

May 10, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED

Before the Atomic Safety and Licensing Board

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In the Matter of	)	
	)	
CLEVELAND ELECTRIC ILLUMINATING	)	Docket Nos. 50-440
COMPANY, Et Al.	)	50-441
	)	(Operating License)
(Perry Nuclear Power Plant,	)	
Units 1 and 2)	)	

OCRE RESPONSE TO NRC STAFF'S FIRST  
SET OF INTERROGATORIES TO INTERVENORS

Intervenor Ohio Citizens for Responsible Energy ("OCRE") hereby files its response to the NRC Staff's First Set of Interrogatories to Intervenors, dated April 15, 1982<sup>1/</sup>. To conserve its scarce resources by reducing duplication and postage costs, OCRE will not reproduce here the interrogatories propounded it. OCRE will respond to those interrogatories in the same sequence and numeration encountered.

Responses

Issue No. 5 (Scram Discharge Volume Pipe Break)

Interrogatory 1a OCRE cannot now agree with the conclusion in NUREG-0803 at 2.2.1 that BWR 6/Mark III designs fulfill the requirement of 10 CFR Part 50, Appendix A, GDC 35.

Interrogatory 1b In reaching the conclusion cited above, the NRC apparently accepted the analysis given in NEDO-24342.

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<sup>1/</sup> By agreement with counsel for Staff, OCRE has not been limited to 14 days in which to respond to said interrogatories.

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OCRE cannot do so. Since it has only this forum in which to protect its interests, and this proceeding deals with a specific facility, PNPP, OCRE chooses not to accept a generic finding propounded by an agent of the Applicants.

The NEDO-24342 analysis is based upon a "typical 218-BWR/6" (p. 8.5). Perry is a 238-BWR/6. In addition, the Perry design may differ from the standard or typical design. OCRE is seeking confirmation of any design differences through discovery. Until such discovery is completed to its satisfaction, OCRE cannot agree or disagree with the findings of NEDO-24342 or NUREG-0803. OCRE reserves the right to amend or supplement these responses at such time.

OCRE also notes with interest the disclaimer at page ii of NEDO-24342: "(n)either General Electric Company nor any of the contributors to this document makes any representation or warranty (express or implied) as to the completeness, accuracy, or usefulness of the information contained in this document . . . ." OCRE would obviously prefer to obtain information through discovery, e.g., interrogatories which must be answered under oath or affirmation (10 CFR 2.740b), rather than relying on a document in which its authors carefully refuse to affirm the truthfulness of the information contained therein.

Interrogatory 2a GDC 35 of Appendix A to 10 CFR Part 50 essentially requires the ECCS design to function following a single failure. Thus, this Interrogatory assumes that the SDV pipe break scenario described in NUREG-0785 cannot, due to the design of Perry, disable the ECCS. Given this assumption, OCRE does contend that an SDV pipe break may pose a challenge

to adequate core cooling and the maintenance of coolant inventory, depending on the specifics of the Perry SDV design.

Interrogatory 2b For the reasons stated in the answer to Interrogatory 1b, OCRE at this time must rely upon the findings of NUREG-0785. As stated therein (pp. 3-8), a pipe break in the SDV may be difficult to isolate. (NEDO-24342 at p. 8-5 indicates that for Mark III plants the environmental conditions associated with such a break would be especially severe, thus delaying containment entry and subsequent break isolation.) NUREG-0785 also states that the water lost through the break would not be available for return to the reactor. OCRE therefore questions whether an SDV pipe break, which is equivalent to a break in the bottom of the reactor vessel, and may not be isolated for some time, could deplete the coolant inventory and sources of makeup water.

OCRE contends (again relying on the analysis in NUREG-0785 until further discovery produces reason to do otherwise) that the Perry facility may not meet the following General Design Criteria of Appendix A to 10 CFR Part 50:

GDC 14: As the SDV is part of the reactor coolant pressure boundary, this criterion (and those below) applies. OCRE questions whether the SDV has been designed, fabricated, erected, and tested so as to have an extremely low probability of leakage, failure, and rupture. See, for example, PNO-81-109 (describing an act of vandalism in the SDV piping), the March 12, 1982 letter from D. Davidson, CEI to J. Keppler, NRC Region III describing a deficiency in the stress analysis for the CRD hydraulic system, and the March 29, 1982 letter from A. Schwencer,

NRC to D. Davidson, CEI describing a potential safety problem resulting from "fast scram" hydrodynamic loads on CRD systems. GDC 30, 31, and 32 are similar and thus apply as well.

GDC 33 requires the plant to have a reactor coolant makeup system to protect against coolant loss from small breaks in the reactor coolant pressure boundary. As described above and in NUREG-0785 at p. 15, the loss of water from the SDV pipe break could deplete the ECCS inventory.

GDC 54 and 55 deal with piping systems and the reactor coolant pressure boundary penetrating containment. If the Perry design is similar to that studied in NUREG-0785, the PNPP SDV system violates these criteria in that redundant isolation is not provided.

Interrogatory 3a OCRE cannot agree with this conclusion at this time. Further discovery is necessary before OCRE can judge the merits of NEDO-24342.

Interrogatory 3b See response to Interrogatories 1b and 2b.

Interrogatory 4a OCRE cannot agree with this statement at this time.

Interrogatory 4b See response to Interrogatories 1b, 2a, and 2b.

Respectfully submitted,

*Susan L. Hiatt*

Susan L. Hiatt  
OCRE Interim Representative  
8275 Munson Rd.  
Mentor, OH 44060  
(216) 255-3158

AFFIDAVIT

I, Susan L. Hiatt, having been duly sworn depose and say that the facts set forth in the foregoing OCRE RESPONSE TO NRC STAFF'S FIRST SET OF INTERROGATORIES TO INTERVENORS are true to the best of my knowledge, information, and belief.

Susan L. Hiatt

Susan L. Hiatt

Sworn to and subscribed before me this 10<sup>th</sup> day of May, 1982.

Marley Ford Eiger

Notary Public

MARLEY FORD EIGER, Attorney At Law

Notary Public - State of Ohio

My commission has no expiration date.

Section 147.03 R. C.

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing OCRE RESPONSE TO NRC STAFF'S FIRST SET OF INTERROGATORIES TO INTERVENORS have been served by deposit in the U.S. Mail, first class, postage prepaid to those on the service list below this 11th day of May, 1982.

Susan L. Hiatt  
Susan L. Hiatt

SERVICE LIST

Peter B. Bloch, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Comm'n  
Washington, D.C. 20555

Daniel D. Wilt, Esq.  
7301 Chippewa Rd.  
Brecksville, OH 44141

Dr. Jerry R. Kline  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Comm'n  
Washington, D.C. 20555

Frederick J. Shon  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Comm'n  
Washington, D.C. 20555

Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Comm'n  
Washington, D.C. 20555

James Thessin, Esq.  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory Comm'n  
Washington, D.C. 20555

Jay Silberg, Esq.  
1800 M Street, N.W.  
Washington, D.C. 20036

Atomic Safety and Licensing Appeal Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555