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LAW OFFICES OF

BISHOP, LIBERMAN, COOK, PURCELL & REYNOLDS

1200 SEVENTEENTH STREET, N. W. ^{10:16}
WASHINGTON, D. C. 20036
(202) 857-9800
TELEX 440574 INTLAW UI

IN NEW YORK
BISHOP, LIBERMAN & COOK
26 BROADWAY
NEW YORK NEW YORK 10004
(212) 248-6300
TELEX 222767

March 12, 1984

Morton B. Margulies, Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Robert M. Lazo
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Frank F. Hooper
University of Michigan
School of Natural Resources
Ann Arbor, Michigan 48109

Charlotte
Wick

Re: Duke Power Company, et al., (Catawba
Nuclear Station, Units 1 and 2)
Docket Nos. 50-413 and 50-414.

Gentlemen:

Pursuant to this Board's Memorandum and Order of February 28, 1984, Applicants provide this report regarding discussions among the parties of proposals for specific dates for submitting prefiled testimony and commencing the hearings on emergency planning within this Board's stated mid-April to early May time frame. This report is being submitted today rather than on March 7 as originally ordered in accordance with a request initiated by Mr. Guild, agreed to by Mr. McGarry, and communicated by him to, and approved by, Chairman Margulies on March 6, 1984.

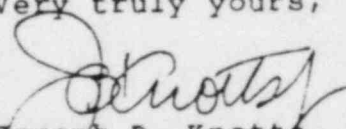
Applicants' proposal, which has been discussed with Mr. McGurran for the NRC Staff and with Mr. Guild, is that (a) the hearings on emergency planning commence on April 24, 1984, and (b) pre-filed testimony be due on April 9, 1984. We request that the Board set aside four weeks for the hearings on emergency planning issues; while none of the counsel are able to make a precise estimate of time needed, on behalf of Applicants, we remain hopeful that an adequate record can be compiled in two to three weeks. Applicants' counsel have also agreed with Mr. Guild and Mr. McGurran that a conference to explore possible agreements on matters of procedure and substance will be held in Charlotte on March 23.

Mr. McGurren has advised us on behalf of the NRC Staff that he has no objection to the foregoing schedule. Mr. Guild has advised us that while he would have no problem with the dates for pre-filed testimony and commencement of the hearing in the abstract, he is unable to agree to our proposal in the absence of an agreement that either Intervenor be relieved of present and anticipated obligations with regard to diesel generator contentions in the safety hearings or that emergency planning hearings be postponed until after the completion of diesel generator matters. Mr. Guild also maintains the Intervenor's previously stated position that the bifurcation of the proceeding is prejudicial to them.

Applicants, at this juncture cannot predict when further safety hearings on diesel generator matters may be held. On the other hand, we can project an emergency planning hearing schedule within the approximate timeframe stated by this Board, and have done so. While it is certainly appropriate for Mr. Guild to make known the Intervenor's position on these matters at this stage, it seems to us premature to rule on the question of deferring one set of approximately-scheduled hearings at the expense of another not yet scheduled. There will be time enough to deal with a conflict in hearing schedules if and when such arises. Simultaneous preparation on different issues is another matter, one which parties often encounter and, albeit with hard work and long hours, manage.

We expect to provide a further report following the March 23 meeting of the parties as to any progress in discussions of possible agreement on substantive and procedural matters.

Very truly yours,


Joseph B. Knotts, Jr.
Counsel for Duke Power Company

cc: Service List

RECOMMENDATIONS

From Palmetto

1. There is a conflict of interest when the same corporation which built and promotes the McGuire plant also designs, weighs, and ultimately determines most of the emergency planning information the public receives as well as how they receive it. This compromises the public's right to a balanced approach toward planning and poses the danger of lulling the public into a false sense of security.

Greater public participation in decisions about what to include in public information programs, including the brochure, will assure a more balanced approach toward emergency planning. A PUBLIC DECISION-MAKING COMMITTEE SHOULD BE ESTABLISHED TO PERFORM MOST OF THE PUBLIC INFORMATION FUNCTIONS NOW PERFORMED ALMOST EXCLUSIVELY BY DUKE POWER COMPANY. The committee should be comprised of representatives of Duke Power Co., government officials, ordinary citizens, and representatives of organizations whose concerns for public health and safety are well documented. Input should be openly encouraged from everyone and decisions should be made in meetings open to the general public. Particular input should be encouraged from educational and other groups within the EPZ. This will also stimulate greater public awareness of these issues.

