

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Helen F. Hoyt, Chairperson
Emmeth A. Luebke
Jerry Harbour

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In the Matter of)	Docket Nos. 50-443-OL
)	50-444-OL
PUBLIC SERVICE COMPANY)	(ASLBP No. 82-471-02-OL)
OF NEW HAMPSHIRE, <u>et al.</u>)	
)	
(Seabrook Station, Units 1 and 2))	March 18, 1983

ORDER

(Admitting the Town of Newbury, Massachusetts
as an Interested Municipality)

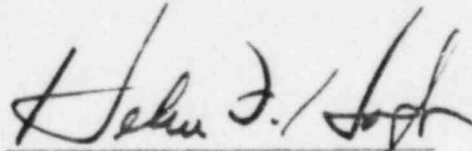
1. On March 10, 1983, the Town of Newbury, Massachusetts filed a petition for intervention pursuant to 10 C.F.R. § 2.715(c). The Board hereby grants the petition and admits the Town of Newbury as an interested municipality in this proceeding.

2. The Board also advises the Town of Newbury that it is required to observe the procedural requirements applicable to other participants, Gulf States Utilities Co. (River Bend Station, Units 1 and 2), ALAB-444, 6 NRC 760, 768 (1977), aff'g, LBP-76-32, 4 NRC 293, 299 (1976); and as a late petitioner, it must take the proceeding as it finds it, Nuclear Fuel Services, Inc. (West Valley Reprocessing Plant), CLI-75-4, 1 NRC 273, 276 (1975).

3. Attached to this Order are the contentions of the various parties which have been admitted by this Board.

IT IS SO ORDERED

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

A handwritten signature in cursive script, appearing to read "Helen F. Hoyt".

Helen F. Hoyt, Chairperson
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 18th day of March, 1983.

Attachment

Contentions Admitted by the Seabrook Board

NH-9 Radioactive monitoring

The Seabrook design does not provide an adequate program for monitoring the release of radioactivity to the plant and its environs either under normal operating conditions or in pre- and post-accident circumstances. Thus, the application is not in compliance with general design criteria 63, 64 of Appendix A, 10 C.F.R. Part 50, and the requirements of NUREG-0737 and NUREG-0800.

NH-10 Control room design

The Seabrook Station control room design does not comply with general design criteria 19 through 22 and 10 C.F.R. Part 50, Appendix A, and NUREG-0737, item I.D.1 and I.D.2.

Refiled
NH-13

Operations, Personnel Qualifications and Training

The Applicant has not demonstrated that the following and all other operations personnel, are qualified and properly trained in accordance with NUREG-0737, items I.A.1.1, or I.A.2.1, I.A.2.3, II.B.4, I.C.1, and Appendix C:
(a.) station manager; (b.) assistant station manager;
(c.) senior reactor operators; (d.) reactor operators; and
(e.) shift/technical advisors.

NH-20 Emergency assessment, classification, and notification

The accident at TMI demonstrated the inability of all parties involved to comprehend the nature of the accident as it unfolded; communicate the necessary information to one another, to the Federal, state and local governments and to the public in an accurate and timely fashion; and to decide in a timely manner what course to take to protect the health and safety of the public. The Applicant in these proceedings has not adequately demonstrated that it has developed and will be able to implement procedures necessary to assess the impact of an accident, classify it properly, and notify adequately its own personnel, the affected government bodies, and the public, all of which is required under 10 C.F.R. 50.47 and Appendix E and NUREG-0654.

NH-21 Protective action

The State contends that the Applicant's emergency plan does not demonstrate how, in case of an accident resulting in a site area or general emergency, the large numbers of people in the zone of danger may be protected or evacuated. Until there is reasonable assurance that adequate on-site and off-site protective measures can and will be taken, the Board should not issue an operating license.

NECNP
I.A.2

The Applicants have not complied with GDC 4 standards regarding qualification tests of electric valve operators installed inside the containment.

NECNP
I.B.1

The Applicant has not satisfied the requirements of GDC 4 and GDC 34 in that all systems required for residual heat removal, such as steam dump valves, turbine valves and the entire steam dumping system are not safety grade and environmentally qualified.

NECNP
I.B.2

The Applicant has not satisfied the requirements of GDC 4 that all equipment important to safety be environmentally qualified because it has not specified the time duration over which the equipment is qualified.

NECNP
I.C

Environmental qualification--emergency feedwater
pumphouse HVAC

According to Table 1.3-2, sheet 14 of the FSAR, the applicant has added a new heating ventilating and air conditioning (HVAC) system for the emergency feedwater pumphouse. Only parts of the HVAC system are considered safety-related and environmentally qualified. NECNP contends that the entire system and its function must be environmentally qualified, and that the environmental qualifications must take into account the likely duration of an accident during which the HVAC system would be relied upon.

