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50-400-4A

More stuff to think about! Judy -----Original Message-----

From: NC WARN <ncwarn@pobox.com>

To: WARN <nc-warn@pobox.com>

Date: Thursday, November 30, 2000 8:06 PM

Subject: 2 NUCLEAR NEAR MISSES

00 DEC -1 8:06 AM

NEWS RELEASE

Warren November 30, 2000

919-490-0747

Contact: Jim

SERVED DEC - 1 2000

NUCLEAR WASTE POOLS LOST COOLING AT TWO PLANTS

Mishaps Went Unnoticed For 2 Days, Have Implications For Shearon Harris

DURHAM – The Union of Concerned Scientists has just learned that, for the second time this year, "spent" fuel pools at U.S. nuclear plants suffered dangerous heat build-ups after cooling water stopped moving for 48 hours due to equipment failures. The nuclear industry has long insisted that such problems cannot happen without being quickly detected and corrected.

The mishaps have serious implications for Carolina Power & Light's proposal to create the nation's only four-pool storage site for highly irradiated nuclear waste at its Harris plant in southwestern Wake County.

If for any reason, waste pools lose cooling water, or if water stops moving long enough to boil away, the exposure of waste bundles to air can cause them to burst into flame, potentially releasing large amounts of radiation into the atmosphere with little chance of stopping the accident after it begins.

According to David Lochbaum of UCS, the potential safety implications of both accidents, which occurred earlier this year, are very significant: **"The time-to-boil for spent fuel pools can be less than 48 hours under some routine conditions, and damage to safety systems can occur at about 130 degrees."** He explained that the humidity created at those temperatures creates sauna-like conditions, which can damage electrical equipment including emergency systems. At the Duane Arnold plant in Iowa, the pool temperature rose to 141 degrees, from 90 degree, before the problem was noticed.

Lochbaum added, **"Because it can take many hours to restore spent fuel pool cooling after the loss or degradation is known, few plants can afford to waste two days of their time-to-**

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boil on merely detecting the problem." A similar loss of cooling happened at the Browns Ferry nuclear plant in Alabama.

UCS, a nonprofit scientific organization promoting nuclear safety, obtained the information from industry documents which was never previously publicized. The nuclear industry has criticized Nuclear Regulatory Commission studies for assuming that identification and correction of degraded spent fuel pool cooling conditions might last longer than 12 hours.

A 1996 industry report obtained by UCS shows that a number of similar waste pool heat-ups have occurred. So far, none has resulted in a major accident. Due to the amount of material in waste pools, a fire could release more radioactivity than a nuclear reactor meltdown.

Mark Marcoplos, a spokesman for environmental group NC WARN, said today, **"CP&L no longer has a shred of credibility in claiming its massive waste expansion doesn't increase the risk to central North Carolina."** A new analysis by Orange County consultant Gordon Thompson, based on CP&L information, estimates the cumulative probability of a major waste pool accident at Harris is at least 1 in 2,000 over a 30-year operating period.

Orange County is pressing an NRC licensing board to order full safety hearings and an environmental impact study on the CP&L expansion plan. CP&L and NRC lawyers are furiously resisting hearings and the study.

##----- NC WARN

Waste Awareness and Reduction Network PO Box 61051 Durham, NC 27715-1051 Phone: (919) 490-0747 Fax: (919) 493-6614 Email: NC-WARN@POBOX.COM Website: <http://www.ncwarn.org>

I hope to see some of you at one of our upcoming events: Dec. 3 Sunday 3PM rally, Dec. 6 meeting in CH at Town Hall to hear scientist, 7:30, or all day hearings at McKimmon Center at NCSU on Dec. 7 where the lawyers from CP & L and Orange County will debate. Warn has full details, directions, etc. Take care, Judy -----Original

Message-----

From: NC WARN <ncwarn@pobox.com>

To: WARN <nc-warn@pobox.com>

Date: Tuesday, November 28, 2000 4:59 PM

Subject: CP&L ACCIDENT RISK

PO Box 61051 Durham, NC 27715-1051 Phone: (919) 490-0747 Fax: (919) 493-6614 Email: NC-WARN@POBOX.COM	
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Waste Awareness and Reduction Network NC WARN

NEWS RELEASE

Contact: Jim

Warren November 28, 2000

919-

490-0747

COUNTY PRESSES FOR NUCLEAR ACCIDENT STUDY, HEARINGS

Chance of Waste Accident At Shearon Harris Higher Than Earlier Believed

DURHAM – Orange County contends that new information demonstrates that the risks of a major nuclear waste pool accident at the Shearon Harris Nuclear Plant are far too great to dismiss as "remote," and that full safety hearings and an Environmental Impact Statement (EIS) are required by federal law.

In legal papers filed last week with a Nuclear Regulatory Commission Licensing Board, the County argues that a new technical analysis of CP&L's waste expansion plan shows the plausibility of a fire in Harris's "spent fuel" pools leading to a massive release of radiation. The analysis was summarized in a 90-page technical report prepared for Orange County by Dr. Gordon Thompson, a nuclear safety analyst based in Cambridge, Mass.

The County also notes that new information about storage pools across the nation – some of it from the NRC's own science advisory board – shows that waste pool accident risks are higher than previously believed. *And after twenty years of avoidance, the NRC staff finally admitted that Thompson has been correct about a key element of risk: that partial loss of water from a pool can be a more severe accident condition than total loss of water.*

Based on his analysis of CP&L data made available after an August order by the NRC Licensing Board, Dr. Thompson estimated the probability of a spent fuel fire at Harris. For just one class of accidents, the cumulative probability of a fire over a 30-year operating period would be at least 1 in 2,000. This estimate excludes acts of sabotage, terrorism or insanity, whose probability cannot

be readily predicted. (NRC test cases have shown for years that nuclear plants are vulnerable to intrusion about 50% of the time. The Licensing Board has so far refused to consider these and other potential initiating factors, instead asking for further review by CP&L and Orange County only of the reactor damage scenario.)

