UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter	)	
	)	
DUKE POWER COMPANY, et al.	)	Docket No. 50-413
	)	50-414
(Catawba Nuclear Station, Units 1 and 2)	)	

APPLICANTS' RESPONSE TO LICENSING BOARD QUESTIONS

By Memorandum and Order of March 5, 1982 the Atomic Safety and Licensing Board ("Licensing Board") ruled on contentions filed in the captioned proceeding. With regard to contentions 8, 15 and 16 of Palmetto Alliance, the Licensing Board deferred its ruling pending response from the parties to questions in two specific areas, viz., (1) operator qualifications (Palmetto Alliance contention 8) and (2) storage of spent fuel from the McGuire and Oconee Nuclear Stations at the Catawba Nuclear Station (Palmetto Alliance contentions 15 and 16). Applicants provide the following responses to the Licensing Board's questions.

I. Operator Qualifications: Palmetto Alliance Contention 8.

A. Board Questions:

> [W]e desire the parties' views on whether the present rules in 10 CFR Part 55, particularly Sections 55.11 and 55.24, bar this contention.
>
> In addition, certain requirements relating to operator qualifications have been imposed as part of the Three Mile Island Action Plan in NUREG-0737. Clarification Item I.A.2.1. Pursuant to the Commission's Guidance Statement of December 16, 1980, the sufficiency of TMI requirements

may be contested by intervenors in licensing cases, suggesting that the present contention is allowable. However, certain of these TMI requirements were subsequently proposed in rule form, including certain experience requirements for senior reactor operators. 10 CFR 50.34(f)(1)(ii). See Licensing Requirements for Pending Operating License Applications, Proposed Rule, 46 Fed. Reg. 26491. We desire the views of the parties on whether these rather convoluted developments have the effect of barring litigation of Palmetto's contention 8. [1/]

B. Applicants' Response:

Commission regulations regarding operator qualification are contained in 10 CFR Part 55. With regard to power operations of a nuclear power facility, 2/ 10 CFR §55.11 sets

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1/ Palmetto Alliance contention 8 is as follows:

> No reasonable assurance can be had that the facility can be operated without endangering the public health and safety because the Applicants' reactor operators and shift supervisors lack sufficient hands-on operating experience with large pressurized water reactors. The resumes of Catawba Plant Supervisors show that only a very few of these individuals who will have primary management responsibility for safe operation of the plant, FSAR, Table 1.9-1, p.2, have experience at large PWR's like Catawba. NUREG 0737, Clarification of TMI Action Plan Requirements, I.C.3. Resumes of Senior Reactor Operators and Reactor Operators show similar lack of experience.

2/ Applicants' response assumes that Palmetto Alliance's concern expressed in contention 8 is centered on plant operations after criticality has been achieved, i.e., power operations. Prior to criticality there is no fission product inventory and, thus, little concern regarding public health and safety. During plant start-up prior to initial criticality the "start-up" operating staff must be licensed in accordance with the provisions of 10 CFR §55.25. A candidate for a "cold license" pursuant to §55.25 must successfully complete an NRC administered examination (pursuant to §55.11) and must have a relevent level of experience. Applicants note that at Catawba the operating Staff so qualified under §55.25 will also conduct power operations.

forth the specific requirements for approval of applications for reactor operator's and senior reactor operator's licenses, 3/ viz., (1) requirements related to the physical condition and general health of the candidate; and (2) requirements related to the ability of the candidate to operate, and in the case of a senior operator, to operate, and direct operation of, the facility in question. Significantly, 10 CFR §55.11 contains no specific "experience" requirements such as advanced by Palmetto Alliance in its contention 8.

The exclusion of experience requirements in 10 CFR §55.11 is not surprising in view of the rigorous, comprehensive and extensive NRC examinations required for each reactor operator and senior reactor operator candidate to assure that the candidate is fully and completely qualified. See e.g., 10 CFR §§55.21, 55.22, and 55.23. These examinations, lasting several days, consist of comprehensive written questions to assure the appropriate level of knowledge, extensive oral questioning to further test the candidate's knowledge of the

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3/ In contention 8, Palmetto Alliance refers to the lack of experience of "Shift Supervisors", "Plant Supervisors", "Reactor Operators" and "Senior Reactor Operators." We note that the NRC only issues reactor operator and senior reactor operator licenses. We assume that Palmetto Alliance in their contention 8 is referring to those individuals on the operating staff requiring such licenses including reactor operators, shift supervisors, operating engineers and the superintendent of operations. If not, clearly Palmetto Alliance's contention is an attack on the Commission's regulations which provide for licensing of only those noted individuals who are in direct control of the plant's operation (i.e., reactor operators and senior reactor operators). See 10 CFR Part 55.

particular plant in question and a thorough practical demonstration test on a simulator to determine if the candidate can perform plant manipulations, react to emergencies and has the competence and knowledge to operate the plant.

