket No. 50-312 (SP)



NRC STAFF RESPONSE TO THE RESTATEMENT OF
ISSUES OF CONCERN AND REQUEST FOR CLARIFICATION
OF RULING BY THE CALIFORNIA ENERGY COMMISSION

INTRODUCTION

By its "Order Ruling on Scope and Contention" of October 5, 1979, the Atomic Safety and Licensing Board ruled on the scope of this proceeding and on the admissibility of the contentions and issues put forth by the parties. With regard to certain issues raised by the California Energy Commission (CEC) which the Board considered to be within the scope of this proceeding, it granted CEC fifteen days from the issuance of the Order to submit restated issues. By its "Restatement of Issues of Concern and Request for Clarification of Ruling" of October 24, 1979, CEC presented two restated issues to the Board and also requested a clarification of the Board's ruling excluding consideration of loss of off-site power in this proceeding.

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DISCUSSION

The Staff has reviewed CEC resubmitted Issue Nos. 1-1 and 1-12 and believes these issues to now be adequately articulated for admission in this proceeding. We, therefore, support their admission.

CEC additionally seeks clarification of the Licensing Board's ruling that:

As to "various transient events" as the phrase is used at page 4 of the Commission's May 7 Order, we believe that, taken in the context of page 5 of that same Order, the scope of this proceeding can be expanded no further than " . . . feedwater and/or trip of the turbine . . ." We will, therefore, not allow matters such as loss of off-site power to be raised and considered among the contentions here.

CEC argues that:

However, we understand the Board's ruling to allow consideration of events that may initiate feedwater transients as well as the ability of the Rancho Seco system to respond to such a sequence of events. Because the loss of off-site power can initiate a feedwater transient we believe that in this limited aspect the loss of off-site power is within the scope of this hearing as defined by the Board's order.

CEC concludes by asking the Board to rule that:

The ability of Rancho Seco to respond to feedwater transients caused and accompanied by the loss of off-site power is a proper subject for adjudication in this hearing.

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The Staff supports the ruling of the Licensing Board. The Board correctly looked to the Commission's Order of May 7, 1979 to determine which types of transients would be litigable in this proceeding. In explaining the basis for the actions it was requiring, the Commission noted (p. 1):

. . . the Nuclear Regulatory Commission's Staff has ascertained that B&W designed reactors appear to be unusually sensitive to certain off-normal transient conditions originating in the secondary system. (emphasis supplied)

This emphasis on transients originating in the secondary system is repeated throughout the Order. See, for example, p. 3. Loss of main feedwater and turbine trip are conditions originating in the secondary system and the Commission's focus on these two initiating events is made unmistakably clear in the short and long term actions it required of the Licensee. Specifically, the Commission required the Licensee to implement a hard-wired reactor trip "that would be actuated on loss of main feedwater and/or turbine trip." (pp. 4, 5, 7). Also, the Commission required the development and implementation of procedures for initiating and controlling the auxiliary feedwater (AFW) system independently of the Integrated Control System (ICS), the AFW system being the back-up to the main feedwater system. (pp. 4, 7).

Loss of off-site power is not an event originating in the facility's secondary system. The Commission took express note in its May 7, 1979 Order (p. 2) of loss of off-site power as a potential initiating event which can call upon

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the AFW system, the ICS, and the emergency core cooling system (ECCS) for recovery. Having taken note of that potential initiating event, the Commission did not, however, further address it. Loss of off-site power might independently be a matter of some significance, but it is apparent that the Commission did not intend to have that matter considered in this proceeding.

CEC argues that loss of off-site power should be considered in this proceeding because it can initiate a loss of main feedwater transient. As noted above, the Commission expressly recognized this possibility. Transients initiated by loss of off-site power would likely proceed, however, in a manner fundamentally different from transients originating in the secondary system. The Commission and the Board correctly reflected this distinction in their Orders.

CONCLUSION

For the reasons developed above, the Staff takes the following positions on CEC's resubmission and request:

1. Resubmitted Issues 1-1 and 1-12 should be admitted as issues in controversy in this proceeding.
2. CEC's request for clarification should be denied in that the issue of loss of off-site power is beyond the scope of this proceeding.

Respectfully submitted,

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Dated at Bethesda, Maryland
this 13th day of November, 1979

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO THE RESTATEMENT OF ISSUES OF CONCERN AND REQUEST FOR CLARIFICATION OF RULING BY THE CALIFORNIA ENERGY COMMISSION." in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 13th day of November, 1979:

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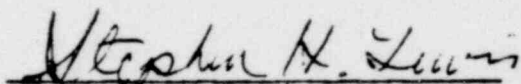
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