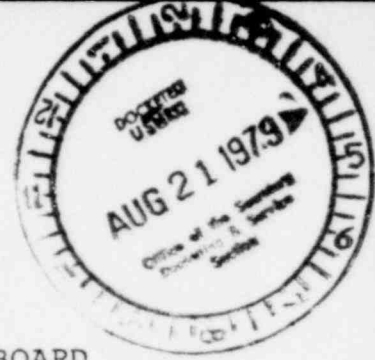


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of )  
 ) Doc. Nos. 50-338 OL  
VIRGINIA ELECTRIC AND POWER COMPANY ) 50-339 OL  
 )  
(North Anna Power Station, Units ) (Pump House Settlement  
1 and 2) ) and Turbine Missiles)

COMMONWEALTH OF VIRGINIA'S  
MEMORANDUM OF PROPOSED FINDINGS

In accordance with the Atomic Safety and Licensing Appeal Board's memorandum and order of June 21, 1979, the Commonwealth of Virginia submits this memorandum. The Commonwealth submits that the board's decision concerning the settlement of the Service Water Pump House at North Anna Nuclear Units 1 and 2 should include the following findings and conclusions.

I

The Applicant concedes that predictions of the amount of settlement of the Service Water Pump House in the future cannot be made accurately (VEPCO Proposed Findings, pp. 5-7). As a result, measures to monitor the settlement of the pump house are necessary to assure that the settlement does not unexpectedly increase. It is recognized that operation of the facility should be modified or terminated in the event that continued settlement causes unacceptable stress

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to piping and other system components until repairs to the affected components are made. The NRC staff generally concurs in the regulatory approach proposed by the Applicant.

## II

Technical specifications attached to the operating license establish a limit on the amount of settlement which may occur before the Applicant must take remedial actions. At 75% of the limit established by the technical specification VEPCO must report to the NRC staff and propose corrective action, if necessary. At 100% of the limit established by the technical specification operation must be terminated and corrective action taken, if necessary. (VEPCO Testimony on Service Water Pump House Settlement, pp. 27-28). Both the NRC staff and the Applicant have concluded that the limit established by the existing license, is acceptable. (Amendment No. 12 to the North Anna, Unit No. 1 operating license). It appears that the physical facilities and the administrative restrictions as to operation proposed with respect to the settlement of the service water pump house are necessary to protect the public health and safety.

## III

The applicant's program to deal with the adverse effects of settlement on its operations in North Anna assumes that appropriate actions will be taken by its reactor operators

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and other personnel in appropriate time sequences (TR. 181-85). The lesson of the Three Mile Island incident is that operator error, as well as equipment failure, must be avoided before the Appeal Board can conclude, as Vepco would have it conclude, that

"On this evidence there is no reason to believe that the applicant will not comply with his technical specifications on settlement. In short, the record supports the conclusion that the settlement monitoring program will adequately protect the public health and safety and that full-power, full-term operating licenses for North Anna Units 1 and 2 may be issued." (VEPCO Proposed Findings, p. 27).


The Applicant may fully intend to comply with the requirements of its licenses and the regulations of the Commission. However, operator error must be avoided in order to eliminate unintentional noncompliance with these requirements.

For the foregoing reasons, reactor operators, shift supervisors, and other personnel should be required to complete an orientation and training program with respect to the specific instrument readings and other operational events which would indicate that there is a significant malfunction at the pump house. In a situation such as this one where a nuclear power plant has a unique abnormality which may affect its operations, the personnel who are employed at that facility should be trained to recognize the effects of that peculiarity of the plant, and to take remedial action, if necessary. Although the record reflects that operators at North Anna have been given training with respect

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to the pump house settlement (TR. 186), there is no indication that the staff has reviewed the details of that training. The Board's decision should require the staff to review and approve periodically provisions in applicant's personnel training programs to assure that appropriate personnel are prepared to recognize any safety problem which may arise at the pump house. If such a review has already been conducted, the Staff should report the results of that review to the Board.

Respectfully submitted,  
COMMONWEALTH OF VIRGINIA

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CERTIFICATE OF SERVICE

I certify that I have served a copy of Commonwealth of Virginia's Memorandum of Proposed Findings on each of the persons named below by first-class mail, postage prepaid:

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DATED: August 20, 1979

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