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

In the Matter of	)	Docket Nos. 50-361 OL
	)	50-362 OL
SOUTHERN CALIFORNIA EDISON	)	RESPONSES TO FIRST SET
COMPANY, <u>ET AL.</u>	)	OF INTERROGATORIES
	)	
(San Onofre Nuclear Generating)	)	
Station, Units 2 and 3)	)	
_____	)	

TO NRC STAFF:

GUARD answers the first set of interrogatories and request for the production of documents which were served June 23, 1978 as follows:

GUARD CONTENTION NO. 1

1. The applicants have not complied with 10 CFR Part 50, Appendix E regarding emergency plans since, because of inadequate funding and staffing of the several state and local agencies involved, appropriate and coordinated emergency plans cannot be developed.

1-1. a. Upon what person or persons do you rely to

substantiate your case on contention number 1?

ANSWER: GUARD relies on many persons to substantiate its contentions, among whom are:

1. Sam Chicas, Assistant Superintendent of Capistrano Unified School District, Emergency Planning Director.
  2. Jen Stratton, Capistrano Unified School District Transportation Director.
  3. The City Manager, Police Chief, and Fire Chief of San Clemente.
  4. A representative of the radiological section of the Orange County Health Department.
  5. Dr. Ronald Doctor, State of California Energy Commission, Sacramento, San Onofre Evacuation Hearings.
  6. The author or authors of the "Evacuation Plan for the Area Surrounding the San Onofre Nuclear Generating Station, July, 1975," developed by SCE with cooperation of assistance agencies.
- b. Provide the addresses and educational and professional qualifications of any persons named in your response to a. above.

ANSWER: The adresses known to GUARD pertinent to a. above are as follows:

1. Sam Chicas and Jen Stratton may be reached at Capistrano Unified School District, Administration Office, 32972 Calle Perfecto, San Juan Capistrano, Ca. 92675.

2. Doctor Ronald Doctor, State of California Energy Commission, Sacramento, California.

The professional qualifications of the persons listed in a. above are as yet unknown by GUARD.

c. Identify which of the persons identified in a. you intend to call as witnesses on this contention in this proceeding.

Answer: GUARD is not yet certain which of the above will be called by it in this proceeding.

d. Indicate which of the persons identified in c. above that you anticipate will appear voluntarily and which under subpoena.

ANSWER: Not applicable, as the answer to c. is undetermined.

1-2.a. Identify the state and/or local agencies involved in development and implementation of emergency plans, as contemplated by Appendix E to 10 CFR Part 50, for San Onofre Units 2 and 3, referred to in Contention no. 1.

ANSWER: The state and/or local agencies involved in development and implementation of emergency plans are:

1. Capistrano Unified School District
2. State Parks Commission, Emergency Planning
3. City of San Clemente
4. State of California Parks and Recreation Dept.
5. Cal Trans
6. County of Orange
7. State of California Energy Commission

b. With which of the agencies identified in a. have you had any communication(s) (oral or written) in regard to this facility, at any time? Provide the date(s) of any such communication(s).

ANSWER: GUARD has had communications with each of the above agencies over a period of years. The communications have been mostly by conversation, which GUARD did not keep records concerning.

c. Identify (providing name, title or position, and address) each individual communicated with at each agency identified in b. above, regarding the San Onofre facility.

ANSWER: The following persons have been communicated with concerning emergency planning:

1. Sam Chicas, Emergency Planning Director, Capistrano Unified School District, address in 1-1 b.
2. Jen Stratton, Transportation Director, Capistrano Unified School District, address in 1-1 b.
3. Jack Stowe, Pendleton Coast Director of State Parks, Pendleton Coast Area, State Parks and Beaches, Del Presidente (Calle) , San Clemente, Ca. 92672.
- 4.. Paul Muspratt, State Parks, same address as in 3 above.
5. Lon Spharler, Chief of Planning Division, State of California Parks and Recreation Department, Sacramento, California.
6. Al Wheelock, Cal Trans, 120 S. Spring St., Los Angeles, Ca.
7. Dr. Ronald Doctor, State of California Energy Commission, Sacramento, Calif.

d. Provide a copy of all written communications or summary of all oral communications with each agency identified in b. above.

ANSWER: GUARD has no record of such communications.

1-3. Provide summaries of the views, positions, or proposed testimony on contention no. 1 of all persons named in response to Interrogatory 1-1 that you intend to present during this proceeding.

ANSWER: GUARD does not yet have this information.

1-4. State the specific bases and references upon which the persons named in response to Interrogatory 1-1 rely to substantiate their views regarding contention no. 1.