To have the knowledge and ability to operate a nuclear power plant and to pass the NRC's comprehensive examination, the licensing candidate must satisfactorily complete a rigorous multi-year training program (audited and approved by the NRC), consisting of not only class room instruction but also experience on the operating staff of a power plant and at a simulator. See Applicants' FSAR at Section 13.2. In short, the training program in itself, without more, would assure that each candidate will have an extensive amount of operating experience prior to being considered as qualified to take the NRC examination.

The Commission, in 10 CFR §55.11, did not require any additional experience requirements for power operations (to include 100% full power) for reactor operators or senior reactor operators over and above that which would be inherent in the training necessary to acquire the knowledge to pass the extensive and comprehensive NRC examinations. The intent of the Commission that the training in preparation for the exam and the exam itself provided adequate experience, is made clear by 10 CFR §55.24 which provides that the Commission may waive the requirements of "a written examination and operating test if it finds that the applicant: (a) has had extensive actual operating experience at a comparable facility within two years

prior to the date of application."(Emphasis supplied.) In short, the intent of current Commission regulations regarding this issue is clear, the examination itself provides adequate assurance that successful candidates for operator and senior reactor operator licenses are qualified to operate the plant during power operation and have adequate operating experience. In this regard, Applicants note that all of its operators and senior reactor operators will have, at the very minimum, fulfilled the requirements of 10 CFR §55.11.

Subsequent to promulgation of 10 CFR Part 55, the current Commission regulations on this issue, two parallel rulemaking activities have been ongoing that impact upon the subject, viz., (1) the short-term Commission response to TMI and (2) the long-term Commission consideration of amendment of 10 CFR Part 55. By notice of May 13, 1981, the Commission published for comment a proposed rule that would codify "all the basic requirements of NUREG-0737." 46 Fed. Reg. 26491, 26492 (May 13, 1981). The Commission made clear its intent that "[t]his rule . . . addresses the same set of items contained in NUREG-0737" and "the NUREG-0737 items have been rewritten in language appropriate for the Commission's regulations." Id. Thus, the proposed requirements related to operator qualification set forth in NUREG-0737 have been included in this rulemaking.

Regarding this subject, the proposed rule provides in pertinent part as follows:

> 10 C.F.R. §50.34(f)(1)(ii) . . . Additional, intensive and comprehensive training exercises are to be conducted during low-power testing programs to provide experience for each operating shift.
>
> * * *
>
> An applicant for a senior reactor operator license shall have had experience as an operator . . . . [46 Fed. Reg. at 26494.]

In short, the NUREG-0737 items related to operating staff experience have been incorporated into the proposed rule and are as noted above. In this area, the proposed rule would require (1) extensive low-power training exercises to provide experience; and (2) experience as a reactor operator before becoming a senior reactor operator.

Commission guidance set forth in the Statement of Considerations of the proposed rule supersedes previous guidance on use of NUREG-0737 in adjudicatory proceedings and establishes the status of the proposed requirements with regard to such proceedings as follows:

> Based upon its extensive review and consideration of the issues arising as a result of the Three Mile Island accident, the Commission has decided that applications for an operating license should be measured by the NRC staff and Presiding Officers in adjudicatory proceedings against the existing regulations, as augmented by this rule.

> It is the Commission's view that this new rule, together with the existing regulations, form a set of regulations, conformance with which meets the requirements of the Commission for issuance of an operating license. [46 Fed. Reg. at 26492.]

In sum, the NUREG-0737 items regarding operating staff qualifications have been made the substance of a proposed rulemaking applicable to applicants for operating licenses. The Statement of Considerations of the proposed rule states that Presiding Officers in adjudicatory proceedings are to use existing regulations (e.g., 10 CFR Part 55 regarding operator qualifications) as augmented by the requirements set forth in the proposed rule (e.g., proposed Section 50.34(f)(1)(ii) regarding operator qualifications) as the yardstick for determining compliance with Commission requirements.

