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FROM James P. Murray		DATE OF DOCUMENT 9/11/79		DATE RECEIVED		NRR-3208	
TO H. R. Denton		X		X		X	
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DESCRIPTION (Must Be Unclassified)		ACTION NECESSARY <input checked="" type="checkbox"/>		CONCURRENCE <input type="checkbox"/>		DATE ANSWERED BY 9/20/79	
ENCLOSURES		NO ACTION NECESSARY <input type="checkbox"/>		COMMENT <input type="checkbox"/>			
D. Vassallo		9/11					
Copies to:							
H. R. Denton							
E. G. Case							
H. Berkow/W. Russell							
D. Muller							
F. Schroeder							
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U S NUCLEAR REGULATORY COMMISSION

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

September 11, 1979

MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

FROM: James P. Murray
Office of Executive Legal Director

SUBJECT: SALEM UNIT 2 - COLEMAN REQUEST TO AMEND ITS PETITION TO
STAY ISSUANCE OF OPERATING LICENSE

By petition dated August 13, 1979, Mr. and Mrs. Alfred Coleman have submitted additional contentions to be considered as part of their earlier request that the Commission stay issuance of the operating license for Salem Nuclear Generating Station, Unit 2.

Enclosed for your use is a draft response to the Colemans acknowledging receipt of their supplemental petition. No additional Federal Register notice is required. Please provide us a copy of the outgoing letter.

A handwritten signature of James P. Murray is written over the typed name.

James P. Murray
Director and Chief Counsel
Rulemaking and Enforcement Division

Enclosures:
As stated above
Petition

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DRAFT

Alfred F. Coleman, Jr.
Eleanor G. Coleman
35 "K" Drive
Pennsville, New Jersey 08070

Dear Mr. and Mrs. Coleman:

We have received your petition of August 31, 1979, seeking to amend Contention 7 and add Contentions 8, 9 and 10 to your previously submitted petition of August 3, 1979.

These supplemental contentions will be considered as part of your original request for action under 10 CFR 2.206 of the Commission's regulations.

Sincerely,

Harold Denton, Director
Office of Nuclear Reactor Regulation

b cc:
Public Service Electric & Gas Co.
(with copy of petition)
Mark J. Wetterhahn, Esq.
Conner, Moore & Corber
1747 Pennsylvania Ave., N.W.
Washington, D.C. 20006
(with copy of petition)

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the Matter of :
PUBLIC SERVICE ELECTRIC & :
GAS COMPANY :
(Salem Nuclear Generating :
Station, Unit No. 2) :

Murphy / Lieberman
Bachmann / Burns / Cyr
Docket No. 50-311
Proposed Issuance *FF* *Reply*
of Operating
License CPPR-53 *due* *Sept. 20*

PETITION SEEKING ISSUANCE OF AN ORDER TO SHOW CAUSE
REQUEST TO STAY LICENSING - MOTION TO AMEND PETITION

Alfred C. Coleman, Jr. and Eleanor G. Coleman (husband and wife) hereby petition the Nuclear Regulatory Commission to amend our Petition Seeking Issuance of an Order to Show Cause and Request to Stay Licensing of the Salem Nuclear Generating Station Unit No. 2.

The authority for this request is granted by the Atomic Energy Act of 1954, as amended (the Act) and the regulation in Title 10 Code of Federal Regulations, Part 2.730 Motions.

Additional research and investigation has uncovered substantive information which should be considered during your deliberation.

ADDENDUM NO. 7A

7A. The Nuclear Regulatory Commission has failed to require the licensee and/or the manufacture of reactor/steam generators to retrofit, as a result of testing, evaluating and analysis from "lessons learned" from the

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1974 incident in Switzerland (Westinghouse Reactor) and Davis-Besse Unit No. 1, Ohio (Licensee: Toledo Edison Co. - Docket No. 50-346).

ADDITIONAL CONTENTIONS

8. The Nuclear Regulatory Commission has failed to require of the licensee cost-benefit analysis and consideration of alternative conversion of Salem No. 2 to natural gas or coal. (Final Environmental Impact Statement - Docket Nos. 50-272 and 50-311 - April, 1973 - Pages 10 Alternatives, 10-1 through 10-17 and 12-9 (12Q) and 12-16 (12X). The NRC has failed to require in their analysis of "Request for Additional Financial Information Concerning Unit No. 2" (NRC request to PSE&G, April 18, 1978 - Olan D. Parr to R. L. Mittl) the alternative of conversion to natural gas or coal.

9. The NRC has failed to review and compel licensee to explain apparent discrepancies in seismic findings by Dames & Moore for PSE&G and Delmarva Power and Light Co. (Summit Nuclear Plant - Delaware) as it relates to the effect of a possible earthquake. The final Safety Analysis Report reflects there is no earthquake fault in the vicinity of Artificial Island, site of Salem Nuclear Generating Station No. 1 and 2.

