

NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY & LICENSING BOARD

In the Matter of:)

South Carolina Electric &)
Gas Company, et. al.)

(Virgil C. Summer Nuclear)
Station, Unit 1))

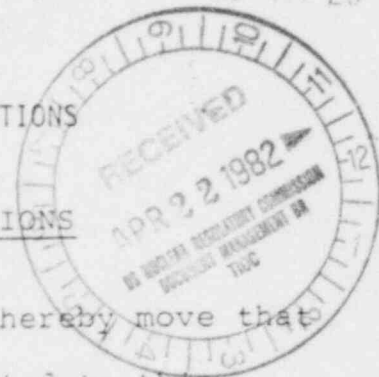
Docket No. 50-395-01

April 14, 1982

'82 APR 20 P2:07

MOTION FOR ADMISSION OF NEW CONTENTIONS

MOTION FOR ADMISSION OF NEW CONTENTIONS



As the Intervenor in this proceeding, I hereby move that new contentions, as set forth below, be admitted to this proceeding and that further hearings on these matters be held.

On March 10, 1982, I was informed by reports in the Columbia Record that the Applicants, South Carolina Electric & Gas Company and the South Carolina Public Service Authority, were admitting that because of a design defect in the steam generators at Summer they could not safely run the plant at more than half speed.

According to these stories, if the plant ran at more than 50% power, vibrations from water flow in the steam generators would cause the tubes to wear through in a very short time.

Although I received a Board Notification about steam generator concerns in January, after the hearings had ended, I was not informed that this wear problem was actually causing leaks or that those leaks would appear so quickly. In fact, the attached memo from Duke Power's McGuire people suggested that they were not having wear problems at that point. In mid-March I received a memo, dated March 12 or 13, which reported on an NRC meeting with Westinghouse about steam generators. According to that memo, this accelerated wear problem would appear in Model D3 steam generators like those at Summer if the plant were run at more than 50% power.

DS03
1/6

8204230561

This raises significant safety questions which this Board should address before licensing the Summer facility. Had I known how serious a problem this was before mid-March, I would have filed this motion sooner. As soon as I found out about it, I moved as quickly as I could given my current schedule. I think that I have good cause to file this motion now and that it is timely.

I would move that the following contentions be admitted and hearings on them held:

New Contention 1:

Accelerated wear on the steam generator tubes at Summer threatens the health and safety of the public from an uncontrolled release of radiation to the environment. Failure of a PORV valve, like happened at Ginna in January, can result in a safety valve on the steam generator opening and releasing radiation which will reach the environment. In a LOCA, weakened steam generator tubes can rupture. Steam can leak from the steam generators into the primary cooling loop. There steam binding can keep the ECCS from working properly and lead to a meltdown. These, and many other accident scenarios, can lead to uncontrolled releases to the environment.

If Summer is not safe to operate at full power, it should not be allowed to operate at half power.

New Contention 2:

The Applicants will be unable to raise the funds needed to safely operate Summer. South Carolina taxpayers are already so overburdened by the high rates to pay for Summer that SCE&G cut off 14% of its customers in 1980 because they couldn't pay their bills. Mark Whitaker, who is in charge of licensing Summer for the Applicants, has told the newspapers that he can't even tell the year when they'll be able to operate the plant at more than half speed. If this billion dollar plant can't be run at but half power, they are going to have to charge twice as much for each kilowatt to pay off their debts. Rate payer rebellions on the Pacific coast and elsewhere have shown that rate payers won't stand for it anymore. Already in South Carolina, many poor people have to go without electricity because they can't afford SCE&G's rates. Many more will stop buying. SCE&G will have to raise its rates further. Pretty soon only the over-paid SCE&G executives who built this defective plant will be able to buy their electricity.

New Contention 3:

The NRC Staff's failure to calculate the benefits of Summer based on production at half-power operation and to include the certain costs of massive repairs and/or replacement of the defective steam generators is of sufficient weight as to shift the balance against the favorable cost-benefit balance struck at the Construction Permit stage.

When the Staff struck its cost-benefit balance, it assumed that the plant would run at full power. But that balance should be restruct taking into account that the benefit is an unreliable 450 MW plant and not a 900 MW plant. In addition to the billion dollar plus construction costs, the additional millions of dollars for repairs or replacement of the steam generators should be added into the costs.

I know of no other party, since I am the only Intervenor, who can represent my interests. Surely the Applicants don't. The Staff doesn't. The State won't. The Board needs to get in the Westinghouse and Staff experts and get to the bottom of this before they can say that the plant is safe to operate. That may cause a slight delay, but I have moved as quickly as I can. I do note that the Applicants have again put off fuel load readiness. Waiting for fuel load readiness at Summer is getting to be like waiting for Godot.

There is already a financial qualifications contention before the Board. New Contention 2 really only makes that more particular and seeks more testimony from the Applicants and the Staff. The other contentions may open new ground, but they raise issues which are so serious that if they were not addressed equipment which presents a very real danger to the public would be allowed to operate.

The Applicants and the Staff will probably argue that the financial qualification issue should be addressed by the South Carolina Public Service Commission. Since paid agents of SCE&G - lawyer-legislators on retainer to SCE&G - control

the election of members of the SCPSC, that is not a fair forum for citizens.

I believe that I meet the requirements of 10 CFR 2.714(a) and would ask that this motion be granted and that these new contentions be admitted and hearings held on them.

Brett A. Bursey

22 JUL 20 PZ

)))))))

Docket No. 50-395-0L

)

CERTIFICATE OF SERVICE

Robert Guild, Esq.
314 Ball Mall
Columbia, S.C. 29201

Brett Bursey, Intervenor