

20554

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'99 JUN 22 P1:17

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Frederick J. Shon
Dr. Peter S. Lam

OFFICE OF THE
RULER AND
ADJUDICATIONS STAFF

In the Matter of

CAROLINA POWER & LIGHT COMPANY

(Shearon Harris Nuclear
Power Plant)

Docket No. 50-400-LA

ASLBP No. 99-762-02-LA

June 22, 1999

SERVED JUN 22 1999

ORDER

(Corrections to May 13, 1999
Prehearing Conference Transcript)

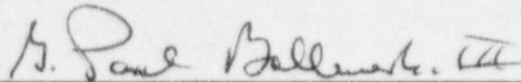
Upon consideration of the May 27, 1999 proposed corrections to the transcript of the Licensing Board's May 13, 1999 initial prehearing conference submitted by petitioner Board of Commissioners of Orange County, North Carolina, (BCOC), and applicant Carolina Power & Light Co. (CP&L), it is

9906230027 990622
PDR ADOCK 05000400
G PDR

DS02

ORDERED, that the transcript of the May 13, 1999
initial prehearing conference proceeding is hereby revised
in accordance with Attachment 1 to this order.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 22, 1999

* Copies of this order were sent this date by Internet
e-mail transmission to counsel for (1) applicant CP&L; (2)
intervenor BCOC; and (3) the NRC staff.

ATTACHMENT 1

Corrections to May 13, 1999
Prehearing Conference Transcript

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
1/10	District Court	Southern Human Services Center
1/11	Orange County Courtroom	2505 Homestead Road
1/12	Chapel Hill Post Office Building	
1/13	179 E. Franklin Street	
4/10		129 under "Received"
6/10	My	MS. CURRAN: My
7/14	Marion	Marian
7/24	for us	for letting us
11/24	the essential	not the essential
12/4	interest, and is	interest. This is
12/12	injury	injury,
12/21	occur	occur --
15/24	lack	lacks
16/1-2	for hearing	for a hearing
16/4	are county	are a county
17/3	beside	cited in
17/4	speak and	speak, and
17/16	standing is	standing, is
18/2	and	but
18/22	consequences In	consequences. In
19/8	said in	said so in
19/9	cases and	cases, and

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
19/11	boundary	boundary,
19/21	not	no
20/13	their	its
20/14	in in the	in the
21/1	position	petition
22/11	possibility. They	possibility. But they
26/7	btus	BTUs
27/15	When you referred	We refer
27/16	board	Board
27/17	5-2, we	5-2. We
28/3	board	Board
28/21	marshalling	marching
30/7	issues	issue
30/9	it may see, which	it may see. This
32/19	be having	be better than having
33/7	LOCA could	LOCA, could
35/10; 36/15,23,25	btus	BTUs
37/1-2	DR. THOMPSON: Well if the -- JUDGE SHON: The Applicant	DR. THOMPSON: Well if the -- the Applicant
37/11; 38/2,6; 39/4	btu	BTU
39/14	indicates that the	indicates the
40/4	how can	how long can

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
41/19	vales	valves
41/25	btus	BTUs
42/5	btu	BTU
48/17,19	breaks	brakes
48/17	50 seats	50 seats,
49/25	We are	We are not
50/4	is	are
50/12	demand's	demands
51/7	don't	doubt
52/4,13,14,17	Holloway	Hollaway
52/5	and	to
52/21	this marked	this be marked
53/6	received into evidence.]	bound into the record.]
53/7,17	Holloway	Hollaway
53/8	is	has
53/15	problems before	problems with before
54/13	about a post-LOCA	about post-LOCA
58/1	Shon	Shon's
58/15	simply	simple
61/4	says did	says we did
61/6	exchanger, fouling	exchanger fouling
63/2	Their	The
65/1	longer	longer,
65/3	on cooling the	on the

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
65/8	at the	at. The
66/24	capacity but again	capacity. But again
67/3	the emergency	the other emergency
69/12	there, and	there. And
69/13	well, this	while this
69/17	on	off
69/24-25	done in 5.6	done at 5.6
69/25	turned 5.6	turned at 5.6
70/2	degrees, and	degrees. And
70/25; 71/2,8	HOLLOWAY	HOLLOWAY
71/10	is also valved-out. And when we	it is valved-out, and we
71/12	manually, there are CCW	manually. There are two CCW
72/6	HOLLOWAY	HOLLOWAY
72/14	purpose the	purpose of the
74/23	basis	basic
75/10	he	the
75/20	that is an	think that is an
76/3	simply, and there is	simple, and there are
76/19	not	no
76/20	btu	BTU
77/11	(A)	
77/13	attached the Applicant's response	attached, the Applicant's response,

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
78/4	like this set	like this is set
79/3,25	Holloway	Hollaway
79/13	pleasing	pleading
80/2,14; 82/25; 83/18	Holloway	Hollaway
83/23	is	are
84/16; 85/5	Holloway	Hollaway
86/6,18	HOLLOWAY	HOLLOWAY
86/14	implemented and this amendment concerns is the one that says	implemented, and this amendment concerns, is the one that says:
86/15	following factors, two	fouling factors, tube
86/22	with some changes in design assumptions	"with some changes in design assumptions"
87/3	HOLLOWAY	HOLLOWAY *
89/13	fuel racks	fuel racks --
91/2	received into evidence	bound into the record
92/8	burnup in	burnup element in
92/9	surrounding	surrounded
92/13	sites	cites
95/17	estate	estimate
97/10,14	Holloway	Hollaway
98/6	may	must
98/13	issue and	issue. And

