

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

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In the Matter of)
)
THE CLEVELAND ELECTRIC) Docket Nos. 50-440
ILLUMINATING COMPANY) 50-441
)
(Perry Nuclear Power Plant,)
Units 1 and 2))

OFFICE OF SECRETARY
REGULATORY & SERVICE
BRANCH

AFFIDAVIT OF DANIEL D.
HULBERT ON CONTENTION CC

County of Lake)
) ss.
State of Ohio)

Daniel D. Hulbert, being duly sworn, deposes and says:

1. I am presently Emergency Planning Coordinator, Perry Plant Technical Department, The Cleveland Electric Illuminating Company (CEI). My business address is 10 Center Road, Perry, Ohio 44081. In my position, I am responsible for developing, maintaining and evaluating the Perry Nuclear Power Plant (PNPP) Emergency Plan, including coordinating emergency preparedness among various PNPP departments and developing emergency planning documents and specification of response requirements. These responsibilities include responding to resolution items identified by the NRC Staff on its review of the PNPP Emergency Plan. A current statement of my professional and technical qualifications is attached hereto. I have personal knowledge

of the matters stated herein and believe them to be true and correct. I make this affidavit in support of Applicants' Motion for Summary Disposition of Contention CC.

2. Contention CC states that the resolution items set forth by the NRC Staff in Supplement 4 (February 1984) to the Safety Evaluation Report, NUREG-0887 (SSER 4), pages 13-1 to 13-22, are uncorrected deficiencies in the emergency plan. The referenced pages in SSER 4 set forth the NRC Staff's evaluation of the PNPP Emergency Plan (through Revision 2) and identified 35 items which required resolution.

3. By letter dated April 28, 1984 (PY-CEI/NRR-0105 L), CEI transmitted to the NRC Staff Revision 3 to the PNPP Emergency Plan, as well as a cross-reference between the resolution item in SSER 4 and where in Revision 3 those items had been resolved. By letters dated August 20, 1984 (PY-CEI/NRR-0135 L) and October 29, 1984 (PY-CEI/NRR--149 L), CEI provided to the NRC Staff additional clarification of changes to the PNPP Emergency Plan which relate to resolution items in SSER 4 and which will be incorporated in Revision 4 to the PNPP Emergency Plan, scheduled for submission on February 28, 1985. The information contained in Revision 3 and the subsequent correspondence demonstrates that all the resolution items in SSER 4 have been addressed and that they are not uncorrected deficiencies in the PNPP emergency plan.

4. The following paragraphs summarize each resolution item and CEI's response.

a. Item 13.3.2.2(1) requested that augmented shift staffing be made consistent with Table 2 to NUREG-0737, Supp. 1. This consistency was achieved in the October 29, 1984 CEI letter (§§ 5.2.2.2, 5.2.2.4, 5.2.3 and Table 5-1 of the PNPP Emergency Plan).

b. Item 13.3.2.2(2) requested additional detail on the process of transferring responsibilities to the Emergency Coordinator. This information was provided in §§ 5.2.2.4 and 6.1.3 of the Plan (Rev. 3).

c. Item 13.3.2.2(3) requested clarification that the Emergency Coordinator could not delegate the duties of notifying and making protective action recommendations to offsite authorities. This was done in §§ 5.2.2.1, 5.2.2.3 and 5.2.2.4 of the Plan (Rev. 3).

d. Item 13.3.2.2(4) requested clarification that the Emergency Coordinator maintains unilateral control of the overall emergency response. This was accomplished in Rev. 3 of the Plan, §§ 5.2.1, 5.2.2.1, 5.2.2.3, 5.2.2.4 and 6.1.2.

e. Item 13.3.2.3(1) requested that the expected arrival times of federal assistance be indicated. This information was incorporated in § 5.4.4 of the Plan (Rev. 3).

