



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of §
§
HOUSTON LIGHTING & POWER COMPANY § DOCKET NO. 50-466
§
(Allens Creek Nuclear Generating §
Station, Unit 1) §

APPLICANT'S RESPONSE TO
JOHN DOHERTY'S UNTIMELY CONTENTIONS 43 AND 44

Houston Lighting & Power Company (Applicant)
hereby submits the following response to Contentions #43 and
#44 filed by John F. Doherty (Intervenor) on September 14,
1979, four months and three days after the last period for
submitting additional contentions lapsed.

I.

In Contention 43 Intervenor contends that Applicant's
stainless steel components, including safety system piping
and nuclear steam supply system, will be coated or cleaned
with compounds that contribute to intergranular stress
corrosion cracking. Intervenor claims these compounds will
contain chlorides, flourides, lead, zinc, copper, sulfur, or
mercury. Intervenor is mistaken on the facts. Applicant has
committed to comply with Regulatory Guide 1.37 (PSAR, Appendix
C. p. C1.37-1) with respect to the cleaning of safety-
related systems for which 10 C.F.R. 50, Appendix B applies.
Regulatory Guide 1.37, section C.4. states:

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Chemical compounds that could contribute to intergranular cracking or stress-corrosion cracking should not be used with austenitic stainless steel and nickel-base alloys. Examples of such chemical compounds are those containing chlorides, flourides, lead, zinc, copper, sulfur, or mercury where such elements are leachable or where they could be released by breakdown of the compounds under expected environmental conditions (e. g. by radiation).

Notwithstanding Intervenor's implications to the contrary, Applicant has also committed to comply with Regulatory Guide 1.54 (PSAR, Appendix C. p. C1.54-1). Section C.4. of that guide states:

Coatings and cleaning materials used with stainless steel should not be compounded from or treated with chemical compounds containing elements that could contribute to corrosion, intergranular cracking, or stress-corrosion cracking. Examples of such chemical compounds are those containing chlorides, flourides, lead, zinc, copper, sulfur, or mercury where such elements are leachable or where they could be released by breakdown under expected environmental conditions (e.g. radiation).

Intervenor does not assert that Applicant cannot or will not satisfy these commitments. Indeed, his contention is rather obviously drafted without knowledge of these commitments. Hence, there is no basis for Intervenor's allegations and this contention should be dismissed.

II.

In Contention 44 Intervenor contends the ACNGS design does not consider pipebreak accidents initiated by water hammer and recommends more adequate inservice inspection

of certain system piping. To support this contention, Intervenor calls attention to recirculation pipe cracks at Duane Arnold in 1978 and an August 16, 1979, ACRS Report. In both references the pipe cracks discussed resulted from intergranular stress corrosion cracking of stainless steel or nickel-based alloys. The important distinction for ACNGS, then, is that the feedwater and steam supply piping, the residual heat removal piping, the ECCS piping, the containment spray system piping and service water piping are made of carbon steel, not stainless steel or nickel-based. Hence, the systems named by Intervenor are not susceptible to intergranular stress corrosion cracking. Intervenor offers nothing to suggest that these systems would be susceptible and, thus, the contributing effect of The contention should be dismissed for lacks of basis.

III.

Contentions 43 and 44 are also untimely filed without an adequate showing of good cause as required by 10 C.F.R. §2.714(a). In both instances, Intervenor attempts to justify his late filing solely by the fact that he was "unaware" of certain factors allegedly contributing to the problem of stress corrosion cracking (cleaning and coating

1/ Intervenor alleges that the ACRS Report "linked" intergranular pipe cracking and water hammer. The Report does not discuss any cause and effect relationship between the two; it only mentions the obvious point that water hammer, like earthquakes or any other force, may cause pipe cracks to propagate into pipe breaks.

compounds in Contention 43; water hammer in Contention 44). The alleged sources of Intervenor's new information is an ACRS Report to the Commission dated August 16, 1979. The difficulty with Intervenor's "new information" is that it neither raises a new issue nor does it raise any issue at all reflecting on the sufficiency of the materials or design of ACNGS. The referenced ACRS Report does generally discuss the long standing problems of stress corrosion cracking. As an indication of the age of the concerns raised, however, the Regulatory Guides, quoted above, which preclude the alleged problem in Contention 43 were published in 1973. Similarly, the water hammer phenomenon of Contention 44 has been under Commission scrutiny for several years;^{2/} at no time during this period has water hammer been identified as a contributor to intergranular or stress corrosion pipe cracking and nothing in the ACRS letter intimates otherwise.^{3/}

An intervenor has a heavy burden in justifying an untimely filing when he has failed to establish "good cause". Nuclear Fuel Services, Inc., (West Valley Reprocessing Plant), CLI-74-4, 1 NRC 273 (1975). Intervenor has certainly not demonstrated good cause with his misplaced reliance on a single ACRS Report; nor is his cryptic discussion of the

^{2/} See "Introduction", Water Hammer in Nuclear Power Plants, NUREG-0582 (July, 1979).

^{3/} See note 1, supra.

other factors set forth in §2.714(a) sufficient. Accordingly,
the Board should dismiss both contentions.

Respectfully submitted,

J. Gregory Copeland
J. Gregory Copeland
C. Thomas Biddle, Jr.
Charles G. Thrash
3000 One Shell Plaza
Houston, Texas 77002

OF COUNSEL:

BAKER & BOTTS
3000 One Shell Plaza
Houston, Texas 77002

LOWENSTEIN, NEWMAN, REIS,
AXELRAD & TOLL
1025 Connecticut Ave., N.W.
Washington, D.C. 20036

J. R. Newman
Harold F. Reis
Robert J. Culp
1025 Connecticut Ave., N.W.
Washington, D.C. 20036

Attorneys for Applicant
HOUSTON LIGHTING & POWER
COMPANY

1228 307

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Applicant's Response to John Doherty's Untimely Contentions 43 and 44 in the above-captioned proceeding were served on the following by deposit in the United States mail, postage prepaid, or by hand-delivery this 28th day of September, 1979.

Sheldon J. Wolfe, Esq., Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. E. Leonard Cheatum
Route 3, Box 350A
Watkinsville, Georgia 30677

Mr. Gustave A. Linenberger
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Chase R. Stephens
Docketing and Service Section
Office of the Secretary of the
Commission
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

R. Gordon Gooch, Esq.
Baker & Botts
1701 Pennsylvania Avenue, N. W.
Washington, D. C. 20006

Richard Lowerre, Esq.
Assistant Attorney General
for the State of Texas
P. O. Box 12548
Capitol Station
Austin, Texas 78711

Hon. Charles J. Dusek
Mayor, City of Wallis
P. O. Box 312
Wallis, Texas 77485

Hon. Leroy H. Grebe
County Judge, Austin County
P. O. Box 99
Bellville, Texas 77418

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Steve Sohinki, Esq.
Staff Counsel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

John F. Doherty
4438 1/2 Leeland
Houston, Texas 77023

Madeline Bass Framson
4822 Waynesboro Drive
Houston, Texas 77035

Robert S. Framson
4822 Waynesboro Drive
Houston, Texas 77035

Carro Hinderstein
8739 Link Terrace
Houston, Texas 77025

D. Marrack
420 Mulberry Lane
Bellaire, Texas 77401

Brenda McCorkle
6140 Darnell
Houston, Texas 77074

F. H. Potthoff, III
7200 Shady Villa, #110
Houston, Texas 77055

Wayne E. Rentfro
P. O. Box 1335
Rosenberg, Texas 77471

James M. Scott, Jr.
8302 Albacore
Houston, Texas 77074


J. Gregory Copeland

1228 309