

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

IN THE MATTER OF	§	
	§	
HOUSTON LIGHTING & POWER	§	DOCKET NOS. STN-498 OL
COMPANY, ET AL.	§	STN-499 OL
	§	
(South Texas Project	§	
Units 1 and 2)	§	

FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS FROM
HOUSTON LIGHTING & POWER COMPANY, ET AL.,
APPLICANTS, TO CITIZENS CONCERNED ABOUT NUCLEAR POWER

Preface

Pursuant to Section 2.740b and 2.741 of the Commission's Rules of Practice, Houston Lighting & Power Company, Project Manager of the South Texas Project, acting on behalf of itself and the other Applicants, the City of San Antonio, Texas, acting by and through the City Public Service Board of the City of San Antonio, Central Power and Light Company and the City of Austin, Texas (hereinafter "Applicants"), propounds the following Interrogatories and Requests for Production of Documents to Citizens Concerned About Nuclear Power (hereinafter "CCANP" or "Intervenor").

I.

Instructions

1. Each interrogatory must be answered separately and fully in writing under oath or affirmation by the person or

G 7911300 040

1442 216

persons making them, and each document requested must be produced, on or before December 21, 1979, in accordance with the Atomic Safety and Licensing Board's Memorandum and Order of August 3, 1979.

2. As used herein the singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun so used, and vice versa; in similar fashion, the use of the masculine form of a pronoun shall be considered to also include within its meaning the feminine form of the pronoun so used, and vice versa; and in a similar fashion, the use of tense of any verb shall be considered to also include within its meaning all other tenses of the verb so used.

3. These interrogatories shall be deemed continuing, so as to require additional answers if after answering such interrogatories CCANP obtains information upon the basis of which it knows a response was incorrect when made, or it knows that the response though correct when made is no longer true and the circumstances are such that a failure to amend the response is in substance a knowing concealment.

4. In your answer, please repeat each interrogatory set forth herein and then set forth the answer thereto separately and fully. As to any interrogatory, section, part, sub-section or sub-part of said interrogatory that you

1442 217

refuse to answer for any reason, separately state the grounds for any such refusal. Where a complete answer to a particular interrogatory, section, part, sub-section or sub-part of said interrogatory is not possible, such interrogatory, section, part, sub-section or sub-part of said interrogatory should be answered to the extent possible and a statement made indicating the reason for the partial answer.

5. If any response is withheld, in whole or in part, for any reason, including but not limited to any claim of privilege, confidentiality or trade secret, set forth the basis upon which such response is withheld, and include in such explanation a statement of what is being withheld, the whereabouts of all documents referring expressly to whatever response is being withheld, and the identity of all persons who have seen any documents being withheld or have knowledge of the matters being withheld.

II.

Definitions

The following definitions and instructions shall apply to these Interrogatories:

1. The words "identify," "identity" or "identification" when used in reference to a natural person means to state his full name and present or last known address, his present

or last known position in business affiliation, and each of his positions during the relevant period; when used in reference to a business entity, means to state the name, address and any account or computer number to which such entity is referred to in your records; when used in reference to a document, means to state the type of document (i.e., letter, memorandum, chart, sound production, report, computer input or output, etc.), the location where it is maintained, all identifying marks and codes, the addressee, the document date, author, and persons to whom copies were sent or persons initiating or reading or approving the document and the name of each of the present custodians of the document. If any such document was, but is no longer in your possession or subject to your control, or in existence, state whether it is (1) missing or lost, (2) has been destroyed, (3) has been transferred, voluntarily or involuntarily, to others, or (4) otherwise disposed of, and in each instance, explain the circumstances surrounding an authorization for such disposition thereof and state the date or approximate date thereof.