f. Item 13.3.2.3(2) requested clarification of the radiation detection capabilities of the Post Accident Monitoring System (PASS) and the capabilities of Technical Support Center (TSC) and Emergency Operator Facility (EOF) laboratory equipment. This information was provided in Plan (Rev. 3), § 7.3.9, with clarification in the August 20, 1984 letter, and further revision to § 7.3.9 in the October 29, 1984 CEI letter.

g. Item 13.3.2.3(3) requested that provisions for backup laboratory facilities be made consistent with NUREG-0737. This was added in Rev. 3 of the Plan, § 7.3.9 and further clarified in the August 20, 1984 letter.

h. Item 13.3.2.4(1) asked that the Plan incorporate into the emergency classification scheme comments contained in NRC Staff's January 11, 1984 letter. This was done in Rev. 3, Table 4-1, except for the comment on low water level, which CEI showed to be inapplicable to Perry in the April 28, 1984 letter. Further clarification was provided by the August 20, 1984 letter.

i. Item 13.3.2.4(2) called for the Plan to indicate that Emergency Action Levels are agreed upon by state/local authorities and are reviewed annually. This was included in § 8.2 of the Plan (Rev. 3) and further updated by the August 20, 1984 letter.

j. Item 13.3.2.4(3)(a), which called for the Plan to discuss nonradiological means of core status determination, was withdrawn by the NRC Staff by letter dated February 29, 1984.

Item 13.3.2.4(3)(b) requested a discussion of the relationship between gap activity and failed fuel percentage as it relates to protective action recommendations. This was provided in Rev. 3, §§ 4.1.4 and 6.4.3, with minor changes to the Tables in these sections added by the October 29, 1984 letter.

Item 13.3.2.4(3)(c) requested that the Plan discuss how the core status graph (Fig. 4-1) will be used in the emergency action level scheme. This was provided in Rev. 3, §§ 4.1.4 and 6.4.3, with minor changes to the Tables in these sections added by the October 29, 1984 letter.

k. Item 13.3.2.5(1) requested that the Plan describe the methods for prompt notification of the public in a rapidly escalating emergency. This was addressed in § 6.4.2 of the Plan (Rev. 3), and further clarified in the August 20, 1984 letter.

l. Item 13.3.2.5(2) called for the Plan to address periodic testing of the sirens. This was done in Rev. 3, § 7.2.5.

m. Item 13.3.2.6(1) requested Applicants to provide for backup communications capabilities between the site and all state/local authorities with primary response responsibilities. Backup communications capabilities are provided, as described in § 7.2.2 and Fig. 7-6 of the Plan (Rev. 3), as further clarified by the August 20 and October 29, 1984 letters.

n. Item 13.3.2.6(2) requested a coordinated communications link for fixed and mobile medical support facilities. Information on this link was provided in Rev. 3, § 7.2.2.8, and by the August 20, 1984 letter.

o. Item 13.3.2.7(1) requested that Applicants provide finalized emergency information brochures and other emergency information materials to the public before fuel load. This commitment was added in Rev. 3, § 8.4.1.1.

p. Item 13.3.2.7(2) called for the Plan to specify the location of the Joint Public Information Center. Rev. 3 of the Plan added this in § 7.1.4.

q. Item 13.3.2.8(1) requested that the Plan specify the time required to bring the TSC and EOF to functional readiness. This information was added in Rev. 3 of the Plan, § 5.2.3.

r. Item 13.3.2.8(2) requested that the Plan indicate that emergency equipment and supplies will be available in the control room. The Plan should also specify the calibration frequency for emergency instruments and that instruments removed from service will be replaced by comparable instruments. NRC withdrew the request to specify calibration frequency by letter dated February 29, 1984. The remaining information was provided in Rev. 3, § 8.3 and Appendix C and in the August 20, 1984 letter.

s. Item 13.3.2.8(3) called for the Plan to describe the capability to obtain 24 hour/day regional weather information, consistent with NUREG-0737, Supp. 1. This information was provided in the August 20, 1984 letter (§ 7.3.7) and in a letter of agreement to be added to Appendix B.

