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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
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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

APPLICANTS' STATEMENT OF MATERIAL FACTS AS TO WHICH THERE
IS NO GENUINE ISSUE TO BE HEARD ON CCNC CONTENTION 8

Pursuant to 10 C.F.R. §2.749(a), Applicants state, in support of their Motion for Summary Disposition of CCNC Contention 8 in this proceeding, that there is no genuine issue to be heard with respect to the following material facts:

1. CCNC Contention 8 challenges the ability of the staff of the Radiation Protection Section, Division of Facilities Services, North Carolina Department of Human Resources, to respond in adequate numbers to a radiological accident at the Shearon Harris Nuclear Power Plant. It also challenges the adequacy of training received by the RPS staff to respond to such an accident.

2. In the event of an accident at the Harris Plant, approximately twenty-four or twenty-five persons would be needed for RPS emergency response functions. Brown Affidavit, ¶¶ 4-5.

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3. RPS currently has a staff of seventeen non-clerical personnel and three or four clerical personnel who would be available to respond to a radiological emergency at the Harris Plant. Two additional professional positions are expected to be filled prior to commencement of commercial operation of the Harris Plant. Brown Affidavit, ¶ 6.

4. The North Carolina Division of Emergency Management will provide five of its experienced staff members to augment the RPS staff in the event of a radiological emergency. Brown Affidavit, ¶ 8.

5. RPS has an emergency response planner on its staff with the responsibility for coordinating RPS's emergency response activities, including training and exercises, on a full-time basis. Brown Affidavit, ¶ 7.

6. RPS has access to numerous additional personnel through the TOREV (Team of Radiological Emergency Volunteers), the Southern Mutual Radiological Assistance Plan, and federal agencies, including the NRC and FEMA. Brown Affidavit, ¶ ¶ 8-9.

7. RPS personnel will be available on a continuous basis during the twenty-four hour period immediately following a radiological emergency at the Harris Plant, and subsequently its staff will be supplemented through the resources identified in paragraph 6 above. Brown Affidavit, ¶ 10.

8. RPS personnel have participated in six emergency response exercises at nuclear power plant sites and have gained considerable experience in the various functions they would be required to perform in a radiological emergency. Brown Affidavit, ¶ 11.

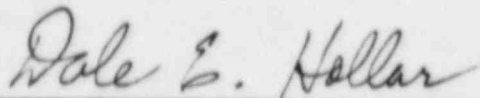
9. RPS personnel have received considerable emergency response training, and CP&L will make available extensive additional training specifically geared toward the

Harris Plant emergency plans prior to the commencement of commercial operation for the Plant. Brown Affidavit, ¶¶ 12-13.

10. Considering all the available information, RPS will have an adequate staff and an adequately trained staff to respond to an accident at the Harris Plant in compliance with 10 C.F.R. §50.47(b)(1) and (b)(15).

This 10th day of December 1984.

Submitted by:



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