

RELATED CORRESPONDENCE

4/6/81

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

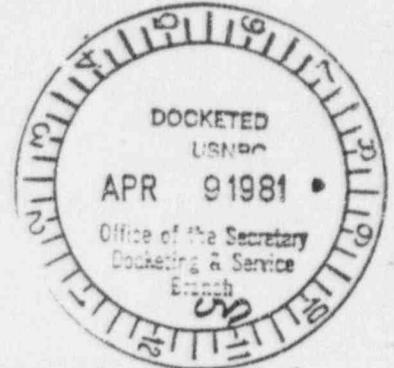
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES
GENERATING COMPANY, ET AL. FOR AN
OPERATING LICENSE FOR COMANCHE
PEAK STEAM ELECTRIC STATION
UNITS #1 AND #2 (CPSSES)

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Docket Nos. 50-445
and 50-446



SUPPLEMENT TO
CASE'S ANSWERS TO NRC STAFF'S FIRST SET
OF INTERROGATORIES TO, AND REQUEST FOR THE
PRODUCTION OF DOCUMENTS FROM, INTERVENOR CASE

COMES NOW CASE (Citizens Association for Sound Energy), hereinafter referred to as CASE, Intervenor herein, and files this, its Supplement to CASE's Answers to NRC Staff's First Set of Interrogatories to, and Request for the Production of Documents From, Intervenor CASE.

On 1/19/81, the NRC Staff filed its First Set of Interrogatories to, and Request for the Production of Documents From, Intervenor CASE. On 2/17/81, CASE filed its Answers to NRC Staff's First Set of Interrogatories and Request for the Production of Documents, and on 2/9/81 CASE filed its Motion for Postponement of Responses to Interrogatories Regarding Contention 22 Pending Receipt of Certain Information from Applicants. We have now received a response to the Motion for Postponement and now wish to withdraw it; we will pursue this further through interrogatories.

In our 2/17/81 Answers to NRC Staff's First Set of Interrogatories, we stated that it was our intention to promptly supplement our answers and we are doing so herewith.

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SUPPLEMENTARY ANSWERS

G-4. (a) The "Applicants' Emergency Plan" referenced in CASE's 2/17/81 Answers to NRC Staff's First Set of Interrogatories and Request for the Production of Documents (hereinafter referred to as CASE's 2/17/81 Answers) was Applicants' Emergency Plan as revised in Amendment 12 (October 8, 1980) to Applicants' Final Safety Analysis Report (FSAR), and will hereinafter be referred to as Applicants' Emergency Plan.

The "Applicants' responses to interrogatories and other filings in these proceedings" to which we referred in our 2/17/81 Answers on which we will rely are at present unknown. We anticipate that the responses to interrogatories by CASE and the NRC Staff and other filings which the Applicants make in these proceedings will contain information on which we will rely in presenting our direct case. However, as to specifically what these will be, at the present time we do not know. We tried to answer this question as it was phrased, regarding information that we "intend to employ or rely upon in presenting your direct case..."

We are presently particularly concerned with certain FSAR sections, and it may be that we will rely upon them in presenting our direct case; however, we believe it is somewhat premature at this time to so characterize them, and we intend to pursue interrogatories which may possibly alleviate our concerns regarding them. We specified them in response to an interrogatory by Applicants to identify any information, data or analyses contained or referenced in Applicants' FSAR with respect to emergency planning to which CASE objects:

"Section 2.3. We do not believe Applicants have given adequate consideration to the upper air currents toward the Dallas/Fort Worth metroplex area, especially with regard to air currents during thunderstorms which blow from the Comanche Peak area toward Dallas/Fort Worth.

"Although we have now received the Hood County Emergency Operations Plan and the Somervell County Emergency Operations Plan, we have not yet completed our review of them. Therefore, there exists the possibility that we may have further objections as well as the possibility that we may withdraw some of our current objections upon completion of our review and analyses of them. Upon completion of such review and analyses, we will update our responses to these questions. However, it is impossible at this time to state exactly when such update will be done; it depends upon a number of factors including: how long it takes us to respond to Applicants' Motion to Compel and to Require Supplementation of Responses to Applicants' Second Set of Interrogatories to CASE filed 2/23/81 (which carries, according to 10 CFR 2.710 and 2.730(c), a deadline for filing of 3/10/81); how

long it takes us to analyze the information contained therein; whether or not the two Plans are complete (a very cursory examination of them has already revealed that Annexes C, D, and E for each Plan were not included); the impact which Applicants' answers to our Fourth Set of Interrogatories filed 2/17/81 may have regarding possible objections (answers due to be filed 3/9/81); how difficult it is to refer back and forth between Applicants' FSAR, Emergency Plan, and Somervell and Hood Counties Emergency Operations Plans, and NUREG-0654, Rev. 1; how long it takes us to obtain missing information such as Annexes C, D, and E of the Somervell and Hood Counties Emergency Operations Plans; how long it takes to prepare our supplement to the NRC Staff's First Set of Interrogatories, which it is our intention to begin as soon as we complete this present pleading; and how long it takes to respond to any other motions which may be filed in the meantime. We can only say at this time that we will be reading as fast as we can and working as hard as we can to complete our review and analyses and will be filing our supplementary responses as soon as we can. In the meantime, we are attempting to respond to your interrogatories as best we can based on the partially complete information we currently have.

" Section 11A-1. We don't believe applicants have adequately considered the possible contamination of water from accidents at CPSES. Paragraph 1 of 11A.1 CRITICAL PATHWAYS states: "Pathways of human exposure to plant radioactive emissions likely to account for most of the exposure from plant operation and from accidents are discussed in this section. These discussions are based upon a knowledge of the characteristics of the site environment and on predicted effluent releases presented in Tables 11A-1 and 11A-4."* The discussions appear to be primarily regarding normal or routine operation rather than accidents, ~~also~~ Tables 11A-1 and 11A-4. (*Emphasis added.)

It would therefore appear that adequate consideration has not been given to the ingestion exposure pathway, in light of the statement in NUREG-0654, Rev. 1, November 1980 (hereinafter referred to as NUREG-0654) on page 9: "D.b. Ingestion exposure pathway -- The principal exposure from this pathway would be from ingestion of contaminated water or foods such as milk, fresh vegetables or aquatic foodstuffs."

It should be noted that this objection may very well be taken care of if we are permitted to ask some questions regarding it; however, until we ask and receive answers to our questions, we object to this portion of Section 11A-1.

"Section 15B.2 ASSUMPTIONS regarding DOSE MODELS USED TO EVALUATE THE ENVIRONMENTAL CONSEQUENCES OF ACCIDENTS: "2. All radioactivity releases are treated as ground level releases regardless of the point of discharge." And Section 2.3.4.2, Calculations of Short-Term (Accident) Diffusion Estimates: "It was assumed that the releases emanate from a point source

at ground level..." CASE believes that this may also have a bearing on the spread and carrying of radioactive releases by upper air currents which blow from the Comanche Peak area toward the Dallas/Fort Worth metroplex area.

"There are some other areas of concern contained in the FSAR and the Emergency Plan which we would not at this time object to; at this point in time, we only have questions about these, which we will be asking as soon as possible after we complete our responses to Applicants' 2/23/81 Motion to Compel and to Require Supplementation of Responses to Applicants' Second Set of Interrogatories to CASE and any other motions which may be filed in the meantime. It may be that Applicants' responses to our questions may lead to our objecting to certain portions of the FSAR; however, it may also be that such responses may satisfy our concerns and will not lead to objections."

At the present time, as indicated previously, we are not certain whether or not we will rely on the above-referenced portions of the FSAR in presenting our direct case. We will promptly update our response to this interrogatory as soon as we know the answer ourselves.

The "related documents" to which we referred in our previous answer are those documents referenced throughout NUREG-0654, Rev. 1 (which we are referring to in this pleading as NUREG-0654); there are numerous such documents mentioned, such as: page 2, B. Background, "A separate document has been prepared by NRC and FEMA which lists the comments received and which indicates the NRC and FEMA response to these comments." and "The NRC Rule on Emergency Planning (45 FR 55402) of August 19, 1980 has an effective date of November 3, 1980."; page 4, C. Scope, "The guidance intended for use by NRC licensees and operators of commercial nuclear power reactors is based upon several existing documents familiar to such operators: first, NRC Regulatory Guide 1.101 (March 1977); second, NRC's letters of October 10, 1979 and November 29, 1979 to its power reactor licensees; third, NRC's final rule including the revised Appendix E to 10 CFR Part 50 and fourth, NRC's NUREG-0610, 'Draft Emergency Action Level Guidelines for Nuclear Power Plants,' September 1979, the revised version of which is Appendix 1 to this document."; etc.

At the present time, we do not know which specific "related documents" we may rely on in presenting our direct case. Again, we were trying to answer the question as phrased; we anticipate that there may be some of the documents referenced in NUREG-0654 on which we will rely, and we will supplement this answer as soon as we know exactly which ones.

We also anticipate that we may rely on other regulations which are in the process of being developed at the present time. By "other regulations which are in the process of being developed at the present time," we mean

documents referenced throughout NUREG-0654, such as: page 3, "This document (NUREG-0654) is also supportive of the proposed FEMA Rule concerning the review and approval of State and local radiological emergency plans and preparedness, which at this writing is in the process of revision as a result of comments received during the public comment period."; page 9, "The U. S. Department of Health and Human Services (DHHS) is preparing guidance on the potassium iodide issue which will be considered by NRC and FEMA."; page 14, note 7, "An interagency Task Force on Emergency Instrumentation (offsite) is now preparing guidance on offsite radiation measurement systems, accident assessment techniques, and the type and quantity of instruments needed for the various exposure pathways."; etc.