t. Item 13.3.2.8(4) requested a commitment that permanent emergency response facilities and equipment be operational before fuel loading or that adequate interim facilities and capabilities be in place. As noted in the April 28, 1984 letter, this commitment had previously been made by letter from M.R. Edelman to B.J. Youngblood dated April 15, 1983 (PY-CEI/NRR-0032).

u. Item 13.3.2.9(1) called for additional information in the Plan on radiation monitoring teams, including staffing levels consistent with NUREG-0737,

Supp. 1, and transportation availability. This information was provided in the August 20 and October 29, 1984 letters (§§ 5.2.2.2, 5.2.2.4, 5.2.3, Table 5-1).

v. Item 13.3.2.10(1) requested more details in the Plan on evacuating visitor and/or contractor personnel. This information was incorporated in Rev. 3, § 6.4.1 and Figure 6-7, and further addressed in the October 29, 1984 letter.

w. Item 13.3.2.10(2) called for the Plan to describe personnel monitoring methods and decontamination supplies, and to indicate that personnel accountability will be accomplished within 30 minutes. This was done in Rev. 3 in § 6.4.1, 6.5.3 and Appendix C.

x. Item 13.3.2.10(3) called for the evacuation time estimate study to address the effects of adverse weather (i.e. thunderstorm) on a summer Sunday evacuation and to indicate that the evacuation time estimates have been reviewed by appropriate state/local individuals. The April 28, 1984 letter stated that the evacuation time estimate study was being reviewed by State and local officials and that adverse weather effects were addressed in the time estimate study incorporated in Rev. 3 of the Plan.

y. Item 13.3.2.11(1) stated that the Plan should indicate that each emergency worker will receive a self-reading and a permanent record dosimeter and the emergency personnel dosimetry program has the capability of 24 hour/day dose determination. This was done in Rev. 3, § 6.5.1.

z. Item 13.3.2.11(2) requested the Plan to specify contamination action levels and to indicate that decontamination supplies include materials capable of radioiodine skin decontamination. This was added in Rev. 3, § 6.4.4.1, 6.5.3 and Appendix C.

aa. Item 13.3.2.12(1) called for the Plan to include a letter of agreement with Northwestern Memorial Hospital. As stated in the April 28, 1984, letter, and in Rev. 3, § 5.3.3.2, the arrangements with Northwestern Memorial Hospital were made through CEI's medical consultant, Radiation Management Corporation (RMC). CEI has a letter of agreement with RMC which is included in the Plan, App. B.

bb. Item 13.3.2.12(2) requested a more detailed discussion in the Plan on first aid personnel, including training at least equivalent to Red Cross Multi-Medic training and 24 hour/day availability. This information was provided in Rev. 3, §§ 6.5.3, 8.1.3.

cc. Item 13.3.2.14(1) called for the Plan to reflect the regulatory requirements on the frequency of emergency exercises and drills. This was done in Rev. 3, § 8.5.4.2, and in the August 20 and October 29, 1984 letters (§ 8.5.4.1).

dd. Item 13.3.2.14(2) requested that the Plan indicate that the exercise scenario will be varied over a 5-year period to ensure testing of all major portions of the Plan, that the exercise will include public notification system testing, and that the exercise will be conducted under various weather conditions. This commitment was provided in Rev. 3, § 8.5.4.1.

ee. Item 13.3.2.14(3) called for the Plan to indicate that part of each communication drill will involve evaluating message understandability. This information was provided in Rev. 3, § 8.5.4.3, as supplemented by the August 20, 1984 letter.

ff. Item 13.3.2.15(1) requested the Plan to indicate that initial and annual retraining of emergency personnel will be provided. This information was provided in Rev. 3, § 8.1.3.

gg. Item 13.3.2.16(1) called for the Plan to specify that the Nuclear Safety Review Committee has no direct responsibility for emergency preparedness planning, to describe in more detail the Committee's scope of review, and to indicate that there are administrative means for correction of deficiencies. This was done in Rev. 3, § 8.2, as supplemented by the October 29, 1984 letter.