ANSWER: GUARD does not as yet have this information.

1-5. To the extent that Intervenor's case on this contention will rely on cross-examination of witnesses presented by any other party to this proceeding, identify any material to be relied upon in such cross-examination.

ANSWER: GUARD will rely upon cross-examination of the person or persons who prepared "Evacuation Plan for the Area Surrounding the San Onofre Nuclear Generating Station, July, 1975", prepared by SCE with cooperation of assistance agencies.

1-6. Identify all documentary or other material which you intend to offer as exhibits on this contention in this proceeding.

ANSWER: GUARD intends to offer the following documents, as well as others as yet not determined:

1. "EP" Emergency Plan, San Onofre Nuclear Generating Station Units 2 and 3 (FSAR).

2. "EPS" Supplement to Emergency Plan, San Onofre Nuclear Generating Station Units 2 and 3 (FSAR).
3. Orange County Emergency Response Plan, San Onofre Nuclear Generating Station, October, 1975, of the Orange County Office of Emergency Services.
4. Unified San Diego County Emergency Service Organization, Nuclear Power Plant Emergency Response Plan of the San Diego County Office of Disaster Preparedness.
5. Emergency Response Plan of the U.S. Marine Corps, Camp Pendleton, January, 1974.

1-7 a. What amount of funding (in dollars) is required to develop and implement appropriate and coordinated emergency plans, as contemplated by Appendix E to 10 CFR Part 50, for San Onofre Units 2 and 3.

ANSWER: GUARD's position is that the answer to this question is of fundamental importance to Applicant's satisfaction of licensing requirements, and as yet has not been developed by the agencies charged with the responsibility for developing appropriate and coordinated emergency plans.

b. What amount of staffing is required to develop and implement appropriate and coordinated emergency plans as contemplated by Appendix E to 10 CFR Part 50?

ANSWER: GUARD gives the same answer as in a. above.

c. What is the basis for your response in a. and b. above?

ANSWER: GUARD has reviewed the "Evacuation Plan" referred to previously in 1-1 a. and 1-5, prepared by Applicant, and on this document, bases its response. The plan

therein outlined does no more than designate responsibility for developing emergency plans, with some inventorying of equipment. It does not take into account the many variables which could and would make the emergency plans far more complicated.

- d. Define the terms "appropriate" and "coordinated" as used in this contention no. 1.

ANSWER: "Appropriate" is that planning necessary to assure safe evacuation of projected populations within stated limits of time, and taking into account conditions of wind, time of night or day, seasonal variations, population ages, and available routes for evacuation.

"Coordinated" means orderly interaction of support agencies so that each agency is responsible for certain parts of the emergency plan and is able and equipped to carry out its task.

- 1-8 Considering your responses to the interrogatories above, specifically state, in both qualitative and quantitative terms, the deficiencies in the emergency plans proposed by applicant in this proceeding, for San Onofre Units 2 and 3.

ANSWER: GUARD is in the process of writing a book on the deficiencies of the emergency plans. GUARD's basic objection to the plans is that they are superficial, mere assignment of areas of responsibility without assessment of the ability of those designated as responsible for carrying out the plan. The plans

appear to GUARD to neglect the possible variations that could surround an accident, thus complicating efforts to evacuate the area, or otherwise foiling the implementation of emergency plans.

GUARD CONTENTION NO. 2

2. As a consequence of increase in freeway use in recent years and the influx of transient and resident individuals into the exclusion area and low population zone, there is no longer assurance that effective arrangements can be made to control traffic or that there is a reasonable probability that protective measures could be taken on behalf of individuals in these areas including, if necessary, evacuation, particularly considering the unique geographic constraints in these areas; thus, applicants do not comply with 10 CFR § 100.3(a) or (b).

2-1. a. Upon what person or persons do you rely to substantiate your case on contention no. 2?

ANSWER: GUARD relies on the following persons:

1. Jack Stowe
  2. Paul Muspratt
  3. Dave Sikes
  4. San Onofre Bluffs Housing Officer, Camp Pendleton.
  5. Lon Spharler
  6. Al Wheelock
- b. Provide the addresses and educational and professional qualifications of any persons named in your response to a. above.

ANSWER: GUARD does not know the educational and professional qualifications of the above persons. Their addresses are listed elsewhere in these answers, in 1-1 b.,



and in 1-2 c., except for Dave Sikes, Base Natural Resources Officer, Camp Pendleton, Calif.

- c. Identify which of the persons named in a. you intend to call as witnesses on this contention in this proceeding.