At the present time, we do not know which specific "other regulations which are in the process of being developed at the present time" we may rely on in presenting our direct case. We will supplement this answer as soon as we know exactly which ones.

We expect to rely on the following specific portions of NUREG-0654 in presenting our direct case:

D. Planning Basis, page 11: "The choice of the size of the Emergency Planning Zones represents a judgment on the extent of detailed planning which must be performed to assure an adequate response base. In a particular emergency, protective actions might well be restricted to a small part of the planning zones. On the other hand, for the worst possible accidents, protective actions would need to be taken outside the planning zones."

D.b., page 9: See quote on page 3, third paragraph, of this pleading.

Other specific portions of NUREG-0654 which may be applicable; we have not yet made a more detailed analysis of exactly which portions these may be, but will promptly supplement our answer as soon as we know the answer ourselves.

With regard to the requirements of NUREG-0654, related documents, and other regulations which are in the process of being developed at the present time, CASE expects Applicants to comply with all requirements regarding emergency planning, response and preparedness. Just as Applicants are allowed to update their FSAR and Emergency Plan, so CASE anticipates that we will be updating our responses to these interrogatories as more information is available and we have made more thorough and complete analyses. We expect that our direct case will be based on the most current information which we have available at that time. Based on the limited information we now have available, we will attempt to respond to your interrogatories as best we can, but as stated in our 3/10/81 Answer to Applicants' Motion to Compel and to Require Supplementation of Responses to Applicants' Second Set of Interrogatories to CASE:

"CASE has been attempting to wade through the continuous updatings of the PSAR which we have received (the most recent being received only on February 28, 1981); and, as stated in CASE's 2/9/81 Motion for Postponement of Responses to Interrogatories Regarding Contention 22 Pending Receipt of Certain Information from Applicants, CASE was supplied with an incomplete copy of the Applicants' October 8, 1980 Emergency Plan, which effectively precluded our responding to interrogatories regarding Contention 22 fully and accurately. (In fact, although we have now received Appendix N, 'Somervell and Hood Counties Emergency Operations Plans,' as referenced in Applicants' 2/12/81 letter to CASE, even that Appendix was not complete in that in both the Somervell and Hood Counties Emergency Operations Plans Annexes C, D, and E for each Plan were not included. We will be pursuing this further.)

Further, CASE objects most strenuously to Applicants' statement on page 6 of their Motion to Compel:

'Further, in that Applicants' Emergency Response Plan was issued on October 8, 1980 and transmitted to CASE on October 13, 1980, it is inconceivable that since that time CASE has not developed any information or position with respect to 63 interrogatories.'

To begin with, CASE has not had the '63 interrogatories' since October 13, 1980, so in any event we would not have been reviewing the Plan with an eye to answering the Applicants' specific interrogatories. And the situation is exactly as stated in CASE's 2/6/81 Answers to Applicants' Second Set of Interrogatories. Knowing that the emergency planning procedures and guidelines were in the process of being updated and revised, and assuming that

Applicants would be updating and revising their Emergency Plan when the new regulations and guidelines were issued, we chose to await receipt of the NRC's new regulations before turning our full attention to this Contention and concentrated on other contentions instead; as the record in these proceedings will show, we have not been idle during this time period. As soon as we received NUREG-0654, FEMA-REP-1, Rev. 1, we began to review it; however, CASE apparently did not receive our copy until some time after Applicants had their copy, and there was also some two and a half weeks or so around that time when the writer and her husband both were sick with the flu and this delayed such review, and necessitated a brief delay in responding to Applicants' and the NRC Staff's recent sets of interrogatories."

"Regarding Applicants' Motion to Compel, CASE now realizes that a more proper approach would have been to request a longer delay in responding to Applicants' Second Set of Interrogatories to give us sufficient time to adequately review Applicants' FSAR updates and NUREG-0654, Rev. 1, rather than responding with our February 6 answers. (Similarly, although this is not an issue at the moment, we should have requested a longer delay in responding to the NRC Staff's First Set of Interrogatories.)

"We are presently working on a supplementary response to both Applicants' Second Set of Interrogatories and NRC Staff's First Set of Interrogatories. We hope to have our supplementary response to Applicants' Second Set of

Interrogatories^{ready} in time to mail it at the same time we mail this pleading; if not, it will be sent in the next few days. Therefore, the Order requested by the Applicants will not be necessary."

We filed our supplementary answers to Applicants' Second Set of Interrogatories on 3/17/81 and immediately began preparing our supplementary answers to the NRC Staff's First set of Interrogatories. The NRC Staff's 3/4/81 Motion to Compel has clarified some of the interrogatories about which we weren't exactly sure what the Staff sought. We believe our answers contained herewith will also clarify some of our answers which, although they may not have appeared to answer the questions posed, actually did. It was always our intention to promptly supplement our answers; however, we should have requested a longer delay in responding initially and saved time and effort for everybody.

We further anticipate that we will present evidence of our own regarding this contention, especially with regard to the upper air wind patterns. At the present time, we do not know exactly what data our witness will rely on; we will supplement this answer promptly as soon as we know the answer ourselves.

G-4. (b) 24(a). We also rely on 10 CFR 51.20. The "previous CASE pleadings" to which we referred are: CASE's 5/7/79 Supplement to Petition for Leave to Intervene and Contentions by CASE: 1(b), page 9; 2, page 10 and 11; 6, pages 20-22; and CASE's 4/10/80 Position on Contentions: Contention 6, pages 20 through 25.

24(b). CASE's 5/7/79 Supplement to Petition for Leave to Intervene and Contentions by CASE: Contention 2, pages 10 and 11; 6, item 5, paragraph 3, page 26; 7, pages 28 through 30; 19, item 11, p. 55; and CASE's 4/10/80 Position on Contentions: Contention 7, pages 26 through 32.

G-4. (b) (contin...

24(c). "Previous CASE pleadings" on which we intend to rely are: CASE's 5/7/79 Supplement to Petition for Leave to Intervene and Contentions by CASE: Contentions 2, pages 10 and 11; 6, pages 25-26; 18, page 48; and CASE's 4/10/80 Position on Contentions: Contention 6, pages 20 through 25.

24(d). "Previous CASE pleadings" on which we intend to rely are: CASE's 5/7/79 Supplement to Petition for Leave to Intervene and Contentions by CASE: Contentions 2, pages 10 and 11; 6, pages 26-27; and CASE's 4/10/80 Position on Contentions: Contention 6, pages 20 through 25.

NOTE: CASE realizes that the NRC Staff can ask questions in any order that they want to, but we want to point out that it is very difficult and time-consuming to try to answer the questions as arranged by Staff. It would be much easier and faster if the questions were grouped by each specific Contention (as Applicants arrange theirs) and would also cut down on the likelihood of getting answers mixed up.

G-4. (c) The testimony from the DP&L, TP&L & TESCO rate hearings to which we referred are the rate hearings for "Texas Utilities' three operating companies, Dallas Power & Light Company (DP&L), Texas Power & Light Company (TP&L), and Texas Electric Service Company (TESCO) and specifically the sworn testimony of DP&L's, TP&L's, and TESCO's own witnesses. In the case of DP&L (in which CASE has been an Intervenor in each and every rate hearing since 1974), usually each and every DP&L witness makes it a point at some time during his testimony in rate hearings to point out the danger of having their bond ratings lowered and the dire consequences the company will face if it doesn't get the entire amount being asked for in the rate hearings.

This has been the case in every rate hearing of DP&L since 1974 and similar statements have been made in rate hearings since 1974 for TP&L and TESCO. We do not presently have the testimony itself or the specific docket numbers of the rate hearings for TP&L and TESCO; however, this is on file with the Texas Public Utilities Commission in Austin and, we presume, with the cities of Fort Worth and other towns served by TP&L and TESCO. We expect to have such testimony in hand by the time testimony is prepared for these proceedings and will update our answer in this regard as soon as we have it in hand. We do have most of the testimony and all of the docket numbers in the DP&L rate hearings; they are Docket Nos. 3460 (1980, the most recent), 2572 (1979), 1526 (1978), there was no docket number for the 1975-76 hearings which were held only before the City of Dallas (before the Texas Public Utilities Commission began hearings). This testimony is also on file with the Texas Public Utilities Commission in Austin and with the City of Dallas.

G-4.(c) (continued):

Although CASE does not have the testimony at this time in the TP&L and TESCO rate hearings, we do have copies of most of the testimony in the DP&L rate hearings and will make it available for inspection and copying upon request, as stated in our 2/17/81 Answers.

With further reference to these rate hearings, a review of CASE's 5/7/79 Contentions and 4/10/80 Contentions (as referred to in our 2/6/81 Answers) shows that we set forth some specifics regarding rate hearings in those two pleadings.

We are not certain at this time exactly which specific sworn testimony of DP&L's, TP&L's and TESCO's own witnesses we will cite in these hearings. There has been so much testimony which supports CASE's contention that we will obviously have to limit it considerably to avoid overburdening the record of these proceedings. We will, of course, advise all parties and update this answer promptly as soon as we have made this decision.

G-5. (a) See answer to Question G-4.(a), pages 2 through 8 of this pleading. Contention 24a.

(b) CASE had previously been operating on the assumption that the information contained in Applicants' ER (OLS), pages 5.8-1 through 5.8-3 (Section 5.8) was applicable; however, in their September 1980 Amendment 1 to the ER, Applicants have changed their choice of decommissioning to specify that they are going for immediate dismantlement, rather than a slower dismantling after a number of years, and the cost estimates have risen considerably. CASE is still evaluating these changes and will be filing further interrogatories to ascertain more information; we will supplement our responses as soon as possible regarding this contention.

