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June 11, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
GEORGIA POWER COMPANY, <u>ET AL.</u>)	Docket Nos. 50-424
)	50-425
(Vogtle Electric Generating Plant,)	
Units 1 and 2))	

APPLICANTS' RESPONSE TO NEW INFORMATION
SUBMITTED BY GEORGIANS AGAINST NUCLEAR ENERGY
AND CAMPAIGN FOR A PROSPEROUS GEORGIA IN
SUPPORT OF THEIR PROPOSED CONTENTIONS

During the Special Prehearing Conference of May 30, 1984, Petitioners Georgians Against Nuclear Energy (GANE) and Campaign for a Prosperous Georgia (CPG) submitted some new information in support of their proposed contentions. Applicants requested and were granted an opportunity to respond to this new information. Tr. at 84-85; Tr. at 164-165.

GANE-2 (Cumulative Effects) and GANE-7 (Groundwater)

GANE submitted a letter dated May 29, 1984, from William F. Lawless to Danny Feig, as additional support for proposed contention GANE-7 (on groundwater) and perhaps for

proposed contention GANE-2 (on cumulative effects). See Tr. at 107-108, 135.

The content of the letter, however, is not relevant to GANE-7. It does not relate to GANE's allegation that operation of Plant Vogtle might result in groundwater contamination. Instead, the letter addresses nuclear waste burial, and as pointed out during the Special Prehearing Conference, no nuclear waste burial is proposed at the Vogtle site. Tr. at 136.

GANE subsequently argued that the letter bore on cumulative groundwater contamination. Tr. at 136-137. If at all, this assertion is relevant to GANE-2. But the Lawless letter does not address cumulative effects. It does not even mention Vogtle or the contamination of groundwater under the Vogtle site. Indeed, the explanatory note accompanying the Lawless letter states that the letter "could fit . . . somewhat under cumulative effects . . . but only weakly."^{1/}

The explanatory note also indicates the true target of the letter.

This is a generic issue that indirectly applies to Vogtle. The NRC nuclear waste regulation (10 CFR Part 61) regulates commercial nuclear generated waste such as will be generated by Vogtle. The NRC regulation is deficient for vegetative uptake; does or may not apply for the EPA RCRA regulations and

^{1/} Similarly, Mr. Lawless' comments during the Special Prehearing Conference failed to address Plant Vogtle. Mr. Lawless' discussion of the levels of radioactivity in burial groundwater (Tr. at 119) and levels of radioactivity on the Savannah River Plant site is simply irrelevant.

all NRC regulated burial grounds may be in violation of RCRA; and possibly may be deficient in their lower central limit for transuranic waste.

The argument is this: additional radioactive wastes generated by power plants add othe [sic] the unresolved issues of vegetative uptake, possible RCRA violations, and transuranic waste. New power plants (nuclear) should not be licensed (or allowed to be built) until this issue is addressed.

In short, Mr. Lawless is attacking the Commission's regulations governing waste disposal -- regulations not even at issue in this proceeding. Furthermore, for the purposes of the Commission's NEPA review in this licensing proceeding, the environmental effects of waste disposal are established by table S-3. 10 C.F.R. § 51.20(e).

GANE-8 (Quality Assurance)

GANE also submitted, as additional support for GANE-8 on quality assurance, a letter from Clinton Sumrall to Rockwell International Corporation, and a letter from Rockwell in response. Tr. at 49-50. Mr. Sumrall asserted that material tests, required of pressure-retaining valve components under Section III of the ASME Boiler and Pressure Code in order to ensure pressure integrity, should be applied to all active components of Rockwell balanced disk main stream isolation valves with air/spring actuators.

Mr. Sumrall's letter has nothing to do with Applicants' quality assurance program. As the Sumrall letter makes clear, Section III of the ASME Boiler and Pressure Code does not apply to non-pressure-retaining valve components. Thus, no violation of these code requirements is involved. Mr. Sumrall does not allege any deficiencies in other tests which are conducted to assure that valves and their actuators have been seismically qualified.

