

October 8, 1984

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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)
)
CAROLINA POWER AND LIGHT COMPANY)
and NORTH CAROLINA EASTERN) Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant))

APPLICANTS' STATEMENT OF MATERIAL FACTS
AS TO WHICH THERE IS NO GENUINE
ISSUE TO BE HEARD ON EDDLEMAN-144

Pursuant to 10 C.F.R. § 2.749(a), Applicants state, in support of their Motion For Summary Disposition of Eddleman-144, that there is no genuine issue to be heard with respect to the following material facts:

1. Plans for the construction of Harris Unit 2 have been cancelled. Black Affidavit, ¶ 3.
2. Applicants' on-shift staffing and augmentation for emergencies for the remaining unit of the Harris plant were documented in Tables 2.2-1 and 2.2-2 of revisions 0 and 1 of the onsite plan. Black Affidavit, ¶ 4.
3. As set forth in revisions 0 and 1 of the onsite plan, the information in these tables was not in the same format as Table 2 of NUREG-0737, Supplement 1 (which is identical, with the exception of a typographical error, to Table B-1 of NUREG-0654.) Black Affidavit, ¶ 4.

4. In the "Safety Evaluation Report Related to The Operation of SHNPP Units 1 & 2," NUREG-0138 (November 1983), the NRC Staff recommended that Tables 2.2-1 and 2.2-2 of the onsite plan be revised to be more compatible with Table B-1 of NUREG-0654. Black Affidavit, ¶ 5.

5. In Revision 2 of the onsite plan (February 1984), Tables 2.2-1 and 2.2-2 (of revisions 0 and 1) were revised to be substantially the same as the format of Table B-1, by incorporating both tables into a new Table 2.2-1, as requested by the NRC Staff. Black Affidavit, ¶ 6.

6. Table 2.2-1, "On-shift Staffing for Emergencies," is now nearly identical to Table B-1 of NUREG-0654. The main difference is that instead of listing augmentation times of exactly 30 and 60 minutes for two categories of personnel, CP&L lists times of 30-45 minutes and 60-75 minutes, to allow for variations in time of arrival due to weather conditions. Black Affidavit, ¶ 6.

7. The December 17, 1982 letter from the Nuclear Regulatory Commission transmitting NUREG-0737, Supplement 1, expressly noted that "the staffing levels in table 2 * * * are only goals and not strict requirements." Black Affidavit, ¶ 6.

8. A second minor difference between NUREG-0654, Table B-1 and the table now included in the Harris onsite plan is that, while Table B-1 lists generic titles for personnel, CP&L has substituted the specific position titles used at

the Harris plant for personnel with the identified job function or expertise. Black Affidavit, ¶ 7.

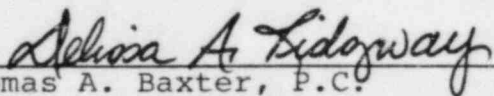
9. A typographical error was made when Table B-1 of NUREG-0654 was transferred to NUREG-0737, Supplement 1. Table B-1 correctly indicates that only two persons are needed with the position title or expertise in Electrical Maintenance/Instrument and Control Technician in the 30-minute column under the Major Task "Repair and Corrective Actions." As indicated in Table 2.2-1 of the onsite plan, CP&L meets this regulatory standard. Black Affidavit, ¶ 8.

10. CP&L's routine non-emergency on shift staffing includes a minimum of at least one mechanical maintenance person and at least one radwaste operator. Table B-1 only identifies the need for one person on shift in the category of Mechanical Maintenance/Radwaste Operator, and identifies personnel augmentation requirements as one additional mechanical maintenance person and an additional radwaste operator after 60 minutes. In an emergency, CP&L would bring in, if not already onsite, additional mechanical maintenance personnel (rather than one maintenance person and one radwaste operator), as identified by Table 2.2-1 of the onsite plan, because the major emergency task would be repair. Since CP&L has radwaste expertise on shift, and therefore already onsite, CP&L meets or exceeds the regulatory guidance in this area. Black Affidavit, ¶ 9.

11. Fire brigade and security staffing are identified in Table 2.2-1 of the onsite plan by reference to other controlling documents, exactly as indicated in Table B-1 of NUREG-0654 (Table 2 of NUREG-0737, Supplement 1). The total number of personnel reflected in Table 2.2-1 for the emergency organization for on shift, 30-45 minutes, and 60-75 minutes meets or exceeds the provisions of Table B-1. Black Affidavit, ¶ 10.

12. The NRC Staff has reviewed Applicants' Table 2.2-1, as revised, and has approved it. Black Affidavit, ¶ 11.

Respectfully submitted,


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