

November 19, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
DUKE ENERGY CORPORATION)	Docket Nos. 50-413-OLA
)	50-414-OLA
)	
(Catawba Nuclear Station)	
Units 1 and 2))	

NRC STAFF'S SECOND SUPPLEMENTAL RESPONSE TO THE "BLUE RIDGE
ENVIRONMENTAL DEFENSE LEAGUE'S SECOND SET OF DISCOVERY REQUESTS TO ____

NRC STAFF REGARDING SECURITY PLAN SUBMITTAL"

INTRODUCTION

On September 20, 2004, the Blue Ridge Environmental Defense League (BREDL) filed "[BREDL's] Second Set of Discovery Requests to NRC Staff Regarding Security Plan Submittal" (Request) in the above-captioned matter. In its Request, BREDL filed one general interrogatory, one general request for document production, eight specific interrogatories, and two specific document requests. Without waiving any prior objections, the NRC staff (Staff) herein supplements its responses to BREDL's General Interrogatories 2 and 3.

SUPPLEMENTAL RESPONSE

I. GENERAL DISCOVERY

GENERAL INTERROGATORY NO. 2: Give the name, address, profession, employer, area of professional expertise, and educational and scientific experience of each person whom the Staff expects to call as a fact or expert witness at the hearing regarding Contention 5. For expert witnesses, provide a list of all publications authored by the witness within the preceding ten years and a listing of any other cases in which the witness has provided fact and/or expert testimony and/or submitted affidavit(s) or declaration(s) within the preceding four years. For purposes of answering this interrogatory, the educational and scientific experience of expected witnesses may be provided by a resume of the person attached to the response. Fact and expert witnesses should be distinguished.

STAFF RESPONSE

1. William Troskoski of the NRC staff may be called to testify regarding the separation of the plutonium from the lead test assemblies (LTA's). Attached is a copy of his Statement of Qualifications.

GENERAL INTERROGATORY NO. 3: For each witness identified in response to General Interrogatory No. 2 above, describe the facts and opinions to which each witness is expected to testify, including a summary of the grounds for each opinion, and identify the documents (including all pertinent pages or parts thereof), data or other information which each witness has reviewed and considered, or is expected to consider or rely on for his or her testimony.

STAFF RESPONSE:

1. The designated witness is expected to testify to facts and opinions which will substantiate the Staff's claim that Contention 5 is without merit.
2. If he testifies, William Troskoski will testify to the Staff's assessment of the degree of difficulty involved in the separation of the plutonium from the MOX LTAs. Mr. Troskoski has not yet assessed BREDL's proposed scenario; therefore, he has not yet framed an opinion on the issue or identified what he expects to rely on in drafting his testimony.

Respectfully submitted,

/RA/

Shana Zipkin
Counsel for NRC Staff

Dated at Rockville, Maryland
this 19th day of November, 2004

STATEMENT OF QUALIFICATIONS

William Troskoski

United States Nuclear Regulatory Commission
NMSS/FCSS/SPB
Mail Stop: T8-F42
Washington, DC 20555
Phone: (301) 415-8076

Qualification Profile

Experience/Skills

Mr. Troskoski has 30 years of nuclear experience ranging from reactor operations through the fuel cycle front end. He was a shift supervisor for a DOE heavy water production reactor, an NRC inspector qualified on both the BWR and PWR series reactors, and a Senior Resident Inspector at a dual unit PWR site. His experience includes pre-operational, startup testing and plant operations. He served as a Regional Coordinator in the Deputy EDO's Office and a Senior Enforcement Specialist in the Office of Enforcement. During the last eleven years, Mr. Troskoski has been involved in all phases of fuel cycle inspection and licensing process.

Education

University of Maryland, Bachelor of Science Degree in Chemical Engineering under the Cooperative Program, 1973.

Accomplishments/Strengths

Certified Reactor Shift Supervisor at Savannah River Plant 1974-1980.

Senior Resident Inspector 1981-1987.

Meritorious Service Award 1998.

Professional Experience

2002 - present

Senior Chemical Safety Technical Reviewer

Responsible for the conduct of license application acceptance reviews and in-depth license application safety reviews in the areas of chemical safety, management measures, quality assurance and integrated safety analysis for the Mixed Oxide Fuel Fabrication Facility, the USEC Lead Cascade, the LES National Enrichment Facility, and the USEC American Centrifuge Plant.

Provided chemical engineering technical assistance to the Office of Investigations and other Federal agencies for a potential wrong doing case involving Hunt valves used on UF₆ cylinders.

Developed and taught several NRC internal fuel cycle training courses.

1993 - 2002	<p><u>Senior Chemical Safety Fuel Cycle Inspector</u></p> <p>Responsible for the development of the Chemical Safety Inspection Program for NRC licensed fuel cycle facilities, including low enriched uranium fuel fabricators, high enriched uranium fuel fabricators, the USEC Gaseous Diffusion Plants (enrichment), and uranium conversion.</p> <p>Served as the lead chemical safety inspector responsible for scheduling and implementation of the routine inspection program in coordination with the Regional Offices.</p> <p>Developed Operational Readiness Review Inspection plans and served as the team leader for the restart of the Nuclear Fuel Services high enriched fuel facility and the initial certification of the USEC Gaseous Diffusion Plants at Portsmouth, Ohio and Paducah, Kentucky.</p>
1988 - 1993	<p><u>Senior Enforcement Specialist</u></p> <p>Responsible for the processing and coordination of reactor and fuel cycle escalated enforcement actions, including Proposed Civil Penalties, Imposition of Civil Penalties, and other related Orders. Coordinated actions with the Regional Offices, Program Office, OGC, and OI, when applicable.</p>
1987 - 1988	<p><u>Regional Coordinator - Deputy EDO's Office</u></p> <p>Monitored issues and emerging safety problems for licensees in Region II. Briefed the Deputy EDO as necessary.</p>
1981 - 1987	<p><u>Senior Resident Inspector</u></p> <p>Conducted safety inspections at a dual unit PWR. One unit conducted an extended outage to perform TMI-related modifications and return to power operations. The second unit completed construction, pre-operational testing and initiated startup testing prior to commercial operations. Supervised other resident inspectors.</p>
1980 - 1981	<p><u>Reactor Inspector - Region I</u></p> <p>Performed pre-operational and startup testing inspections at both BWRs and PWRs.</p>
1974 - 1980	<p><u>Reactor Shift Supervisor - Savannah River Plant</u></p> <p>Supervised reactor operations for a heavy water moderated production reactor.</p>

UNITED STATES OF AMERICA
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(Catawba Nuclear Station)	
Units 1 and 2))	

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.314(b), the following information is provided:

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Admissions:	State of Florida
Name of Party:	NRC Staff

Respectfully submitted,

/RA/

Shana Zipkin
Counsel for NRC Staff

Dated at Rockville, Maryland
this 19th day of November 2004

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S SECOND SUPPLEMENTAL RESPONSE TO THE 'BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE'S SECOND SET OF DISCOVERY REQUESTS TO NRC STAFF REGARDING SECURITY PLAN SUBMITTAL'" and "NOTICE OF APPEARANCE FOR SHANA ZIPKIN" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class; or as indicated by an asterisk (*), by deposit in the Nuclear Regulatory Commission's internal mail system; and by e-mail as indicated by a double asterisk (**), this 19th day of November, 2004.

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/RA/

Shana Zipkin
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