This appears to be in contrast to the study and findings

of the University of Delaware which states there is a fault down the middle of the Delaware River. This study is available to the NRC Staff. The NRC Staff order for seismic inspection of 29 reactors failed to include reactor containment structure, fuel handling and spent fuel pool facilities. This must be determined prior to licensing Salem Unit No. 2. (Attachment - Article from "Today's Sunbeam," August 24, 1979) The NRC is already aware of the condition of the containment building (reactor) (cracks - NRC inspection report) and is unable to determine width, depth, extent or cause because of sand blasting by licensee prior to NRC inspection.

10. The NRC has failed to require the licensee to consider evaluate, and analyze the possible effects of a Class 9 accident for the Salem Nuclear Generating Station.

Refer Final Environmental Impact Statement (FEIS) dated April, 1973, page 7-1 paragraph starting with, "The applicant's report has been evaluated, using the standard accident assumptions and guidance issued as a proposed amendment to Appendix D of CFR Part 50 by the Commission on December 1, 1971. Nine classes...." Further refer to Table 7.1, page 7-2 (FEIS), Classification of Postulated Accidents and Occurrences, Class 9.0 Hypothetical sequence of failures more severe than Class 8.0 - Not considered.

As a result of a request (under Freedom of Information to NRC) to the NRC, I received correspondence on August 22, 1979 (FOIA-79-288) referring to PSE&G's correspondence dated November 12, 1973, which was submitted as Amendment No. 25 to the applications under Docket Nos. 50-272 and 50-311. Referring to Exhibit V, Page 1. Board of Directors, January 16, 1968 (Public Service Electric & Gas Company), the chairman stated that, "...in discussions with the Advisory Committee on Reactor Safeguards and the staff of the Atomic Energy Commission (present NRC) it was indicated they were unwilling to recommend that the Atomic Energy Commission issue a license at this time for the construction of nuclear units at the proposed site of Burlington Nuclear Generating Station because of its proximity to densely populated areas (with emphasis), and that accordingly the Company (PSE&G) has investigated alternative sites." Further, "...instead on a tract of land of approximately 700 acres, in Lower Alloways Creek Township, Salem County, New Jersey (Artificial Island)."

There is no question that the Staff of the Advisory Committee on Reactor Safeguards and staff of the Atomic Energy Commission did, in fact, consider an hypothetical sequence of

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failures more severe than a Class 8, an "extraordinary occurrence." The licensee's amendment was considered and accepted by the Staff (AEC-NRC) based on their (NRC) consideration of population density and its effect (Class 9 accident - greater than a Class 8) on the health, safety and welfare of the people living in the vicinity of the then, proposed Burlington Nuclear Generating Stations No. 1 and 2, on the east bank of the Delaware River on the boundary between Burlington City and Burlington Township, Burlington County, New Jersey.

The change in location, based on population density, to Artificial Island (low population) is an admission on the part of the NRC (previously AEC) of hypothetical accident greater than a Class 8. Even the "so-called" low probability of Class 9 was sufficient to change the siting of the Burlington facilities to Artificial Island, Lower Alloways Creek, Salem County.

Until March 28, 1979 (Three-Mile Island Unit No. 2), an incident or worst-possible-case accident had not been considered possible (Class 9), yet the NRC Staff has concluded, "...the Staff nonetheless concludes that the accident at Three-Mile Island was a Class 9 accident (NRC Staff Response to Board Question No. 4, dated August 24, 1979, Docket No. 50-272 signed by Counsel for NRC Staff, Barry H. Smith)."

We hereby file a Motion to Amend and add Contentions 8, 9 and 10 because of substantive information received after the original petition was submitted on August 2, 1979.

Date: 8/31/79

Alfred C. Coleman Jr.

Alfred C. Coleman

Eleanor G. Coleman

Eleanor G. Coleman

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Seismic safeguards delay Salem I start

By DAVID ALTANER
Sunbeam Staff

LOWER ALLOWAYS CREEK—The re-opening of the shut down Salem I reactor will be delayed one more time, as company employees conduct a Nuclear Regulatory Commission-ordered inspection.

The reactor shut down in early April, and had been scheduled to go back into operation in June. But a series of mechanical problems ranging from broken control rods to torn fuel assembly straps have several times delayed the opening, this time until at least mid-October.

Salem I is among 29 reactors in the country being asked to shut down in order to undergo testing in order to determine their ability to withstand earthquakes.

The move is similar to a NRC-ordered shutdown of five nuclear reactors in February. The NRC ordered the reactors to close down because of errors in computer codes, or because estimates of earthquake probability were too conservative.

The analysis will involve checking

computer codes and examining pipe hangers and straps for minute cracks, according to Public Service and Electric and Gas (PSE&G) Co. spokesman Patrick Wheeler. Calling the analysis an "involved and lengthy process," Wheeler said company technicians and outside consultants were working overtime on the project.

The pipes, for the most part, supply cooling water to the reactor, and range in size from one inch to three feet in diameter, Wheeler said.

Company estimates on how much money the shutdown is costing consumers ranges from \$100,000-\$500,000 a day, depending on where the replacement energy is coming from, and how much electricity in demand.