In view of the foregoing, Applicants submit the current requirements regarding the experience of the licensed operating staff are as set forth in 10 CFR Part 55 as augmented by the TMI requirements contained in the above noted proposed rule codifying NUREG-0737 requirements. Applicants have committed to comply with such regulations and requirements, and have set forth programs leading to such compliance. See e.g., Applicant's Final Safety Analysis Report ("FSAR") at Sections 1.9, 13.1.2, 13.1.3, and 13.2.

Applicants submit that to the extent Palmetto Alliance questions Applicants' compliance with such Commission requirements regarding operating staff qualifications, Palmetto

Alliance's proposed contention should state with specificity were Applicants are not in compliance and provide an adequate supporting basis for its assertion. Insasmuch as Palmetto Alliance's contention focuses on plant operation, concerns regarding experience are negated by 10 CFR §55.11. In that Palmetto Alliance's proposed contention fails to allege any other matter relative to operating Staff qualifications, Applicants' maintain that it lacks the specificity and supporting basis as required by Commission regulations and must be denied. 10 CFR §2.714(b). To the extent Palmetto Alliance questions the adequacy of such Commission requirements regarding operating staff qualifications, Applicants submit that the proposed contention 8 constitutes an impermissible attack on Commission regulations (10 CFR §2.758(a)), and in any event, is the subject of current rulemaking, and thus is inappropriate for resolution in this proceeding. Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station), ALAB-655, __NRC__ Slip Op. at pp. 31-32 (October 7, 1981); Union Electric Company (Callaway Plant, Units 1 and 2), ALAB-352, 4 NRC 371, 373-4 (1976); Wisconsin Electric Power Company (Point Beach Nuclear Plant, Unit 2), ALAB-78, 5 AEC 319, 325-6 (1972).

Turning now to the longer-term ongoing rulemaking, Applicants note that by Memorandum of November 27, 1979 (S. J. Chilk to L.V. Gossick), the Staff was informed "that the

Commission (with all Commissioners concurring, as noted) has approved the Staff recommendation" to, inter alia, proceed with rulemaking on the operating staff qualification issues involving experience. The Commission has not retreated from this announced decision. However, in view of alternative proposals on the proposed rule (See e.g., SECY-80-491 and SECY-81-84), the Commission has directed that the issuance of the proposed rule for comment be delayed until further study by a specified Group of experts. It is our understanding that the report of this Group has been completed and will be published shortly along with recommendations for the Commission.

In sum, we submit that in addition to the ongoing TMI-related rulemaking proceeding, the issue of operating staff qualifications is "about to become" the subject of generic rulemaking, and, a fortiori, is inappropriate for resolution in this proceeding. Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station), ALAB-655, __NRC__ Slip Op. at pp. 31-32 (October 7, 1981); Union Electric Company (Callaway Plant, Units 1 and 2), ALAB-352, 4 NRC 371, 373-4 (1976); Wisconsin Electric Power Company (Point Beach Nuclear Plant, Unit 2), ALAB-78, 5 AEC 319, 325-6 (1972).

II. Spent Fuel Storage and Transportation: Palmetto Alliance's Contentions 15 and 16. 4/

A. Licensing Board Question 1:

What are Duke's plans with reference to storing fuel from other Duke facilities at Catawba. Be more specific than in the quoted sentence from the application. Describe the "Cascade Plan"; what is its present status?

Applicants' Response:

The "cascade plan" was a term initially applied in the mid-1970's to one of Duke Power Company's ("Duke") contengincy plans for accommodating delays in the licensing of the Allied

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4/ Palmetto Alliances contentions 15 and 16 are as follows:

> 15. Failure to estimate the environmental costs of operation of Catawba as an Away From Reactor (AFR) storage facility for spent fuel from other Duke nuclear facilities and transportation of that irradiated fuel to Catawba compromises the validity of the favorable Cost-Benefit balance struck at the construction permit phase of this hearing.
>
> Since the CP stage hearing, Applicant Duke Power has considerably expanded the Catawba spent fuel pool capacity and provided for denser storage of irradiated fuel. FSAR Table 1.2.2-1.
>
> Applicants intend to use Catawba as an AFR for irradiated fuel from the McGuire and Oconee nuclear facilities of Duke Power Company. (FSAR 9.1.2.4, OL Application, pp. 11-12.)
>
> 16. Applicants have not demonstrated their ability safely to transport and store irradiated fuel assemblies from other Duke nuclear facilities so as to provide reasonable assurance that those activities did not endanger the health and safety of the public.

