

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
DUKE POWER COMPANY)
(Amendment to Materials License)
SNM-1773 for Oconee Nuclear Sta-)
tion Spent Fuel Transportation)
and Storage at McGuire Nuclear)
Station))

Docket No. 70-2623

CONTENTIONS OF CAROLINA ENVIRONMENTAL STUDY GROUP

Pursuant to the Rules of Practice before the Nuclear Regulatory Commission, Carolina Environmental Study Group (CESG) has heretofore filed a Motion which was taken as a request for hearing. Further, we have filed a memorandum, explicating our position on our petition to intervene, in a document dated September 7, 1978. In a Board Order, dated September 22, 1978, the Board required a supplement to petitions for leave to intervene including list of contentions. CESG makes the following contentions:

Transportation of spent nuclear fuel from the Oconee facility to the McGuire facility is an environmental hazard, requiring an environmental impact statement, since it is a major federal action which threatens the health and safety of intervenors members and citizens of the entire region between the two facilities, in that it increases the radiation dosage to the population therein in various ways. The NRC should seek to limit radiation dosage to the population, and therefore this permit should be denied. Radiation dosage increases according to the surrounding population, the distance of transportation, the duration of transportation, the packaging of the product, and, potentially, by accidental breach of

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the container.

We contend that there is no need for transportation at all, since the Oconee facility occupies a large site, and onsite storage should be possible and is greatly desirable. If transportation from the Oconee site is required, another site close by Oconee should be selected, in that the materials should travel for the least possible distance. If spent nuclear fuel is to be transported, then applicant should be required to move only its oldest spent fuel, in that older fuel is less radioactive than newer spent fuel. If transportation is required, then the times of travel should be specified so that there are the fewest other vehicles on the roads. If transportation is required, a study should be made to determine the route which avoids all centers of population and hazardous intersections or the best combination of these two goals. Intervenor contends that no thorough study of potentially hazardous intersections has been made, and no route around them has been drawn. In particular, on information and belief, the intersection of Interstate 77 and Interstate 85 is such a particularly hazardous intersection, which will be traversed by trucks carrying spent nuclear fuel, if applicant has its way.

Intervenor further contends that the cask and truck packages have not been thoroughly and rigorously tested for purposes of determining reliability in highway accidents. On information and belief, the particular cask to be used is not the cask that has been tested in highway accidents, or under such conditions. Rather, it is a cask used for industrial usage within the plant. The cask proposed is not one which would have resistance to high speed impact, and particularly to impact in the most vulnerable portions

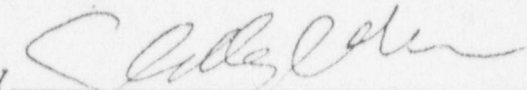
of the cask. Intervenor further contends that no thorough study of radiation dosage has been calculated from such cask and truck assemblies to persons likely to be in proximity to the cask and in particular to co-current travellers (in parallel lanes of interstate highways) or to persons stalled in traffic near such an assembly (traffic jams in Spartanburg). Intervenor contends that the foregoing requires a full scale environmental impact statement and study preparatory thereto.

Based on the foregoing contentions, Intervenor moves the Board to order applicant to prepare a full scale environmental impact statement. Subsequent thereto, should applicant continue with its application, Intervenor moves the Board to require Applicant to keep spent nuclear fuel from Oconee at Oconee. Should Board not require this, Intervenor moves the Board to restrict applicant as outlined in the foregoing contentions so that the spent nuclear fuel is transported as safely as possible.

Dated: September 28, 1978.

BLUM AND SHEELY

by

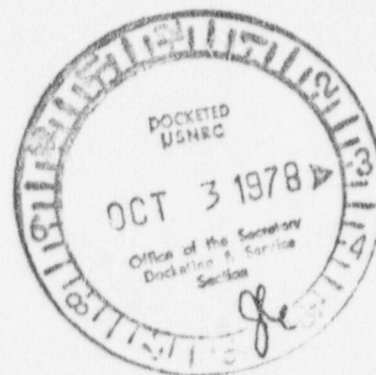


SHELLEY BLUM
418 LawBuilding
730 East Trade Street
Charlotte, NC 28202
(704) 376-6591

NORTH CAROLINA

MECKLENBURG COUNTY

VERIFICATION



Shelley Blum, affiant herein, the attorney for Applicant, in the foregoing and attached series of Contentions, being first duly sworn, deposes and says that the affiant has read the attached material and knows the contents thereof; that the matters set forth therein are true of affiant's own knowledge except as to those matters alleged therein upon information and belief, and as to those matters, the affiant believes them to be true.

Shelley Blum
SHELLEY BLUM

Subscribed and sworn to before me this

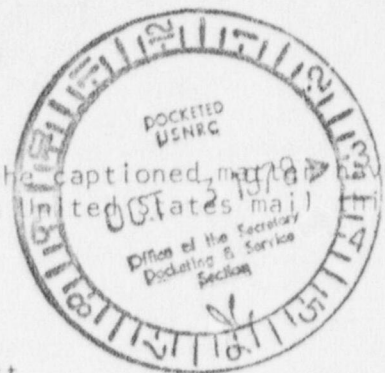
28 day of September, 1978

Laurie A. King
NOTARY PUBLIC

My Commission expires 6-15-82

CERTIFICATE OF SERVICE

I hereby certify that copies of the attached in the captioned matter have been served on the following by depositing same in the United States mail 3:15 PM 28 day of September, 1978.



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

Brenda Best
Carolina Action
1740 East Independence Boulevard
Charlotte, North Carolina 28205

Dr. Emmeth A. Luebke
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Jeremy Bloch
Safe Energy Alliance
1707 Lombardy Circle
Charlotte, North Carolina 28203

Dr. Cadet H. Hand, Jr., Director
Bodega Marine Laboratory of California
Post Office Box 247
Bodega Bay, California 94923

Richard P. Wilson
Assistant Attorney General
State of South Carolina
2600 Bull Street
Columbia, South Carolina 29201

Mr. Jesse L. Riley, President
Carolina Environmental Study Group
854 Henley Place
Charlotte, North Carolina 28207

Chairman, Atomic Safety and Licen-
sing Appeal Board
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Edward G. Ketchen, Esq.
Counsel for NRC Regulatory Staff
Office of the Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

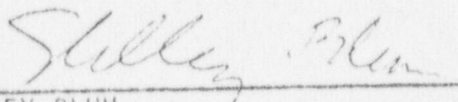
Mr. Chase R. Stephens
Docketing and Service Section
Office of the Secretary
U. S. Nuclear Regulatory Commission
Washington D.C. 20555

William L. Porter, Esq.
Associate General Counsel
Duke Power Company
Post Office Box 2178
Charlotte, North Carolina 28242

Chairman, Atomic Safety and Licen-
sing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Anthony Z. Roisman, Esq.
Natural Resources Defense Council
917 15th Street, N.W.
Washington, D.C. 20005

J. Michael McGarry, III
Debevoise and Liberman
Suite 700
806 15th Street, Northwest
Washington, D.C. 20005


SHELLEY BLUM