

August 31, 1984

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

'84 SEP -4 11:10

In the Matter of )  
 )  
 Carolina Power & Light Company )  
 And North Carolina Eastern Municipal )  
 Power Agency )  
 )  
 (Shearon Harris Nuclear Power Plant) )

Docket No. 50-400 OL

DOCKETING & SERVICE  
BRANCH

CONSERVATION COUNCIL'S RESPONSES TO DISCOVERY  
ON EMERGENCY PLANNING CONTENTIONS (FIRST SET)

On August 9, 1984, Applicants filed its first set of interrogatories and request for production of documents to Intervenor, Conservation Council. During a phone conversation with Applicants' counsel for this matter, Delissa Ridgway, Counsel for the Conservation Council was informed that discovery was already over for these contentions which were admitted during the prehearing conference of May 1 and 2, 1984. We are planning to request a clarification of this during the upcoming hearings on the management contention. It is our position that discovery on all of the emergency contentions began August 2, 1984, especially as there is ample time between that date and the proposed hearing date to allow several rounds of discovery plus any motions for summary judgment.

General Interrogatories

1(a). Contention 2--at the time the interrogatory was formulated, the allegations arose from discussions with various members of the Conservation Council who live in or near the 10-mile EPZ.

Contention 8--the contention was formulated after a telephone conversation with Dayne Brown, Head of the Radiation Protection Section (RPS), Department

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Page 2

of Human Resources (NC), 1330 St. Mary's Street, Raleigh, NC 27611 (919/733-4283).

(b) Contention 2--not applicable.

Contention 8--all of the facts in the contention.

(c) not applicable.

2(a). none at this time.

(b). not applicable.

3(a). Contention 2--none designated at this time.

Contention 8--Dayne Brown (see response to #1); Johnny James, staff person at the RPS, same address as above.

(b). see response to 3(a).

(c). Prefiled testimony has not been prepared yet.

4(a). Cititation to documents will be made in the responses to specific interrogatories to follow.

(b). not applicable.

(c). not applicable.

5(a). see response to 4(a).

(b). see response to 4(a).

6(a). Other sources of information will be so identified in the responses to specific interrogatories to follow.

(b). not applicable.

7(a). A listing of documents we intend to use during the hearing will be filed with any prefiled testimony. Documents which may be used during cross-examination of the witnesses of the other parties cannot be identified

until the other parties have prefiled testimony.

(b) not applicable.

Interrogatories on Contention 2 (Inadequacy of Sheltering)

2-1(a). 10 CFR §50.47(b)(10) so states, although we are not sure what Applicants wish to ascertain by adding emphasis.

(b). Yes.

(c). No, although it might be an option depending on the circumstances.

(d)-(f). It is our position that although sheltering may be an option which might fall under a range of protective actions, it does not meet the requirements of §50.47(b)(10) unless it also meets the requirements of the §50.47(a)(1) adequacy test.

2-2(a) NUREG 0654; the 8/1/84 GAO report on emergency planning around nuclear facilities; 10 CFR §50.47(a)(1) and (b)(10).

(b). See the response to 2-1(d)-(f) above. The GAO report states that after two hours the air inside a home and outside contain the same amount of radioactive material.

(c). See the response to 2-2(b).

2-3(a). Not at this time. We have not studied this although there is likely to be a difference in houses found in the northeastern part of the country.

(b). Not applicable.

(c). Not applicable.

2-4(a). We are negotiating with university researchers to conduct a study of the housing stock within the 10-mile EPZ. These researchers were unavailable until late last week when the university went into session.

(b). See the response to (a) above.

2-6. The GAO report demonstrates this to be true. Local builders and energy consultants confirm that this is likely.

2-7. Reliance on sheltering as the primary protective action misleads the public into believing that they will be safe in their homes.

2-8. The Applicants could readily weatherize and insulate all of the deficient houses in the 10-mile EPZ for roughly \$200-300,000 (\$80 - 150 per home). This can be accomplished through low-cost loans, direct application, or organizing volunteer groups.

Contention 8 (Radiation Protection Section)

8-1(a). A recently hired staff member of the RPS, Johnny James, is currently identifying training, experience, and roles in emergency planning exercises of the entire staff of the RPS. He will use this to develop a training and planning scheme to be used by the RPS and which will point out strengths and weaknesses in the RPS training program.

(b). Training of RPS staff has been relatively unsystematic and it is difficult to project actual training which will be received in the near future.

