

DUKE POWER COMPANY
LEGAL DEPARTMENT
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WILLIAM LARRY PORTER
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June 12, 1979

NRG PUBLIC DOCUMENT

Marshall E. Miller, Esq., Chairman
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Emmeth A. Luebke
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Cadet H. Hand, Jr., Director
Bodega Marine Laboratory
of California
P. O. Box 247
Bodega Bay, California 94923

Re: Docket No. 70-2623
Transportation of Spent Nuclear Fuel
from Oconee to McGuire Nuclear Station



Gentlemen:

Pursuant to the statement contained in the Certificate of Service to Applicant's Response to Natural Resources Defense Council's Motion for Summary Disposition dated May 21, 1979; and Applicant's Response to Natural Resources Defense Council's Motion for Suspension of Hearing Schedule, both dated June 11, 1979, Applicant attaches hereto the signed Affidavit of Ralph W. Bostian.

Very truly yours,

William L. Porter
William L. Porter

WLP/fhb
Attachment

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cc: All Parties

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of)
)
DUKE POWER COMPANY)
)
(Amendment to Materials)
License SNM-1773 for Oconee)
Nuclear Station Spent Fuel)
Transportation and Storage)
at McGuire Nuclear Station))

Docket No. 70-2623

AFFIDAVIT OF RALPH W. BOSTIAN

I, Ralph W. Bostian, being first duly sworn, do depose and state:

That on or before June 4, 1979, I prepared testimony for use in the instant proceeding. Such testimony was filed with the Board and parties on June 4, 1979. For purposes of Applicant's Response to Natural Resources Defense Council's Motion for Summary Disposition dated May 21, 1979; and Applicant's Response to Natural Resources Defense Council's Motion of Suspension of Hearing Schedule, I adopt that testimony in this affidavit and swear that such is true and correct to the best of my knowledge.

I would comment on four additional points:

1. With regard to Natural Resources Defense Council's reference to Duke's cascade program, I submit that such a program is a contingency plan and is merely one of the options available to Duke. While transportation is now the most advantageous alternative, Duke has not precluded other alternatives for future action. The alternatives for spent fuel storage are fast evolving and Duke desires to maintain the flexibility to

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accommodate those developing alternatives which are attractive, Duke desires to evaluate its experience with the shipment of spent fuel between Oconee and McGuire before committing itself to further transshipments.

2. As reflected in the prefiled testimony of S. B. Hager, which was filed with the Board and parties on June 4, 1979, the time to design and construct an independent spent fuel storage facility is estimated on a "rush" basis to be 45 months; however, the estimated time is 60 months on a preferred schedule.

3. With regard to the study being currently performed by Duke to determine the feasibility of installing poison racks (see S. B. Hager's Prefiled Testimony of June 4, 1979 at p. 3), a conclusion has not been reached concerning the viability of poison racks at the Oconee Nuclear Station.

4. Duke sought license approval to rerack Oconee Units 1 and 2 spent fuel pool with high density racks on February 2, 1979. While it is anticipated that approval is forthcoming and that modification will proceed forthwith, given the history of regulation and construction completion times, the very real possibility exists that spent fuel will have to be shipped from Oconee late this year in order to maintain full core reserve.

I swear that the above is true and correct to the
best of my knowledge.

Ralph W. Bostian
Ralph W. Bostian

SUBSCRIBED and sworn to before
me this 12th day of June, 1979.

Elizabeth A. Trammell
Notary Public

My Commission expires: November 21, 1979