

May 27, 1981



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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| In the Matter of |) | |
| HOUSTON LIGHTING & POWER COMPANY |) | Docket No. 50-466 |
| (Allens Creek Nuclear Generating Station, Unit 1) |) | |

NRC STAFF'S RESPONSE TO
INTERVENOR DOHERTY'S CONTENTION NO. 56

On April 23, 1981, Intervenor Doherty filed a document entitled "Intervenor John F. Doherty's Contention #56." Although this document is not entitled as a motion to add a late-filed contention, it is clear that Intervenor Doherty wishes the document to be treated as such since, particularly, he has addressed the four "good cause" factors of 10 C.F.R. § 2.714. The NRC Staff opposes the motion to add this contention for the reasons set forth below.

The concern expressed in Doherty Contention No. 56 stems from the NRC's investigation of the partial scram failure that occurred at the Browns Ferry, Unit 3 on June 28, 1980. That investigation resulted in a March, 1981, NRC report--the so-called Michaelson Report referenced by Mr. Doherty. The report addresses a potential concern regarding the effects of a postulated scram discharge volume (SDV) rupture.

The report postulates that a normal scram causes a rupture in the SDV, resulting in leakage flows from all control rod drives. It is further postulated that the rupture could lead to an uncontrolled

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blowdown outside the primary containment, thereby flooding the equipment room and resulting in failure of the ECCS pumps. Mr. Doherty, based on his interpretation of the Michaelson Report, therefore concludes that the above postulated accident sequence could jeopardize the public health and safety.

Mr. Doherty's interpretation of the Michaelson Report is void of facts, in error, and is incorrectly used as basis for this contention. The above accident sequence was postulated for review and analysis after the Browns Ferry accident. In BWR designs such as Browns Ferry, the control rod drive units, the SDV, and the ECCS pumps are all located outside of the primary containment. Therefore, it was postulated that water released from an SDV rupture could flood out or in some other way threaten the ECCS pumps which are located at a lower elevation than the SDV outside containment.

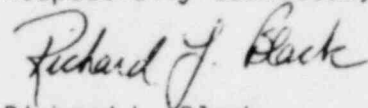
In a Mark III containment design such as Allens Creek, the control rod drive units and the SDV are located within the primary containment, while the ECCS pumps are located outside the primary containment. In the event of a SDV rupture, the water will return directly to the suppression pool and not threaten the ECCS pumps.^{1/}

^{1/} Mr. Doherty's contention refers to flooding of the "recirculation cooling pumps." Mr. Doherty appears to be confused between the recirculation pumps which are located within the drywell and the ECCS pumps which are located in the auxiliary building outside containment and were the subject of concern in the Michaelson Report. In any event, pipe breaks inside containment (including pipe breaks inside the drywell) have already been analyzed for the Allens Creek facility. See PSAR § 15.1.39.

As indicated above, Mr. Doherty's concern regarding the flooding of ECCS pumps from a SDV rupture has no basis in fact for the Allens Creek facility. Accordingly, this contention should be rejected because it does not meet the "basis" and "specificity" requirements of 10 C.F.R. § 2.714. Since this contention does not meet this threshold showing, it is not necessary to address the "good cause" requirements of 10 C.F.R. § 2.714. It should be sufficient to note that since this contention has no basis, there can be no good cause for its acceptance into the proceeding at this late juncture.

Based on the foregoing, this motion for the admission of Doherty Contention No. 56 should be denied.

Respectfully submitted,



Richard L. Black
Counsel for NRC Staff

Dated at Bethesda, Maryland,
this 27th day of May, 1981.

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Station, Unit 1))

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S RESPONSE TO INTERVENOR DOHERTY'S CONTENTION NO. 56" 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 by deposit in the Nuclear Regulatory Commission internal mail system, this 27th day of May, 1981:

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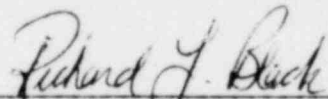
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