General Nuclear Service Company ("AGNS") reprocessing plant at Barnwell, S.C. with whom Duke has contracted for reprocessing of spent nuclear fuel. 5/ The term applied to the potential transfer of spent fuel from older facilities within the Duke system to more recent facilities with greater spent fuel storage capacity. In the early stages of spent fuel storage expansion technology, cascading was viewed as one of the few technologically viable alternatives to prevent the shutdown of Duke's older units due to lack of spent fuel storage space. As technological advancements were made (e.g., high density and "poison" material storage racks), "cascading" became only one of the many options available to Duke. The following discussion of Duke's past, present and future actions and considerations in this area is provided to add perspective to Applicants' response to this question.

In 1975, recognizing delays in the licensing of AGNS, Duke initiated actions which culminated in installation of high density spent fuel storage racks in its Oconee unit 3 pool in 1976, thus expanding its capacity. With the expanded capacity, Duke planned to transfer spent fuel from the combined Oconee units 1 and 2 pool into the Oconee unit

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5/ Following reprocessing, recycle of recovered fuels back into Duke's reactors would "close" the fuel cycle and there would be no spent fuel beyond that required by normal operation of reactors and the logistics of a closed fuel cycle.

3 pool until AGNS became operational. In 1976, as licensing of AGNS continued to be delayed, as a contingency Duke initiated efforts to provide additional storage capacity at McGuire and Catawba.

In April 1977, the government announced as its policy the indefinite deferral of reprocessing. This change in government policy had the effect of requiring Duke and other licensees to provide additional storage capacity for spent fuel. Faced with the near-term specter of shutdown of the Oconee reactors due to lack of spent fuel storage space, Duke intensified its efforts, exploring other storage options to include further reracking and transportation of spent fuel to pools of other reactors. As a result of its studies, Duke took the following actions:

(1) In March 1978, Duke requested NRC approval to store Oconee spent fuel at McGuire. In August, 1981, an Atomic Safety and Licensing Appeal Board authorized the issuance of a license to Duke to store Oconee spent fuel at McGuire. Transfer of spent fuel from Oconee to McGuire is underway.

(2) In 1979, high-density reracking of the combined Oconee units 1-2 pool was completed.

(3) In 1981, recognizing improvements in the application of neutron absorbing (poison) materials to rack design, the Oconee units 1-2 pool was reracked with racks incorporating these poison materials.

As in the past, Duke's future spent fuel storage planning and requirements depend in large measure on government policy and decision making regarding, inter alia, reprocessing, waste disposal, and long-term storage of spent

fuel. Based on its studies to date, Duke does not consider an "independent" spent fuel storage pool at Oconee, McGuire, Catawba, or any other site within the Duke system to be a prudent choice for additional storage. Therefore, Duke's planning for additional storage has focused on the existing pools at Oconee, McGuire and Catawba and include the following:

(1) By letter dated February 22, 1982, Duke notified NRC of its intent to participate in a rod-compaction demonstration project at Oconee in conjunction with Westinghouse. (Through "rod consolidation", up to two (2) spent fuel assemblies may be stored in the same space normally occupied by one (1).)

(2) Duke is planning to replace the high density racks in the Oconee unit 3 pool with poison racks. This project is scheduled for completion in 1984.

(3) Duke is studying alternative methods of interim spent fuel storage. These include storage in casks and in surface and underground dry wells and vaults.

(4) Duke has sought authorization to store Oconee and McGuire spent fuel at Catawba.

With the actions currently taken, implementation of option 2 above, and future poison rerackings of the McGuire pools, Duke will have sufficient storage space at both McGuire and Oconee to last until approximately 1997 and 1992, respectively.

During this period of government indecision regarding closure of the fuel cycle, planning for the storage of Oconee and McGuire spent fuel at Catawba is a contingency. Need for storage at Catawba will be dependent upon future government decision-making, the uncertainty of the licensing

process, and the development of technological advances in this area.

B. Licensing Board Question 2:

> What licensing authority is Duke presently seeking to transport or store spent fuel from other facilities to or at Catawba? What additional authority does it intend to seek? Does Duke intend to secure now, in connection with the operating licenses for Catawba, all of the authority it needs to transport and store spent fuel at Catawba from other facilities to the capcacity of the Catawba storage pool?

