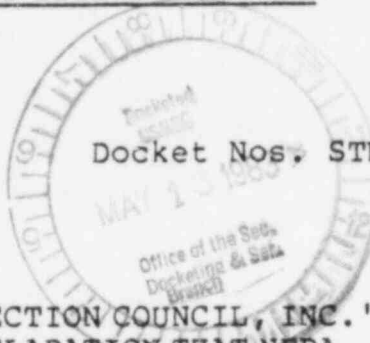


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
ARIZONA PUBLIC SERVICE COMPANY)
(Palo Verde Nuclear Generating)
Station, Units 2 and 3))

Docket Nos. STN 50-529
50-530



WEST VALLEY AGRICULTURAL PROTECTION COUNCIL, INC.'S
SUPPLEMENTAL MOTION FOR DECLARATION THAT NEPA
ANALYSIS IS INADEQUATE AND FOR
CONTINUANCE OF PROCEEDINGS

On February 2, 1983, West Valley Agricultural Protection Council, Inc. ("West Valley") submitted its Motion for Ruling on Contentions, for Declaration that NEPA Analysis is Inadequate and for Continuance of Proceedings. The first portion of that Motion, which requested rulings on the admissibility of West Valley's outstanding contentions, is now moot. As requested by the Board at the prehearing conference, the parties reached general agreement by stipulation, dated March 30, 1983, on these outstanding issues. That stipulation, which identifies the issues agreed upon by the parties for litigation and their remaining differences, is now before the Board for its consideration.

The latter two portions of the Motion are still pending before the Board. In accordance with the Board's ruling at the prehearing conference, discovery has proceeded pending its decision on West Valley's Motion. During the discovery process, West Valley obtained new information, or more precisely learned of the lack of information to support the limited EIS discussion of possible salt damage to crops, leading to the submission of this Supplemental Motion.

DS03

As set out more fully in the accompanying Memorandum, in its First Set of Interrogatories to Joint Applicants, West Valley sought detailed information concerning available studies and data on the amount and effects of salt deposition on crops grown in the PVNGS region. The inability of Joint Applicants to specify additional data on these issues beyond the coverage in the Environmental Reports and Statements that this Board has previously identified as sparse (see Memorandum and Order of December 30, 1982 at 13), demonstrates again the defects in the environmental analyses for the PVNGS facilities. Relevant portions of the Interrogatories and Answers are attached as Exhibit 1.

In light of this further corroboration of the lack of meaningful data on salt deposition provided in Joint Applicant's responses to our interrogatories and the failure of the NRC staff to come forward with additional data since West Valley's intervention, West Valley urges the Board to rule the environmental analysis performed to date inadequate under NEPA and to order a continuance of discovery until further NEPA studies, including results of the Crop Study currently in progress at the University of Arizona and other necessary salt drift analyses, are complete.

Respectfully submitted,

Dated: _____

Kenneth Berlin
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13 JOINT APPLICANTS' RESPONSE TO
14 WEST VALLEY'S FIRST SET OF INTERROGATORIES

15 PREFACE AND GENERAL OBJECTIONS

16
17 1. CFR §2.740(b)(2) provides that a party may
18 obtain discovery of documents and other tangible things
19 otherwise discoverable and prepared in anticipation of liti-
20 gation or for the hearing by or for another party's repre-
21 sentative only upon a showing that the party seeking dis-
22 covery has substantial need of the materials and is unable
23 without undue hardship to obtain the substantial equivalent
24 of the materials by other means. Joint Applicants therefore
25 object to those interrogatories which request an identifica-
26 tion of documents to the extent that such an identification

INTERROGATORY NO. 15

15. State whether it is your position that the ER and EIS fully evaluated salt drift quantity and deposition patterns from the spray ponds.

ANSWER

APS prepared the PVNGS-ER following the guidance provided by NRC's Regulatory Guide 4.2. The EIS is an NRC document and as such the EIS evaluations are not subject to APS control.

INTERROGATORY NO. 16

16. If your answer to Interrogatory 15 is yes, state the basis for your contention and list each page in the ER, EIS and hearing record which you believe supports your position.

ANSWER

- 1) ER-CP, figure 3.3-1.
- 2) ER-CL, figure 3.3-1.

INTERROGATORY NO. 22

22. Identify:

a) The person most familiar with the reasons why the FOG model was chosen over other models which describe salt drift deposition patterns.

b) All documents which relate or refer to why the FOG model was chosen over other models which describe salt drift deposition patterns.