8-2(a). In the Emergency Plan, the RPS is expected to fill the following positions during an emergency at the Harris plant: provide communication and technical support at its own office, provide personnel for the SERT, provide personnel for each of the four command posts, staff at least one of the mobile radiation protection labs, staff at least two survey teams, operate the TLD reading system, provide trained medical physicists at shelters, provide for automobile and equipment decontamination, inform other agencies and states of the status of the emergency, coordinate volunteer efforts, and provide a liaison between state government and the Applicants.

(b).<sup>(i)</sup> Currently there 17 technical staff members of the RPS with another position to be filled. There are an additional 6 non-technical support staff and the RPS can also call on 3 staff members in the NC Division of Emergency Management and a lab person from Health Services. The RPS can also call on volunteers from TOREV of the NC Chapter of Health Physics; a pool of volunteers is currently being developed. Over the course of several days, RPS can request further assistance from the Southern States Mutual Radiation Assistance Plan (SSMRAP). (ii). The limiting factor is not so much the number of staff as it is the number of staff trained adequately to respond to site specific

conditions in an emergency around Harris.

8-3(a). Again, the resolution of this question lies primarily with the recommendations arising from study of RPS training needs. The training needs of volunteers and non-RPS staff must be considered.

(b). See response to (a) above.

8-4. The basis for the following was provided from telephone calls and an interview with Dayne Brown:

(a) The offsite emergency plan should reflect the fact that the RPS will necessarily use volunteers and possibly personnel from other agencies. Training for these non-RPS staff members should be described and committed to by the Applicants.

(b) Commitments for training of RPS staff should be described in the Plan reflecting the Applicants' statutory obligation under 10 CFR 50.47(b)(15). The Plan should contain a memorandum of understanding between Applicants and the RPS on what training will be offered. The areas of training which are needed include Shearon Harris site-specific data emphasizing the plant's difference to generic plants, the composition of the source term in different accident scenarios, and various limited exercises utilizing specific systems in the off-site emergency plan.

(c) Deficiencies discovered during the demonstration exercises should be remedied promptly after discovery. This may necessitate additional training and joint training, "table-top" exercises, mock demonstration exercises of limited scope, the purchase of additional hardware, and new agreements and understanding between the various actors.

8-5. The basis for the following was also provided from telephone calls and an interview with Dayne Brown:

(a) The Applicants should be urged to establish a revolving fund to be used solely for training RPS staff and the other personnel which might be relied upon in an emergency. A workable plan would be for application be made to an independent agency, such as the Division of Emergency Management or FEMA, briefly describing the purpose and cost of the needed training. This would supplement the RPS's limited training budget and further allow the RPS to design training curricula in this area for more of its staff. The Applicants would benefit by having better trained personnel available for emergencies; this type of program would be innovative in the area of planning for a nuclear emergency.

(b) The Plan would operate more smoothly if the Applicants designated one or two of their own staff as liaison with the RPS and other state agencies. Communication based on familiarity and trust would facilitate decision-making during exercises and emergencies. Specific training which the RPS may require and which the Applicants can provide could be developed from this liaison position.

(c) The RPS should be encouraged to expand its pool of qualified volunteers. The TOREV volunteers need to be trained on the specifics of the Harris Plant and the emergency plan in order to better free up the technical people on the RPS staff so they can handle other positions which need their attention. Volunteers need training to fill the functions at shelters, dosimeter testing stations, communications, and supplementing RPS staff.

#### Production of Documents

Intervenor Conservation Council is always ready to supply any relevant documents or copies thereof to the Applicants.

Conclusion

We are willing to amplify any of the above responses, either by phone or in writing. We do not have anyone at this time to attest to the accuracy of our responses to the interrogatories in Contention 2; full responses to these questions can only be given after our study of the housing stock in the 10-mile EPZ. As soon as we contract out this study, we will notify the Applicants of when they will be able to obtain a copy of the study.

It is our intent to distribute a copy of these responses to Dayne Brown for his review. We will ask him to attest to those answers he agrees with and to provide any further information or disagreements with Counsel's characterization of his statements. We expect to be able to do this sometime during the first week of the hearing on the management contention.

Respectfully submitted,



John Runkle

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This is the 31st day of August, 1984.



CERTIFICATE OF SERVICE

I hereby certify that copies of the Conservation Council's Responses to Discovery on Emergency Planning Contentions (First Set) were served upon the following persons by deposit in the U.S. Mail, postage prepaid, or by hand delivery.

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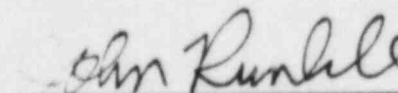
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This is the 31<sup>ST</sup> day of August, 1984.

cc. Dayne Brown, Head, Radiation  
Protection Section

Division of Emergency Management  
Department of Crime Control &  
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