CPG-11 (Unresolved Safety Issues)

At the Special Prehearing Conference, Howard Deutsch provided additional information in support of CPG-11. Tr. at 80-85. In particular, Mr. Deutsch referred to the FSAR, p. 5.4.3-9, as an admission "that in certain localized cases that [sic] there is thinning and intergranular stress corrosion." Tr. at 81.

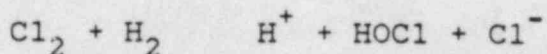
The paragraph to which Mr. Deutsch refers, however, is taken out of context. As is evident from this section of the FSAR (§ 5.4.2.4.3), localized corrosion rates greater than that normally associated with Inconel 600 have been experienced only in steam generators that did not use all volatile treatment (AVT). The FSAR explains that the use of AVT minimizes the possibility of this phenomenon. CPG has provided no basis for disagreement with the FSAR. CPG has still failed (1) to demonstrate the safety significance of this issue with respect to Vogtle and (2) to explain how the fashion in which the application deals with the

matter is unsatisfactory or why there has been insufficient assessment of a particular type of risk. Gulf States Utilities Company (River Bend Station, Units 1 and 2), ALAB-444, 6 N.R.C. 760, 773 (1977).

GANE-12/CPG-12: Chlorine

GANE and CPG amended contention 12 to replace all references to hydrochloric acid with references to chlorine gas. CPG Amendment to Supplement to Petition for Leave to Intervene and Request for Hearing, filed May 27, 1984. Tr. at 86-87. At the Special Prehearing Conference, Mr. Deutsch asserted that "there is a potential for elemental chlorine to be released." Tr. at 92.

Read literally, the contention lacks factual basis as a simple matter of chemistry. When chlorine gas is injected at the circulating water pumps, the gas is dissolved in the water and hydrolyzes rapidly according to the following equation:



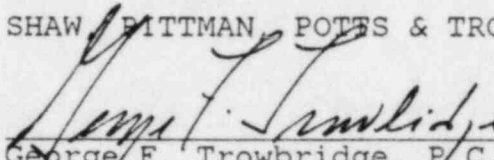
This hydrolysis is substantially complete in less than one second. The percentage of molecular chlorine (Cl_2 gas) in an acidic water solution of 10 ppm chlorine at 77°F and a pH of 4.5 would be 0.01%. At higher pH values and temperatures, the percentage of molecular chlorine diminishes.

Perhaps Petitioners were attempting to expand the contention to address HOCl (hypochlorous acid). However, if so, Petitioners made no attempt to quantify the amount of chlorine, in whatever

form, that they think would be released or to discuss its significance, if any; and they certainly did not present any significant new information that would warrant a reassessment of evaluation performed at the construction permit stage. See CP-ER at §§ 3.7 and 5.3.2; CP-FES at § 5.5.1.1. See also Applicants' Response to GANE and CPG Supplements to Petitions for Leave to Intervene, at 31 n.24 (May 7, 1984); Tr. at 93-94.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE


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Counsel for Applicants

Dated: June 11, 1984

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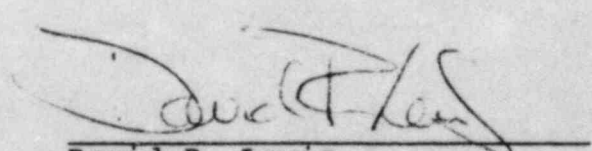
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Response to CPG's Request for a Waiver of 10 C.F.R. § 51.53(c)," dated June 11, 1984, and "Applicants' Response to New Information Submitted by Georgians Against Nuclear Energy and Campaign for a Prosperous Georgia in Support of Their Proposed Contentions," dated June 11, 1984, were served upon the persons on the attached Service List by deposit in the United States mail, postage prepaid, this 11th day of June, 1984.


David R. Lewis

DATED: June 11, 1984

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