Generally, we believe the costs estimated are too low, that Applicants don't know what they're getting into with this method of dismantling, that they don't know the costs involved, the potential legal problems, how this is going to be paid for and who's going to pay for it, how they're going to physically dismantle the plant, how they're going to protect their workers from radiation while dismantling the plant, etc., or the costs thereof. We anticipate that Applicants' responses to our interrogatories and requests for documents will bear this out, but at the present time we do not know specifically which of Applicants' responses we will rely on; we will supplement our responses promptly in this regard.

Contention 24b. CASE does not believe that Applicants have really considered the costs in terms of health, as well as the economic costs of a possible accident in the on-site storage of spent fuel at all, certainly not to the extent that the possible consequences of such an accident warrant. If adequate consideration is given to such costs, CASE believes that a favorable cost/benefit balance cannot be made when such costs are added to those others which must be considered. We suppose that we should say we

G-5. (b) (continued):

and the ER (OLS)(including Section 7.1) rely on Applicants' PSAR (including Section 9)/and the fact that adequate documentation is not contained therein that Applicants have given adequate consideration in this regard.

We have previously referenced the Sandia Report, German Report No. 290, and NRC Translation #458 Comments on German Report No. 290, all of which the Staff already has.

We have spoken by telephone on several occasions with Richard E. Webb regarding this contention. However, at this time we have not made a firm contract with Mr. Webb and it has not yet been decided whether or not he will be testifying for CASE in these proceedings; we did not rely on him or his work as the basis for this contention (see CASE 4/10/80 Position on Contentions, pages 20 through 32). At this time, we do not know exactly who our witness(es) will be regarding this contention or what documents they may rely on. We will advise all parties when and as such decisions and agreements are made regarding this contention, in accordance with 10 CFR 2.740(e).

Contention 24c. Applicants' ER (OLS) 8.2.1.2.; (see CASE 4/10/80 Position on Contentions, page 21, second paragraph, and CASE 5/7/79 Contentions, pages 25 and 26, item 4); and Texas Utilities Company Prospectus, 1/23/79 through the present (March, 1981, which CASE has just received), which states:

"Nuclear

*Two nuclear-fueled units of 1,150 megawatts each under construction at the Comanche Peak station will provide 1,970 megawatts to the System. The first of such units is scheduled for service in 1982 and the second in 1984 (see Construction Programs). Commitments have been obtained for anticipated uranium ore concentrate requirements and fabrication services for both units for the first 17 years of operation. Uranium hexafluoride conversion services have been contracted for through 1987, and uranium enrichment contracts, having a duration of approximately 30 years, have been made with the Department of Energy. No arrangements have as yet been made for the reprocessing requirements for the Comanche Peak units and it is understood that at present there are no reprocessing plants in commercial operation in the United States. However, there will be on-site storage capacity for spent fuel sufficient to accommodate the operation of the units for approximately 17 years and this storage capacity can be increased. Additional contracts for uranium ore concentrates and nuclear fuel cycle services will be required in the future; however, it is not possible to predict the ultimate availability or cost thereof.

"General

*The companies are not able to state what problems may be encountered in the future in obtaining the fuel they will require for use in generating electric energy to serve their customers, or predict the effect upon their operations of any difficulty they may experience in protecting their rights to fuel now under contract or in acquiring fuel in the future, or the cost thereof, although the cost of fuel is recoverable under the fuel cost factors referred to under Regulation and Rates." (Emphases added.)

G-5. (b)(continued):

CASE does not believe Applicants know what the costs of fuel for CPSES will be, that they will be higher than Applicants estimate, and that Applicants have not adequately considered such costs. Applicants should base their estimate of costs, if possible, upon firm contracts for the fuel itself; if firm contracts are not available or have not been entered into, Applicants should use other studies or analyses of costs which will be applicable in the time frame when they anticipate they will have to purchase the fuel, not based on 1980 market values. Fuel cycle costs of CPSES fuel should be included, as well as all other costs of the fuel.

Contention 24d. CASE does not believe that Applicants have adequately considered the costs of waste storage regarding the wastes produced at CPSES (see CASE 4/10/80 Position on Contention, page 21, last paragraph, through page 25, and CASE's 5/7/79 Contentions, pages 26 and 27, item 5; The House Report "Nuclear Power Costs" will be made available for inspection and copying upon request.) Applicants have not included all data regarding waste storage which are required for an accurate cost/benefit analysis. Applicants should include a detailed, complete analysis of all costs associated with waste storage due to CPSES. We expect that our witness will go into further detail regarding more specifics; however, CASE has not analyzed this further at this time.

Regarding Contentions 24a, 24b, 24c, and 24d, CASE relies, of course, upon Applicants' ER (OLS), Sections 8.2 and 11.2, regarding the cost/benefit analysis.

- (c) Sworn testimony of DP&L's, TP&L's, and TESCO's own witnesses in rate hearings; see answer G-4. (c), pages 9 and 10 of this pleading.

Regarding Applicants other than the three Texas Utilities operating companies, we are currently looking into the financial integrity of these companies (Brazos Electric Power Cooperative, Inc., Texas Municipal Power Agency, and TEX-LA Electric Cooperative of Texas, Inc.). One avenue we are pursuing in this regard is through Interrogatories to Applicants; see CASE's 2/17/81 Fourth Set of Interrogatories to Applicants and Requests to Produce and CASE's 3/17/81 Motion to Compel and to Require Supplementation of Responses to CASE's Fourth Set of Interrogatories to Applicants, and 3/17/81 CASE's Fifth Set of Interrogatories to Applicants and Requests to Produce.

It is impossible for CASE to reconcile the financially sound condition the Applicants claim in the operating license hearings with the deteriorating, unsound financial condition which lacks financial integrity claimed by the Texas Utilities companies in rate hearings. Having heard the sad songs of impending doom and financial disaster of the Texas Utilities companies for the past seven years as an Intervenor in DP&L rate hearings and an observer

G-5. (c) (continued):

of TP&L and TESCO rate requests, CASE believes it is absolutely essential to make the Applicants prove conclusively that they are indeed financially healthy and can comply with the regulations set forth in the Atomic Energy Act, as amended, 10 CFR 50.57(a)(4) and 10 CFR 50, Appendix C, before an operating license is granted.

Q22-1. In addition to our 2/17/81 Answers to this question:

- (a) The emergency planning (as defined in paragraph 1 of our 2/17/81 answer to this question) which is specified in NUREG-0654, including the Planning Standards and Evaluation Criteria on pages 31 through 79 for State organizations.

NUREG-0654 specifies the State authorities responsible for emergency planning as: "State...governments" involved "in the development of radiological emergency response plans and preparedness in support of nuclear power plants" (page 1, I.A.1.); "The guidance intended for use by State and local governments has been drawn in large part from existing documents..." etc. (page 4, C., 2nd paragraph); etc., in a very general way. It further specifies that: "Each plan shall identify the State...organizations...that are intended to be part of the overall response organization for Emergency Planning Zones" (page 31, II.A.1.a.); "Each organization and suborganization having an operational role shall specify its concept of operations, and its relationship to the total effort." (II.A.1.b.), "Each plan shall illustrate these interrelationships in a block diagram." (II.A.1.c.), "Each organization shall identify a specific individual by title who shall be in charge of the emergency response." (II.A.1.d.), "Each organization shall provide for 24-hour per day emergency response, including 24-hour per day manning of communications links." (II.A.1.e.); "Each organization shall specify the functions and responsibilities for major elements and key individuals by title, of emergency response, including..." etc. (page 32, A.2.a.); "Each principal organization shall be capable of continuous (24-hour) operations for a protracted period. The individual in the principal organization who will be responsible for assuring continuity of resources (technical, administrative, and material) shall be specified by title." (page 33, A.4.); further specific requirements regarding State authorities are contained in II.C.1.a. (page 40), II.C.4 (page 41), II.F.1. (page 47), II.G. 4. (page 50), II.P.2. (page 78), II.P.3. (page 78). There are numerous references to organizations or suborganizations which should be identified, if not by name, at least to the extent necessary to assure that sufficient trained, capable personnel exist and will be available to fulfill their required functions.

C22-1. (a) (continued):

CASE has not at this time made an analysis which goes beyond the preceding as to the specific State authorities responsible for emergency planning which should be identified by the Applicants; according to the Applicants' February 12 letter to CASE, "Appendix M (of the Comanche Peak Emergency Plan), 'Appendix 3 to Annex L--Texas Radiological Emergency Response Plan for Fixed Nuclear Facilities': The Texas Plan has not yet been finalized, and therefore is not available at this time." Therefore, Applicants have not yet complied with the requirements in NUREG-0654 referenced above. At this time, we are not certain whether or not we will make an analysis which goes beyond the preceding; if so, we will promptly update this answer.

Further, NUREG-0654 states: "The concept of Emergency Planning Zones (EPZs) necessarily implies mutually supportive emergency planning and preparedness arrangements by several levels of government: Federal, State and local governments, including counties, townships and even villages... The important point is that integrated emergency planning will benefit all of the communities within the Emergency Planning Zones." (page 19). "NRC and FEMA have deliberately consolidated in this document guidance intended for use by State and local governments and that intended to guide the emergency planning and preparedness activities of NRC licensees because of a shared belief that an integrated approach to the development of response plans to radiological hazards is most likely to provide the best protection of the health and safety of the public. NRC and FEMA recognize that plans of licensees, State and local governments should not be developed in a vacuum or in isolation from one another. Should an accident occur, the public can be best protected when the response by all parties is fully integrated. Each party involved must have a clear understanding of what the overall level of preparedness must be and what role it will play in the event of a nuclear accident. This understanding can be achieved best if there is an integrated development and evaluation of plans. There must also be an acceptance by the parties and a clear recognition of the responsibility they share for safeguarding public health and safety." etc. (pages 23 and 24). Additional guidance is contained in II. Planning Standards and Evaluation Criteria (pages 31 through 79) and scattered throughout NUREG-0654.