Applicants' Response:

As set forth fully below, Applicants are only seeking authority to receive and store fuel from Duke's other facilities at Catawba. In that under current Oconee and McGuire Licenses Duke has the authority to transport Oconee and McGuire spent fuel, no other authority beyond that requested here is needed to transport and store such spent fuel at Catawba, assuming compliance with pertinent regulations including 10 CFR Part 71 provisions regarding approval of shipping casks, Department of Transportation regulations governing such shipments, and route approval provisions set forth in 10 CFR §73.72 'as incorporated into 10 CFR §73.37 (b)(1)). While Applicants expect to file additional papers in support of authority to receive and store Oconee and McGuire spent fuel at Catawba, they do not view those formal

documents 6/ as seeking authority beyond that generally requested in the instant application.

Special nuclear material and by-product material licenses incorporated within the operating licenses for the Oconee and McGuire units provide for, inter alia, the authority "[p]ursuant to the [Atomic Energy] Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such by-product and special nuclear materials as may be produced by the operation of the facility." McGuire Nuclear Station Unit 1 Facility Operating License (NPF-9), Section 2B(2) (January 23, 1981). See also, Oconee Station Licenses at Section 2B for Unit 1-DPR-38 (February 6, 1973), Unit 2-DPR-47 (October 6, 1973), and Unit 3-DPR-55 (July 19, 1974). Such authority extends to, inter alia, radioactive materials produced as a result of plant operations including contaminated demineralizer resins as well as spent nuclear fuel.

The scope of authority provided by such a licensing

6/ Such documents are printed applications for Part 30 and Part 70 licenses which will merge into the Operating License when issued. This procedure is consistent with the McGuire proceeding involving storage of Oconee spent fuel at McGuire. 12 NRC 459 (1980), rev'd, 14 NRC 307 (1981). There, however, Duke was concerned that the operating license proceeding would not be concluded before shipment of Oconee fuel to McGuire was necessary to prevent shutdown of Oconee operation due to lack of spent fuel storage space. Thus, the storage issues there were litigated on a fast track as an amendment to the 10 CFR Part 70 Special Nuclear Material License for McGuire. Subsequently, the Part 70 license was merged into the McGuire Operating License.

provision is extensive, and, with regard to transfer of such material, the regulations provide as follows:

> 10 CFR §70.42(b). Except as otherwise provided in his license . . . any [special nuclear material] licensee may transfer special nuclear material: . . . (5) To any person authorized to receive such special nuclear material under terms of a specific license or a general license or their equivalents issued by the Commission or an Agreement State . . . .

An identical section regarding by-product material is set forth in 10 CFR §30.41(b). 7/

In short, under its current licenses for Oconee and McGuire Duke has the authority to transfer special nuclear and by-product material produced by the operation of the facility to any person authorized to receive such material. Indeed, this authority is exercised on a routine basis by Duke and all other licensees each time contaminated materials are shipped off-site for burial, or other disposition. Specifically with regard to spent fuel, Duke has exercised this authority in the past in shipping spent fuel assemblies to Babcock and Wilcox's Lynchburg, Virginia Laboratory (1975-1980) and to Florida Power Corporation's Crystal River

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7/ 10 CFR Part 71 establishes requirements for transportation applicable to "each person authorized by specific license issued by the Commission to receive, possess, use, or transfer licensed materials, if he delivers such materials to a carrier for transport or transports such material outside the confines of his plant or other place of use." 10 CFR §71.2.

Nuclear Plant (1978).

In that Duke currently has the authority to ship spent fuel assemblies from Oconee and McGuire (assuming compliance with applicable regulations) to persons licensed to receive such material, Applicants are only seeking in this proceeding the authority to receive and store spent fuel from McGuire and Oconee at Catawba. If such authority is secured, Duke will have full and complete authority (assuming compliance with applicable regulations) to transport and store spent fuel assemblies from Oconee and McGuire at Catawba.

C. Licensing Board Question 3:

> Does this Board presently have jurisdiction over applications to store or transport spent fuel from other facilities? If not, could it and/or should it be given such jurisdiction?

Applicants' Response:

The jurisdiction of a licensing board is normally established by the notice of opportunity for hearing and the subsequent notice of establishment of the board. See, Pacific Gas and Electric Co. (Diablo Canyon Plant), CLI-76-1, 3 NRC 73, 74, note 1 (1976). See also, Pacific Gas and Electric Co. (Stanislaus Nuclear Project, Unit No. 1), ALAB-400, 5 NRC 1175, 1177-8 (1977).