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
98/14	think put	think we put
99/2	allows and	allows. And
99/3	some other methodology	some methodology
100/3	Therefore	therefore
100/11	these, as	these amendments. As
100/13	assembly, that could	assembly, there could
101/3,12,18	HOLLOWAY	HOLLOWAY
101/3	not staff	not a staff
101/5	amendment, it	amendment -- it
101/18	said	say
103/1	newer	new or
104/12	allow, to	allow. To
104/14	burn-up. They're	burn-up, they're
104/15	advocate we	advocate that we
105/16	contention to - if	contention too. If
106/11	Mr. HOLLOWAY	MS. ZOBLER
106/20	include	could
106/22	that's	that
107/22-23	be, is in	be what is in
109/23	will	well,
109/24	physical.	"physical."
110/1	decision	decisions
110/10	staff	staff,
110/15	Applicants	Applicant's

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
110/16	Intervenors	Intervenor's
110/22	criteria	criterion
116/12	to them	to put them
116/16	then maybe	then, maybe
116/23	the Staff document	they're Staff documents
116/24	Appeals	an Appeal
116/25	controlling the	controlling, the
117/3	"The Commission has stated, if	The Commission has stated, "if
117/7	criteria, and that's particularly true in	criteria," and that's particularly true "in
120/1	for a lay-up	for lay-up
120/11	implicate	implicates
120/12	future	future,
122/1	or, the	but the
122/19	giving	given
122/20	you're on	are gone
122/22-23	to do other	to do it other
123/22	dry-cast	dry cask
125/13	yet	that
127/12	pipe was	pipe, was
128/5	system is	system, is
128/21	Any	In
129/2	sum	a time

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
129/17	received into evidence.]	bound into the record.]
129/25	identification.]	identification and bound into the record.]
130/1	Pictures	Picture's
130/6	with	be
130/8	closes	closest
130/16	commission	commissioned
131/22-23	which operate	which will operate
132/9	alternate	alternative
132/17	adequacy.	adequacy?
133/10	cast	cask
133/20	very, difficult	very difficult
133/21	do. If	go even if
133/23	FASR	FSAR
133/23	Why isn't a	Why isn't it a
134/7	that the CP&L	that CP&L
134/12	rejection.	rejected.
134/12	regulations, case	regulations and case
134/13	requires	require
135/12	Now	MR. O'NEILL: Now
135/20	that that really	that it really
135/21	basis in specificity	basis and specificity
136/4	Unit 2, Unit	Unit 2 and Unit
136/12, 25	alternate	alternative

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
137/12	data existed	data report existed
137/23-24; 138/6-7	basis in specificity	basis and specificity
138/14	points that	points to
139/5	treateed	treated
139/10	basis that the	basis in the
139/11	Petitioners at	Petitioner that at
139/14	in	and
140/10	infirmation	information
141/12	is acceptable	is not acceptable
142/6	nad	and
142/8	SCR	SER
143/11	submit, if the	submit, that the
143/19-20	nonetheless Staff	nonetheless something the Staff
144/2-3	follow that they would follow that	follow that
144/10	MR. O'NEILL	
144/16	componetns	components
144/17	requirement	requirements
144/18-19	assurance in the design basis, or replace.	assurance and the design basis, or replaced.
144/23	barrier	buried
145/10	altnerate	alternative
145/11	contentions go	contentions, go
146/3	sorry, didn't	sorry, I didn't

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
148/17	MS. CURRAN:	
148/19	schedule	scheduled
150/3	of material dispute	of a material dispute
150/17	MS. CURRAN:	
151/13	and leak	and a leak
151/20	pool	pools
151/21	filled,	filled --
151/22	-- demineralized	-- with demineralized
152/10	stated that	stated, that
156/2	that we'll deal that we	that we
156/19	on	or
157/20	Licnesing	Licensing
157/9	you that	you. But
157/9	before, which	before us, which
158/5	in VEPCO	in the VEPCO
158/12	the spent fuel modification, spent	the spent
158/14	Decision	decision
158/14	and it said	and it is said
158/17	objected on	objected, on
162/5	Robinson Brunswick plant	Robinson and Brunswick plants
162/14	is	or
162/18	of contentions	of have contentions
165/14	Harris. I	Harris, I

<u>Page/Line</u>	<u>Change/Delete</u>	<u>Insert</u>
165/19	licensed exactly they	licensed -- exactly how they
166/19	cast	casks
168/21	Nuclear Policy	Nuclear Waste Policy
168/23	there's why we're here today, is	that's why we're here today, it is
169/23	it's	it's up
171/9	admit a admission or contention as	admit a -- admission of a contention is
171/18	hearing.	hearing --
171/19	not, to	not. To
171/20	knowledge a	knowledge there has never been a
171/22	Beckhoff	Judge Bechhoefer
172/20	that that advances	that it advances
173/6	there's	they're
173/7	contention	contentions
175/24	Anything my	Anything from my
176/8	would	
176/17-18	was recessed, to reconvene at 9:30 a.m., Friday, May 14, 1999.]	was adjourned.]

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

CAROLINA POWER & LIGHT COMPANY
(Shearon Harris Nuclear Power Plant)

Docket No.(s) 50-400-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER--CORRECT'S TO 5/13/99 TR have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate
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U.S. Nuclear Regulatory Commission
Washington, DC 20555

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Washington, DC 20555

Administrative Judge
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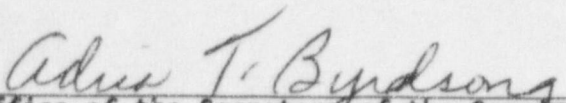
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Washington, DC 20037

Docket No.(s)50-400-LA
ORDER--CORRECT'S TO 5/13/99 TR

Dated at Rockville, Md. this
22 day of June 1999


Office of the Secretary of the Commission