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CAROLINA ENVIRONMENTAL STUDY GROUP

July 27, 1981

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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Catawba Operating License Application--
A Petition to Intervene

To Whom it May Concern:

The Carolina Environmental Study Group (CESG), a party in the Catawba CP proceeding and in the McGuire CP and OL proceedings, hereby in reference to the recent announcement of the application of Duke Power Company for an OL for the Catawba nuclear station, petitions, under 10 CFR §2.714 to be admitted as an intervening party.

CESG presently numbers 150 members, most of whom live within 30 miles of the Catawba site and a majority of whom live in Charlotte, NC.

The members of CESG are concerned with the adverse effects that they anticipate operation of the plant will have on their health, safety, and outlays for electric power.

Based on past experience CESG does not anticipate that its interests will be represented or protected by the state of South Carolina nor by the NRC staff.

CESG has specific concerns and supporting reasons as follow:

1. The ASLB rather than considering the OL should rescind the CP. The Catawba plant is not needed now. It is unlikely that it will be needed in the foreseeable future. CESG's demand forecasts, made at the time of the CP proceeding, have proved remarkably accurate, both as to trend and as to specific peaks. The Applicant even now enjoys a reserve of between 15 and 20% without the operation of McGuire. If McGuire operates, its reserve will be raised to about 40%. Applicant has put in place a number of load management and peak saving programs. Electric rates continue to increase. The alternatives which CESG identified at the CP stage continue to be emplaced. It is altogether likely that the capacity of Catawba will never be required. As long as construction of an unneeded station is permitted to continue, the public will be pointlessly bled for interest, AFDC and CWIP which benefit, not the public, but Applicant's shareholders and lending institutions. The increase in the investment at Catawba should be halted until, at the very least (ignoring safety considerations) there is a clear indication that the plant may be proved used and useful.

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2. Hydrogen issues were heard as CESC's Contentions 1 and 2 in the reopened McGuire OL proceeding. Although an ID favorable to the issuance of a license came from the ASLB the hydrogen matter remains to be resolved. In a meeting held after the close of the evidentiary hearing the Staff found that the matter of possible in containment detonation merited further study and ordered this work done by Duke, TVA and AEP, all of which operate or have low pressure, ice condenser containments under construction. Research is continuing at Brookhaven, Sandia, and Livermore Laboratories on the computerized study of hydrogen release accident sequences; on the appropriateness of leaving igniters on throughout a hydrogen release event; of why igniters twice failed to ignite in trials at Livermore. Perhaps the most adequate comment on the appropriateness of the ID was expressed in the "Separate Views" of Commissioners Gilinsky and Bradford. Quoting, "It is a finding that could only have been made by a group schooled in the arcane subtleties of nuclear regulation. No ordinary person is capable of such foolishness."

3. The Staff, NUREG-0534 Supplement, Nov. 1980, in a discussion of "Risk Consideration", 6.1.4.6, clearly establishes that estimates of risk involve both the probability and the consequences of the event. The McGuire ASLB made no finding, in fact developed no record as to consequences. It simply found, for the one scenario that Applicant put forth, that a hydrogen release accident was not credible. Accordingly it found the plant could be operated without undue risk to the health and safety of the public. The record it developed failed to support the finding.

4. In view of the deficiencies in the McGuire record and ID CESC asserts that it is not to be viewed as a precedent for the Catawba "sister plant" and that a motion for res judicata is not to be entertained.

5. The long construction period for the Catawba plant is resulting in an enormous cost overrun in regard to projections at the CP stage. The cause of slow construction is to be found not in Staff nor Intervenor caused delays. It is to be found in Applicant's enormous error in forecasting demand and the initial projection that Catawba 1 and 2 would be needed in 1978 and 1979 (McGuire DES, Table K-7, (July 1972)). McGuire, for similar reasons, cost more than four times the estimate used in the CP stage. Similar upward revisions in cost have been made for Catawba. As a consequence the initial cost/benefit weighing is grossly defective. The cost/benefit weighing should be re-determined in view of the changing circumstances.

6. The rate burden placed on the consumer, not some mythic "costs", should provide the basis for cost/benefit considerations. Applicant has requested a 10.7% rate increase, to cover its return, from the NCUC for McGuire when it goes on line.

7. The NRC should complete the final EIS at least 60 days before hearing matters concerned with public health and safety. This is a minimal requirement in terms of providing the public

with some basis for intimating to what extent its health and safety will be jeopardized by operation of Catawba.

8. Emergency planning for Catawba should include the EPZ, particularly the city of Rock Hill. But, because the plant is a low pressure, ice condenser containment type, and because the consequences of even a PWR-5 are estimated to extend to at least 25 miles (NUREG-0396, Fig. I-17 and I-18) a radius of 30 miles should be included in emergency planning. This clearly would include the largest population center in the two Carolinas, the city of Charlotte with a population in excess of 300,000.

9. The entire spectrum of serious release accidents, from and including PWR-1 to PWR-9, as envisaged in the Reactor Safety Study, should be considered as to consequences in the OL Environmental Statement.

10. The nature of particulate releases in the most serious accidents, PWR-1 et seq., will require relocation of the affected population. Crisis relocation planning should be required over the zone over which particulate releases can reasonably be expected.