Notice of establishment of this Licensing Board stated that it was established pursuant to Commission regulations "to rule on petitions for leave to intervene and/or requests

for hearings and to preside over the proceeding in the event that a hearing is ordered" regarding the notice of receipt of application for operating license filed by Applicants. 46 Fed. Reg. 39710 (August 4, 1981). See also, 10 CFR §2.721. The notice of receipt of application and opportunity for hearing sets forth a general description of the action proposed and provides that "[f]or further details pertinent to the matters under consideration, see the application for the facility operating licenses and the Applicants' environmental report dated June 8, 1981 . . . ." 46 Fed. Reg. 32975 (June 25, 1981). As the Licensing Board noted, the application clearly requests authority to store spent fuel from other Duke facilities at Catawba. Thus, Applicants submit that such notices, in compliance with pertinent Commission regulations, clearly provide this Licensing Board with jurisdiction to resolve Applicants request for authority to store spent fuel from other Duke facilities at Catawba.

While Applicants submit that the Licensing Board clearly has jurisdiction over the request for authority to receive and store spent fuel from other Duke facilities at Catawba, Applicants would note that such authority does not extend to determinations or matters involving transportation of spent fuel to Catawba including compliance

with 10 CFR Parts 71 and 73, and DOT regulations. 8/ As previously stated, authority to transport Oconee and McGuire spent fuel has already been established, and is not subject to litigation here. Further, as the Licensing Board noted in its March 5, 1981 Memorandum and Order in this proceeding, the environmental impacts of such transportation have been determined by Commission regulations (i.e., Table S-4 to 10 CFR Part 51) and, absent a showing of special circumstances not present here, are not subject to litigation in this proceeding. 10 CFR §2.758(a). (Order, at p. 19) Thus, Applicants submit that this Board's jurisdiction regarding this issue is bounded by the public health and safety and environmental concerns associated with receipt and storage of such spent fuel, and not its transportation to an authorized facility (such as Catawba) which was the subject of previous

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8/ Applicants reference those cases where it was determined that the public health and safety aspects of the transportation issue (e.g., compliance with 10 CFR Part 71) was not subject to case by case resolution. Wisconsin Electric Power Company, (Point Beach Nuclear Plant, Unit 2), ALAB-31, 4 AEC 689, 693, 697 (Contention 32)(1971); Trustees of Columbia University in the City of New York, ALAB-50, 4 AEC 849, 863 (1977); Pennsylvania Power and Light (Susquehanna Steam Electric Station, Units 1 and 2) LBP-79-6, 9 NRC 291, 315 (1979). More recently it has been held that the limitation on litigation of public health and safety aspects of transportation encompasses the adequacy of a transportation plan, including designation of routes and security required by 10 CFR §73.72 (as incorporated into 10 CFR §73.37(b)(1)). Cincinnati Gas and Electric, (William H. Zimmer Nuclear Station), LBP-81-3 13 NRC 36, 42-3 (1981). Under a June 8,1979 Memorandum of Understanding, compliance with DOT regulations is a matter within the jurisdiction of DOT. 44 Fed. Reg. 38690 (July 2, 1979).

reviews and determinations.

D. Licensing Board Question 4:

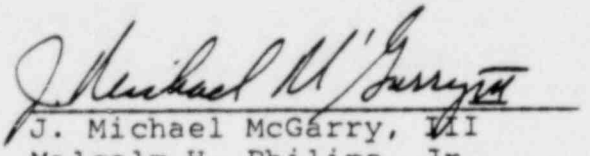
Does the Applicants' environmental report include an adequate discussion of any plans to store or transport spent fuel from other facilities at Catawba?

Applicants' Response:

Applicants submit that its Environmental Report ("ER") adequately addresses plans to store spent fuel from other Duke facilities at Catawba. Applicants note that both Oconee and McGuire spent fuel fall within the parameters of the system design bases of the Catawba spent fuel storage facility. Applicants' FSAR at Section 9.1.2.4. Thus, analyses of potential accident consequences envelope storage of McGuire and Oconee spent fuel at Catawba. See Applicants' FSAR at 9.2.2. and 15.7.4. Specifically, Applicants' ER addresses the environmental impacts associated with normal plant operations (Section 5.0) which include storage of spent fuel in the Catawba pools, and the environmental impacts associated with accident conditions (Section 7.0)

which include fuel handling accidents (Section 7.1.5.5) and transportation accidents (Section 7.2).

Respectfully submitted,



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March 31, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'82 APR -1 P4:14

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion For Reconsideration or In the Alternative for Certification" and "Applicants' Response to Licensing Board Questions" in the above captioned matter, have been served upon the following by deposit in the United States mail this 31th day of March, 1982.

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