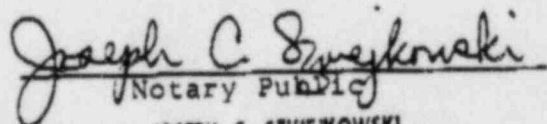
hh. Item 13.3.2.16(2) requested more description of the administrative procedures for revising the Plan and implementing procedures, including an indication that revised pages are dated and marked to show the changes. This information was provided in Rev. 3, § 8.2.

ii. Item 13.3.2.16(3) requests that Appendix F of the Plan be updated. Revision 3 of the Plan updated Appendix F.

5. In summary, CEI has responded to and has resolved (or is resolving) all the resolution items set forth by the NRC Staff in Supplement 4 to the Safety Evaluation Report, pages 13-1 to 13-22. These items are not uncorrected deficiencies in the PNPP Emergency Plan.


Daniel D. Hulbert

Subscribed to and sworn by me this 30th day of January, 1985.


Notary Public
JOSEPH C. SZWEJKOWSKI
Notary Public, State of Ohio - Cuyahoga County
My Commission Expires July 14, 1986

My Commission expires:

Name: Daniel D. Hulbert, Emergency Planning Coordinator, Perry Plant
Technical Department

Formal Education and Training:

Electrician's Mate School, U. S. Navy, 1973-1974
Nuclear Power Training, U. S. Navy, 1974-1975
Engineering Laboratory Technician School, U. S. Navy, 1975
One-Week Basic BWR Systems (PDP), 1980
Fifteen-Week Davis-Besse Nuclear Power Station (Emergency Planning), 1980
Eight-Week Davis-Besse Nuclear Power Station (Evacuation Time Estimates),
1981
One-Week Electrical Fundamentals II, 1981
One-Week Planning for Nuclear Emergencies Course, Harvard School of Public
Health, 1982

Experience:

1979 - Present: The Cleveland Electric Illuminating Company

Joined CEI as an Engineering Technician and assigned to development of the PNPP Emergency Plan. Assisted in the preparation of the Davis-Besse Nuclear Power Station Emergency Plan, implementing procedures, and the Davis-Besse education time estimates. Participated in several Emergency Plan exercises at other Nuclear Power Plants as an official Exercise Observer. In 1982 promoted to present position of Emergency Planning Coordinator. Reports directly to the Technical Superintendent, Perry Plant Technical Department.

1973 - 1979: U. S. Navy

Electrician's Mate - Qualified as Engineering Laboratory Technician, Electrical Operator and Shutdown Reactor Operator on a S5W Class Submarine. Duties included operation and maintenance of electrical systems, chemistry controls for both primary and secondary plant, and routine and emergency health physics coverage. Assignments included one tour on an S5W Submarine and one tour assigned to the Radiological Controls Division of a Submarine Tender.

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In the Matter of)

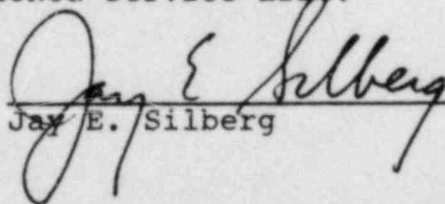
THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY)

(Perry Nuclear Power Plant,)
Units 1 and 2))

DOCKETING & SERVICE
BRANCH
Docket Nos. 50-440
50-441

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion For Summary Disposition of Contention CC," "Applicants' Statement of Material Facts As To Which There Is No Genuine Issue To Be Heard on Contention CC" and "Affidavit of Daniel Hulbert on Contention CC," were served this 30th day of January, 1985, by deposit in the U.S. mail, first class, postage prepaid, upon the parties listed on the attached Service List.


Jay E. Silberg

DATED: January 30, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY, ET AL.

(Perry Nuclear Power Plant,
Units 1 and 2)

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