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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of §
HOUSTON LIGHTING AND POWER COMPANY § Docket No. 50-466
(Allens Creek Nuclear Generating §
Station, Unit 1) §

JOHN P. DOHERTY'S CONTENTION # 41.

On this 10th day of August, John P. Doherty, Intervenor in the above construction license proceeding files this contention as one based on new information.

Text of Contention #41:

Intervenor's health and safety interests are endangered due to inadequate water level indicators for the reactor vessel for the proposed atomic plant. That such indicators are often defective and mislead operators into actions which aggravate reactor incidents are evidenced by two recent incidents at U. S. facilities. At Three Mile Island, Unit II, spurious water level indications in the pressurizer and the reactor vessel resulted in operator errors which aggravated the event (March 29, 1979); and spurious water level indications in the Oyster Creek Nuclear Power Plant, resulted in operators failing to take action until the water level was dangerously low (May 2, 1979)- specifically the operator failed to open valves which would have allowed coolant to be pumped from the condensor to the reactor vessel. Intervenor contends Applicant must develop an alternative whereby the water level is sensed more reliably by ~~redundant~~ as to type level indicators ~~and~~ redundant as to function water level indicators. Intervenor contends an accident where a core uncovering results from unreliable water level sensing can lead to a release of radioactivity in excess of 10 CFR 100, endangering his health and safety interests.

Intervenor further contends that inadequate water level indicators will lead to serious accidents for ACNCS, as at Three Mile Island, because the reactor systems are sufficiently similar in design being both dependant on safety systems actuated when reactor water level threatens to reach the top of the fuel rods. Because the proposed ACNCS has a higher power core density than any BWR this contention is particularly relevant to this proceeding. The Oyster Creek event provides a basis for showing much of the accident sequence has occurred in a BWR system.

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Additional Supporting Material

This contention was delayed because no reports on the Oyster Creek (BWR) incident were released by the NRC or other agencies. This Intervenor was reluctant to rely on newspaper accounts of the event until now. That is, it was conceived of as ideal to submit the contention relying on Nuclear Safety, in order to avoid inaccuracy, and have an official version. The earliest this could have been submitted with a basis in Oyster Creek, was May 2, 1979. This is the reason the contention was not filed sooner.

However, there is no indication the accident sequence will be considered for a General Electric BWR/6, MARK-III, GESSAR-238 referenced plant at any other forum at this time. In view of the seriousness of the Oyster Creek incident, the contention should be part of the ACRS record, and will benefit the people of South Texas by its being scrutinized by the Board. To omit it would be noticable as not learning from experience. No party other than here has raised the contention to date, and it presents an opportunity to more completely cover safety aspects of this licensing.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "JOHN F. DOHERTY'S CONTENTION #41" were served on the following by deposit in the U. S. mail on this 10th day of August, 1979.

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