CASE has not at this time made an analysis which goes beyond the preceding as to the specific regional authorities responsible for emergency planning, in light of having only recently received the updated and final version of NUREG-0654. At the present time, from the information we have so far reviewed, Applicants do not appear to have set up the fully integrated emergency response plan referenced in NUREG-0654. As soon as we have made further analyses in this regard, we will promptly update this answer.

C22-1. (a) (continued):

CASE

is not at all convinced at this time that sufficient trained, capable personnel exist at the State level who will be available to fulfill their required functions; in fact, we believe very strongly that at this time the State of Texas is incapable of fulfilling the requirements of NUREG-0654. (For example, the State Health Department at this time is understaffed to even handle oversight and regulatory enforcement regarding low-level nuclear waste temporary storage facilities within the State.)

There should be sufficient trained, capable personnel in existence and available to fulfill each and every function specified. It is not sufficient to say these criteria will be complied with without knowing that there will be real live people available to accomplish them, and that such real live people have been adequately trained to do their jobs, and that such real live people will actually and in fact be available when needed.

We assume that one of the primary State agencies which will need to be involved will be the State Health Department and we don't think they have sufficient money, manpower, and training to take on the additional duties required by NUREG-0654 (see especially II.K. Radiological Exposure Control, and II.O. Radiological Emergency Response Training, pages 66-68 and 75-77, respectively).

CASE contends that the State authorities which should be identified which have "special qualifications for dealing with emergencies" are those referenced above and throughout NUREG-0654, from the people who will be administratively involved to the people who will be actually carrying out each function. CASE believes that all of these people need to be identified, if not by name, at least to the extent necessary that such people actually exist and will be available to fulfill their required functions.

Further, since we have not yet reviewed the Hood County and Somervell County Emergency Operations Plan¹ we cannot assess at this time any gaps there may be in the fully integrated emergency response plan in regard to the County and town coordination during an emergency. We will update this answer promptly as soon as we have completed our reading of the County Plans should such updating in this regard be needed.

¹ Although we have now received these two documents, we have not had an opportunity to review and analyze them yet because we have been busy supplementing our answers to Applicants' and the NRC Staff's interrogatories and filing Motion to Compel Applicants to supply complete answers to our interrogatories and to supplement answers.

C22-1. (d) NUREG-0654, N. Exercises and Drills, pages 71 through 74, gives specific guidance regarding exercises and drills. However, as stated in NUREG-0654 and maintained by CASE, "...plans of licensees, State and local governments should not be developed in a vacuum or in isolation from one another;" see especially quotes contained in paragraph 2, page 14 of this pleading. CASE has not at this time gone beyond the specific analyses in NUREG-0654; if and when we do, we will promptly update our response to this portion of this question.

(f) The emergency planning (as defined in paragraph 1 of our 2/17/81 Answer to this question) which is specified in NUREG-0654, including the Planning Standards and Evaluation Criteria on pages 31 through 79.

We believe the entire town of Glen Rose should be covered by some aspect of emergency planning, most if not all of which will be included in the plume exposure pathway; we have not made a more precise analysis regarding this at this time; if and when we make such detailed analysis, we will promptly update our response. We do know that the specific individual who lives in Glen Rose whom CASE is representing in these proceedings lives within the plume exposure pathway.

CASE maintains that all segments of the public must be considered who may be affected by accidents at CPSES, including, in the event of a worst-case accident or an accident with large releases of radiation or radioactive materials into the atmosphere, the Dallas/Fort Worth metroplex area if there exists the possibility that the upper air currents may carry the radioactive materials to the metroplex area. See answers to G-4. (a): paragraphs 3 and 4, page 2; paragraph 2, page 3; last paragraph of page 3, continued on top of page 4; of this pleading. Under certain meteorological conditions and certain accident conditions, probably some type of emergency planning should be provided for the entire Dallas/Fort Worth metroplex area; we have not yet made detailed analyses of this at this time, but will promptly update our response as soon as we have done so. See also NUREG-0654, Appendix 4, II.D., page 4-4, which states "Where meteorological conditions such as dominant wind directions, warrant special consideration, an additional sub-area may need to be defined and a separate estimate made for this case." See also NUREG-0654, especially I.D.2, pages 10 and 11. CASE believes that some portions of the Dallas/Fort Worth metroplex areas should be included in the plume exposure pathway even though they are outside the 10-mile area and that some should be included in the ingestion exposure pathway even though they are outside the 50-mile area. We have not yet made a more thorough analysis of the specific areas because we have not yet made a more thorough analysis of the upper air currents from CPSES.

C22-1. (f) (continued):

However, we do know that there are often strong upper air currents, especially during thunderstorms, which blow from the CPSES area toward the Dallas/Fort Worth area. At the present time, this is based on personal knowledge and past weather forecasts during storms; however, we expect that meteorological reports from the weather bureau will confirm this fact. As soon as we have made this more detailed analysis, we will promptly update our response to this question.

NOTE: As referenced in footnote 7, page 9, of the Staff's 3/4/81 Motion to Compel, subparts (a), (d) and (f) of CASE's answer to C22-1 do relate to subparts (a), (d) and (f) of Contention 22; we believe that this is obvious since the Staff worded the question the way they did.

C22-2. (a) No.

(b) No.

(c) (1) See answer to C22-1. (a): page 14, paragraphs 2 and 3.

(11) According to Applicants' February 12, 1961, letter to CASE, "Appendix M, 'Appendix 3 to Annex L--Texas Radiological Emergency Response Plan for Fixed Nuclear Facilities': The Texas Plan has not yet been finalized, and therefore is not available at this time." Applicants' statement that "The Division of Occupational Health and Radiation Control of the Texas Department of Health (TDH) is the responsible agency in the state of Texas for radiological emergencies. Radiological emergency planning is contained in Appendix 3 to Annex L of the Texas Disaster Plan, 'Texas Radiological Emergency Response Plan for Fixed Nuclear Facilities.'" ...does not meet the criteria of 10 CFR Part 50, Appendix E, because it refers not only to a non-existent Texas Plan but also, CASE believes, to non-existent individuals who exist only on paper. The Division of Occupational Health and Radiation Control of the Texas Department of Health may indeed exist, but it is a far different thing for a department to exist than it is for sufficient trained, capable personnel to exist who will be available to fulfill the required functions under NUREG-0654 (and therefore under 10 CFR Part 50, Appendix E).

See answer C22-1. (a): paragraph 2, page 13; through last paragraph, page 15.

(d) The following portions of Appendix E of 10 CFR Part 50:

I. "Each applicant for an operating license is required by 50.34(b) to include in its final safety analysis report plans for coping with emergencies...This appendix establishes minimum requirements for emergency plans. These plans shall be described in

the preliminary safety analysis report and submitted as a part of the final safety analysis report."

III. "The Final Safety Analysis Report shall contain plans for coping with emergencies...the plans submitted must include a description of the elements set out in section IV to an extent sufficient to demonstrate that the plans provide reasonable assurance that appropriate measures can and will be taken in the event of an emergency to protect public health and safety and prevent damage to property."

IV. "The emergency plans shall contain, but not necessarily be limited to, the following elements:

"A. The organization for coping with radiation emergencies, in which specific authorities, responsibilities, and duties are defined and assigned, and the means of notification, in the event of an emergency, of: (1) Persons assigned to the licensee's emergency organization, and (2) appropriate State, and Federal agencies with responsibilities for coping with emergencies;

"B. ...Other persons with special qualifications who are not employees of the licensee and who may be called upon for assistance shall also be identified. (by written identification, by position or function). The special qualifications of these...persons shall be described;

"C. Means for determining the magnitude of the release of radioactive materials, including criteria for determining the need for notification and participation of local and State agencies...and criteria for determining when protective measures should be considered within and outside the site boundary to protect health and safety and prevent damage to property;

"D. Procedures for notifying, and agreements reached with local, State, and Federal officials and agencies for the early warning of the public and for public evacuation or other protective measures should such warning, evacuation, or other protective measures become necessary or desirable, including identification of the principal officials, by title and agencies;

"E. Provisions for maintaining up to date: 1. The organization for coping with emergencies, 2. the procedures for use in emergencies, and 3. the lists of persons with special qualifications for coping with emergency conditions;

"F. Emergency first aid and personnel decontamination facilities, including:...Arrangements for the services of a physician and other medical personnel qualified to handle radiation emergencies; and Arrangements for transportation of injured or contaminated individuals to treatment facilities outside the site boundary;

"G. Arrangements for treatment of individuals at treatment

C22-2. (d) (continued):

facilities outside the site boundary;

"H. Provisions for training of...other persons whose assistance may be needed in the event of a radiation emergency;

"I. Provisions for testing, by periodic drills, of radiation emergency plans to assure that employees of the licensee are familiar with their specific duties, and provisions for participation in the drills by other persons whose assistance may be needed in the event of a radiation emergency;"

(Emphases added.)

The NRC and FEMA have now set forth "guidance and upgraded acceptance criteria" which "is to provide a basis for NRC licensees, State and local governments to develop radiological emergency plans and improve emergency preparedness...This document is consistent with NRC and FEMA regulations and supersedes other previous guidance and criteria published by FEMA and NRC on this subject. It will be used by reviewers in determining the adequacy of State, local and nuclear power plant licensee emergency plans and preparedness." (FOREWORD, page 1, NUREG-0654, FEMA-REP-1, Rev. 1, November 1980, referred to herein as NUREG-0654). See also answer to C22-1. (a): second paragraph, page 13, through page 15; of this pleading.

