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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

June 30, 1983

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Glenn O. Bright
Dr. James H. Carpenter
James L. Kelley, Chairman

In the Matter of

CAROLINA POWER AND LIGHT CO. et al.
(Shearon Harris Nuclear Power Plant,
Units 1 and 2)

Dockets 50-400 OL
50-401 OL

ASLBP No. 82-468-01
OL

Contention 15-AA: Staff Overestimation of Harris
Capacity Factor, by Wells Eddleman

Under the Board's order of 5/27/83, page 8 footnote 8,
Wells Eddleman hereby files the following contention that the
Staff's 55% capacity factor in the DEIS is too high:

Contention 15-AA: The Staff has overestimated the operating
capacity factor of the Harris nuclear plants in its draft environ-
mental impact statement, thus exaggerating the benefits of this
power being produced by nuclear energy, and distorting the NEPA
cost-benefit balance at the operating license stage. The Staff also
calculated the output at 55% too high even for the design rating.

B_ASIS: Many presently operating nuclear plants have lifetime
capacity factors below 55%. McGuire 1, with Westinghouse model D
steam generators (similar to Harris' steam generators) had a 38.5%
capacity factor as of 12-31-82 (NURFG#0020 "Gray Book" January 1983).
Harris will be subject to more stringent regulations and requirements
than most plants now operating (see, e.g. Board Exhibit 8 of the
Harris 1979 construction permit remand hearings, re "site stringency"
or strictness of requirements.) The Brunswick plant, which CP&L
played a considerable role in building (see record of same remand

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hearings)(testimony of J.A.Jones of CP&L, et al), has the lowest two capacity factors of any BWRs in the United States as of 12-31-82. (NUREG-0020, Jan 1983: Brunswick 2 is worst at 40.9% of design rating; Brunswick 1 is next lowest at about 50%; Browns Ferry 1 at 52.3% (including the effects of the 1975 fire) is next lowest, I believe). (CP&L's Robinson plant, by contrast, was a turnkey job, i.e. CP&L had no role in building it. Also, Robinson has the lowest site stringency (safety/operating requirements) of any nuclear plant in NRC Region II according to Board Exhibit 8 and the testimony in the Harris remand hearing of 1979, NRC Dockets 50-400 thru 403.)

In addition, CP&L's record of mismanagement of plants, and of plant problems (see, e.g., testimony of A. Ronald Jacobstein, with exhibits, NC Utilities Commission docket E-2 sub 444, where the NC Commission penalized CP&L for its role in causing/extending a turbine outage at Brunswick -- sabotage is suspected; testimony and exhibits of Thomas Lam, NCUC Public Staff (official consumer advocate), Docket E-2 sub 461 (1983) re CP&L's failure to perform tests, leading to extensive outages in the summer of 1982 at Brunswick; NRC proposed fine of \$600,000 to CP&L for failure to perform required tests; *(documented in attachments to C.A. Barth's 3-10-83 letter to the Board)* numbers of other large fines by NRC to CP&L in the past; Board Exhibit 8 of the 1979 remand hearings on Harris (anonymous NRC inspectors' opinions that Robinson management put power production ahead of safety, did only what NRC required); record of Robinson deratings and outages in recent years due to steam generator degradation) indicates that CP&L may not get as good results as other nuclear plant operators, at least not without compromising safety (vide NRC FOIA82-261 where CP&L units hold 3 of the highest 5 ratings in the USA for 1981 in risk of meltdown precursors happening at those plants in that review). Harris DER rating is 1800 MW x 4818 hrs (55%) is only 8.67 billion KWH a year, not 9 billion as Staff claims. No CP&L nuke has an operating MDC equal to its DER, so 8.67 is too high.