

RAS 2216

September 21, 2000

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
CAROLINA POWER & LIGHT )  
COMPANY )  
(Shearon Harris Nuclear Power Plant )  
)

AD

Docket No. 50-400 -OLA

ASLBP No. 99-762-02-LA

**ORANGE COUNTY'S SECOND SET OF ENVIRONMENTAL  
DISCOVERY REQUESTS DIRECTED TO THE APPLICANT**

Pursuant to the Board's Memorandum and Order (Ruling on Late-Filed Environmental Contentions) (August 7, 2000), Orange County hereby requests that the Applicant, Carolina Power & Light Co. ("CP&L") produce the documents requested below within 30 days after service of this request.

**I. INSTRUCTIONS**

A. Scope of Discovery. These document production requests cover all information in the possession, custody and control of CP&L, including information in the possession of officers, employees, agents, servants, representatives, attorneys, or other persons directly or indirectly employed or retained by them, or anyone else acting on CP&L's behalf or otherwise subject to its control. The discovery sought by this request encompasses material contained in, or which might be derived or ascertained from, the personal files of CP&L employees, representatives, investigators, and agents.

B. Supplemental Responses. Each of the following requests is a continuing one pursuant to 10 C.F.R. § 2.740(e) and the County hereby demands that, in the event that at any later date CP&L obtains or discovers any additional information which is responsive to these

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requests for production of documents, CP&L shall supplement its responses to this request promptly and sufficiently.

C. Objections. If you withhold any document covered by this request under a claim of privilege, immunity, or for any other reason, please furnish a list identifying each document for which the privilege, immunity, or other reason is asserted, together with the following information: date, author and affiliation, recipient and affiliation, persons to whom copies were furnished and the job title and affiliation of any such persons, the subject matter of the documents, the basis for asserting the privilege, immunity, or other reason, and the name of the person on whose behalf the privilege, immunity, or other reason is asserted.

## **II. DEFINITIONS**

Each of the following definitions, unless otherwise indicated, applies to and shall be a part of each interrogatory and request for production which follows:

B. "CP&L," "Applicant," "you," and "your" refers to Carolina Power & Light Co., and its officers, employees, agents, servants, representatives, attorneys, or other persons directly or indirectly employed or retained by CP&L, or anyone else acting on its behalf or otherwise subject to their control.

2. The term "documents" means the originals as well as copies of all written, printed, typed, recorded, graphic, photographic, and sound reproduction matter however produced or reproduced and wherever located, over which you have custody or control or over which you have the ultimate right to custody or control. By way of illustration, but not limited thereto, said term includes: records, correspondence, telegrams, telexes, wiring instructions, diaries, notes, interoffice and intraoffice communications, minutes of meetings, instructions, reports, demands, memoranda, data, schedules, notices, recordings, analyses, sketches, manuals,

brochures, telephone minutes, calendars, accounting ledgers, invoices, charts, working papers, computer tapes, computer printout sheets, information stored in computers or other data storage or processing equipment, microfilm, microfiche, corporate minutes, blueprints, drawings, contracts and any other agreements, rough drafts, and all other writings and papers similar to any of the foregoing, however designated by you. If the document has been prepared and several copies or additional copies have been made that are not identical (or are no longer identical by reason of the subsequent addition of notations or other modifications), each non-identical copy is to be construed as a separate document.

3. “All documents referring or relating to” means all documents that in whole or in part constitute, contain, embody, reflect, identify, state, interpret, discuss, describe, explain, apply to, deal with, evidence, or are in any way pertinent to a given subject.

4. The words “describe” or “identify” shall have the following meanings:

(a) In connection with a person, the words “describe” or “identify” mean to state the name, last known home and business address, last known home and business telephone number, and last known place of employment and job title;

(b) In connection with a document, the words “describe” or “identify” mean to give a description of each document sufficient to uniquely identify it among all of the documents related to this matter, including, but not limited to, the name of the author of the document, the date, title, caption, or other style by which the document is headed, the name of each person and entity which is a signatory to the document, the date on which the document was prepared, signed, and/or executed, the person or persons having possession and/or copies thereof, the person or persons to whom the document was sent, all persons who reviewed the document, the

substance and nature of the document, the present custodian of the document, and any other information necessary to adequately identify the document;

(c) In connection with an entity other than a natural person (*e.g.*, corporation, partnership, limited partnership, association, institution, etc.), the words “describe” or “identify” mean to state the full name, address and telephone number of the principal place of business of such entity.

