



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.