2. The terms "document(s)" or "documentation" mean and include every writing or record of any type and description that is in your possession, control or custody or your attorney's possession, control or custody as of the date of filing your answers to these interrogatories, including, but

1442 219

not limited to, correspondence, memoranda, stenographic or handwritten notes, drafts, studies, publications, invoices, ledgers, journals, books, records, accounts, pamphlets, voice recordings, reports, surveys, statistical compilations, work papers, or any other writing or recording of any kind. The term "document" also includes every copy of a writing or record where such copy contains any commentary or notation of any kind that does not appear on the original or on any other copy. Without limitation of the term "control," a document is deemed to be within your control if you have ownership, possession, or custody of the document or a copy thereof, or the right to secure the document or copy thereof from any person or public or private entity having physical possession thereof.

3. "Studies" means all analyses of every type, including but not limited to, evaluations, reports, research, examinations, abstracts, criticisms, calculations, tabulations, compilations, compendiums, surveys, books, essays, monographs, and all other investigations, published or unpublished.

4. "Relating to" means relating to in any way and includes the documents which are the subject of the request (e.g. "relating to a study" includes the study itself). Requests concerning a study or basis should be understood to include all input considered and all possible outcomes with

respect to such study or basis. For example, requests for documents relating to engineering studies would include all data compiled but not used and all results considered but rejected.

III.

Interrogatories

A. Contention 1 (as accepted by the Licensing Board).

Paragraph 1

1. Identify specifically each document you rely upon to support your assertion in Paragraph 1 of Contention 1 that the South Texas Project Unit 2 Mechanical Electrical Auxiliary Building is being constructed one foot from its design location; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely upon information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

2. Explain precisely how this asserted surveying error violates the provisions of 10 CFR Part 50, Appendix B, Sections X and XI.

1442 221

Paragraph 2

3. Identify specifically each document you rely upon to support the assertion that because of "field construction error . . . extensive voids exist in the concrete wall enclosing the STP containment building"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely upon information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

4. Identify the field construction error (or if more than one, each such field construction error) which you assert has resulted in "extensive voids" in the concrete; and describe precisely each field construction error (or errors) which you identify has resulted in "extensive voids" in the concrete.

5. Explain precisely how the construction errors asserted in Paragraph 2 of Contention 1 violate the provisions of 10 CFR Part 50, Appendix B, Sections IX and X.

Paragraph 3

6. Identify specifically what documents you rely upon to support the assertion that a "field document relating to

cadweld inspections has been lost"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

7. Identify specifically, including title, date and subject matter, the particular "field document relating to cadweld inspections" which you assert has been lost.

8. Explain precisely how loss of the "field document" to which you refer violates the provisions of 10 CFR Part 50, Appendix B, Sections VI and XVII.

Paragraph 4

9. Identify specifically what documents you rely upon to support your assertion that "membrane seals in the containment structure" have been "damaged"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

1442 223

10. Identify and describe the "membrane seals" which you assert have been damaged. Describe the "damage" which you assert has occurred to these "membrane seals", and identify in which containment structure these "membrane seals" are located.

11. Explain precisely how the damage to the "membrane seals" to which you refer violates the provisions of 10 CFR Part 50, Appendix B, Sections X, XV and XVI.

Paragraph 5

12. Identify specifically the location of the "equipment doors" around which you assert that "steel reinforcement bars are missing" and identify in which containment these "equipment doors" are located.

13. Identify in which of the "containment structures," and specifically where in the identified "containment structure" you assert that steel reinforcement bars are missing.

14. Identify the documents you rely upon to support your assertion that "steel reinforcement bars . . . are missing from around the equipment doors in the containment and such bars are missing from the containment structure as well"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written

1442 224

documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

15. Explain precisely how the missing steel reinforcement bars to which you refer violate 10 CFR Part 50, Appendix B, Sections X, XV and XVI.

Paragraph 6

16. Identify the documents you rely upon to support the assertion that "cadwelds which have been integrated into parts of the plant structure which are not capable of being verified with regard to compliance with 10 CFR Part 50, Appendix B"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

17. Identify specifically where in the "plant structure" you allege that cadwelds have been integrated but are not capable of being verified with regard to compliance with 10 CFR Part 50; and explain precisely why the cadwelds to which you refer are not capable of being verified.

1442 225

18. Explain precisely how the circumstances asserted in this paragraph constitute violations of the provisions of 10 CFR Part 50, Appendix B, Sections IX and X.