NECNP
I.D.1

The Applicants have not complied with GDC 1 with respect to ultrasonic testing of reactor vessel welds during preservice and inservice examination.

NECNP
I.D.2

The Applicant's proposed testing of protection systems and actuation devices fails to meet the requirements of GDC 21 and NUREG-0737, Task II.D.1. In particular, the Applicants do not provide for the testing at full power of twelve safety functions (see FSAR at 1.8-9), justify that omission, or provide for other reliable means of testing them.

NECNP
I.D.3

The applicant has not provided a reasonable assurance that the leakage detection system for the Seabrook reactor will operate when needed because not all of the system is to be tested during plant operation as required by GDC 21. Only the airborne radioactivity detector has the capacity to be tested during power operation, FSAR at 1.8-17. The applicant thereby also fails to satisfy GDC 30, which requires a development of adequate leakage detecting systems.

~~NECNP
I.F~~

~~Diesel generator qualification~~

~~The applicants have not met the requirements of GDC 17 or Criteria III, Appendix B in that it has not indicated compliance with IEEE 323-1974.~~

NECNP
I.G

Pressure Instrument Reliability

NECNP contends that there is not reasonable assurance that the public health and safety will be protected in light of the RCS wide-range pressure instruments being utilized at Seabrook which cannot be relied upon to provide accurate information. Reliance upon the instruments could result in inappropriate operator actions or premature or late tripping of RCS pumps during the course of a small break loss-of-coolant accident.

NECNP
I.I

Inadequate Provisions for Achieving Cold Shutdown

NECNP contends that the Applicants must identify and environmentally qualify one path to cold shutdown as per IE Bulletin 79-01B, Supplement 3.

~~NECNP
I.L~~

~~PORV Flow Detection Monitoring System~~

~~Applicants have not provided for a direct indication of Power Operated Relief Valve positions and, therefore, have not complied with NUREG-0737, Item II.D.3. A safety grade environmentally qualified system in compliance with GDC 4 should be installed.~~

NECNP
I.M

~~The Applicants' fire protection system does not meet the requirements of GDC 3 as implemented by the Commission in CLI-80-21 with respect to the following items:~~

A. General Guidelines for Plant Protection

1. Building design

- a. cable spreading rooms
- b. floor drains
- c. floor, walls and ceilings

2. Control of Combustibles

- a. reactor coolant pump lube oil system

3. Electric Cable Construction, Cable Trays and Cable Penetrations

- a. cable spreading rooms
- b. cable trays outside cable spreading rooms
- c. control room cabling

4. Ventilation

- a. discharge of products of combustion
- b. power supply and controls
- c. protection of charcoal filters
- d. stairwells
- e. smoke and heat vents

5. Lighting

- a. fixed emergency lighting

B. Fire Detection and Suppression

1. Detection--alarm and annunciation

2. Water Sprinkler and Hose Standpipe Systems

- a. sprinkler and standpipe layout
- b. supervision of valves

C. Guidelines for Specific Plant Areas

1. Primary and secondary containment--normal operation

2. Control room

3. Cable spreading room

4. Switchgear rooms

5. Remote safety related panels

6. Diesel generator areas

7. Diesel fuel oil storage areas
 8. Safety related pumps
 9. New fuel area
 10. Spent fuel pool area
 11. Radwaste building
 12. Decontamination areas
- D. Special Protection Guidelines
1. Welding and cutting, acetylene-oxygen fuel gas systems
 2. Storage areas for dry ion exchange resins

NECNP
I.N

Solid Waste Disposal

The Applicant has not provided a means to handle radioactive solid waste [produced] during normal reactor operations including anticipated operational occurrences as required by GDC 60.

NECNP
I.U

Turbine Missiles

The Applicants have not demonstrated that they meet GDC 4 of Appendix A to 10 C.F.R. Part 50 in that they have not provided that structures, systems, and components important to safety be protected against the effects of turbine missiles whose launching might occur as a result of equipment failure.

NECNP
II.B.1

Quality Assurance for Operations

FSAR addresses Quality Assurance for plant operation at Section 17.2. Section 17.2 fails to address each of the criteria in Appendix B in sufficient detail to enable an independent reviewer to determine whether or how all of the requirements of Appendix B and the guidance in all applicable regulatory guides will be satisfied.

NECNP
II.B.3

The Quality Assurance Organization does not have the independence required by Appendix B, Criterion 1.

