

50-413/41402

App Exh. EP-21A

A-21A
6/5/84

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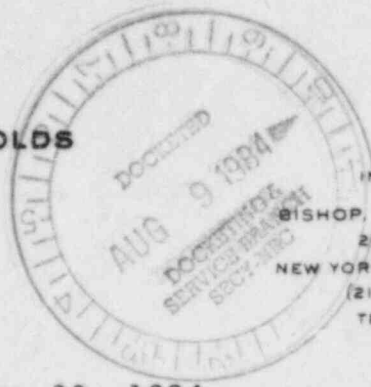
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May 30, 1984

Morton B. Margulies
Chairman
Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Robert M. Lazo
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Frank F. Hooper
Administrative Judge
University of Michigan
School of Natural Resources.
Ann Arbor, Michigan 48109

Re: Duke Power Company, et al. (Catawba
Nuclear Station, Units 1 and 2),
Docket Nos. 50-413, 50-414

Gentlemen:

Attached please find a copy of revised page 6 of
"Testimony of the State of North Carolina (E.H. Harris, Jr.
and J.T. Pugh, III) on Emergency Planning Contention 8,"
which is included as part of Applicants' testimony on that
contention. As revised, this page reflects both the insertion
of two additional questions and answers and the modification
of several existing answers. These changes have been made
in order to clarify the testimony.

Respectfully submitted,

Anne W. Cottingham

Anne W. Cottingham
Counsel of Applicants

U.S. NUCLEAR REGULATORY COMMISSION

cc: All parties

Enclosure

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EXHIBIT No. EP-21A
Applicant ☒ Staff ☐ Intervenor ☐
Identified ☒ Received ☒ Rejected ☐
Date: 6/5/84
Reporter: Ag

A. Yes. (JTP, EH)

Q. With whom must state officials consult before ordering evacuation?

A. There is no requirement that they consult with anyone. (JTP, EH)

Q. Do state officials have the authority to compel evacuation or other protective action?

A. Yes. (JTP, EH).

Q. Must any specific actions be taken before evacuation can be formally compelled?

A. Yes. The governor must issue a declaration of a disaster, and state officials must consult with the Council of State. In addition, N.C. State law requires that copies of a declaration of disaster be disseminated promptly and in a manner designed to bring the declaration to the public's attention. If time and circumstances permit, copies of the declaration are to be filed with the appropriate county clerks of court, the N.C. Secretary of State, and the Secretary of Crime Control and Public Safety, before evacuation is compelled. It should be noted, however, that by the time this step of formally compelling evacuation has been taken by state officials, evacuation would already have been ordered and would be underway. (JTP, EH)

Q. To the extent relevant, please note any time dependent variables which would affect your response to the previous four questions.

A. The only time-dependent variable would be communication with the Governor and his subsequent contact with the

Council of State members. This, however, would not cause a serious delay since the Governor will be continuously updated and advised on the situation and would normally be available to make the decision to cause the proclamation to be issued. (JTP, EH)

Q. How long would it take to establish the SERT Headquarters at Douglas Airport?

A. As specified in Part 1, p. 86, Figure 20 of the N.C. State Plan, it is estimated to take seven to nine hours to establish the SERT. (JTP, EH)