13833

BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

Before The Atomic Safety And Licensing Board

In the Matter of	) Docket No. 50-312-DCOM
Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station)	) (Decommissioning Order)

ECO'S CONTENTIONS ON SMUD'S CONSIDERATION OF THE LOSS OF OFFSITE POWER

Pursuant to the Commission's Memorandum and Order in Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station), CLI-93-3 (at 32-33), 37 NRC _____ (March 3, 1993) and 10 CFR § 2.714(b)(2) (1992), the Environmental and Resources Conservation Organization ("ECO") hereby submits its contentions with respect to the adequacy of Sacramento Municipal Utility District's ("SMUD") consideration of loss of offsite power ("LOOP") in the above-captioned proceeding.

ECO contends that SMUD's considerations of the LOOP issues in both its Supplement to Application's Environmental Report-Post Operating License Stage ("Supplement") at Paragraph 5.3 and its proposed Decommissioning Plan ("PDP") at Paragraph 3.4 (transmitted by AGM/NUC 91-081 (May 20, 1991)) (a) fail to comply with 10 CFR § § 50.63 + 51.45 (1992) and the Commission's Station Blackout Rule (53 Fed. Reg. 23203 (June 21, 1988)), (b)

D503

that the calculations expressed in the Supplement and the PDP are in part unsupported by and in part contradicted by the calculations furnished ECO by SMUD in accordance with the Commission's Order raising questions of not only of inadequate NEPA disclosure but also questions of SMUD's integrity and fitness for licensee responsibility pursuant to the Atomic Energy Act of 1954 as amended ("AEA"), and (c) finally, that SMUD's inadequate consideration of LOOP and inadequate preparation to cope with LOOP presents an unacceptable risk to the radiological health and safety of the public.

A brief explanation of the bases of these contentions are stated above. See 10 CFR § 2.714(b)(2)(i) (1992). Also, a concise statement of the alleged facts and/or expert opinions which support these contentions and on which ECO intends to rely to prove the contentions at the hearing are provided below together with references to those specific sources and documents of which ECO is aware and on which ECO intends to rely to establish those facts. See 10 CFR § 2.714(b)(2)(ii) (1992). In particular, ECO states that it will rely on the expert opinions of Dr. A. David Rossin and/or David R. Crespo to support ECO's contentions. See 10 CFR § 2.714(b)(2)(ii) (1992). Summaries of the qualifications of these experts have previously been provided to the Atomic Safety and Licensing Board by affidavit and a fuller presentation of their expertise will be provided at the hearing.

References

Pursuant to the Commission's Order Counsel for SMUD furnished ECO with the following documents by letter of March 18, 1993.

(a) A SMUD memorandum (author undisclosed) of March 17, 1993
Subject: Basis For LOOP Frequency Determination

(b) SMUD Calculation No. Z-EDS-E0817
Subject: Required Coping Duration for Station Blackout (Rev 2, March 10, 1989)

(c) SMUD Letter CEO 89-161 (April 17, 1989) to Dr. Thomas E. Murley, Director, Office of Nuclear Reactor Regulation (USNRC)
Subject: 10 CFR 50.63 "Loss of All Alternating Current Power"

(d) USNRC Regulatory Guide 1.155 (August 1988)

(e) NUMARC, Guidelines and Technical Bases for NUMARC Initiatives Addressing Station Blackout at Light Water Reactors (NUMARC 87-00, November 1987)

(f) USNRC, Evaluation of Station Blackout Accidents at Nuclear Power Plants (NUREG-1032, June 1988)

Other documents which ECO has considered include the following:

(g) USNRC Final Rule, "Station Blackout", 53 Fed. Reg. 23203 (June 21, 1988)

(h) USNRC, "Station Blackout Accident Analyses (Part of NRC Task Action Plan A-44), NUREG/CR-3226 (May 1983)

(i) SMUD's Proposed Decommissioning Plan Submitted by SMUD Letter AGM/NUC 91-081 (May 20, 1991)

(j) SMUD's Supplement to Applicant's Environmental Report-Post Operating License Stage submitted by SMUD letter DAGM/NUC 91-0136 (October 21, 1991)

(k) SMUD additional information in support of the Rancho Seco Decommissioning Plan and the Rancho Seco Decommissioning Environmental Report submitted by SMUD letter of April 15, 1992

(l) SMUD letter DAGM/NUC 92-223 (September 23, 1992) Subject: Revision to Permanently Defueled Technical Specification Bases

(m) Rancho Seco Defueled Safety Analysis Report transmitted by SMUD letter DAGM/NUC 92-213 (October 5, 1992)

All citations to Refs. (a)-(m) in the alleged facts and expert opinions expressed below will be by the appropriate reference letter (e.g., "Ref. (a)").