2. Public education efforts about emergency planning for the EPZ population are required to be financed primarily by Duke Power Company, although these costs are ultimately charged to the ratepayers. TO ENSURE THAT THESE FUNDS ARE NOT CONTROLLED BY ANY ONE PARTISAN BODY, THEY SHOULD BE DEPOSITED IN A "COMMUNITY CHEST" ON AN ANNUAL BASIS AND INTENDED SPECIFICALLY FOR THE PUBLIC INFORMATION PROGRAM. Their use would be determined by a public decision-making body such as the one already discussed.
3. The emergency response brochure is currently the primary instrument used to reach the public. However, it is easy to misplace or lose these pamphlets. A BETTER PRIMARY INSTRUMENT MIGHT BE A UTILITY OR CLOSET DOOR POSTER WHICH CAN BE HUNG IN A PERMANENT LOCATION WHERE THE WHOLE FAMILY CAN ALWAYS FIND IT.
4. There is a clear need to STRENGTHEN THE INVOLVEMENT OF EDUCATIONAL GROUPS, CIVIC GROUPS, AND THE MEDIA IN DISSEMINATING INFORMATION. Such involvement will increase the visibility of the information. One example is to request periodic public service announcements by the media.
5. EMERGENCY PLANS SHOULD BE REVIEWED AND UPDATED ANNUALLY USING RESULTS OF SURVEYS performed by an independent research firm responsible to a public body. Although the Federal Emergency Management Agency (FEMA) is supposed to perform annual surveys immediately after the drills, very few have actually been performed. With greater public insistence such a survey might be regularly performed in our local EPZ's. Duke Power Company also conducts surveys of EPZ populations and may be willing to share their information with the public.

CC.3-1 Report Nos. 413/83-19, 414/83-17
CC.4-1
CC.7-1

Various other aspects of the SIE findings were reviewed and are documented in Report Nos. 413/82-30, 414/82-28; 413, 414/83-02; 413, 414/83-05; and 413/83-37, 414/83-32. In addition, an eleven member panel has provided a full day's testimony relative to the SIE to the ASLB and parties during the recent licensing hearing.

In summary, the NRC has conducted a thorough review of the SIE and the corrective actions implemented. Licensee actions concerning the findings are adequate and this matter is closed.

No violations or deviations were identified.

6. Licensee Identified Items 50.55(e) (Units 1 and 2)

- a. (Closed) CDR (413, 414/82-18): Radiographic examinations not performed on flux core welding filler material. Responses for this item were submitted on October 1, 1982 and January 10, 1983. The inspector reviewed and verified implementation of corrective actions for this item and considers these actions to be satisfactory.
- b. (Closed) CDR (413, 414/83-09): Swing check valves have tack welds in lieu of fillet welds. The response for this item was submitted on September 1, 1983. The inspector reviewed and verified implementation of the corrective actions for this item and considers these actions to be satisfactory.

No violations or deviations were identified.

7. Emergency Response Drill (Unit 1)

The inspectors participated in the emergency response exercise held on February 15 and 16, 1984 and inspector VanDoorn attended the public meeting concerning the exercise, held on February 17, 1984.

No violations or deviations were identified.

8. Maintenance Observation (Unit 1)

Station maintenance activities of selected systems and components were observed/reviewed to ascertain that they were conducted in accordance with the requirements. The inspector verified licensee conformance to the requirements in the following areas of inspection: (1) that the activities were accomplished using approved procedures, and functional testing and/or calibrations were performed prior to returning components or systems to service; (2) quality control records were maintained; (3) that the activities were accomplished by qualified personnel; and, (4) parts and materials used were properly certified. Work requests were reviewed to



Attachment 4

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CHARLOTTE

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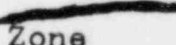
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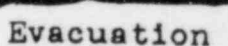
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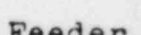
INDIAN TRAIL

EMERGENCY
PLANNING ZONE
FOR SOUTHWEST
CHARLOTTE --
As proposed
in Catawba
Operating
License
Proceeding