ANSWER: GUARD does not yet know the answer to this question.

- d. Indicate which of the persons identified in c. above that you anticipate will appear voluntarily and which under subpoena.

ANSWER: GUARD cannot answer this as yet.

- 2-2 Provide summaries of the views, positions, or proposed testimony on contention No. 2 of all persons named in response to Interrogatory 2-1 that you intend to present during this proceeding.

ANSWER: GUARD cannot answer this, since it has not yet decided which persons it will ask to testify.

- 2-3 State the specific bases and references upon which the persons named in response to Interrogatory 2-1 rely to substantiate their views regarding contention no. 2.

ANSWER: GUARD does not yet have this information.

- 2-4 To the extent that Intervenor's case on this contention will rely on cross-examination of witnesses presented by any other party to this proceeding, identify any material to be relied on in such cross-examination.

ANSWER: GUARD does not know the answer to this question at this time.

2-5 Identify all documentary or other material which you intend to offer as exhibits on this contention in this proceeding.

ANSWER: The evacuation planning documents referred to in the answer to 1-6, above, and the following:

1. NRC Staff Brief, Feb. 24, 1975 page 15 Dockets 50-361 and 50-362 re "timely evac."
2. NRC Memorandum and Order of Appeals Board re: SO Dockets, Jan. 22, 1976 re: "acceptable time period".
3. Atomic Licensing Appeal Board Decision of Dec. 24, 1974 (ALAB 248) on appeal by Intervenors of decision of AEC Licensing Board, Oct. 15, 1973 (LBP 73-76) re: "evacuation feasibility" (2a, c4).
4. Supplement to Applicants' Environmental Report, Permit Construction Stage, Appendix A, item 41 re: "population update" (Amendment#1)
5. Supplement to SO Applicants Environmental Report, Construction Permit Stage Vol. 1. Land Use map figures 2.1 and 2.2, and meteorology tables and reports 2.6.

2-6 a. Identify the federal, state and/or local agencies involved in traffic control and management relating to Interstate Highway 5.

ANSWER: The agencies involved are the Orange County Sherriff's Department, San Clemente Police Department, California Highway Patrol, San Onofre State Park Headquarters Staff, Camp Pendleton Marine Corps,

2-6 b. Identify the state and/or local agencies or governmental bodies involved in land-use management or development, or in demographic activities in your geographic area of concern.

ANSWER: State of California Parks and Recreation Department, San Clemente City Planning Commission and City Council, San Juan Capistrano City Planning Commission and City Council, Orange County Planning Commission and Board of Supervisors, Camp Pendleton Marine Corps, California Coastal Commission.

c. With which of the agencies identified in a. and b. above have you had any communication(s)? (oral or written) in regard to this facility at any time? Provide the dates of any such communications.

ANSWER: GUARD has communicated with all of the above over a period of years, but is unable to provide dates of such communications.

d. Identify (providing name, title or position, and address) each individual communicated with at each agency identified in c. above, regarding the San Onofre facility.

ANSWER: GUARD is unable to identify such individuals at this time.

e. Provide a copy of all written communications or summary of all oral communications with each agency identified in c. above.

ANSWER: GUARD does not have records of such communications at this time.

2-7. Describe the geographic area of concern for purposes of this contention no. 2.

ANSWER: The geographic area of concern for purposes of Contention no. 2, relating to the feasibility of evacuation in order to protect the public safety, includes the Camp Pendleton fenced, restricted area north of Oceanside, the State Parks Department's developed and undeveloped acreage in both of the low population zones, the costal plain and hill areas of San Clemente, Capistrano Beach and San Juan Capistrano, and areas of the Cleveland National Forest.

2-8 Provide, on a year by year basis and in quantitative terms, traffic statistics for Interstate Highway 5 in the area defined in your response to Interrogatory 2-7 above, for the years 1973 through 1977 (including any such data for 1978 as may be available), which form the basis for the allegation set forth in contention no.2 regarding "increase in freeway use in recent years."

ANSWER: Some statistics are available from Cal Trans, but GUARD does not believe that they accurately reflect the situation as it exists and can be observed. GUARD is still searching for independent traffic counts to substantiate its observations

of increased use, as evidenced by frequent bumper-to-bumper traffic jams. Daily numbers are not as significant an indication of increased use as is the distribution of that traffic. GUARD has not yet discovered the statistics which take into account the congestion which can be observed during peak periods of traffic.

The traffic testimony presented by Applicants' witness Sheppard in the Construction Stage Hearings assumed the free flow of traffic on the Freeway for escaping populations, and made no assessment of Basilone in the event that the Freeway could not provide a ready means of egress from the area.