C22-3. (a) No.

(b) No.

(c) (i) By "local officials" and "local agencies" we mean those officials and agencies in the immediate vicinity of CPSES with responsibilities for coping with emergencies, with special qualifications for coping with emergency conditions, and/or whose assistance may be needed in the event of an emergency condition.

(ii) By "local" we mean those officials and agencies in the immediate vicinity of CPSES. We have not made the specific analysis you request as to the geographical area which corresponds to the area we consider to be "local." Generally, we mean "local" to be the town of Glen Rose, perhaps the town of Granbury (although both Glen Rose and Granbury would also be considered to be "regional" as well), county officials and agencies if they are in the immediate vicinity of CPSES (such as Somervell County, since Glen Rose is the county seat and is in the immediate vicinity of CPSES), and any other officials and agencies which may be in the immediate vicinity of CPSES in unincorporated areas.

(iii) By "early warning" we mean "prompt notification" as it is used in NUREG-0654, Appendix 1, page 1-3: "Prompt notification of offsite authorities is intended to indicate within about 15 minutes for

C22-3. (c)(11)(continued):

the unusual event class and sooner (consistent with the need for other emergency actions) for other classes. The time is measured from the time at which operators recognize that events have occurred which make declaration of an emergency class appropriate."

- (iv) By "public" we mean anyone not employed at CPSES who may be affected by an accident at the plant. We have not made a specific study by area and distance from CPSES which you request. The public would vary, depending upon the type of accident involved; however, local and state officials and agencies should be notified promptly of all accidents at CPSES. See answer C22-1(f), page 16, last paragraph, and page 17, first paragraph, of this pleading.
- (v) Regarding the local officials and agencies: CASE does not believe that adequate documentation has been supplied by Applicants regarding the authority of some local officials and agencies to speak on behalf of the agencies they purportedly represent; we do not believe that Applicants have adequately documented precisely what functions local officials and agencies will actually be responsible for. Generally, written agreements should be obtained with local officials spelling out what specifically they will do in the event of an emergency regarding the early warning and evacuation of the public; this should include procedures for alerting, notifying, and mobilizing emergency response personnel and alerting and notifying the public regarding such emergency as quickly as possible, as well as making advance preparations to assure that in the event of an emergency the public could be evacuated quickly and safely, in addition to all other specifics set forth in NUREG-0654. CASE also does not believe Applicants have given any assurances that there will be an integrated emergency plan which can actually function in the event of an emergency situation.

Regarding the State officials and agencies: Agreements reached with State officials and agencies are unknown; according to the Applicant, the Texas State Plan has not even been completed yet and therefore is at the present time non-existent.

Regarding both local and State officials and agencies: See answers: G-4.(a), page 2, last paragraph, continued on page 3; C22-1. (a), last paragraph of page 13, page 14 and 15; C22-1. (d), page 16; C22-2. (c)(11), page 17; C22-2. (d), pages 17, 18 and 19.

- (vi) See answer to (v) above; CASE has already asked the Applicants some questions which will perhaps clarify some of our problems in this regard and we will ask more if and when we complete answers to Applicants and NRC Staff's interrogatories.

C22-3. (c)(vi)(continued):

Regarding the balance of your question, we do not understand the difference between the "Describe the deficiencies in Applicants' Emergency Plan with respect to 'agreements reached with local and state officials and agencies for the early warning and evacuation of the public, including the identification of the principal officials by titles and agencies'" in your question (v) and the "Specify in what respects the plan is deficient regarding 'agreements reached with local and state officials and agencies for the early warning and evacuation of the public including the identification of the principal officials by titles and agencies'" in your question (vi). These two appear to us to be the same. If we have not answered this sufficiently, please advise more precisely what you mean and we will attempt to update our answer accordingly.

(vii) See answer 22-2. (d), pages 17, 18 and 19. Also, see NUREG-0654, especially II.A.3., page 32; II.C., pages 40 and 41; II.D., E., F., G., H., I., J., K., L., M., N., O., P.; Appendixes 1, 2, and especially 3.

C22-4. (a) No.

(b) No.

(c)(1) By "other medical personnel qualified to handle radiation emergencies" we mean anyone other than physicians who have the capability for evaluation of radiation exposure and uptake and are adequately prepared to handle contaminated individuals, including hospital personnel.

The types of "medical personnel" encompassed by the term, other than nurses, include any hospital personnel so qualified and prepared, local or state personnel who may be so qualified and prepared, including but not limited to Texas Department of Health personnel, private and military hospital and other emergency medical services facilities/^{personnel} capable of providing medical support for any contaminated injured individual.

We consider "radiation emergencies" to be any emergency situation as a result of the operation or an accident at CPSES which involves radiation exposure and/or contamination of any individual offsite as well as radiation exposure and/or contamination of any individual onsite who may need services, care, or examination offsite.

C22-4. (c)(11) CASE is still in the process of checking out (in the form of interrogatories to Applicants) much of the specific information below, and it may well be that when we have an opportunity to continue with our questions of Applicants that we will find that they have resolved our concerns in this regard. However, in the meantime:

Only Hood General Hospital in Granbury is alleged by Applicants to have agreed to take care of radiation victims. To begin with, CASE does not believe that the only hospital available for such services should be located 16 miles from the plant; further, we want to be sure exactly where this hospital is located with regard to wind direction from CPSES in the event of an accident and plan to pursue this further with Applicants in interrogatories; further, we question the authenticity and adequacy of an agreement which the Applicants allege constitutes "documentation" which was undated, not written on Hood General Hospital letterhead, signed without typed name of signator or any indication of said signator's position of authority with the Hospital, typed on a different typewriter than the May 12, 1977, letter on Hospital stationary, and signed by a different individual than the May 12, 1977, letter from B. C. Hamilton, Administrator of Hood General Hospital (we plan to pursue this further with Applicants in interrogatories); further, CASE is not certain exactly what services Hood General Hospital is qualified to administer or what services Hood General Hospital believes they will have to administer; further, Applicants have now confirmed that Hood General Hospital has not been apprised of the new information and requirements contained in NUREG-0654, Rev. 1, November 1980, and other pertinent NRC/FEMA documents which have been issued since the May 12, 1977, letter of agreement was signed, so the Hospital cannot at this time know exactly what will be expected of them, much less sign a letter of agreement which has any validity insofar as offering assurance that they will provide as yet unknown services. See CASE's 2/17/81 Fourth Set of Interrogatories to Applicants and Requests to Produce, Applicants' 3/9/81 Answers to CASE's Fourth Set of Interrogatories, and CASE's 3/17/81 Motion to Compel and to Require Supplementation of Responses to CASE's Fourth Set of Interrogatories to Applicants, especially regarding questions 16 through 19. We will be pursuing these matters further with Applicants. As stated earlier, it may be that some of our concerns will be alleviated by Applicants' responses. As things stand now, it appears that Applicants' Emergency Plan is deficient in regard to compliance with NRC regulations, especially NUREG-0654, II.L., page 69. In addition, as stated previously in this pleading, we have not yet reviewed the Hood County and Somervell County Emergency Operations Plans (see answer G-4.(a), page 2^{and} 1st-3rd paragraph, of this pleading); therefore, we do not presently know whether or not the County

C22-4. (c)(11)(continued):

plans are adequate and answer concerns we may have about them; we will promptly update our response to this portion of this question at that time. Further, as previously indicated in this pleading, the agreements reached with State officials and agencies are unknown; according to the Applicants, the Texas State Plan has not even been completed yet and therefore is at the present time non-existent. There are other questions which CASE has regarding this portion of this contention; we will promptly update our response as soon as we know further answers ourselves.

in this pleading to questions

- (111) See answer/G-4.(a), last paragraph of page 5; C22-1, pages 13 through 15; C22-2.(d), pages 17 through 19; and especially NUREG-0654, including II.L, page 69.

C22-5. (a) No.

(b) No.

- (c)(1) By "adequate plans" we mean emergency plans and procedures which have been proven to be in place and actually workable in the event of an emergency, rather than existing merely on paper -- plans which will assure that the radiation exposure to affected individuals is minimized to the greatest extent possible by prompt notification, adequate and workable communications, public education and information, exercises and drills, and if necessary, prompt and efficient evacuation of the public -- plans which will assure that the impact from an accident at CPSES will be minimized to the fullest extent possible. The (d) portion of this contention is only one part of the contention, and while we will attempt to answer your specific questions regarding specific aspects of portions of the contention, we believe that each and every portion of the contention must be dealt with not only individually but in context with the overall level of emergency planning. As stated in NUREG-0654, page 5, I.C.: "FEMA and NRC regard all of the planning standards identified and contained herein as essential for an adequate radiological emergency plan." (Emphases added.) CASE agrees completely with this statement.

By "adequate plans" we also mean plans which are sufficient for the requirements to assure that the public is properly and adequately protected from the results of an accident at CPSES, and which are lawfully and reasonably sufficient to so assure in accordance with the provisions of 10 CFR, Part 50, Appendix E, and the provisions of NUREG-0654, Rev. 1, November 1980 (referred to herein as NUREG-0654).