Brief Explanation of the Bases of the Contentions

ECO's brief explanation of the bases of its contentions including the alleged facts and/or expert opinion which support the contentions is as follows:

1. In the PDP, SMUD claims a coping period of "less than 8 hours." Ref. (i) at 3-34. And SMUD also claims minimum need for restoration for power at variously 6 days or 17.7 days. Id. at 3-35. It also makes the same claim as to the minimum days needed to restore spent fuel cooling in the NEPA Supplement. Ref. (j) at 5.31. However, SMUD presents no documentation or calculations to support these conclusory assertions. To the contrary, the only calculation presented by SMUD states that Rancho Seco requires a coping duration category of not more than four hours. Ref. (b) at 9. Assuming that SMUD has fully complied with the Commission's Order to furnish all calculations to ECO the conclusion is inescapable that SMUD has misrepresented the conclusion of its calculations to the NRC and that any

reliance on the longer coping durations presents a danger to the health and safety of the public and far understates the risk in the NEPA analysis. Also, see Ref. (c) at 3 ("an SBO duration of the 4 hours").

2. SMUD should not be allowed to use a 0.95 reliability factor for its emergency diesel generators in its calculation because maintenance on those generators is being reduced if not eliminated. Ref. (k) at DP-58.

3. In stating the bases for technical specifications relating to the spent fuel pool, SMUD takes credit for operation of a spent fuel/radwaste area exhaust fan to remove heat in the event that spent fuel pool cooling is lost. Ref. (l) at BD3/4-4. However, this ignores the fact that if spent fuel pool cooling is lost due to the unavailability of electricity, the spent fuel/radwaste area exhaust fan will not be running.

4. SMUD impermissibly ignores the impact of LOOP on plant security systems and, to the extent that some security systems may be designed for battery backup, SMUD ignores the issues of reliability of such backup and period of coping with such backup.

5. SMUD impermissibly ignores the occasion of LOOP from sabotage.

6. In both the NEPA Supplement and the PDP, SMUD claims that the probability of LOOP at Rancho Seco is "less than once than 20 years". Ref. (j) at ¶ 5.3.1.2; Ref. (i) at 3-34. However, if LOOP can be caused by a 75 mile per hour wind, the

SMUD calculations indicate that the frequency of such winds is greater than once in 20 years, namely, every 18.2 years, Ref. (b) at A2.

7. SMUD's conclusory analyses are also technically inadequate since they fail to consider loss of coolant during LOOP due to mechanisms other than evaporation, i.e., accidental or intentional (insider and outsider threat) draining of the spent fuel pool.

8. SMUD's consideration of LOOP is also inadequate because it fails to address habitability requirements for all areas where operator access may be required to take compensating measures in the event of loss of water from the spent fuel pool. In this respect, SMUD fails to address both adverse thermal and radioactive conditions.

9. SMUD's analyses also fails in omitting reference to the significance of hot weather as a serious compounding factor in the event of loss of electricity.

10. For all of the reasons given above, SMUD's presentation on the LOOP issue is totally inadequate under both the National Environmental Policy Act and the AEA to allow the NRC's Staff and the public to assess independently the adequacy of SMUD's provision against LOOP and the consequences of LOOP.

11. SMUD's assessment of fuel degradation effects is inadequate among other reasons because it does not address fuel fighting temperatures above 212°F. Ref. (j) at 3.4.2. And SMUD presents no analyses indicating that the fuel cladding could not significantly exceed 212°F in the event of loss of coolant. Id.

Respectfully submitted,

April 1, 1993

James P. McGranery, Jr.
Suite 500
1255 Twenty-Third St., N.W.
Washington, D.C. 20037
(202) 857-2929
Counsel for Environmental
and Resources Conservation
Organization

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	) Docket No. 50-312-DCOM
Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station)	) (Decommissioning Order)

93 APR -2 P4:21

CERTIFICATE OF SERVICE

I hereby certify that one copy of Environmental and Resources Conservation Organization's Petition for ECO'S CONTENTIONS ON SMUD'S CONSIDERATION OF THE LOSS OF OFFSITE POWER of the Prehearing Conference is being served upon the following by first-class mail, postage prepaid on this 1st day of April, 1993:

Office of Commission Appellate Adjudication
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge
Charles Bechhoefer, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge
Thomas D. Murphy
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Edwin J. Reis, Esq.
Charles A. Barth, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Thomas A. Baxter, Esq.
David R. Lewis, Esq.
Shaw, Pittman, Potts & Trowbrige
2300 N Street, N.W.
Washington, D.C. 20037

James P. McGranery, Jr.