The Hearing Board repeatedly informed GUARD that the "details" of evacuation would be dealt with at the licensing stage. GUARD takes the position that Applicants bear the burden of proof on this issue, and that they have not borne it.

Applicants have not addressed the variables of time, beach use, and other concerns relating to feasibility of evacuation in the event of an accident. Applicants have not addressed the fact of the new uses to which beach frontage park land has been put, and implications of this use in evacuation planning.

2-9 Indicate, on a year by year basis and in quantitative terms, population growth in the geographic area of concern defined in your response to Interrogatory 2-7 above, for the years 1973 through 1977 (including any such data for 1978 as may be available) For purposes of this interrogatory, your response should include a breakdown of resident and transient populations and specify, in geographic terms, where growth has occurred (in the exclusion area or low population zone) for each population category (resident or transient).

ANSWER: GUARD is in the process of gathering such population information, and will provide it when available.

2-10 Specify (a) the exclusion area and (b) the low population zone, as each is defined in 10 CFR Part 100, which you have used in your responses above.

ANSWER: GUARD considers the exclusion zone to include the site itself, plus the adjacent beach and surf. The low population zone was formerly an area of a four mile radius around the site. GUARD now understands that this area has been contracted in response to its objection that Oceanside not be considered the nearest population center of 25,000 or more.

2-11 Describe all protective measures which you believe should be considered in the context of this contention no. 2.

ANSWER: The protective measures which should be considered include but are not necessarily limited to those measures which would assure either the evacuation or shelter of both resident and transient populations so that such persons will not be exposed to dangerous levels of radiation, taking into account that levels of exposure formerly considered "safe" are now being questioned by researchers.

2-12 a. Describe the "unique geographic constraints" as this phrase is used in this contention no.2.

ANSWER: By "unique geographic constraints" GUARD means the hill and ocean barriers to egress from the area, the meteorological problems which result from the hill-ocean proximity, the pockets of population concentrated in the area, and the effects which the number and location of roadways have on egress from the area.

b. Define, in geographic terms, what is meant by "in these areas" as this phrase is used in this contention no. 2.

ANSWER: The answer to this question is the same as in 2-7.

Dated : October 17, 1978

Phyllis M. Gallagher  
Phyllis M. Gallagher

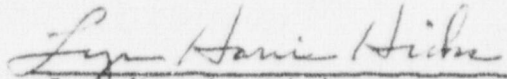
Counsel for GUARD

VERIFICATION


LYN HARRIS HICKS, being first duly sworn, deposes and says:

1. That she is a member of GUARD, of ENVIRONMENTAL COALITION OF ORANGE COUNTY, SOUTHERN CALIFORNIA VOLUNTEER ENVIRONMENTAL ORGANIZATIONS, intervenors in this proceeding (hereafter "intervenors").
2. That she is ADVOCATE for Intervenors in this proceeding.
3. That she is authorized by Intervenors to execute and verify the foregoing "RESPONSE OF GUARD, OF ENVIRONMENTAL COALITION OF ORANGE COUNTY TO INTERROGATORIES OF NUCLEAR REGULATORY COMMISSION STAFF AND REQUEST FOR DOCUMENTS TO GUARD-SET NO.1"
4. That she is informed and believes, and upon such information and belief, affirms that the foregoing RESPONSE OF GUARD, OF ENVIRONMENTAL COALITION OF ORANGE COUNTY TO INTERROGATORIES OF NUCLEAR REGULATORY COMMISSION STAFF AND REQUEST FOR DOCUMENTS TO GUARD-SET NO. 1 is true and correct.

DATED: OCTOBER 17, 1978

  
\_\_\_\_\_  
Lyn Harris Hicks

Subscribed and sworn to before  
on this 17th day of October, 1978.

  
\_\_\_\_\_  
Notary Public

In and for the County of Orange,  
State of California.

My Commission expires:





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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
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SOUTHERN CALIFORNIA EDISON ) Docket Nos. 50-361 OL  
 )  
COMPANY, ET AL ) 50-362 OL  
 )  
(San Onofre Nuclear Generating )  
 )  
Station, Units 2 and 3 )  
 )

CERTIFICATE OF SERVICE

I hereby certify that copies of GUARD's RESPONSES TO  
FIRST SET OF INTERROGATORIES Served by NRC Staff in the  
above entitled proceeding have been served on the following  
by deposit in the United States mail, first class this  
18th day of October, 1978, at Santa Ana, California:

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*Phyllis M. Gallagher*  

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