

December 21, 1984.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

'84 DEC 24 A10:39

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)

CAROLINA POWER & LIGHT COMPANY)
and NORTH CAROLINA EASTERN)
MUNICIPAL POWER AGENCY)

(Shearon Harris Nuclear Power)
Plant))

Docket No. 50-400 OL

APPLICANTS' STATEMENT OF MATERIAL FACTS
AS TO WHICH THERE IS NO GENUINE
ISSUE TO BE HEARD ON CHANGE-17

Pursuant to 10 C.F.R. § 2.749(a), Applicants state, in support of their Motion For Summary Disposition of CHANGE-17, that there is no genuine issue to be heard with respect to the following material facts:

1. The "Safety Information" brochure (for distribution throughout the plume EPZ prior to fuel load, and annually thereafter) will include a special needs response card, to elicit information identifying hearing-impaired members of the public. Pugh Affidavit, ¶ 3.

2. The completed response cards will be analyzed by the State and the four county emergency management agencies. The information will serve as the basis for the counties' lists of hearing-impaired persons within the EPZ, which will be updated to reflect each new special needs card as it is received. Pugh Affidavit, ¶ 3.

3. The lists compiled from the special needs response cards will be augmented with information identifying hearing-impaired persons provided by rescue squads, fire departments, social service agencies and health care providers in the four-county area. Pugh Affidavit, ¶ 4.

4. The list of hearing-impaired persons in the EPZ will be completed prior to fuel load, and will be updated annually and with the receipt of each new special needs card. Pugh Affidavit, ¶ 24.

5. The current lists of hearing-impaired persons will be maintained in county EOCs, sheriffs' offices, fire stations, and ambulance service and rescue squad headquarters, and will therefore be readily available to notification personnel in the event of an emergency. Pugh Affidavit, ¶ 5.

6. The fixed siren system will serve as the primary public alerting system in the event of an emergency at the Harris plant. However, in all four counties within the EPZ, vehicles will be immediately dispatched upon the activation of the fixed sirens, to provide special notification for the hearing-impaired within the EPZ. Pugh Affidavit, ¶ 6.

7. As the predesignated special notification personnel drive their assigned routes in an emergency, they will stop at the addresses on the list of hearing-impaired persons, to provide those persons with special, individual notification of the emergency. Pugh Affidavit, ¶ 6.

8. Zones within the EPZ already have been divided into subzones within which the road mileage has been measured, and -- within each zone or subzone -- county agencies have been assigned responsibility for notification of the hearing-impaired. When the list of hearing-impaired persons has been completed, each responsible agency will drive its routes to determine the amount of time needed for notification. Pugh Affidavit, ¶ 7.

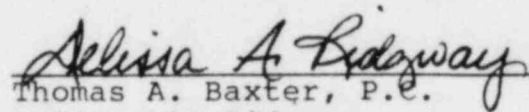
9. Sufficient vehicles and personnel have been identified to complete the notification of the hearing-impaired within 45 minutes, as prescribed in NUREG-0654, Appendix 3. Pugh Affidavit, ¶¶ 6 n.3, 8-20.

10. Each of the four counties has identified additional personnel (with vehicles) who would be available to augment the designated special notification personnel, if necessary. Pugh Affidavit, ¶ 21.

11. In addition to the special, individual notification which would be provided, EBS television broadcasts would include "crawl messages" (lines of text at the bottom of the TV screen) to provide emergency warnings and information to the hearing-impaired members of the general public.

Pugh Affidavit, ¶ 23.

Respectfully submitted,



Thomas A. Baxter, P.E.
Delissa A. Ridgway
SHAW, PITTMAN, POTTS & TROWBRIDGE
1800 M Street, N.W.
Washington, D.C. 20036
(202) 822-1000

Richard E. Jones
Samantha F. Flynn
Dale E. Hollar
Hill Carrow
CAROLINA POWER & LIGHT COMPANY
P.O. Box 1551
Raleigh, North Carolina 27602
(919) 836-7707

Counsel for Applicants

Dated: December 21, 1984