 City Limit

 Zone
Boundary

 Evacuation
Route

 Feeder





Attachment 5

101	NORTHVIEW RD	101
102	NORTHVIEW DR	102
103	NORTHVIEW CT	103
104	NORTHVIEW BL	104
105	NORTHVIEW LN	105
106	NORTHVIEW ST	106
107	NORTHVIEW DR	107
108	NORTHVIEW BL	108
109	NORTHVIEW LN	109
110	NORTHVIEW ST	110
111	NORTHVIEW DR	111
112	NORTHVIEW BL	112
113	NORTHVIEW LN	113
114	NORTHVIEW ST	114
115	NORTHVIEW DR	115
116	NORTHVIEW BL	116
117	NORTHVIEW LN	117
118	NORTHVIEW ST	118
119	NORTHVIEW DR	119
120	NORTHVIEW BL	120
121	NORTHVIEW LN	121
122	NORTHVIEW ST	122
123	NORTHVIEW DR	123
124	NORTHVIEW BL	124
125	NORTHVIEW LN	125
126	NORTHVIEW ST	126
127	NORTHVIEW DR	127
128	NORTHVIEW BL	128
129	NORTHVIEW LN	129
130	NORTHVIEW ST	130
131	NORTHVIEW DR	131
132	NORTHVIEW BL	132
133	NORTHVIEW LN	133
134	NORTHVIEW ST	134
135	NORTHVIEW DR	135
136	NORTHVIEW BL	136
137	NORTHVIEW LN	137
138	NORTHVIEW ST	138
139	NORTHVIEW DR	139
140	NORTHVIEW BL	140
141	NORTHVIEW LN	141
142	NORTHVIEW ST	142
143	NORTHVIEW DR	143
144	NORTHVIEW BL	144
145	NORTHVIEW LN	145
146	NORTHVIEW ST	146
147	NORTHVIEW DR	147
148	NORTHVIEW BL	148
149	NORTHVIEW LN	149
150	NORTHVIEW ST	150

151	CHAR DR	151
152	CHAR LN	152
153	CHAR ST	153
154	CHAR BL	154
155	CHAR LN	155
156	CHAR ST	156
157	CHAR BL	157
158	CHAR LN	158
159	CHAR ST	159
160	CHAR BL	160
161	CHAR LN	161
162	CHAR ST	162
163	CHAR BL	163
164	CHAR LN	164
165	CHAR ST	165
166	CHAR BL	166
167	CHAR LN	167
168	CHAR ST	168
169	CHAR BL	169
170	CHAR LN	170
171	CHAR ST	171
172	CHAR BL	172
173	CHAR LN	173
174	CHAR ST	174
175	CHAR BL	175
176	CHAR LN	176
177	CHAR ST	177
178	CHAR BL	178
179	CHAR LN	179
180	CHAR ST	180

SOUTHERN EXTENSION		CORNELL RD.	
181	ST ST.	181	CORNELL DR.
182	ALLENWOOD RD.	182	GRANTWOOD DR.
183	ALLENWOOD ST.	183	CRESTWOOD DR.
184	ALLENWOOD BL.	184	SECRET GLEN CT.
185	ALLENWOOD LN.	185	CARBON CT.
186	ALLENWOOD ST.	186	CROWNLEA
187	ALLENWOOD DR.	187	DEER DR.
188	ALLENWOOD BL.	188	DEER FALL LN.
189	ALLENWOOD LN.	189	E. TRAPER LN.
190	ALLENWOOD ST.	190	THE KIP BOND RD.
191	ALLENWOOD DR.	191	DOCK CT.
192	ALLENWOOD BL.	192	BOLLY MADISON CT.
193	ALLENWOOD LN.	193	BORHAM RD.
194	ALLENWOOD ST.	194	BOYD'S HEST CR.
195	ALLENWOOD DR.	195	BOYLESTON RD.
196	ALLENWOOD BL.	196	DAKE TER.
197	ALLENWOOD LN.	197	EAGLE CT.
198	ALLENWOOD ST.	198	EAST PROVIDENCE
199	ALLENWOOD DR.	199	DR.
200	ALLENWOOD BL.	200	ELLEN CR.
201	ALLENWOOD LN.	201	ROGLETON DR.
202	ALLENWOOD ST.	202	ELM LN.
203	ALLENWOOD DR.	203	ELM LN W.
204	ALLENWOOD BL.	204	ELM LN W.
205	ALLENWOOD LN.	205	ELM LN W.
206	ALLENWOOD ST.	206	ELM LN W.
207	ALLENWOOD DR.	207	ELM LN W.
208	ALLENWOOD BL.	208	ELM LN W.
209	ALLENWOOD LN.	209	ELM LN W.
210	ALLENWOOD ST.	210	ELM LN W.
211	ALLENWOOD DR.	211	ELM LN W.
212	ALLENWOOD BL.	212	ELM LN W.
213	ALLENWOOD LN.	213	ELM LN W.
214	ALLENWOOD ST.	214	ELM LN W.
215	ALLENWOOD DR.	215	ELM LN W.
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223	ALLENWOOD DR.	223	ELM LN W.
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225	ALLENWOOD LN.	225	ELM LN W.
226	ALLENWOOD ST.	226	ELM LN W.
227	ALLENWOOD DR.	227	ELM LN W.
228	ALLENWOOD BL.	228	ELM LN W.
229	ALLENWOOD LN.	229	ELM LN W.
230	ALLENWOOD ST.	230	ELM LN W.