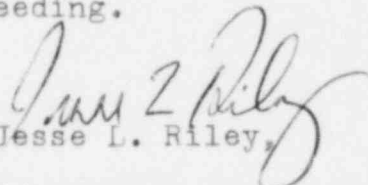
11. The capacity of the Catawba fuel pool was increased by amending the CP. There was no public notification in regard to this significant change. The change permits Catawba to become an essential part of Duke's "cascade plan" for handling spent fuel. In Docket No. 70-2623 Duke sought permission to move spent fuel from Oconee for storage at McGuire. The record shows that McGuire fuel, after the smaller McGuire pools were filled, was to go to Catawba. The ID in the spent fuel transport docket found that the transport of spent fuel could be inimical to the health and welfare of the public. Clearly the transport of spent fuel to Catawba for storage will affect the cost/benefit ratio struck for Catawba. The increase in fuel storage capacity will, by itself, also change the cost/benefit ratio. The plant has the potential for accomodating 30 years of spent fuel from the plant. German studies have shown that one of the most serious accidents possible would result from failure of a fuel pool cooling system. It is obvious that an increase in the amount of spent fuel stored will increase the severity of the consequences of a cooling failure.

12. At the CP stage CESG contended that a number of developments not considered by Applicant or Staff would affect subsequent peak demand. Applicant responded that its statutory duty was to supply whatever demand the public generated. Staff and the ASLB agreed. Since that time the state of North Carolina has passed energy conservation legislation which requires the Applicant to take reasonable steps to decrease peak growth. These include load management and various programs giving consumer's incentives to minimize load at system peak. Solar water systems are being installed, many by a utility, Piedmont Natural Gas Company. The state has set up an Alternative Energy Corporation, aimed at reducing the growth in electrical demand. There has been no adequate assessment of these alternatives as they affect the need for Catawba and the cost/benefit balance since the CP stage.

13. CESH has received information which leads it to believe that welders at Catawba have been improperly "qualified"; that welding supervisors have hurried work so that certain welds were made at below specification temperatures. Some welds were s placed that the welder could not observe his work when laying a bead. These uncertainties in regard to welds in the system are further adverse to the public health and safety.

CESG reserves the right under 10 CFR §2.714 (b) to file a supplement to this petition to intervene which will include a list of contentions and the bases therefor. It also reserves the right, if admitted as an intervenor, to amend this petition as may be necessary.

Having set forth its interest, having asserted a number of litigable contentions and the bases therefor, having attached hereto affidavits of several of its members who are subject to irreparable harm by operation of the plant, CESG requests leave to intervene in the Catawba CL proceeding.


Jesse L. Riley,

854 Henley Place
Charlotte, NC 28207

At Charlotte, NC
July 27, 1981

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AFFIDAVIT

My name is Jesse L. Riley. I live at 854 Henley Place in Charlotte, NC. I am president of the Carolina Environmental Study Group. At a meeting of CESG's Board on July 19, 1981, it was the unanimous agreement of the Board members that CESG petition to intervene in the recently noticed Catawba Operating License proceeding. In conformity with that authorization I have prepared a four page petition, to which this affidavit is attached.

I feel that my personal health and safety are adversely affected by the bracketing of Charlotte with four thin shell containment reactors, all about 10 miles from a city limit. I consider myself as a party with an interest in the proceeding.

Sworn to and subscribed
before me this 27th day of July,
1981.

Jesse L. Riley

Mary R. Lewis
Notary Public

My Commission Expires November 26, 1984

AFFIDAVIT

My name is Gayl S. Waller and I live at 1201
Providence Road, Charlotte, NC. I am a member
of Carolina Environmental Study Group and am
concerned for my and my family's health and
safety which I feel will be jeopardized with
the starting up of Catawba Nuclear Station.

Gayl S. Waller 7/27/81

Sworn to and subscribed before me
this 27th day of July, 1981

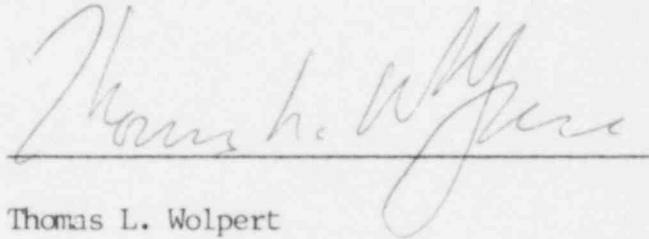
Joe Chambers
Notary Public

My commission expires: 10-9-82

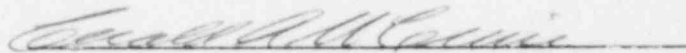
AFFIRMATION OF THOMAS L. WOLPERT

This is to affirm that I, Thomas L. Wolpert, of 1100 Sedgefield Rd., Charlotte, Mecklenburg County, North Carolina, am a member in good standing of the Carolina Environmental Study Group (CESG), and that the contentions advanced by CESG represent my views in regard to the Operating License Proceeding for the Catawba Nuclear Station Units 1 and 2.

This is to further affirm that I desire the Carolina Environmental Study Group and/or its designated representatives and counsel to represent my interests in the aforementioned proceeding.


Thomas L. Wolpert

Sworn to and subscribed before me this
27 day of July, 1981.



Notary Public

My commission expires MARCH 12, 1985