ANSWER

a) Morton I. Goldman.

b) None

INTERROGATORY NO. 29A

29A. Describe the monitoring program you plan to implement to determine the quantity of salt emitted from the PVNGS and its impact on area agriculture, including, but not limited to:

a) How you plan to monitor the salinity of the drift emitted from the (i) cooling towers, (ii) spray ponds and (iii) evaporation ponds.

b) How you plan to monitor the size and quantity of the salt particles emitted from the (i) cooling towers, (ii) spray ponds and (iii) evaporation ponds.

c) How you plan to monitor the salt drift per acre as a function of the distance and direction from the plant.

d) How you plan to monitor the impact of salt drift from the plant on area agriculture.

e) What baseline monitoring studies, in addition to those described in Interrogatory 29, you plan to undertake prior to operation of PVNGS Unit 1 to determine current salt conditions.

f) How you plan to monitor each of the factors described in a-e over the life of the plant.

g) How you plan to verify the accuracy of the monitoring and associated analysis used in determining salt drift per acre as a function of the distance and direction from the plant.

ANSWER

a)(i) The salinity of the drift emitted from the cooling towers will be determined by periodically sampling the circulating cooling water in the cooling tower basin.

(ii) and (iii) There are no plans to monitor salinity of the spray ponds and evaporation ponds for the purpose of determining drift salinity.

b)(i), (ii) and (iii) There are no plans to implement a monitoring program to monitor drift mass or drift droplet size distribution or the size and quantity of salt particles emitted from the cooling towers, spray ponds or evaporation ponds.

c) See the Salt Deposition and Impact Monitoring Plan for the PVNGS Units 1, 2 and 3, February 1983.

d) See the Salt Deposition and Impact Monitoring Plan for the PVNGS Units 1, 2 and 3, February 1983.

e) See the Salt Deposition and Impact Monitoring Plan for the PVNGS Units 1, 2 and 3, February 1983.

f) See the Salt Deposition and Impact Monitoring Plan for the PVNGS Units 1, 2 and 3, February 1983. The monitoring program will be conducted until the impacts of plant operations are determined.

g) See the Salt Deposition and Impact Monitoring Plan for the PVNGS Units 1, 2 and 3, February 1983.

INTERROGATORY NO. 33

33. State whether water desalinization was considered as a salt drift mitigation strategy prior to the completion of the EIS-OS.

ANSWER

Water desalinization was not considered as a salt drift mitigation strategy prior to the completion of the EIS-OS.

INTERROGATORY NO. 35

35. State whether you are now considering or have considered since the completion of the EIS-OS water desalinization as a salt drift mitigation strategy.

ANSWER

Water desalinization has not been and is not being considered as a salt drift mitigation strategy.

INTERROGATORY NO. 37

37. State whether blowdown treatment and water recirculation were considered as salt drift mitigation strategies prior to the completion of the EIS-OS.

ANSWER

Blowdown treatment and water recirculation were not considered as salt drift mitigation strategies prior to the completion of the EIS-OS.

INTERROGATORY NO. 39

39. State whether you are now considering blowdown treatment and water recirculation as a salt drift mitigation strategy.

ANSWER

Blowdown treatment and water recirculation are not now being considered as a salt drift mitigation strategy.

INTERROGATORY NO. 47

47. Describe the maintenance plans for the PVNGS cooling tower drift eliminators.

ANSWER

The maintenance plans for the PVNGS cooling towers have not yet been written. APS intends to use the Marley Cooling Tower Company's Operation and Maintenance Instructions Manual as guidance for developing future APS plans.

INTERROGATORY NO. 51.

51. Identify each person who works for:

- i) NUS
- ii) Marley
- iii) Bechtel
- iv) Joint Applicants
- v) Any other entity

with knowledge of consideration of alternative cooling tower drift elimination systems as well as the person at Marley most familiar with Marley's cooling tower drift elimination system.

ANSWER

(i) NUS: No one

(ii) MARLEY: Those persons listed in response to Interrogatory 3(i)(a); J. D. Holmberg has the most knowledge about Marley's cooling tower drift elimination system.

(iii) BECHTEL: No one

(iv) APS: No one

INTERROGATORY NO. 52

52. State whether prior to the completion of the EIS-OS Joint Applicants conducted or had conducted for them any studies on the tolerance of crops grown within 10 miles of the PVNGS to aerosol salt deposition.

ANSWER

There were no such studies conducted.

INTERROGATORY NO. 55

55. If your answer to interrogatory 54 is yes, describe that information for each of the crops grown in the vicinity of the PVNGS.

ANSWER

The information is contained in the ER-CP, Section 5.4.2, and in reference No. 35 to that section.