

W. J. ...

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	DE-80-01
TENNESSEE VALLEY AUTHORITY)	Docket No. 50-327
(Sequoyah Nuclear Plant,)	(10 CFR 2.206)
Unit 1))	October 16, 1980

PETITIONER'S EXCEPTIONS TO DIRECTOR'S
INITIAL DECISION UNDER 10 CFR 2.206

On October 8, 1980, USNRC Director of Nuclear Reactor Regulation Harold R. Denton issued a decision denying the petition of The Nuclear Regulatory Commission (TNRC), a public safety organization, to revoke the operating license of TVA's Sequoyah Nuclear Plant Unit 1. To this decision the following exceptions are taken:

EXCEPTION 1.

There was no showing by the Director that, should a hydrogen combustion pressure spike of the magnitude experienced at TMI-2 occur, the Sequoyah containment pressure rating would not be exceeded, resulting in a loss of containment. On the contrary, the materials which were attached to the decision and incorporated by way of reference (Director's Decision pp. 2-3), indicate that the containment material strengths are not sufficient to assure a safe margin in the event of hydrogen formation and combustion on a TMI-2 scale, even with improvements in hydrogen control which have been instituted by the applicant and which will be required by the conditions of the license.

EXCEPTION 2.

The second paragraph of the Director's Decision states that containment integrity is not a safety concern during the conduct of low power testing and that there is virtually no potential for release of radioactivity since the amounts generated at five percent power levels are insignificant. Five percent of power for a reactor

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with a rated output of 1,140 MW(e) is 57 MW(e). This is approximately the size of the Fermi reactor which "almost lost Detroit" and considerably larger than the reactors used in the SPERT test series. Core temperatures are adequate even at five percent power to cause cladding melt and metal-water reaction in the event of a loss of coolant. Core radioactivity is very significant at 57 MW(e) levels.

EXCEPTION 3.

The statement on page 2 of the Director's Decision that the low power program "has been completed at the Sequoyah facility without endangering the public health and safety" is unsupportable.

EXCEPTION 4.

The Director's Decision states on page 2: "Should a combustion pressure spike of the magnitude experienced at TMI-2 occur, the Sequoyah containment pressure rating could be exceeded resulting in a loss of containment." This admission constitutes prima facie evidence of a violation of 10 CFR Part 50 Appendix A Criterion 50 and other regulations issued under the Atomic Energy Act.

EXCEPTION 5.

The conditions imposed upon TVA in its full power license stated on pages 3 and 4 of the Director's Decision are vague and ambiguous and provide little assurance that the public health and safety will not be endangered.

EXCEPTION 6.

The statement on page 4 of the Director's Decision that the USNRC staff analyses adequately address the concerns raised by the TNRC petition (or even by the USNRC consultants) is unwarranted.

EXCEPTION 7.

Failure to revoke the operating license after conditions revealed by operating experience indicated safety hazards sufficient for the Director to advise the Advisory Committee on Reactor Safeguards that no limited work authorizations or construction permits would issue to similar facilities was in clear violation

of the USNRC's mandate to assure that the public health and safety will be protected from operating facilities.

EXCEPTION 8.

Operation of the Sequoyah plant in disregard of the issues raised by the petitioner is a criminal violation of the Atomic Energy Act, as amended, and regulations issued thereunder.

EXCEPTION 9.

In denying the petition and in licensing the unsafe facility, USNRC violated 42 U.S.C. 2011, 1012, 2236, and 10 CFR 50.40(a) and (c), 50.50, 50.55(a)(2), 50.57(a)(3)(i), and 10 CFR Part 50 Appendix A, Criteria 16, 50, 51, 52, and 53.

EXCEPTION 10. *Jonas Sauder*

The statement on page 4 of the Director's Decision that a copy of the Decision and its attachments will be placed in a public document room at the Chattanooga Hamilton County Bicentennial Library, 1001 Broad St., Chattanooga, Tennessee is erroneous and misleading. The public document room at this address is only a recipient of unopened, unsorted mail from USNRC which is not kept accessible to the public, not stored in an area which is open to the public, and not retrievable by library staff. The "placement" referred to in the Director's Decision consists of a pile of manila envelopes, stapled closed, in a warehouse portion of the named library.

Dated at Summertown, Tennessee
this 16th day of October, 1980.

Albert Bates

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