## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

# BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	S
HOUSTON LIGHTING & POWER COMPANY	5000
(Allens Creek Nuclear Generating Station, Unit No. 1)	555

Docket No. 50-466

## APPLICANT'S MOTION FOR SUMMARY DISPOSITION ON INTERVENOR DOHERTY'S CONTENTION NO. 38B

Applicant moves the Board under 10 CFR § 2.749 to grant summary disposition with respect to Intervenor Doherty's Contention No. 38B relating to cold shutdown within 24 hours. As shown in the accompanying statement of material facts as to which there is no genuine issue to be heard, and affidavit of Joseph Fray, there is no issue to try in this proceeding and Applicant is entitled under § 2.749 to have the contention summarily dismissed as a matter of law.

#### The Contention

Doherty's Contention No. 38B states:

Contrary to NUREG-0578, the reactor cannot be brought to cold shutdown in 24 hours.

#### Argument

As demonstrated by the Fray affidavit, the ACNGS design is capable of bringing the reactor to cold shutdown (below 212°F at atmospheric pressure) within 24 hours. The maximum decay heat load after reactor shutdown is calculated using the formula required by 10 CFR Part 50, Appendix K. Based upon this calculated heat load, the Fray affidavit shows that by dumping steam from the reactor vessel to the main condenser and by operation of the Residual Heat Removal (RHR) system, the reactor can be brought to cold shutdown within a period of seven hours.

Since ACNGS will be designed to bring the reactor to cold shutdown within 24 hours, there is no genuine issue of fact to be heard, and Applicant is entitled to have Doherty Contention No. 38B summarily dismissed as a matter of law.

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