C22-5. (c)(continued):

- (ii) By "periodic drills" we mean exercises and drills conducted often enough to evaluate major portions of emergency response capabilities, to develop and maintain key skills, and to identify and correct deficiencies identified as a result of such exercises and drills; the drills and exercises should be conducted in such a manner and in such detail so as to assure that the previously referenced goals can be achieved. The specific amount of time between such drills has not been analyzed by CASE beyond those set forth in NUREG-0654, pages 71 through 74, II.N., which requirements we agree with.
- (iii) By "persons whose assistance may be needed" we mean anyone who may be required by the guidelines set forth in NUREG-0654, II.N. to participate in such exercises, including the public who will be involved should there be an emergency situation at CPSES, the Applicants, State and local officials -- in other words, anyone who will be involved in or affected by such exercises and drills and accidents at CPSES.
- (iv) That set forth in NUREG-0654, II.N., pages 71 through 74. See also answer C22-1 (a), page 14, paragraph 2, of this pleading. CASE does not believe an anywhere near integrated emergency response plan has been worked out for the Comanche Peak plant.
- (v) See answer (iv) above.
- (vi) See answer (iv) above.
- (vii) See answer (iv) above.
- (viii) See answer (iv) above; we have not made any analysis as to which specific Federal emergency response organizations should be involved (i.e., whether such organizations are specifically the NRC, FEMA, etc. insofar as what particular role the NRC should play, what particular role the FEMA should play, etc.)
- (ix) See answer (iv) above and answer (viii) above.
- (x) See answers (iv) and (viii) above.
- (xi) See answers (iv) and (viii) above.
- (xii) By answering all questions by Intervenor and NRC Staff satisfactorily regarding this portion of this contention (as well as other portions of this contention to demonstrate that a truly integrated emergency

C22-5. (c)(continued):

(xii)(continued):

response plan has been worked out for CPSES); by incorporating all the guidance and requirements of NUREG-0654 and related documents and other regulations which are in the process of being developed at the present time by federal agencies into Applicants' emergency plans; by drills and exercises which demonstrate that adequate preplanning has been done so that an emergency condition could be handled quickly, efficiently and in a manner so that the least possible harm to the public would be incurred; by proving that State, local and regional emergency plans can be paid for, set up, maintained, and continued with real live people to carry them out; by adequate documentation, which should be presented to the NRC, the Intervenor, and the public through these operating license proceedings and should be approved before Applicants are issued an operating license or allowed to load fuel.

(xiii) By seeing to it that everything specified in answer (xii) above is done and done sufficiently and adequately to in fact (as well as on paper) assure that the public health and safety will be protected; by responding fully and completely to interrogatories and requests for documents by Intervenor; by pursuing with vigor any problem areas or inadequacies indicated by Staff or Intervenor's questions and contentions and seeing to it that such problems and inadequacies are dealt with fully and remedied; by opposing any and all efforts on the part of anyone (including Commission Chairman Joseph Hendrie) to actively lobby without any semblance of due process or regard for the duly-accepted Intervenor in affected licensing proceedings for the abandonment of the NRC's final Emergency Planning Regulations (10 CFR 50, 50.47, August 19, 1980, 45FR162) requirement that:

"No operating license for a nuclear power reactor will be issued unless a finding is made by NRC that the state of onsite and offsite emergency preparedness provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency." This should obviously include an "interim" operating license.

CASE has made no specific analysis as to which specific Federal emergency response agencies or organizations should do which specific things, and we have not yet analyzed the "NRC and FEMA rules" referenced in NUREG-0654, II.N.1.a., page 71, and we do not at this time know precisely what "exercise scenarios and exercise evaluation guidance" (referenced in NUREG-0654, II.N.3, page 73) NRC and FEMA may develop. We do, however, expect the Applicants to comply fully with all such guidance and requirements before an operating license is granted and before Applicants

C22-5.(c)(xiii)(continued):

are allowed to load fuel, and we expect the NRC Staff to see that this is done.

(xiv) 10 CFR Part 50, Appendix E (see answer C22-2(d), page 17 through 19 of this pleading); NUREG-0654, especially II.N., pages 71 through 74.

(xv) There is no adequate documentation of Applicants' claims that procedures have been set up which would in fact assure that exercises and drills will be conducted often enough to evaluate major portions of emergency response capabilities, to develop and maintain key skills, and to identify and correct deficiencies identified as a result of such exercises and drills, or that such drills and exercises will be conducted in such a manner and in such detail so as to assure that the previously referenced goals can be achieved.

Any references to what will be done by State support agencies is completely meaningless at this time since the Texas Plan is non-existent at this point. See also answer to C22-2(c)(ii), page 17, of this pleading, and answer to C22-1(a), page 15, paragraphs 1, 2, 3 and 4.

With regard to the Hood County and Somervell County Emergency Operations Plans, we cannot assess at this time any gaps there may be in the fully integrated emergency response plan in regard to the County and town coordination during an emergency. We will promptly update this answer as soon as we have completed our reading of the County Plans should such updating in this regard be needed. See also Footnote 1, page 15, of this pleading. From what we do know already, however, there are questions which remain regarding the ability and willingness of local and county officials and agencies to participate as set forth in NUREG-0654, II.N., especially 2.c. and 2.d.; see answer in this pleading to C22-4.(c)(ii).

There are numerous other questions which CASE will be pursuing with Applicants which we expect to pursue, and we will promptly update our response to these interrogatories as it becomes appropriate.

Applicants' Answers to CASE's Fourth Set of Interrogatories, filed March 9, 1981, states:

"TUGCO is in regular contact with all the state and local planning authorities, agencies, and service organizations from which letters of agreement have been obtained, including the Hood and Somervell Counties Sheriffs' Departments, and is in the process of apprising them regarding the responsibilities of each in the Comanche Peak Emergency Plan. Prior to operation of Comanche Peak, these individuals and organizations will be fully apprised of all appropriate regulations

C22-5.(c)(xv)(continued):

and criteria in effect at that time."

Clearly emergency planning must be worked out considerably in advance of "prior to operation of Comanche Peak" -- until and unless appropriate response organizations are fully apprised of all appropriate regulations and criteria in effect, an adequate emergency plan cannot be formulated, much less shown to fulfill the criteria of NUREG-0654, especially II.N., pages 71 through 74.

(xvi) See answer in this pleading to questions G-4.(a), last paragraph of page 5; C22-1, pages 13 through 15; C22-2.(d), pages 17 through 19.

See also NUREG-0654, especially II.N., pages 71 through 74.

C22-6. (a) No.

(b) No.

(c) (1) Local and backup hospital and medical services having the capability for evaluation of radiation exposure and uptake, including assurance that persons providing these services are adequately prepared to handle contaminated individuals, shall be arranged for by Licensee, State and Local emergency response organizations -- according to NRC regulations, including especially II.L.1., page 69.

on

(11) See (1) above; C22-1.(a), 2nd paragraph, page 13, 2nd paragraph on page 14, 2nd paragraph on page 15, last paragraph and footnote ¹ on page 15; C22-2.(d), pages 17 through 19; C22-3.(c)(v), paragraph 1, page 20; and especially C22-4.(c)(11), pages 22 and 23.

In addition to the questions which CASE will be and is presently pursuing with Applicants, there are other areas which need to be explored: Since Hood General Hospital is alleged to be the "local support hospital for contaminated victims, providing gross decontamination, life saving activities, and patient stabilization," (according to the Applicants' Emergency Plan, 6.6.4, page 64) what will happen to the contaminated victims if the plume from an accident is going towards that hospital? What documentation is there that Hood General Hospital has adequate facilities and personnel to provide the assurance referenced in (1) above? etc. CASE will also be exploring these areas of concern, and we would hope that the NRC Staff would also be concerned with them.

(11i) By answering all questions by Intervenor and NRC Staff satisfactorily regarding this portion of this contention (as well as other portions of this contention to demonstrate that a truly integrated emergency response plan has been worked out by CPSES); by incorporating

C22-6. (c)(iii)(continued):

all the guidance and requirements of NUREG-0654 and related documents and other regulations which are in the process of being developed at the present time by federal agencies into Applicants' emergency plans; by adequate documentation of the preceding, which should be presented to the NRC, the Intervenor, and the public through these operating license proceedings before Applicants are issued an operating license or allowed to load fuel.

10 CFR, Part 50, Appendix E (see answer C22-2.(d), pages 17 through 19 of this pleading); NUREG-0654, including II.I., page 69.

(iv) See answer to (i) preceding.

(v) By seeing to it that everything specified in answer (iii) above is done and done sufficiently and adequately to in fact (as well as on paper) assure that the public health and safety will be protected; by responding fully and completely to interrogatories and requests for documents by Intervenor; by pursuing with vigor any problem areas or inadequacies indicated by Staff or Intervenor's questions and contentions and seeing to it that such problems and inadequacies are dealt with fully and remedied; see balance of answer to C22-5.(c)(xiii), lines 8 through 20.

CASE has made no specific analysis as to which specific Federal emergency response agencies or organizations should do which specific things. We do, however, expect the Applicants to comply fully with all NRC and FEMA guidance and requirements before an operating license is granted and before Applicants are allowed to load fuel, and we expect the NRC Staff to see that this is done.

(vi) See answer (v) above.

(vii) See 2nd paragraph of (v) above.

(viii) We have not made a specific analysis which you request. Generally, we mean the "immediate vicinity of the site" to include the town of Glen Rose, perhaps the town of Granbury, unincorporated areas which are adjacent to CPSES. The basis for our position as to what constitutes the "immediate vicinity of the site" is based on the rule of reason.

(ix) Arrangements for medical facilities in the immediate vicinity of the site are not integrated among the agencies which will be involved. (See C22-1.(a), 2nd paragraph, page 14, of this pleading).

