

RAS 1049

RELATED CORRESPONDENCE

DOCKETED  
USNRC

October 13, 1999

'99 OCT 15 P4:16

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

|                                      |   |                        |
|--------------------------------------|---|------------------------|
| In the Matter of                     | ) |                        |
|                                      | ) |                        |
| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**REQUEST FOR ENTRY UPON HARRIS SITE**

Pursuant to 10 C.F.R. § 2.741(a)(2), and as agreed to by the parties, Orange County hereby requests entry upon the Harris nuclear power plant site for the purpose of inspecting the spent fuel pool building and associated piping. Pursuant to the parties' agreement, representatives of Orange County will conduct their inspection on October 20, 1999, beginning at 2 p.m. The individuals who will take part in the inspection are as follows:

Diane Curran, attorney for Orange County  
Dr. Gordon Thompson, expert witness for Orange County  
Dr. Alice Gordon, Orange County Commissioner  
Margaret Brown, Orange County Commissioner  
Paul Thames, Orange County Engineer  
Richard Pratt, Member of Orange County Commission for the Environment

The County will provide identifying information requested by CP&L under separate cover.

~~Respectfully submitted,~~



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036

Template = SECY-041

SECY-02

October 13, 1999

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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| In the Matter of                     | ) |                        |
|                                      | ) |                        |
| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF MIKE DEVOE**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 20, 1999, its counsel will take the deposition upon oral examination of Mike DeVoe, Project Engineer, Nuclear Fuel Services, for Carolina Power & Light Company ("CP&L"). Mr. DeVoe will be deposed with respect to Contention TC-2 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-2, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 9:30 a.m. at the offices of CP&L, 411 Fayette Street Mall, Raleigh, NC 27602. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

October 13, 1999

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NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF R. STEVEN EDWARDS**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 19, 1999, its counsel will take the deposition upon oral examination of R. Steven Edwards, Supervisor - Spent Fuel Project, Harris Nuclear Plant, for Carolina Power & Light Company ("CP&L"). Mr. Edwards will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 3 p.m. at the Harris Energy and Environmental Center, 3932 New Hill-Holleman Road, New Hill, North Carolina. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

October 13, 1999

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

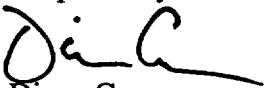
Before the Atomic Safety and Licensing Board

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF DR. AHMAD A. MOCCARI**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 19, 1999, its counsel will take the deposition upon oral examination of Dr. Ahmad A. Moccari, Senior Engineer for Carolina Power & Light Company ("CP&L"). Dr. Moccari will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 9 a.m. at the Harris Energy and Environmental Center, 3932 New Hill-Holleman Road, New Hill, North Carolina. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

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| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF CHARLES H. GRIFFIN**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 19, 1999, its counsel will take the deposition upon oral examination of Charles H. Griffin, Engineer, Corporate Nuclear Engineering, for Carolina Power & Light Company ("CP&L"). Mr. Griffin will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 12:30 p.m. at the Harris Energy and Environmental Center, 3932 New Hill-Holleman Road, New Hill, North Carolina. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

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| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF DR. EVERETT L. REDMOND II**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on November 2, 1999, its counsel will take the deposition upon oral examination of Dr. Everett L. Redmond II, Principal Engineer, Holtec International. Dr. Redmond will be deposed with respect to Contention TC-2 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-2, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 9 a.m. at the offices of Holtec International, Holtec Center, 555 Lincoln Drive West, Marlton, NJ 08053. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

October 13, 1999

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| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF DR. STANLEY E. TURNER**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on November 4, 1999, its counsel will take the deposition upon oral examination of Dr. Stanley E. Turner, Senior Vice President and Chief Nuclear Scientist, Holtec International. Dr. Turner will be deposed with respect to Contention TC-2 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-2, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 9 a.m. in the Goya Conference Room at the Four Points Sheraton Hotel, 37611 U.S. Highway 19 North, Palm Harbor, Florida 34684. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

October 13, 1999

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF LAWRENCE KOPP**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on November 4, 1999, its counsel will take the deposition upon oral examination of Lawrence Kopp, Senior Reactor Engineer, Reactor Systems Branch, Division of Systems Safety Analysis, U.S. Nuclear Regulatory Commission. Mr. Kopp will be deposed with respect to Contention TC-2 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-2, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 2 p.m. in the Goya Conference Room at the Four Points Sheraton Hotel, 37611 U.S. Highway 19 North, Palm Harbor, Florida 34684. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500



October 13, 1999

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF CHRISTOPHER GRATTON**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 29, 1999, its counsel will take the deposition upon oral examination of Christopher Gratton, Reactor Systems Engineer, Plant Systems Branch, Division of Systems Safety and Analysis, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission. Mr. Gratton will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 3:00 p.m. at the offices of Harmon, Curran, Spielberg, & Eisenberg, 1726 M Street N.W., Washington, D.C. 20036. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

~~Respectfully submitted,~~



Diane Curran

HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

October 13, 1999

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF DONALD G. NAUJOCK**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 29, 1999, its counsel will take the deposition upon oral examination of Donald G. Naujock, Technical Reviewer, Materials and Chemical Engineering Branch, Division of Engineering, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission. Mr. Naujock will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 9 a.m. at the offices of Harmon, Curran, Spielberg, & Eisenberg, 1726 M Street N.W., Washington, D.C. 20036. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036

