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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of )  
 )  
GEORGIA POWER COMPANY, et al. ) Docket Nos. 50-424  
 ) 50-425  
(Vogtle Electric Generating Plant, )  
Units 1 and 2) )

APPLICANTS' STATEMENT OF MATERIAL FACTS AS TO WHICH  
NO GENUINE ISSUE EXISTS TO BE HEARD REGARDING  
CONTENTION EP-2/EP-2(c)  
(USE OF NOAA TONE ALERT RADIOS)

Pursuant to 10 C.F.R. § 2.749(a), Applicants state in support of "Applicants' Motion for Summary Disposition of Joint Intervenor's Contention EP-2/EP-2(c)" that no genuine issue exists to be resolved with respect to the following material facts:

1. As admitted by the Board, Joint Intervenor's Contention EP-2/EP-2(c) concerns the use of NOAA tone alert radios (in lieu of some other type of radio alerting system) for public alerting within the Vogtle plume exposure pathway Emergency Planning Zone ("EPZ").

2. The National Oceanographic and Atmospheric Administration ("NOAA") operates the National Weather Radio Network, providing continuous broadcasts of the latest weather information directly from National Weather Service offices. In

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severe weather, the routine weather information is interrupted for broadcast of special warning messages, and a signal can be transmitted to automatically activate NOAA weather radio receivers within the broadcast area so that the warning message is disseminated to all NOAA weather radio receivers in that area. Keast Affidavit, ¶ 3.

3. The NOAA weather radio system has been well-received across the country. This support reflects the system's usefulness to all areas of the nation in providing valuable -- and sometimes lifesaving -- information to government officials and members of the public involved in agriculture, recreation, transportation, energy conservation, marine travel and emergency management. Keast Affidavit, ¶ 4.

4. Unlike other radio alerting systems (which lack day-to-day utility and therefore may not be as widely used by members of the public), the NOAA weather radio system has utility to the public on a routine, daily basis. This is a unique feature of the NOAA weather radio system as opposed to other radio alerting systems for the public. Keast Affidavit, ¶ 4.

5. Because the NOAA weather radio broadcasts have proven to be a widely-accepted, highly valuable public service elsewhere across the nation, they can be expected to enjoy similar popularity within the Vogtle plume exposure pathway Emergency Planning Zone ("EPZ"). Keast Affidavit, ¶ 4.

6. The NOAA weather radio system has been in use across the country for about a decade, and is a proven technology. There is no other radio alerting system for the general public that is as proven in its reliability and effectiveness as the NOAA system. Keast Affidavit, ¶ 5.

7. The extensive operating experience with NOAA weather radios demonstrates that they do not "go off frequently without reason". While temporary, minor problems sometimes occur during installation testing and system "shakedown", they are readily resolved and do not affect the long-term utility and reliability of the NOAA weather radio system. Keast Affidavit, ¶ 6.

8. The NOAA weather radio system within the Vogtle EPZ will not broadcast weather information which is inapplicable to the Vogtle area. The Vogtle system will include a new transmitter at the Vogtle site, which will be controlled from nearby Bush Field. The routine weather information, as well as the weather emergency broadcasts, will therefore be applicable to the Vogtle area. Keast Affidavit, ¶ 7.

9. The automatic activation of the NOAA weather radios within the EPZ due to weather conditions will be limited to those storm "watches" and "warnings" directly applicable to the four counties in the EPZ, as well as the Georgia counties of Screven and Jenkins. Analysis of National Weather Service data indicates that the NOAA weather radios within the Vogtle

EPZ would be activated a maximum of 25 times per year (on average) due to severe weather. Keast Affidavit, ¶¶ 7-8.

10. Storm watches and warnings in the Vogtle area are concentrated during "storm season", when public awareness is high, and public acceptance of safety information at its peak. Keast Affidavit, ¶ 9.

11. Approximately 93% of storm watches and warnings occur between 6:00 a.m. and midnight, when any disruptive effect of a severe weather message not applicable to an individual listener would be minimized. Keast Affidavit, ¶ 9.

12. There is no indication that the predicted automatic activation pattern for the NOAA weather radios in the Vogtle EPZ will be likely to cause any significant number of households to disable their radios, particularly considering the usefulness of the up-to-date weather information broadcast on a day-to-day basis. Keast Affidavit, ¶ 9.

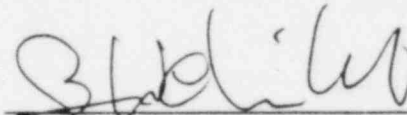
13. There is no reason to believe that members of the public would be more likely to retain and use some other type of radio alerting system having no utility on a day-to-day basis. Keast Affidavit, ¶ 9.

14. Even if some EPZ residents did turn off their NOAA weather radios, those individuals would still be warned of an emergency at Vogtle, via the fixed siren system being installed throughout the EPZ. This siren system has been designed to provide a minimum of 60 dBC coverage to all residences within

the EPZ, in accordance with NUREG-0654/FEMA-REP-1 (Rev. 1),  
"Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants". Keast Affidavit, ¶ 10.

15. No other nuclear plant in the country has installed a public alert/notification system which provides both tone alert radio and fixed siren coverage to all residences within the EPZ. Keast Affidavit, ¶ 10.

Respectfully submitted,



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