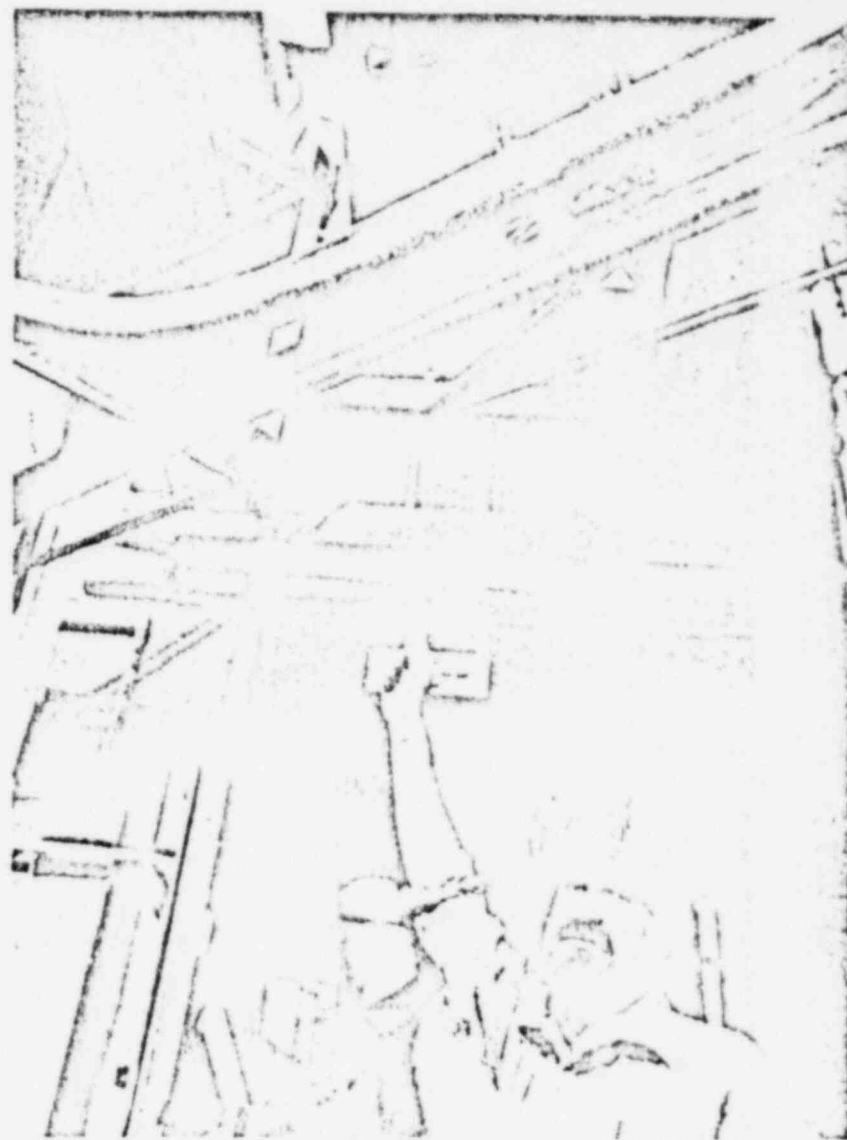
The first problem discovered at the reactor since it shut down for refueling was in May, when company employees discovered straps used to hold the fuel assemblies in place had accidentally become torn. It was remedied by replacing the assemblies with torn straps with some that had been scheduled for removal.

In early June, several control rods were found to have been broken. Control rods regulate the speed of the fission process within the reactor. When the rods are fully inserted, the process stops. When they are fully withdrawn, the reactor operates at full speed.

The broken control rods were replaced with new ones from the Salem II reactor.

In late June, cracks were discovered in the lines that feed water to the steam generators (boilers) in the reactor. All four pipelines were recently replaced.

The most recent problem was a mass of highly radioactive material discovered lodged in a pipe leading from the reactor's core to a large tank containing water used during refueling. The piece of material, believed to be a resin build-up caused by a faulty filter, was flushed out and removed.



Staff photo by Marty O'Grady

EARTHQUAKE TESTING—The re-opening of Salem I will be delayed by an NRC-ordered testing for capability to withstand earthquakes. Above, PSE&G spokesman Patrick Wheeler points at the type of pipes and their straps which will be examined in the testing. The picture, however, shows not Salem I, but its identical twin, Salem II.

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	:	
PUBLIC SERVICE ELECTRIC &	:	Docket No. 50-311
GAS COMPANY	:	Proposed Issuance
	:	of Operating License
(Salem Nuclear Generating	:	
Station, Unit No. 2)	:	

CERTIFICATE OF SERVICE

I hereby certify that copies of Motion to Amend Petition Seeking Issuance of an Order to Show Cause and Stay Licensing were either mailed or hand-delivered to persons listed on attached service list as described therein.

Alfred C. Coleman Jr.
Alfred C. Coleman

Eleanor G. Coleman
Eleanor G. Coleman

Date: 8/31/79

SERVICE LIST

Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Director of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Director of Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission
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Dr. Joseph M. Hendrie, Chairman
U.S. Nuclear Regulatory Commission
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Victor Gilinsky, Commissioner
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Peter A. Bradford, Commissioner
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John F. Ahearne, Commissioner
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