

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

*83 MAY -2 P3:05

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

OFFICE OF THE CLERK
REGULATORY SERVICE
BRANCH

In the Matter of)
)
PUBLIC SERVICE COMPANY)
OF NEW HAMPSHIRE, et al.)
)
(Seabrook Station, Units 1 and 2))

SERVED MAY 2 1983
Docket Nos. 50-443-OL
50-444-OL
(ASLBP No. 82-471-02-OL)
April 29, 1983

ORDER
(Admitting the Town of Exeter, New Hampshire
as an Interested Municipality)

1. On April 26, 1983, the Town of Exeter, New Hampshire 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 Exeter as an interested municipality in this proceeding.

2. The Board also advises the Town of Exeter 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).


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DS02

3. Attached to this Order are the contentions that have been admitted by this Board and that have not been withdrawn as of this date by the sponsoring party.

IT IS SO ORDERED

FOR THE ATOMIC SAFETY AND
LICENSING BOARD



Helen F. Hoyt, Chairperson
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 29th day of April, 1983.

Attachment

Seabrook Contentions Remaining as of 4/14/83

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.D.2

The Applicants do not comply with Reg. Guide 1.22 by virtue of their failure to provide for the testing of the manual reactor trip actuation function at full power, justify that omission, or provide for other reliable means of testing it. Therefore Applicants violate GDC 21.

NECNP
II.B.3

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

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 incorpor-

ated 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.

NECHP
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.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.

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)(c), 10 C.F.R. 50, Appendix E, and NUREG-0654.

CCDNH 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.