



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

January 8, 1981

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

Mr. Gustave A. Linenberger
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Frederick P. Cowan
Administrative Judge
6152 N. Verde Trail
Apt. B-125
Boca Raton, Florida 33433

In the Matter of
CONSUMERS POWER COMPANY
(Midland Plant, Units 1 and 2)
Docket Nos. 50-329 OM & OL and 50-330 OM & OL

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INVESTIGATION
UNIT
U.S. NUCLEAR REGULATORY COMMISSION
SERVICE DIVISION

Dear Judges:

In connection with the Motion for Protective Order filed by the Staff on December 4, 1980, and as indicated in our letter to the Board of December 5, 1980, I enclose the Staff's copies of Mr. Kane's depositions for December 2, 3, and 4, 1980.

Sincerely,

Bradley W. Jones
Counsel for NRC Staff

cc w/o encl: Mr. Frank J. Delley
Myron M. Cherry, Esq.
Ms. Mary Sinclair
Michael I. Miller, Esq.
James E. Brunner, Esq.
Ms. Barbara Stamiris
Mr. Steven Gadler
Mr. Wendell H. Marshall
Ms. Sharon K. Warren

Atomic Safety and Licensing
Board Panel
Atomic Safety and Licensing
Appeal Board Panel
Docketing and Service Section

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Based on the above chronology, PGE is being notified of impending or significant volcanic activity. Oregon is also being notified on a timely basis by at least two separate sources.

Regarding detection of seismic activity at Trojan, the installed instruments are triaxial accelerometers which are designed to detect seismic forces at the plant site as small as 0.01 g. An earthquake of this magnitude during the day would be felt indoors by many, outdoors by few. At night some people would be awakened. As stated in the ODOE staff report of July 1980 even though sizeable earthquakes occur on Mt. St. Helens, these have not been felt at Trojan due to the localized nature of volcanic seismic forces, the damping effect of the ground between Mt. St. Helens and Trojan, and the apparent sturdiness of the bedrock upon which Trojan is built. In discussions with John Beaulieu, Deputy State Geologist and Dick Couch, Associate Professor of Geophysics, Oregon State University, both men stated they are familiar with the type of equipment installed at Trojan, consider it appropriate for its intended function, and believe that it should not have detected any of the seismic forces from Mt. St. Helens.

Regarding the instrumentation at the University of Washington in Seattle, Beaulieu and Couch stated that a system of seismographs are installed throughout Oregon and Washington, including some in the vicinity of Mt. St. Helens, for which the measurements are transmitted to Seattle. These instruments have a sensitivity two orders of magnitude less than human detectability (down to 0.0001 g). Therefore they would expect the University of Washington in Seattle to detect seismic forces that Trojan does not. The U.S. Geological Survey has a similar system which feeds information to Menlo Park, California.

Contention 5a: PSR is concerned that the evacuation plan for the ten-mile radius around Trojan has not yet been approved by the NRC.

On August 19, 1980, NRC published a rule to become effective on November 3, 1980 that specified requirements for emergency response plans. The rule stated that within 60 days of its effective date, revised emergency response plans meeting these requirements must be submitted to NRC. The NRC must find these plans provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. By April 1, 1981 these revised plans must be implemented. Any deficiencies that still exist at that time must be corrected within four months.

Prior to adoption of this rule there were no specific requirements or NRC approval needed for emergency response plans.

While the plan and agreements as they exist today provide an adequate framework for responding to a Trojan radiological emergency revisions are being made to comply with the NRC rule and efforts will continue to make further improvements.

Contention 5b: PSR is concerned that the control building modifications have not yet been completed.

The control building modifications are being made to allow continued operation after an earthquake up to 0.15 g. Currently, the plant is required to shut down after an earthquake of 0.08 g. The Atomic Safety and Licensing Board, NRC, ODOE, and PGE all agree that adequate strength exists for Trojan structures and equipment so that a safe shutdown condition can be achieved and maintained following a large earthquake up to 0.25 g.

Therefore, the only significance of these modifications is that they will permit PGE to continue operating Trojan during and after larger magnitude earthquakes than they currently are permitted to do so. Even without these modifications, safe shutdown for large earthquakes is possible. This issue was addressed in the ODOE staff report of July 14, 1980 on page 5.

Contention 5c: PSR is concerned that on August 7, 1980 the red zone around Mt. St. Helens was expanded to 20 miles. Therefore, Trojan is only 11 miles away from the red zone. If the red zone was expanded another 5 miles, Trojan would only be 6 miles away from the red zone.

The size of the controlled access area around the volcano has no direct bearing on the safety of Trojan operation. The controlled access area has been periodically adjusted depending on recent or expected volcanic activity and to facilitate ease in access control. As discussed above, Trojan is advised of significant or impending changes in volcanic activity and takes appropriate actions.

Further, the information presented by PSR on the distance between Trojan and the red zone and the change to the red zone size are not accurate.

The PSR contention assumes Trojan is 31 miles from Mt. St. Helens. In actuality, the distance is approximately 34 miles.

Access around Mt. St. Helens is controlled in the Gifford Pinchot National Forest by the U.S. Forest Service (USFS) and in other areas by the Washington Department of Emergency Services (WDES). In a discussion on August 14, 1980, Paul Stenkamp, Director, Emergency Coordination Center, USFS, stated the following:

- a. On March 25, 1980, access was restricted (i.e., red zone established) above the timberline on Mt. St. Helens (2 to 3 mile radius).
- b. On April 30, 1980, access was restricted (i.e., red zone expanded) in all of Gifford Pinchot National Forest except the Mineral area. The radius of this restriction was up to 30 miles. (In the direction of Trojan, the restriction was about 15 miles.)

- c. On June 4, 1980, the restriction was lifted (i.e., red zone reduced) for National Forest land north of Highway 12 (this had no effect on the restriction distance in Trojan's direction).
- d. On July 25, 1980, the restriction was reduced (i.e., red zone reduced) to about 14 miles in all directions. The recreational restriction zone (i.e., blue zone), which permits industrial activity but prohibits recreation, was also reduced accordingly to about 20 miles.

In a discussion on August 13, 1980 Ken Olsen, Red Zone Coordinator, WDES, stated the following regarding the state-imposed access restrictions (i.e., red zone):

- a. On April 1980, WDES restricted access to permit only permanent residents and emergency workers within 20 miles of Mt. St. Helens.
- b. On July 29, 1980, the restriction was reduced to about 16 miles from the volcano in Trojan's direction to allow access to Lake Merwin.
- c. WDES is currently considering further reductions in the restrictions.

Based on the above, it is apparent that the access restrictions around Mt. St. Helens have recently been reduced instead of increased as stated in the contention.

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