The NRC Staff assumed a far lower probability of an accident when it refused to prepare an EIS last year. In its legal brief, Orange County argues that to calculate lower probabilities would require an assumption that Harris workers would incur high radiation doses in order to stop a severe waste pool accident from progressing, and that such an assumption would violate federal law.

Dr. Thompson, who specializes in nuclear accident risks, cautions that estimating the probability of spent fuel accidents is a highly complex problem, involving many unknowns, uncertainties, and new areas of inquiry. **"Fuel pool accidents cannot be quickly ruled out as too remote to consider,"** he observes. **"Moreover, the consequences of a pool fire could be dramatically high; an area of land the size of North Carolina could become uninhabitable for a century or more."** Thompson added, **"This issue warrants careful consideration in the course of a full-scale environmental study."**

Orange County asserts that the thousand pages of technical analysis just filed by CP&L with the Licensing Board buttresses the County's view that the issues are far too complex to be summarily decided. Attorney Diane Curran said, **"Now that the government itself has finally confirmed the validity of Dr. Thompson's concerns about partial spent fuel pool drainage, this case should go to a full trial, with an opportunity for all sides to carefully analyze the material and cross-examine the experts."**

On December 7th at the NCSU McKimmon Center in Raleigh, the NRC Licensing Board will hear lawyers, not technical experts, argue whether safety hearings and an EIS are necessary. If ordered, safety hearings would come later, probably last two to three weeks, and would involve testimony under oath allowing for cross-examination of technical witnesses. The Board would then rule whether an EIS must be performed. Such a full-scale safety study would include a cost-benefit analysis of alternatives that would decrease risk of a nuclear waste accident.

Orange County and environmental group NC WARN argue that dry storage of waste at each CP&L reactor, instead of shipping it to Harris, would cost CP&L a miniscule reduction in its annual profits. NC WARN complains that CP&L has probably spent \$2 million over the past two years to block safety hearings – and the group would rather see them invest in improving safety by using dry casks to store spent fuel.

NC WARN director Jim Warren also expressed frustration about the December 7th legal session, pointing out that CP&L and NRC attorneys will make summary assertions about technical matters which they aren't qualified to speak on. **"The experts won't even be allowed to speak. Orange County has demonstrated that the plan poses a serious and avoidable risk – let's have a full hearing, with testimony by the experts, to see if they're right."**

Warren added that CP&L's public relations specialists have been distorting the seven-step accident scenario, implying that there are fail-safe protective measures at each point that would make the overall probability 'remote.' In fact, at several steps the probability of progressing to the next step in the accident scenario is a near certainty. **"It's time to leave CP&L's spin-masters and lawyers at home – let's hear from the company's technical consultants and see if they can defend that big stack of paper they just filed."**

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Dr. Gordon Thompson will discuss his latest findings on CP&L's nuclear waste expansion at a public forum: Wednesday, December 6th, 7:30pm at the Chapel Hill Town Hall, 306 N.Columbia St. ----- NC WARN

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If anyone can go, they could use some moral support! Judy

TRIAL FOR NUCLEAR SAFETY ADVOCATES

Three protesters will be tried in Raleigh on Friday for pressing Carolina Power & Light to stop blocking safety hearings on the company's proposal to double its storage of high-level waste at its Shearon Harris Nuclear Plant in Wake County.

Friday, December 1st 9am

Wake County Courthouse, Courtroom 2-C 316 Fayetteville St. Mall, Raleigh

Rev. Carrie Bolton, lawyer Lewis Pitts and NC WARN director Jim Warren were arrested on October 17th as they and a coalition of groups initiated a campaign of nonviolent civil disobedience to protest what they call CP&L's arrogant disregard for democratic process and regional safety.

The three were denied entry to CP&L's Raleigh headquarters, where they sought to obtain CEO William Cavanaugh's signature on an agreement to stop using legal maneuvers to block safety hearings before a Nuclear Regulatory Commission licensing board. They then sat down in the entry and refused to leave without seeing Cavanaugh. Raleigh police arrested them on charges of criminal trespass, a second degree misdemeanor in North Carolina.

Represented by Durham attorney Steward Fisher of Glenn, Mills and Fisher, PA, the group will argue that they were compelled to violate the law to protect themselves and the public. Two top expert warn of an increased risk of a major nuclear waste accident should CP&L gain approval for the expansion without full and open scientific hearings and an environmental impact study – which is required by federal law.

A second and larger round of nonviolent civil disobedience is scheduled for Sunday at 3pm as part of a rally at the Harris plant.

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----- NC WARN

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

CAROLINA POWER & LIGHT COMPANY)

(Shearon Harris Nuclear Power Plant))

Docket No. 50-400-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LIMITED APPEARANCE STATEMENTS (3) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
G. Paul Bollwerk, III, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Peter S. Lam
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Thomas D. Murphy
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Susan L. Uttal, Esq.
Robert M. Weisman, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Diane Curran, Esq.
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

William D. Johnson
Vice President and Senior Counsel
Carolina Power & Light Company
P.O. Box 1551
Raleigh, NC 27602

John H. O'Neill, Jr., Esq.
William R. Hollaway, Esq.
Shaw Pittman
2300 N Street, NW
Washington, DC 20037

Docket No. 50-400-LA
LIMITED APPEARANCE STATEMENTS (3)

Adria T. Byrdson
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 1st day of December 2000