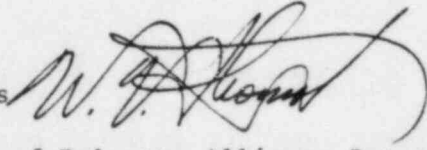
Gary Huffman



Pacific Northwest Laboratories
P.O. Box 999
Richland, Washington U.S.A. 99352
Telephone (509)
Telex 15-2874

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February 24, 1984

To: File
From: W. V. Thomas 
Subject: Allegations of Palmetto Alliance Intervenor

On February 22, 1984 I was informed by Mr. Gary Huffman NRC Region II team leader for the Catawba Nuclear Power Station Emergency Preparedness exercise, that the intervenor who accompanied the Alpha offsite monitoring team stated at the public hearing on February 17, 1984 that the offsite monitoring teams sat around at Granny's Kitchen for over two hours drinking coffee while the hypothetical release of radioactive material was taking place from the plant. He further stated that no attempt was made to track the plume (release) and that this constituted a major deficiency in the offsite monitoring program as practiced by Catawba Nuclear Power Station. He insisted that this deficiency be read into the record of the findings of the public hearing and should be reason enough to preclude the issuance of an Operating License to Catawba.

I was the PNL observer of the offsite monitoring team which the intervenor accompanied. I offer the following comments on the allegations made by the intervenor. The following chronology of events was excerpted from my notes taken during the exercise.

February 16, 1984

- 0715 Exercise resumed.
- 0730 Arrived at offsite monitoring location A0-1-35. Background readings reported to Base-2.
- 0735 Received plant condition status update by radio.
- 0742 Loss of all offsite power reported. General emergency declared. No offsite release. Team instructed to prepare to don protective clothing and prepare to simulate taking KI.
- 0750 Plant status update by radio. Evacuate to 2 miles, shelter to 5 miles in downwind sectors.

0900 Alpha team dispatched to A0-1-5 and told to standby for instructions. (This is the Granny's Kitchen location, which is a predesignated staging area and sampling point for offsite monitoring teams. At all times while at this location radio contact was maintained with Base Station-2.)

The Alpha team remained at this location in a standby mode prior to 1100 hrs. as directed by the offsite team communicator (Base Station-2). This standby period may have been perceived incorrectly by the intervenor.

1030 Team instructed that core melt sequence had started, instructed to dress out in protective clothing and simulate taking KI.

1100 Alpha team dispatched to A0-2-37. Informed that plant structures are intact and that no release had taken place.

1135 Controller informed team that external radiation levels had increased to 25 mR/hr.

1132 Team informed that air return fan inside containment had shattered and a fan blade had damaged a penetration to the annulus initiating a release of radioactive material from the plant.

1134 Helicopter with Echo team dispatched.

1138 Echo team reported plume contact. Instructed to traverse plume from east to west and report coordinates.

1140 Team instructed to take air sample.

1144 Echo team reported eastern and western plume boundaries.

1147 Air sample started.

1200 Air sample completed.

1200 Update from plant. Release terminated.

1210-1300

Team proceeded to track western edge of plume as instructed by Base-2.

1320 Returned to plant, exercise terminated.

File
February 24, 1984
Page 3

Additional Comments and Observations

The intervenor who accompanied Alpha team was not wearing a watch. He requested the time from me on numerous occasions. The intervenor did not have access to a copy of the scenario. There was no release of radioactivity prior to 1130 hrs. It would take the plume approximately 5 minutes to reach our location as correctly reported to the team by the controller. From 1210-1300 the team properly and correctly characterized the western boundary of the plume.

