

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD 33 APR 19 A10:25

In the Matter of)
)
DUKE POWER COMPANY, et al.) Docket Nos. 50-413
) 50-414
(Catawba Nuclear Station,)
Units 1 and 2))

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

APPLICANTS' MOTION TO DIRECT INTERVENORS
TO FILE CONTENTIONS, IF ANY, CONCERNING
CONTROL ROOM DESIGN REVIEW

In its Memorandum and Order of March 5, 1982, the Atomic Safety and Licensing Board conditionally admitted several Palmetto Alliance and CESG contentions¹ subject to Applicants' providing Intervenor with copies of Applicants' proposed procedures for complying with NUREG-0737, and their control room design review, as soon as these documents became available. (March 5, 1982 Order at pp. 23, 24 and 26). The Board subsequently vacated its conditional admission of each of these three contentions in its Memorandum and Order of December 1, 1982 (p. 3). However, this order specified that the "directives to the Applicants to serve copies of

¹ Palmetto Alliance Contention 21 (dealing with Applicants' alleged failure to develop certain emergency operating procedures required by NUREG-0737 (clarification of TMI Action Plan)); and CESG 16 and part of Palmetto Alliance Contention 22 (dealing with the consideration of human factors in the design and instrumentation of the Catawba control room).

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the control room procedures and design review (Memorandum and Order of March 5, 1982, at 23, 26) remain in effect." December 1, 1982 Order at p. 6.

Pursuant to the December 1 Order, Applicants wish to advise the Board that on February 28, 1983, they submitted to Harold R. Denton, Director, NRR/NRC, with copies to each of the intervenors, the following documents:

- (1) Emergency Procedures Generation Package (designed to address paragraph 7.2b of Supplement 1 to NUREG-0737), which describes the development process for Catawba Nuclear Station Emergency Procedures.
- (2) Duke Power Company's Control Room Review Plan for Oconee, McGuire and Catawba Nuclear Stations.

In a conference call of March 31, 1983, Applicants advised the Board and parties that they were reviewing the above information to determine whether, in their view, sufficient information was contained therein on which contentions could be filed. Applicants have concluded that sufficient information does exist with respect to the Control Room Review Plan. To explain, the main concern of Palmetto Alliance's Contention 22 and CESC's Contention 16 was the possible lack of consideration of human factors in the design and instrumentation of the Catawba control room. Applicants' methods for identifying and analyzing any human engineering discrepancies found during the review are described in Sections IV and V of the Review Plan.

Applicants' methods for implementing modifications, procedures and training, as necessary, to resolve any significant human engineering discrepancies found are described in Section VI of the Review Plan.

Applicants note that the Control Room Review Plan will be supplemented by a submittal summarizing the findings of the Control Room Review Team and also a submittal outlining any necessary resolutions of identified discrepancies. These submittals will be filed on or about June 8, 1983.

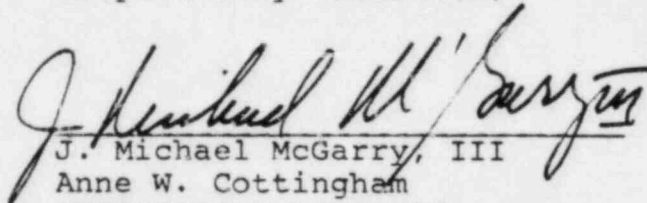
This Board, in its Order of February 2, 1983, put the parties on notice that 30 days would be provided for the filing of contentions once a licensing document had been furnished. Applicants could maintain that the relevant document has been available since February 20, 1983, and thus the 30 day period has expired. As noted in the March 31 conference call, Applicants do not advance such a position. However, since information was provided on February 28 and since Applicants put the parties on notice in the March 31 conference call that they were considering advancing this motion, Applicants propose that contentions, if any, should be filed promptly. Allowing for responses to this motion² and Board ruling thereon, Applicants do not feel that Intervenors should be provided with 30 days after

² Applicants have served this document by overnight mail.

such ruling to file contentions. Rather, Applicants maintain that contentions should be filed on or before May 31, 1983.

With respect to emergency procedures, Applicants will submit such procedures to the Board and parties on or about May 1, 1983. It is Applicants' position that the 30 day period for filing contentions should run from that date.

Respectfully submitted,



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April 18, 1983

UNITED STATES OF AMERICA
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of)
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion To Direct Intervenor To File Contentions, If Any, Concerning Control Room Design Review" in the above captioned matter have been served upon the following by deposit in the United States mail this 18th day of April, 1983.

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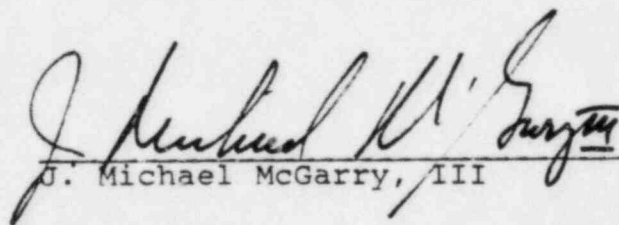
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* Those served by Express Mail.