October 13, 1999

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF JAMES A. DAVIS**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 29, 1999, its counsel will take the deposition upon oral examination of James A. Davis, Technical Reviewer, Materials and Chemical Engineering Branch, Division of Engineering, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission. Mr. Davis will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 12:30 p.m. at the offices of Harmon, Curran, Spielberg, & Eisenberg, 1726 M Street N.W., Washington, D.C. 20036. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran

HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036

October 13, 1999

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| CAROLINA POWER & LIGHT               | ) | Docket No. 50-400-LA   |
| COMPANY                              | ) |                        |
| (Shearon Harris Nuclear Power Plant) | ) | ASLBP No. 99-762-02-LA |

**NOTICE OF DEPOSITION OF KENNETH C. HECK**

Pursuant to 10 C.F.R. § 2.740a, Orange County hereby gives notice that on October 18, 1999, its counsel will take the deposition upon oral examination of Kenneth C. Heck, Quality Operations Engineer, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission. Mr. Heck will be deposed with respect to Contention TC-3 in this proceeding. The deponent is hereby instructed to produce at that time all documents upon which he has relied or intends to rely with respect to Contention TC-3, and which have not previously been produced to Orange County by CP&L. The deposition will commence at 9 p.m. at the offices of the Nuclear Regulatory Commission. The deposition testimony will be taken before a duly authorized court reporter under oath and will be transcribed.

Respectfully submitted,



Diane Curran  
HARMON, CURRAN, SPIELBERG, & EISENBERG  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
202/328-3500

DOCKETED  
USNRC

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

OCT 15 P4:18

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

Docket No. 50-400 -OLA  
ASLBP No. 99-762-02-LA

OFFICE OF THE  
GENERAL COUNSEL  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

**CERTIFICATE OF SERVICE**

I certify that on October 13, 1999, copies of the following documents were served on the service list below by e-mail and/or first class mail as indicated below:

Orange County's Motion for Extension of Discovery Schedule  
Request for Entry Upon Harris Site  
Notice of Deposition of Dr. Ahmad Moccari  
Notice of Deposition of Charles H. Griffin  
Notice of Deposition of R. Steven Edwards  
Notice of Deposition of Mike DeVoe  
Notice of Deposition of Dr. Everett L. Redmond II  
Notice of Deposition of Dr. Stanley E. Turner  
Notice of Deposition of Lawrence Kopp  
Notice of Deposition of Christopher Gratton  
Notice of Deposition of Donald G. Naujock  
Notice of Deposition of James A. Davis  
Notice of Deposition of Kenneth C. Heck  
Orange County's Second Supplemental Response to Applicant's First Set of  
Interrogatories and First Supplemental Response to NRC Staff's First Set of  
Discovery Requests

Secretary of the Commission  
Attention: Rulemakings and Adjudications  
Staff  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
E-mail: hearingdocket@nrc.gov

Steven Carr, Esq.  
Carolina Power & Light Co.  
411 Fayetteville Street Mall  
Post Office Box 1551 - CPB 13A2  
Raleigh, NC 27602-1551  
E-mail: steven.carr@cplc.com

Susan L. Uttal, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
E-mail: mlz@nrc.gov

Alice Gordon, Chair  
Orange County Board of Commissioners  
P.O. Box 8181  
Hillsborough, NC 27278  
E-mail: gordonam@mindspring.com

Paul Thames  
County Engineer  
Orange County Board of Commissioners  
P.O. Box 8181  
Hillsborough, NC 27278

Adjudicatory File  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. Peter S. Lam  
Atomic Safety and Licensing Board  
Mail Stop T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
E-mail: psl@nrc.gov

Frederick J. Shon  
Atomic Safety and Licensing Board  
Mail Stop T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
E-mail: fjs@nrc.gov

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William R. Hollaway, Esq.  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street N.W.  
Washington, D.C. 20037-1128  
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william.hollaway@shawpittman.com

G. Paul Bollwerk, III, Chairman  
Atomic Safety and Licensing Board  
Mail Stop T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
E-mail: gpb@nrc.gov

I also certify that each of the following deponents was served with a notice of his deposition at the following addresses:

Michael J. DeVoe  
Project Engineer  
Nuclear Fuel Services  
Carolina Power & Light Co.  
P.O. Box 1551  
Raleigh, NC 27602-1551

Dr. Stanley E. Turner  
Holtec International  
230 Normandy Circle East  
Palm Harbor, FL 34683

Charles H. Griffin, Engineer  
Corporate Nuclear Engineering  
Carolina Power & Light Co.  
411 Fayetteville St.  
P.O. Box 1551  
Raleigh, NC 27602-1551

Dr. Everett L. Redmond II  
Holtec International  
Holtec Center  
555 Lincoln Drive West  
Marlton, NJ 08053

Christopher Gratton  
Reactor Systems Engineer  
Plant Systems Branch  
Division of Systems Safety and Analysis  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Kenneth C. Heck  
Quality Operations Engineer  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

James A. Davis  
Technical Reviewer  
Materials and Chemical Engineering Branch  
Division of Engineering  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

R. Steven Edwards  
Harris Nuclear Plant  
Carolina Power & Light Co.  
P.O. Box 165 (HNP-124)  
New Hill, NC 27562-0165

  
Diane Curran

Lawrence Kopp  
Senior Reactor Engineer  
Reactor Systems Branch  
Division of Systems Safety and Analysis  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Donald G. Naujock  
Technical Reviewer  
Materials and Chemical Engineering Branch  
Division of Engineering  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Ahmad A. Moccari  
Carolina Power & Light Co.  
Harris Energy and Environmental Center  
3932 New Hill-Holleman Road  
New Hill, NC 27652