WVT/deb

cc: G. Huffman, Region II
T. H. Essig
J. B. Martin



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30303

Ignatovis

MAR 21 1984

Duke Power Company
ATTN: Mr. H. B. Tucker, Vice President
Nuclear Production Department
422 South Church Street
Charlotte, NC 28242

Gentlemen:

SUBJECT: REPORT NOS. 50-413/84-23 AND 50-414/84-14

On January 26 - February 26, 1984, NRC inspected activities authorized by NRC Construction Permit Nos. CPPR-116 and CPPR-117 for your Catawba facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed inspection report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Within the scope of the inspection, no violations or deviations were identified.

In accordance with 10 CFR 2.790(a), a copy of this letter and the enclosures will be placed in NRC's Public Document Room unless you notify this office by telephone within ten days of the date of this letter and submit written application to withhold information contained therein within thirty days of the date of the letter. Such application must be consistent with the requirements of 2.790(b)(1).

Should you have any questions concerning this letter, please contact us.

Sincerely,

High C. Dance
High C. Dance, Chief
Project Branch 2
Division of Project and
Resident Programs

Enclosure:
Inspection Report Nos. 50-413/84-23
and 50-414/84-14

cc w/encl:
R. L. Dick, Vice President - Construction
J. W. Hampton, Station Manager

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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Before Administrative Judges:
Morton B. Margulies, Chairman
Dr. Robert F. Lazo
Dr. Frank F. Hooper

OFFICE OF THE
DOCKETING & SERVICE
BRANCH

SERVED APR 4 1984

In the Matter of
DUKE POWER COMPANY, ET AL.
(Catawba Nuclear Station, Units 1
and 2 (Emergency Planning))

Docket Nos. 50-413 OL
50-414 OL
ASLBP No. 81-463-06A OL
April 2, 1984

ADJUDICATORY HEARING SCHEDULE
ON EMERGENCY PLANNING CONTENTIONS

On February 27, 1984, we were established as a separate Licensing Board to preside over all emergency planning issues in the captioned proceeding. There are ten contentions that had been submitted by Intervenor Palmetto Alliance and Carolina Environmental Study Group and were admitted.

By order of February 28, 1984, we called upon the parties to attempt to resolve the emergency planning issues through negotiation and stipulation. Following two in person conferences and two telephone conferences with the Licensing Board, the parties have been unable to settle any of the contentions or to arrive at a mutually acceptable date to commence the adjudicatory hearing on emergency planning contentions.

Duke Power Company and Nuclear Regulatory Commission Staff have proposed that for the ten contentions prefiled testimony be filed on April 16, 1984 and the hearing commence on April 24, 1984. Intervenor

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seek a prehearing conference to narrow the issues. They also want to postpone holding the hearing on emergency planning issues until safety contentions pertaining to diesel generators are heard.

The original Licensing Board has under consideration two safety contentions pertaining to diesel generators, which are the subject of discovery. It also has referred to the Appeal Board rejection of two generic diesel generator issues, which are presently under consideration. Duke Power Company also proposes to submit to the Licensing Board on April 6, 1984, a motion to permit fuel loading at the facility by the end of May 1984.

After due consideration of all of the foregoing, we have decided the following:

(a) No useful purpose would be served in holding a prehearing conference to narrow the emergency planning issues because the parties, after several weeks, have already proven unsuccessful in so doing. In denying the request, it is not to inhibit the parties from continuing to seek to resolve issues by stipulation and settlement, simultaneously with going forward with the proceeding; and

(b) The prefiled testimony should be served on the parties and the Licensing Board by April 16, 1984 and the adjudicatory hearing should commence on May 1, 1984, at Rock Hill, South Carolina. The hearing will proceed through May 11, 1984, and will continue thereafter as circumstances develop and require. Commencement of the hearing on May 1, 1984 is conditioned upon Applicant and Staff agreeing that the time for discovery on diesel generator issues stop running through May 11,

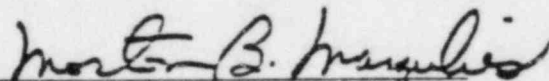
1984, and that this be approved by the appropriate Licensing Board. The foregoing action should permit Intervenors to prepare for the emergency planning issues.

The time and place for commencing the adjudicatory hearing on May 1, 1984, will be by further notice.

This order will be read to the parties on April 2, 1984.

It is so Ordered.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Morton B. Margulies, Chairman
ADMINISTRATIVE LAW JUDGE

Dated at Bethesda, Maryland
this 2nd day of April 1984.