

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'84 DEC 12 AM 11:05

BEFORE THE ATOMIC SAFETY AND LICENSING OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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 EPJ-1

Pursuant to 10 C.F.R. §2.749(a), Applicants state, in support of their Motion for Summary Disposition of EPJ-1, that there is no genuine issue to be heard with respect to the following material facts:

1. Contention EPJ-1 challenges the evacuation aspects of the North Carolina Emergency Response Plan ("ERP"). Specifically, effects of "severe snow and ice conditions" on evacuation times and road-clearing capabilities are said to have been given insufficient consideration and the State of North Carolina is alleged to lack the necessary snow plows "to effectively clear the roads of snow or ice in a reasonable amount of time."

2. The Shearon Harris Nuclear Power Plant evacuation time estimates as contained in the ERP include consideration of adverse weather conditions pursuant to guidance in NUREG-0654, Revision 1, Appendix 4. ERP at 50; Affidavit of Robert D. Klimm ("Klimm Affidavit") at 2.

3. Adverse weather refers to conditions where visibility is impaired, roadway capacities reduced, and normal traffic operations impeded compared to fair weather

conditions. The intent of the NUREG-0654, Rev. 1 requirement to assess adverse weather conditions is that the evacuation time estimates should address a condition which would be helpful to decision-makers in the event of an accident. The adverse weather condition should clearly not be so severe or so lacking in severity that it results in scenarios which occur infrequently. Klimm Affidavit at 3.

4. While consideration was given to snow and ice and other adverse weather conditions in developing the Harris Plant Evacuation Time Estimates, the adverse weather condition selected represents a heavy or severe rainstorm condition, resulting in a 25 percent reduction in roadway capacity. This condition is severe enough and occurs often enough to provide a reasonable frame of reference for protective action decision making during adverse weather conditions. Klimm Affidavit at 2.

5. The evacuation time for the entire plume exposure EPZ under adverse weather (severe rainstorm) conditions is 3 hours and 56 minutes. ERP at 50. The Intervenors have defined "reasonable amount of time" as contained in the contention as that amount of time for clearing roads which would allow adverse weather evacuation times of 3 hours, 56 minutes to be met. "Response to 'Applicants' Emergency Planning Interrogatories and Request for Production of Documents to Sponsors of EPJ-1 and EPJ-2 (First Set)," dated September 17, 1984 at Answer EPJ-1-9.

6. The Harris Plant Evacuation Time Estimates studies have been reviewed by an expert for the NRC and have been evaluated as adequate in all respects, including consideration of adverse weather. NRC Staff Response to Interrogatories Propounded by Wells Eddleman on June 29, 1984 on Contentions 215 and 224 at Attachment entitled "Evaluation of Evacuation Time Estimate."

7. The Intervenors have defined "severe snow and ice conditions" as "anything more than 1/2 inch of snow in a 24-hour period." 9/17/84 Responses at Answer EPJ-1-1(a).

8. Historical data from the onsite meteorological monitoring station and from nearby weather observation stations indicate that snow and ice conditions meeting even this very general definition are not a common occurrence. Affidavit of Brian D. McFeaters ("McFeaters Affidavit") at 2.

9. Historical data also indicate that large snow accumulations and severe ice storms in the area of the Harris Plant are rare and that an average single snowfall would be expected to be 2.5 inches or less. McFeaters Affidavit at 2-3.

10. Snow and ice storms expected to occur within the Harris Plant EPZ annually will most likely be slight in accumulation and those requiring the use of snow removal equipment for extended periods of time are unlikely. McFeaters Affidavit at 3.

11. The North Carolina Department of Transportation (NCDOT) is one of the primary response organizations listed in the ERP and has the responsibility of keeping roadways in North Carolina free of hazards. Affidavit of M. C. Adams ("Adams Affidavit") at 2.

12. The NCDOT works closely with the National Weather Service to track all possible adverse weather conditions which may affect roadways in North Carolina and can transmit forecasts to all its division and district offices simultaneously through a computer network. Adams Affidavit at 2-3.

13. At any time of the day, whenever a snow situation becomes imminent, at least a minimum crew is maintained at county DOT offices and DOT vehicles for clearing roads are dispatched to pre-assigned points along major transportation routes where clearing is to begin. Should an accident take place at the Harris Plant while snow is falling, work would have already begun to salt and scrape the roads. Adams Affidavit at 3.

14. The NCDOT currently has 110 pieces of snow removal equipment located at its county offices within the four counties which comprise the EPZ: Harnett, Wake, Chatham, and Lee. Each vehicle is equipped for plowing. Id. at 3.

15. In the event of an accident at the Harris Plant, the NCDOT has assigned 50 pieces of the snow removal equipment in those counties to perform snow removal solely within the 10-mile EPZ and on primary evacuation routes outside the EPZ. The entire EPZ and evacuation routes outside the EPZ have been designated a priority area for snow removal and all routes will be cleared simultaneously. Id. at 4.

16. The NCDOT has more than sufficient personnel to operate all the necessary equipment for snow removal operations in the event of a Harris Plant emergency. Id.

17. The 50 pieces of snow removal equipment constitute approximately one unit for each 12 miles of road and will enable the entire roadway system of the EPZ and major evacuation routes outside the zone to be cleared in 4 hours or less. Id. at 4.

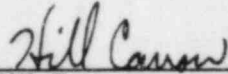
18. By use of the term "cleared," it is meant that every road within the 10-mile EPZ will be scraped once, and that primary US and NC routes (including evacuation routes to the evacuation shelters) will be scraped twice. Clearing times are based on "average" snowfalls and are accurate for clearing up to 6 inches of snow. If the weather is expected to be more severe or if the situation warrants, the equipment and manpower assigned to the priority clearing can easily be substantially increased. Id. at 5.

19. In light of the average snowfall occurring in the vicinity of the Harris Plant and in light of the time estimates for clearing all roads in the EPZ and evacuation routes outside the EPZ, it would be expected that evacuation times during such adverse weather conditions may be higher, though not significantly greater, than those during a heavy rainstorm condition. There may be times in an emergency, due to weather or otherwise, where evacuation is not a viable option. Those deciding on what protective actions should be taken in case of emergency would evaluate such factors in making their determination. Klimm Affidavit at 4.

20. Thus, sufficient consideration has been given to the effect of "severe snow and ice conditions" both on evacuation time estimates and on the capability to clear

roadways. It has been demonstrated that the State of North Carolina has more than adequate plows and snow removal equipment and personnel to clear all roads in the EPZ and evacuation routes outside the zone in an expeditious manner. Adams Affidavit.

This the 10th day of December, 1984.



Hill Carrow
Attorney
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602
(919) 836-6839

Attorneys for Applicants:

Thomas A. Baxter
Delissa Ridgway
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, D.C. 20036
(202) 822-1000

Richard E. Jones
Samantha Francis Flynn
Dale E. Hollar
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602
(919) 836-6517