NECNP
II.B.4

The Quality Assurance Program for operations as described in the FSAR does not demonstrate how the Applicant will assure

that replacement materials and replacement parts incorporated into structures, systems, or components important to safety will be equivalent to the original equipment, installed in accordance with proper procedures and requirements, and otherwise adequate to protect the public health and safety. Similarly, the Quality Assurance program does not assure or demonstrate how repaired or reworked structures, systems, or components will be adequately inspected and tested during and after the repair or rework and documented in "as-built" drawings.

NECNP
II.B.5

The Quality Assurance program for operations as described in the FSAR fails to assure the presence on the operating staff of an adequate number of qualified QA/QC personnel, particularly during off-shifts.

NECNP
III.1

The emergency plan does not contain an adequate emergency classification and action level scheme, as required by 10 C.F.R. 50.47(b)(4) and NUREG-0654, in that

- (a) No justification is given for the classification of various system failures as unusual events, alerts, site area emergencies, or general emergencies.
- (b) The classification scheme minimizes the potential significance of transients.
- (c) The Applicants' classification scheme fails to include consideration of specific plant circumstances, such as the anticipated time lag for evacuation due to local problems.
- (d) The classification scheme fails to provide a reasonable assurance that Seabrook onsite and offsite emergency response apparatus and personnel can be brought to an adequate state of readiness quickly enough to respond to an accident.
- (e) The emergency action level scheme fails to identify emergency action levels or classify them according to the required responses.
- (f) The scheme is incapable of being implemented effectively to protect the public health and safety because it provides no systematic means of identifying, monitoring, analyzing, and responding to the symptoms of transients and other indicators that transients may occur.

NECNP
III.2

The emergency plan does not demonstrate the Applicants' ability to respond to failures at both units of the Seabrook reactor, or a failure at one unit which affects the other's capacity to operate safely. Events that could cause a simultaneous emergency at both units include earthquakes,

severe storms, loss of offsite power, or degraded grid voltage. This constitutes a violation of 10 C.F.R. 50.47(b)(1), (2), (3), (4), (6), (7), (8), (9), (10), (11), (13) and (15), each of which would involve different actions for a simultaneous event than for an event at a single reactor.

NECNP
III.3

The emergency plan fails to conform to Part IV(F) of Appendix E to Part 50 in that it does not provide for the training of unit shift supervisors to enable them to deal with special problems involved in emergencies, including making choices among alternative responses under stress.

NECNP
III.12

The evacuation time estimates provided by the Applicants in Appendix C of the Radiological Emergency Plan are inaccurate in that they provide unreasonably optimistic estimates of the time required for evacuation. In addition, the estimates provided in the radiological emergency plan are useless to emergency planning because they fail to include bounds of error, to indicate the basis for codes or assumptions used for the time estimates, to indicate whether the model used is static or dynamic, to provide a sensitivity analysis of the estimates or to reveal the underlying assumptions.

NECNP
III.13

The preliminary evacuation time estimates submitted by the Applicants assume favorable weather conditions and thus fail to account for the worst case situation of adverse weather conditions developing on a busy summer weekend afternoon. Nor do they take into account evacuee directional bias, evacuation shadow, or reasonably expected vehicle mix. As a result, the estimates are unduly optimistic and useless to future planning.

SAPL
Supple-
ment 3

The applicable requirements of the Commission's Interim Policy Statement issued June 13, 1980, 45 Fed. Reg. 40101 on Nuclear Power Plant Accident Considerations Under the National Environmental Policy Act of 1969 have not been met.

SAPL
Supple-
ment 6

SAPL hereby joins in and adopts as its own the contentions and the bases therefore set forth by the State of New Hampshire and Attorney Gregory P. Smith nos. 4 through 10, and 12 through 16.

CCCNH 4

The Applicant has not adequately demonstrated that it has developed and will be able to implement procedures necessary to assess the impact of an accident, classify it properly, and notify adequately its own personnel, the affected

governmental bodies, and the public, all of which is required by 10 C.F.R. 50.47 and Appendix E, and NUREG-0654.

CCCNH 5 The Applicant has failed to demonstrate adequate on-site and off-site protective measures in the event of an emergency in accordance with 10 C.F.R. 50.47(a)(b), 10 C.F.R. 50, Appendix E, and NUREG-0654.

CCCNH 7 Radioactive Monitoring

The Seabrook design does not provide an adequate program for monitoring the release of radioactivity to the plant and its environs either under normal operating conditions or in pre- and post-accident circumstances. Thus, the application is not in compliance with general design criteria 63, 64 of Appendix A, 10 C.F.R. Part 50, and requirements of NUREG-0737 and NUREG-0800.