(d) In connection with any activity, occurrence, or communication, the words “describe” or “identify” mean to describe the activity, occurrence, or communication, the date of its occurrence, the identify of each person alleged to have had any involvement with or knowledge of the activity, occurrence, or communication, and the identity of any document recording or documenting such activity, occurrence, or communication.

5. “Date” shall mean the exact day, month, and year, if ascertainable, or if not, the best approximation thereof (including by relationship to other events), and the basis for such approximation.

6. The word “discussion” shall mean communication of any kind, including but not limited to, any spoken, written, or signed form of communication.

7. The word “person” shall include any individual, association, corporation, partnership, joint venture, or any other business or legal entity.

8. Words herein of any gender include all other genders, and the singular form of words encompasses the plural.

B. The words “and” and “or” include the conjunctive “and” as well as the disjunctive “or” and the words “and/or.”

### **III. DOCUMENT REQUESTS**

The County requests the Applicant to produce the following documents directly or indirectly within its possession, custody or control. This request does not include final published versions of NUREG or NUREG-CR reports.

REQUEST NO 1. Any and all records estimating, calculating, or otherwise discussing burnup levels of all fuel stored at Harris in the present and past.

REQUEST NO. 2. Any and all records estimating possible burnup levels of fuel to be stored at Harris in the future.

REQUEST NO 3. Any and all records reflecting consideration of future storage of spent MOX fuel at Harris.

REQUEST NO 4. Any and all records discussing experience by CP&L or other entities with formation of zirconium hydride in spent fuel.

REQUEST NO 5 Any and all records discussing the potential formation of zirconium hydride in spent fuel and its implications, including the implications for initiation of exothermic reactions if water is lost from a fuel pool.

REQUEST NO 6. Any and all data regarding quantity and characteristics (type of reactor, burnup) of spent fuel now stored in pools A and B.

REQUEST NO 7. Any and all estimates, calculations, or descriptions of the quantity and characteristics of fuel that may or will be stored in pools A and B in the future.

REQUEST NO 8. Any and all design specifications and design features of the Technical Support Center, Operations Support Center, Emergency Operations Facility and Control Room, to include specifications and features that relate to the operation of these facilities in a radioactively contaminated environment.

REQUEST NO 9. Any and all estimates, calculations or any other discussion of the levels of radioactive contamination, onsite and offsite, that could be experienced during implementation of emergency response plans.

REQUEST NO 10. Any and all estimates, calculations or any other discussion of the implications of radioactive contamination, onsite and offsite, for (a) performance of duties by personnel, and (b) health and safety of personnel.

REQUEST NO 11. Any and all documents reflecting or discussing planning, preparation and training for radiological monitoring, onsite or offsite.

REQUEST NO 12. Any and all documents reflecting or discussing planning, preparation and training for plant operation or emergency response actions in a radioactively contaminated environment, onsite or offsite.

REQUEST NO 13. Any and all Emergency Operating Procedures and other procedures that, if implemented, would seek to influence the development of event sequences which involve, or could involve, a degraded reactor core.

REQUEST NO 14. Any and all studies and plans that support the procedures addressed in Request No. (13).

REQUEST NO 15. Any and all studies, plans and procedures that relate to the operation of the Harris plant under conditions of radioactive contamination.

REQUEST NO 16. Any and all studies, plans and procedures that relate to the implications of a degraded core accident for the operation of the fuel pools.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diane Curran". The signature is fluid and cursive, with the first name "Diane" and last name "Curran" clearly distinguishable.

Diane Curran

Harmon, Curran, Spielberg, & Eisenberg, L.L.P.

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