Paragraph 7a

19. Identify the documents you rely upon to support the assertion that "[e]fforts by quality control inspectors to verify that design changes were executed in accordance with the purposes of the original design were repeatedly and systematically thwarted"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

20. Identify each "quality control inspector" who you assert was thwarted in his efforts to verify design changes. Describe the circumstances of each such incident, giving the date of each such incident and identification of all of the individuals known to you to have been involved in such incident.

21. Explain what is meant by the phrase, "design changes . . . were executed in accordance with the purposes

1442 226

of the original design"; and identify the "design changes" which were involved in the incidents identified in response to the immediately preceding Interrogatory A.20.

22. Do you contend that "quality control inspectors" are responsible for verifying that design changes conform to the purposes of the original design?

23. Do you contend that design changes must conform to the purposes of the original design?

24. Explain in what respects the provisions of Sections III and IX of 10 CFR Part 50, Appendix B are violated by the assertion set forth in Paragraph 7a of Contention 1.
Paragraph 7b

25. Identify the documents you rely upon to support the assertion that "[t]here were personnel other than the original designer approving design changes with no first hand knowledge of the purpose of the original design"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

26. Identify the "personnel" who approved "design changes with no first hand knowledge of the purpose of the

1442 227

original design." Describe the circumstances of each such incident, giving the dates, identifying each such design change and the identification of all of the individuals known to you to have been involved in such incident.

27. Do you contend that design changes can be made only by personnel having "first hand knowledge of the purpose of the original design?"

28. Explain in what respects the provisions of Sections III and IX of 10 CFR Part 50, Appendix B are violated by the circumstances set forth in Paragraph 7b of Contention 1.
Paragraph 7c

29. Identify each "design change" which was "approved by personnel unqualified in the type of design where the change was made." Describe the circumstances of each such incident giving the date of each such incident and the identity of the person or persons who approved each such design change.

30. Identify the documents you rely upon to support the assertion that "design changes [were] approved by personnel unqualified in the type of design where the change was made"; and produce each such document identified which is other than a communication between Applicants and the Nuclear Regulatory Commission. If you do not rely upon any written

1442 228

documents, or if you rely on information in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

31. Explain in what respects the acts asserted in this Paragraph 7c of Contention 1 constitute a violation of the provisions of Section III and IX of 10 CFR Part 50, Appendix B.
Paragraph 7d

32. Identify each individual who you assert "falsified" "pour cards" as stated in Paragraph 7d of Contention 1.

33. Describe the manner in which each pour card referred to in Paragraph 7d of Contention 1 was "falsified."

34. Identify the documents you rely upon to support the assertion that "numerous pour cards . . . were falsified by numerous persons"; and produce each such document identified. If you do not rely upon any written documents, or if you rely on information in addition to written documents, state the source of your information which provides the basis for this assertion and describe such information.

Paragraph 7e

35. Describe each instance, including dates and identification of all of the individuals known to you to have been involved, in which a quality control inspector has been: (a) assaulted; (b) threatened with bodily harm; (c) fired;

1442 229

and/or (d) otherwise intimidated; as asserted in Paragraph 7e of Contention 1. In those instances, describe all asserted "acts constituting a pattern of behavior designed to intimidate inspectors."

36. Identify, by date, quality control inspector involved and subject matter to be inspected, every inspection which you allege was not done because the quality control inspector "decided to play cards . . . rather than risk [his] safety on the plant grounds."

37. Identify documents which you rely upon to support the assertions in Paragraph 7e of Contention 1 and produce each such document identified. If you do not rely upon any written documents, or if you rely on documents in addition to written documents, identify the source of your information which provides the basis for this assertion and describe such information.

Paragraphs 1 through 7e

38. Identify each person you intend to call as a witness at the Hearing to testify to matters relating to Contention 1 or any part of Contention 1.

B. Contention 2 (as accepted by the Licensing Board)

1. Do you rely upon any written documents other than the NRC inspection records listed in Contention 2 to support

1442 230

your assertion that South Texas Project construction records have been falsified? If so, please identify specifically each such document relied upon; and produce each document so identified. Do you rely upon any other information to provide the basis for this contention? If so, identify the source of your information and describe such information.