There has not been sufficient documentation that there will be sufficient trained, capable personnel in existence and available

C22-6. (c)(ix)(continued):

to fulfill each and every function specified. (See C22-1.(a), 2nd paragraph, page 15, of this pleading.)

The Texas Radiological Emergency Response Plan is at the present time non-existent. (See C22-2.(c)(ii), paragraph 1, page 17.)

There are other specific questions regarding the adequacy of documentation by Applicants of their claims regarding this portion of this contention. (See C22-4.(c)(ii), pages 22 and 23.)

State and local planning authorities, agencies, and service organizations have not yet been apprised of the responsibilities of each in the Comanche Peak Emergency Plan. (See C22-5.(c)(xv), last two paragraphs on page 26, continuing on page 27.) Until such agencies and organizations have been so fully apprised, an adequate emergency plan cannot be formulated, much less shown to fulfill the criteria of NUREG-0654, and CASE's concerns about this portion of this contention cannot be relieved.

All these areas should be resolved satisfactorily, the Applicants should be required to comply fully with the requirements of 10 CFR Part 50, Appendix E (see C22-2.(d), pages 17 through 19 of this pleading); answer all questions by Intervenor and NRC Staff satisfactorily regarding this portion of this contention (as well as other portions of this contention to demonstrate that a truly integrated emergency response plan has been worked out for CPSES); incorporate all the guidance and requirements of NUREG-0654 and related documents and other regulations which are in the process of being developed at the present time by federal agencies into Applicants' emergency plans; supply adequate documentation of the preceding, which should be presented to the NRC, the Intervenor, and the public through these operating license proceedings before Applicants are issued an operating license or allowed to load fuel.

- (x) See C22-2.(d), pages 17 through 19 of this pleading; also NUREG-0654, II.L., page 69.

C22-7. (a) No.

(b) No.

- (c)(1) The emergency planning (as defined in paragraph 1 of our 2/17/81 Answer to this question) which is specified in NUREG-0654 for "Local", including the Planning Standards and Evaluation Criteria on pages 31 through 79.

See answer C22-1.(f), 2nd paragraph, page 16, of this pleading.

- (ii) See answer C22-1.(f), 3rd paragraph, page 16 continued on page 17.

C22-7. (c)(continued):

- (iii) Yes. See answer C22-1.(f), 2nd paragraph, page 16, of this pleading.
- (iv) For some portions, yes. See answer C22-1.(f), 3rd paragraph, page 16 continued on page 17, of this pleading.
- (v) Yes. Those events and emergency actions set forth in Appendix 1 of NUREG-0654, pages 1-1 through 1-19; CASE at this time has made no detailed analysis beyond this. We will promptly update this response if and when we do so.
- (vi) NUREG-0654, including: Appendix 4, II.D., page 4-4; I.D.2, pages 10 and 11; Appendix 1, pages 1-1 through 1-19; and 10 CFR Part 50, Appendix E, including especially I and III (see answer C22-2.(d), pages 17 through 19).
- (vii) That set forth in NUREG-0654, especially in II. Planning Standards and Evaluation Criteria. (See also previous responses C22-2.(d), pages 17 through 19 of this pleading.) We have not at this time made a further specific analysis beyond this; we will promptly update this response if and when we do so.
- (viii) See answer (vii) above.
- (ix) See answer (vii) above.
- (x) See answer (vii) above, ^{assuming} including some if not all of Glen Rose in the plume exposure pathway and some portions of the Dallas/Fort Worth metroplex area being included in the plume exposure pathway and some in the ingestion exposure pathway (see C22-1.(f), 2nd and 3rd paragraphs, page 16 continued on page 17, of this pleading).
- (xi) See answer (vii) above.
- (xii) See answer (vii) above.
- (xiii) See answer (vii) above and answer C22-5(c)(xiii), pages 25 and 26, of this pleading.
- (xiv) See answer (xiii) above.
- (xv) See answer (xiii) above.
- (xvi) See answer (vii) above. CASE has made no specific analysis as to which specific Federal emergency response agencies or organizations

C22-7. (c)(xvi)(continued):

should do which specific things. (See C22-5.(c)(xiii), third paragraph, pages 25 and 26, of this pleading.

- (xvii) See answer (xvi) above.
- (xviii) See answer (xvi) above.
- (xix) 10 CFR Part 50, Appendix E, and NUREG-0654; the rule of reason.
- (xx) See answer to C22-1.(f), paragraph 2, page 16 of this pleading.
- (xxi) See answer to C22-1.(f), paragraph 3, pages 16 continued on 17 of this pleading.
- (xxii) Yes. We would assume that not all of the Dallas/Fort Worth metroplex area would be included in the plume exposure pathway but that all of Glen Rose would be. Also, we would assume that this would vary depending upon the accidents involved: locations closer to CPSES would possibly have more alerts than there were accidents which might affect them than would locations further away. See answer to C22-1.(f), paragraphs 2 and 3, pages 16 continued on 17 of this pleading.
- (xxiii) See answer to (xix) above.
- (xxiv) Yes, under certain meteorological conditions and certain accident conditions, probably some type of emergency planning should be provided for the entire Dallas/Fort Worth metroplex area; see answer to C22-1.(f), paragraphs 2 and 3, pages 16 continued on 17 of this pleading.
- (xxv) See answer (xix) above; and especially NUREG-0654, Appendix 4, II.D., page 4-4, and I.D.2, pages 10 and 11 (see answer C22-1.(f), 3rd paragraph, pages 16 and 17 of this pleading).
- (xxvi) We have made no detailed analysis of this at this time other than that specified in NUREG-0654, including Appendix 1, pages 1-1 through 1-19; there could be a number of different types of accidents including a core meltdown. We will promptly update this answer as soon as we have made such detailed analysis.
- (xxvii) See answer (xxvi) above.

C22-7. (c)(continued):

(xxviii) See answer (xxvi) preceding; we assume at this time that for most of the Dallas area the accidents involved would be of a more severe nature.

(xxix) We have not made this detailed analysis at this time; if and when we do, we will promptly update our response to this question.

(xxx) See answer (xxix) above; 10 CFR Part 50, Appendix E, and NUREG-0654.

(xxxi) See answers (xxvi) through (xxviii) above.

(xxxii) 10 CFR, Part 50, Appendix E, and NUREG-0654, including Appendix 1, pages 1-1 through 1-19; the rule of reason.

(xxxiii) Yes.

(xxxiv) Those set forth in NUREG-0654, especially II.E., F., and G. We have not made a detailed analysis which goes beyond the guidelines in NUREG-0654. If and when we do make such analysis, we will promptly update this answer.

(xxxv) 10 CFR Part 50, Appendix E, and NUREG-0654, especially II.E., F., and G.

(xxvi)

By written agreements, as set forth in NUREG-0654, especially II.A.3., page 32; by answering all questions by Intervenor and NRC Staff satisfactorily regarding this contention; by incorporating all the guidance and requirements of NUREG-0654 and related documents and other regulations which are in the process of being developed at the present time by federal agencies into your emergency plans; by drills and exercises which demonstrate that adequate preplanning has been done so that an emergency condition could be handled quickly, efficiently and in a manner so that the least possible harm to the public would be incurred; by proving that State, local and regional emergency plans can be paid for, set up, maintained, and continued with real live people to carry them out; such documentation should be presented to the NRC, the Intervenor, and the public through these operating license proceedings and should be approved before Applicants are issued an operating license or allowed to load fuel.

10 CFR Appendix E to Part 50; NUREG-0654 and related documents and other regulations which are in the process of being developed at the present time by federal agencies; the rule of reason.

C22-7. (c)(continued):

(xxxvii) By seeing to it that everything specified in answer (xxxvi), paragraph 1, above, is done and done sufficiently and adequately to in fact (as well as on paper) assure that the public health and safety will be protected; by responding fully and completely to interrogatories and requests for documents by Intervenor; by pursuing with vigor any problem areas or inadequacies indicated by Staff or Intervenor's questions and contentions and seeing to it that such problems and inadequacies are dealt with fully and remedied; by opposing any and all efforts on the part of anyone (including Commission Chairman Joseph Hendrie) to actively lobby without any semblance of due process or regard for the duly-accepted Intervenor in affected licensing proceedings for the abandonment of the NRC's final Emergency Planning Regulations (10 CFR 50, 50.47, August 19, 1980, 45FR162) requirement that:

"No operating license for a nuclear power reactor will be issued unless a finding is made by NRC that the state of onsite and offsite emergency preparedness provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency."

This should obviously include an "interim" operating license.

CASE expects the Applicants to comply fully with all such guidance and requirements before an operating license is granted and before Applicants are allowed to load fuel, and we expect the NRC Staff to see that this is done.

10 CFR Part 50, Appendix E (see answer C22-2(d), page 17 through 19 of this pleading); NUREG-0654; and the above-referenced NRC's final Emergency Planning Regulations (10 CFR 50, 50.47, August 19, 1980, 45FR162) requirements.

C24-4. (d) Applicants' First Set of Interrogatories and Requests to Produce, Question 89, asked: "Do you contend that any particular mode of decommissioning must be evaluated in the Comanche Peak cost/benefit analysis?" CASE's answer was "yes."

Applicants' First Set, Question 90, asked: "If your answer to Interrogatory 89 is in the affirmative, what is your basis (legal and/or other) for contending that such evaluation must be done in the cost/benefit analysis for Comanche Peak?" CASE's answer was: "The mode of decommissioning which Applicants plan to use for CPSES must be considered; 10 CFR 51.20; 10 CFR Part 50, Appendix C, I.B."

