

Forelaws on Board

Our conscience teaches us it is right,
our reason teaches us it is useful,
that men should live according to
the Golden Rule.

W. Winwood Reade

19142 S. Bakers Ferry Rd
Boring, Oregon 97009
(503) 637-3549

*THE FOUR LAWS OF ECOLOGY

1. Everything is connected to everything else.
2. Everything must go somewhere.
3. Nature knows best.
4. There is no such thing as a free lunch.

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

JUL 30 1981

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U.S. NUCLEAR REGULATORY
COMMISSION

In the Matter of)

PORTLAND GENERAL ELECTRIC)
COMPANY, ET AL.)

Docket Nos. 50-514
50-515

Pebble Springs Nuclear Plant,)
Units 1 and 2)

FORELAWS ON BOARD'S RESPONSE TO NRC
STAFF'S INTERROGATORIES 06/30/81.
DATED JULY 28, 1981

The following is in response to NRC staff's inter-rogator-ies dated 6/30/81. All interrogatory responses have been pre-pared by Lloyd K. Harbet of Forelaws On Board.

General Interrogatories

1. Forelaws On Board has not at this time made any deter-mination as to whether there will be a need to rely on anyone, except the NRC staff, to substantiate our assertions of inadequacy as to the staff's revised alternative sites analysis.

2. See interrogatory response number 1.

3. See interrogatory response number 1.

4. Yes.

5. Forelaws On Board has not at this time identified any witnesses we will utilize in the evidentiary hearings regarding the staff's revised alternative site analysis in this proceeding.

6. See interrogatory response number 5.

A REVERENCE FOR ALL LIFE • THE GOLDEN RULE • THE FOUR LAWS OF ECOLOGY

GUIDELINES OF CREATIVE ENVIRONMENTALISM

FORELAWS ON BOARD

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7. See interrogatory response number 5.

8. All contentions were developed by Lloyd K. Harbet of Forelaws On Board.

9. In order to remedy the inadequacies of the site alternative analysis performed by the staff, a methodology of equal application would have to be developed for use in examination of all potential sites on an equal basis. The staff has not performed such an analysis and has developed a methodology of arbitrary application, inconsistent and unequal data gathering, as well as unequal comparison of the environmental consequences at alternative sites.

10. Yes.

11. A.) Lloyd K. Harbet
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Boring, OR 97009

B.) (i) Pebble Springs Site: I have visited this site four times in the last seven years but have not recorded the dates.

(ii) Boardman Site: I have visited this site on two separate occasions with the Oregon Energy Facility Siting Council but have not recorded the dates.

(iii) Hanford Site: I have visited the Hanford Nuclear Reservation twice; once in 1973 and once in 1979.

(iv) Skagit Site: I have visited this site once in 1977.

C. No

D. Yes.

Contention Specific Interrogatories

Contention AS-1

12. This is spelled out definitively in the second and third sentences of the contention itself.

13. The staff should have utilized a consistent site evaluation process comparing criteria representative of all potential environmental impact. The comparison to be performed would be consistent and would be based upon adequate and equal levels of site information gathered from both literature searches as well as on sight studies which would help provide final verification

for all data assimilated from available literature as well as fully supplementing what could not be obtained from such literature. The comparison would also explicitly account for site specific plant designs and their costs which would serve to mitigate environmental impact.

14. The basis for choosing the site comparison process outlined in interrogatory response number 13 is that it would provide a complete site comparison analysis, giving equal treatment to all alternative sites and based upon an adequate and fully developed site examination within each parameter of environmental impact to be measured. All this would be encompassed by the application of consistent site comparison methodology incapable of being manipulated in order to orchestrate a particular outcome.

15. Yes.

16. With regard to aquatic resources, the staff's evaluation of the "potential sites" in "absolute terms" would have affected the overall outcome of the final site alternative analysis by first of all requiring the generation of adequate site specific information in order to conduct such a comparison. The generation of this information (ideally with consideration of site specific plant designs) would have provided a complete analysis of the alternatives considered and would have rendered a result free from the inadequacies of the staff's current site analysis which calls to question the manipulation of its results.

17. We contend that until an evaluation of "the potential sites" in "absolute terms" with regard to aquatic resources is conducted, the staff cannot justify a determination that any of the other potential sites are not obviously superior or preferable to the Pebble Springs site.

18. Please refer to interrogatory response number 17.

19. We contend that staff cannot demonstrate, using the information gathered and methodology applied in their site alternative analysis, that the Pebble Springs site or any other site will or will not have unacceptable and/or long-term adverse impacts on aquatic resources. Forelaws On Board does not have the

financial resources to conduct the kind of site comparison analysis which the staff should have performed.

20. See interrogatory response number 19.

Contention A3-2

21. No. It is our contention that the Boardman site cannot be utilized under the present circumstances as a nuclear reactor site and it is irrelevant to hypothesize circumstances other than those which are in existence.

