

function in their SCRAM discharge volume tanks (SDVT). These switches activate the outflow of these tanks. If they fail to float, the SDVT will not empty. In the event of SCRAM, while the SDVT is filled with water, water from the hydraulic CRD system cannot escape and permit the control rod to be driven into the core as designed, because the rod's progress is slowed. From 1972 to 1974 this failure was noted at Hatch I, Peach Bottom III, Duane Arnold Energy Center and Fermi 2.

Argument

Intervenor TexPirg alleges that ACNGS will use defective float switches in the SCRAM Discharge Instrument Volume (SDIV) which will cause the SDIV not to drain, thereby causing the control rod drive system not to function properly.

Contrary to Intervenor's assertion in this contention, ACNGS will not use the type of float switches referred to by Intervenor. Instead of a float type level switch, ACNGS will use a differential pressure level transmitter system to transmit information on water level in the SDIV. This system will eliminate the problem which Intervenor raises, namely, float sinking.

Since there is no genuine issue of material fact to be litigated on this issue, Applicant is entitled to summary disposition as a matter of law.