The Staff's First Set of Interrogatories, Question C24-4.(d) asked:

C24-4. (d)(continued):

"What particular mode of decommissioning do you contend must be evaluated in the Comanche Peak cost/benefit analysis?" Our answer is: The mode of decommissioning which Applicants plan to use for CPSES must be considered. Staff further asked: "State the basis for your position in this regard." Our answer is: 10 CFR 51.20; 10 CFR Part 50, Appendix C, I.B.

Staff's position that it should not be "required to refer to the numerous responses cited by CASE to Applicants' interrogatories in an effort to glean which responses, if any, contain the information which is sought in interrogatories G-5(b) and (c)," as stated on page 8 of Staff's 3/4/81 Motion to Compel, is probably also valid in regard to other answers to interrogatories; and we will attempt to answer the questions specifically and without requiring Staff to refer to other than our present answers. However, we want to point out that although this point may be well taken, Staff's statement regarding Question C24-4(d) on page 12 of Staff's Motion to Compel erroneously states: "CASE responded to interrogatory 89 by stating 'yes' and with respect to interrogatory 90, by citing particular sections of 10 CFR." As quoted above, CASE's answer did indeed contain the exact answer which we presently give to this question. We want to go on record that we do not appreciate such inaccurate characterizations of CASE's statements by the Staff. We will not take the time to similarly analyze each of the rest of Staff's characterizations of our answers; however, we may wish to do so in the future if such inaccurate characterizations continue to the extent that such inaccuracies appear to be intentional. Future similar inaccuracies will only serve to delay these proceedings, because we will be forced to take additional time to respond not only to the interrogatories but to the inaccuracies as well.

- (e) We have not yet arrived at a specific dollar cost; generally, it should be the dollar amount arrived at when a complete and accurate analysis is made of all costs associated with decommissioning CPSES.

CASE had previously been operating on the assumption that the information contained in Applicants' ER (OLG), pages 5.8-1 through 5.8-3 (Section 5.8) was applicable; however, in their September 1980 Amendment 1 to the ER, Applicants have changed their choice of decommissioning to specify that they are going for immediate dismantlement, rather than a slower dismantling after a number of years, and the costs estimates have risen considerably. CASE is still evaluating these changes and will be supplementing our responses later regarding this contention.

Generally, we believe the costs estimated are too low, that Applicants don't know what they're getting into with this method of dismantling, that they don't know the costs involved, the potential legal problems, how this is going to be paid for and who's going to pay for it, how they're going to

C24-4. (e)(continued):

physically dismantle the plant, how they're going to protect their workers from radiation while dismantling the plant, etc.

One of the reasons it has been necessary for us to reassess the costs involved is the fact that Applicants' have now changed their mode of decommissioning. The Applicants' own figures for the costs of decommissioning have now changed from \$18.4 million in 1981 dollars to \$100 million in 1980 dollars. CASE has already asked the Applicants a few questions regarding how they arrived at certain costs and regarding some costs which CASE believes Applicants do not know and have not dealt with adequately, and we will be asking further questions in this regard, the answers to which we believe will prove that CASE's contention is correct.

C24-5. Contention 24(b): (a through j)(m through r).

The Staff's motion to compel would seem to indicate that CASE has no basis for this contention whatsoever because we don't know exactly who will be our witness at this time. As both Applicants and Staff are already aware, CASE has spoken by telephone on occasion with Richard E. Webb regarding this contention. However, at this time it has not been decided whether or not Mr. Webb will be testifying for CASE in these proceedings, and thus we did not rely upon him or his work as the initial basis for this contention. As previously stated, we will advise all parties when and as decisions and agreements are made regarding this contention, in accordance with 10 CFR 2.740(e).

We expect that the witness on whom we decide to rely in these proceedings will support and expand on the contentions and bases contained in CASE's previous pleadings in these hearings (as set forth specifically in answer G-4.(b) 24(b), on page 8 of this pleading). For example, as indicated in CASE's 4/10/80 Position on Contentions, Contention No. 7, pages 26 through 32: The statements we made regarding Report 290 in Contention 7 on pages 28 and 29 of our 5/7/79 Contentions, item 1, has not been refuted by the so-called second German Report ("Critical Comments on Work Report AB-290"); we included some specifics in this regard on our 4/10/80 Position on Contentions...We similarly pointed out that the Staff's allegations regarding the Sandia Report were based on faulty assumptions; and we included some specifics in this regard. Perhaps the MRC Staff has already made its collective mind up regarding these two reports and does not intend to give any further consideration to them regardless of what facts may be presented by CASE's witness(es). We would hope that this is not the case regarding either the Staff or the Board.

C24-5. Contention 24(b) (continued):

As stated on page 31 of CASE's 4/10/80 Position on Contentions:

"CASE could list other reports, such as those of Richard E. Webb (specifically his testimony in Docket 50-272, Public Service Electric & Gas Co., Salem Nuclear Generating Unit #1, testimony of 2/27/79 and 4/8/80 and 4/9/80)..." but we chose not to.

The question at this point is not whether or not CASE will have an expert witness regarding this contention, but who that witness will be and which documents such witness will rely on. At this point in time, there are several reasons for our uncertainty as to who our expert witness(es) will be; not the least of these is the fact that we do not at this time know precisely when the hearings themselves will be, or even if such details as having the hearings will be necessary before granting Applicants an "interim" operating license.

As to what documents CASE's witness(es) will rely on, it may or may not be that such witness(es) will rely on Mr. Webb's reports. If the Staff or Applicants would like to conduct discovery upon Mr. Webb, CASE will approach Mr. Webb and inquire what he would charge the Staff or Applicants to answer interrogatories, under Rule 26 of the Rules of Civil Procedure:

"(4)(B) A party may discover facts known or opinions held by an expert who has been retained or specially employed by another party in anticipation of litigation or preparation for trial and who is not expected to be called as a witness at trial, only as provided in Rule 35(b) or upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means.

"(C) Unless manifest injustice would result, (1) the court shall require that the party seeking discovery pay the expert a reasonable fee for time spent in responding to discovery under subdivisions (b)(4)(A)(i) and (b)(4)(B) of this rule..." (Emphasis added.)

It is CASE's understanding that at this time we are not required to undertake substantial research and investigation or to develop our case in order to respond to interrogatories and requests for documents. We desire to cooperate as much as possible, but under the circumstances at this time, the specific information the Staff seeks is simply premature. We do not know at this time whether or not Mr. Webb will be our witness, we do not know whether or not he would even consider engaging in discovery on the terms indicated above, but we will contact him in this regard should the Staff or Applicants so desire. CASE does not intend to pay for such discovery,

C24-5. Contention 24(b) (continued):

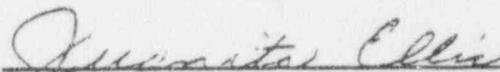
until and unless we have made a firm contract with Mr. Webb to testify on behalf of CASE in these operating license proceedings.

If we retain a witness other than Mr. Webb, it may well be that such witness will develop his own analyses and/or rely on documents other than those Mr. Webb might rely on.

Further, CASE has not yet completed discovery with Applicant regarding this contention, which discovery may well change somewhat or limit the amount of independent research and analyses our witness will have to do; this could also change our choice of a witness or witnesses.

We have tried hard to adequately and completely answer the interrogatories the Staff has posed. If there are any which we haven't answered, it is an oversight and we will attempt to answer them if Staff will so advise.

Respectfully submitted,



(Mrs.) Juanita Ellis, President
CASE (Citizens Association for Sound Energy)
1426 S. Polk
Dallas, TX 75224

4/6/81

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES
GENERATING COMPANY, ET AL. FOR AN
OPERATING LICENSE FOR COMANCHE
PEAK STEAM ELECTRIC STATION
UNITS #1 AND #2 (CPSES)

Docket Nos. 50-445
and 50-446

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of
CASE's Supplement to CASE's Answers to NRC Staff's First Set of Interrogatories
to, and Request for the Production of Documents from, Intervenor CASE
have been sent to the names listed below by First Class Mail this 6th day
of April, 1981. * = with Certificate of Mailing receipt.

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Dr. Richard Cole, Member
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Panel
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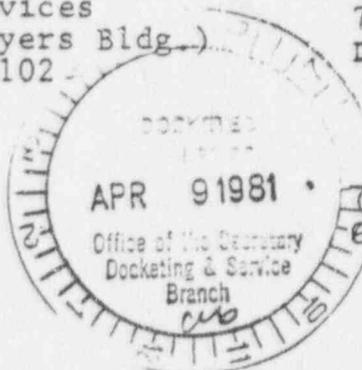
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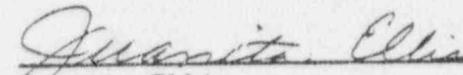


(Mrs.) Juanita Ellis, President
CASE (CITIZENS ASSOCIATION FOR
SOUND ENERGY)

STATE OF TEXAS)

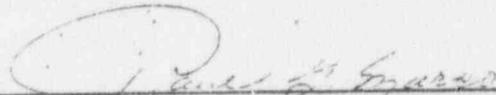
Juanita Ellis, being duly sworn, deposes and says:

That she is President of CASE (Citizens Association for Sound Energy), and knows the contents of the foregoing CASE's SUPPLEMENT TO CASE'S ANSWERS TO NRC STAFF'S FIRST SET OF INTERROGATORIES TO, AND REQUEST FOR THE PRODUCTION OF DOCUMENTS FROM, INTERVENOR CASE and that the same is true of her own knowledge and belief.



Juanita Ellis

SWORN TO and Subscribed
before me on this 6th day
of April, 1981.



Notary Public

My Commission Expires: 12/31/84

(SEAL)

The original of this page is being mailed under separate cover, First Class Mail, to the Secretary, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Chief, Docketing and Service Section, on this 6th day of April, 1981.