22. Please refer to interrogatory response number 21.

23. No.

24. Please refer to interrogatory response number 23.

25. Nothing in the universe has been known to "never permanently cease" its operations and Forelaws On Board cannot begin to guess how long the U.S. Navy intends to operate its Weapons Training Facility adjacent to the Boardman site. Forelaws On Board is very much aware that the staff has provided no demonstration testifying to the cessation of the operation of the Weapons Training Facility or its relocation to some other site.

26. Please refer to interrogatory response number 25.

27. No. We contend that the staff cannot justify that the Hanford site is inferior with regard to aquatic resources and thus cannot substantiate after accounting for all other environmental rankings that the Hanford site is on balance "equal to Pebble Springs from the standpoint of overall environmental concerns." If the staff had not manipulated the outcome of the environmental impacts, with regard to aquatic resources, for the Hanford site, then upon comparison from the standpoint of overall environmental concerns (using the staff's criteria for other categories) the Hanford site would be obviously superior.

28. See interrogatory response number 27.

Contention A3-3

29. The use of the term "accidents" includes reactor or hydrological accidents which would cause dewatering of the reservoir. These could be due to anything from dam failures to mechanical or explosive malfunctions of the reactor itself. All accidents could be caused by natural events, "Acts of God", mechanical malfunction,

human error, sabotage, or any combination thereof.

30. Contingencies for dewatering the reservoir due to accidents were testified to by the applicant in licensing hearings before the Oregon State Energy Facility Siting Council.

Contention AS-4

31. Please refer to interrogatory response number 27 and then to page 2-32 of the FES Supplement No. 1 for Pebble Springs where it is stated in the second paragraph, top of page, "Sites with two or more "+" ratings and no "-" ratings were judged to be superior to Pebble Springs." Turning to Table 2.16, "Staff Evaluation of the Suitability of Alternative Sites Relative to Pebble Springs" and disregarding the staff's manipulation of Aquatic Resources, justified by such examples as those reasons outlined in interrogatory number 27, and applying conservatively a new rating of "Equal" under Aquatic Resources, as a fair application of staff's methodology, then the only conclusion that can be reached is that the Hanford site is "the obviously superior alternative to Pebble Springs plants with the pre-established parameters set forth by the staff in consideration of the four site comparison categories."

32. Our contention neither states to the affirmative or negative concerning the question. Our contention does state that the staff has not demonstrated that the impacts to aquatic resources at the Hanford site, as summarized in Section 2.5.2 and attested to in Section 2.6, will be significant because of the presence of three other nuclear plants on the same stretch of the Columbia River.

33. See interrogatory response number 32.

34. The following provisions apply to the FES-SUPP. as prepared by the staff in this proceeding, 1500.2(e), 1501.2(b), 1502.10, 1502.14, 1502.16, 1502.22(a)(b), and 1502.24.

35. We have not made this contention either in the affirmative or the negative but suggest the staff review 40 CFR 1507.3.

36. See interrogatory response number 35.

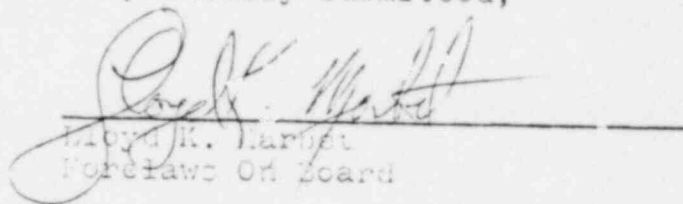
37. Yes

38. The FES-SUPP. is not in compliance with 51.23(c) in that the staff has not quantified "to the fullest extent practicable"

the various factors concerning "the environmental and other effects of the facility and the alternatives available for reducing or avoiding those effects." Instead the staff has performed a cursory examination of alternatives (for examples of this see footnote, page 2-11, Aquatic Resources 2.4.2.2.2; page 2-5 first paragraph; page 2-19 top paragraph and very bottom paragraph; page 2-24, subpart 2.4.2.2.4, 3rd full paragraph; page 2-32, subpart, 2.5.1, 2nd full paragraph; page 2-34, 3rd full paragraph) compounded by erratic and unsubstantiated weighting of certain factors (for examples of this see page 2-34, bottom paragraph; page 2-40, subpart 2.6, fourth paragraph (Boardman) and fifth paragraph (Hanford)).

I affirm all responses to the NRC staff's interrogatories to be true to the best of my knowledge.

Respectfully submitted,


Lloyd K. Harbet
Chairman of Board

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)
)
PORTLAND GENERAL ELECTRIC)
COMPANY)
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(Pebble Springs Nuclear Plant,)
Units 1 and 2)

Docket Nos. 50-514
50-515

CERTIFICATE OF SERVICE

I hereby certify that copies of "Forelaws On Board's Response to NRC Staff's Interrogatories 06/30/81" dated July 28, 1981, in the above captioned proceeding have been served on the following by deposit in the United States Mail, first class, this 28th day of July, 1981.

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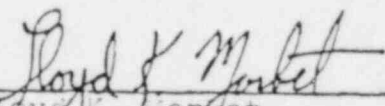
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Lloyd K. Margot
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