2. Identify specifically, including title, date and subject matter, each "construction record" which you assert has been falsified.

3. Identify the "employees" of Houston Lighting & Power Company and the "employees" of Brown and Root who are asserted to have "falsified" construction records.

4. Identify each person you intend to call as a witness at the Hearing to testify to matters relating to Contention 2 or any part of Contention 2.

C. Contention 3 (as accepted by the Licensing Board)

1. How many of the approximately thirty reported overpressurization instances referenced in your contention have occurred since 1976? Identify the source of your answer.

2. Identify each instance (with the name of the facility and dates) listed in your answer to immediately preceding Interrogatory C.1. where 10 CFR Part 50 has been violated during the pressure transient. Identify the source of your answer.

1442 231

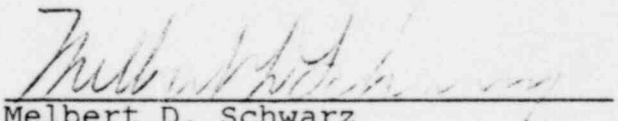
3. Identify each "design feature or administrative procedure" which you assert must be added to the designs and procedures for the South Texas Project in order to "prevent or ameliorate such pressure transients."

4. Describe specifically each transient (for example, by initial conditions, initiating event, duration, peak pressure, worst consequences, etc.) which can cause a violation of 10 CFR Part 50.

D. Other

1. Provide the names and addresses of all officers and directors of CCANP.

Respectfully submitted,



Melbert D. Schwarz
Charles G. Thrash, Jr.
3000 One Shell Plaza
Houston, Texas 77002

Jack R. Newman
Robert H. Culp
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

OF COUNSEL:
Baker & Botts
3000 One Shell Plaza
Houston, Texas 77002

Lowenstein, Newman, Reis,
Alexrad & Toll
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

Attorneys for HOUSTON LIGHTING &
POWER COMPANY, Project Manager
of the South Texas Project,
acting herein on behalf of
itself and the other Applicants,
THE CITY OF SAN ANTONIO, TEXAS,
acting by and through the City
Public Service Board the City of
San Antonio, CENTRAL POWER AND
LIGHT COMPANY and THE CITY OF
AUSTIN, TEXAS

MS:3:A

1442 232

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

IN THE MATTER OF	§	
	§	
HOUSTON LIGHTING & POWER	§	Docket Nos. STN 50-498-OL
COMPANY, ET AL.	§	STN 50-499-OL
	§	
(South Texas Project,	§	
Units 1 and 2)	§	
	§	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing First Set of Interrogatories and Request for Production of Documents from Houston Lighting & Power Company, et al., Applicants, to Citizens Concerned About Nuclear Power in the above-captioned proceeding were served on the following by deposit in the United States mail, postage prepaid, or by hand delivery this 5th day of November, 1979:

Charles Bechhoefer, Esq., Chairman
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James C. Lamb, III
313 Woodhaven Road
Chapel Hill, North Carolina 27514

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

Henry J. McGurren, Esq.
Hearing Attorney
Office of the Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

1442 233

Richard W. Lowerre, Esq.
Assistant Attorney General
for the State of Texas
P. O. Box 12548, Capitol Station
Austin, Texas 78711

Honorable Burt O'Connell
County Judge, Matagorda County
Matagorda County Court House
Bay City, Texas 77414

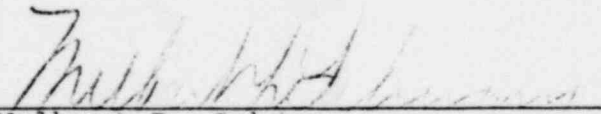
Ms. Peggy Buchorn, Executive Director
Citizens for Equitable Utilities
Route 1, Box 432
Brazoria, Texas 77422

Steven A. Sinkin, Esq.
116 Villita
San Antonio, Texas 78205

Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing Appeal
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

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


Melbert D. Schwarz

Date: November 5, 1979

MS-3-B

1442 234