

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
DUKE POWER COMPANY)	DOCKET NOS. STN 50-488
)	50-489
(Perkins Nuclear Station,)	50-490
Units 1, 2 and 3))	
)	

INTERVENORS' REQUEST FOR PRODUCTION OF
DOCUMENTS, INTERROGATORIES, AND REQUEST
TO ADMIT

1. Intervenor request applicant to produce the following documents and to admit or deny the genuineness of the said documents and notations thereon and to admit, deny, partially admit or partially deny, that all of the statements and notations contained in said documents were made by its officers or employees acting within the scope of their authority:

a. Letter dated March 29, 1978, from Duke Power Company to Richard G. Stoll, Jr., office of General Counsel, EPA; subject, EPA Proposed Rule Making, 40 CFR Part 423.

b. Letter dated August 16, 1978, from North Carolina Division of Environmental Management to Duke Power Company; subject, NPDES Permit No. NC0024392.

c. Letter dated May 4, 1978, from Duke Power Company to A. F. McRorie, Acting Director, NCNERC.

d. Memo dated November 15, 1977, to C. A. Dewey, Jr., from W. J. McCabe; subject, McGuire Nuclear Station.

e. Memo to L. C. Dail from R. Fred Gray; subject, McGuire Nuclear Station, 316(a) Demonstration.

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f. Memo to John Lansche from W. S. Lee dated October 31, 1977; subject, McGuire NPDES Permit with attached memo dated October 27, 1977, from L. C. Dail to W. A. Haller.

g. Memo dated October 11, 1977, to John Lansche from W. S. Lee with attached memo from John Lansche to W. S. Lee dated October 7, 1977; subject, McGuire NPDES Permit.

h. Letter from Duke Power Company dated July 8, 1977, to L. P. Benton, Jr.; subject, McGuire NPDES Permit.

i. Memo from L. C. Dail to J. E. Lansche; subject, McGuire Nuclear Station.

j. Duke's Preferred Compliance Scheduled with notations; subject, condenser cooling or cooling towers for McGuire.

k. Memo from John E. Lansche dated June 22, 1977, to C. A. Dewey, B. E. Davis, R. F. Edmonds and William L. Porter; subject, meeting with NCDNERC personnel.

l. Page 9 of Sec. 9-1 of draft of Applicant's ER-NRC with notations.

m. NCBWAR Permit for condenser cooling for Duke Power Company McGuire Nuclear Station, Cowans Ford, North Carolina.

n. Memo to W. J. Phifer dated May 6, 1970, from C. A. Dewey, Jr. - Ref. Plant McGuire Water Study and Lake Norman with attachment.

o. Letter dated September 9, 1976, from Duke Power Company to Daniel C. Oakley, Associate Attorney General; subject, McGuire Nuclear Station Draft NPDES Permit.

p. Memo dated September 8, 1976, from C. A. Dewey, Jr., to W. O. Parker; subject, McGuire NPDES, 316(a).

q. Memo to W. S. Lee, L. C. Dail, C. A. Dewey, and Dr. W. A. Haller from Charles S. Carter dated July 19, 1976; subject, Thermal Requirements on McGuire.

r. Memo to file; subject, NPDES Permit McGuire and Belews Creek, File No. F-29.

s. Memo to L. C. Dail, C. A. Dewey, Dr. W. A. Haller and W. S. Lee dated March 24, 1976; subject, McGuire Nuclear Station NPDES Permit.

t. Letter dated February 17, 1976, from NRC to Lewis Martin, N.C. DEM.

2. Intervenor request applicant to admit, deny, partially admit or partially deny the following:

a. Duke's "rule of thumb" cooling capacity allowance based on lakes similar to Lake Norman (Allen, Riverbend) established 1.7 acres for fossil and 2.5 acres nuclear per Mw. Lake Norman approximates 32,500 acres. If "rule of thumb" is correct, Lake Norman could support an approximate 9,263 Mw additional nuclear condenser cooling computed as follows:

<u>Station</u>	<u>Capacity of Mw</u>	<u>Rule of Thumb</u>	<u>Acres to Cool</u>
Marshall	2025 Mw	1.7	3,443
McGuire	2360 Mw	2.5	5,900
Total committed	4,385 Mw		9,343
Uncommitted	9,263 Mw	2.5	<u>23,157</u>
			32,500

b. The State of North Carolina (Department of Water and Air Resources - now Environmental Management) assigned on Lake Norman only 3,500 acres for the nominally 2,400 Mw McGuire nuclear station which equates with a 1.46 acres per Mw "Rule of Thumb".

c. A "Rule of Thumb" 1.45 acres per nuclear Mw is acceptable at the Lake Norman McGuire Station by the State of North Carolina.

d. A "Rule of Thumb" 1.46 acres per nuclear Mw is acceptable at the Lake Norman McGuire Station.

e. EPA or North Carolina would require at Lake Norman Perkins at site "D" or "E" the following acres to condenser cool:

<u>Unit</u>	<u>Date on Line</u>	<u>Gross Mw Capacity</u>	<u>EPA/NC Rule of Thumb</u>	<u>Acres to Cool</u>
#1	1/1/87/-1/1/89	1,340	1.46	1,956
#2	7/89 - 1/92	2,680	1.46	3,912
#3	1/92 - 1/94	4,020	1.46	5,870

Approximate EPA and N.C. condenser cooling
requirement for Perkins at Lake Norman
site "D" or "E" ----- 11,738

3. Intervenors request that the applicant produce in detail all correspondence, litigation or other action taken by the applicant to establish Lake Norman as a lake in service or construction per CFR-423.13(1) an exempt from no heat discharge rule.

4. When does the applicant plan to use site "D" and site "E" on Lake Norman as a plant site?

5. What size in Mw is planned for site "D" and for site "E"?

6. Give actual and projected Peak Load in Mw and System Capability for the following years: 1975 - 1981, 1983, 1985, 1987, 1989 and 1991.

7. Applicant has previously in answer 3(c) to the first Interrogatories indicated that it does not have exact information as to the projected effect on the water level at Lake Norman and the production of hydropower of Lake Norman of the proposed cooling tower generating facility known as the Lake Norman Site N-18. Intervenors now asks for the applicant to give us any information which it has or which it can derive or obtain to show the Licensing Board what the approximate effect on the water level and the production of hydropower at Lake Norman of the proposed three unit cooling tower facility known as Lake Norman Site N-18.

8. In the previous interrogatories applicant stated that it did not have exact information in regard to the effect on water level and hydroproduction at Lake Norman for the construction of a generating facility at Lake Norman Site "D" or Lake Norman Site "E". Intervenors now ask that applicants give the best information that they have, can derive or obtain in answer to the question of what the effect of the proposed three unit plant at sites "D" and "E" would have on the Lake level and on the hydroproduction at Lake Norman.

9. Applicants have previously avoided answering the question as to whether or not a Carter Creek type reservoir would be required if the generating facility of the Perkins type were built at Site N-18. Intervenors again ask whether such a reservoir of the size and the magnitude of the Carter Creek Reservoir would be required. In asking this question intervenor has examined the files in the office of the applicant and found a document which states flatly that no such reservoir would be required at the N-18 site. Therefore, intervenor now specifically requests that the applicant produce the document in its file showing that a Carter Creek type reservoir would not be required at Site N-18, thus resulting in a clearly superior site in regard to the fact that such additional expense would not be necessary at that site.

10. Applicant has previously showed at its offices a large map showing the property holdings of the applicant on Lake Norman near the three proposed sites on Lake Norman. Intervenors request that the applicant produce a copy of this large map showing the ownership of the applicant in order that intervenors will be in a position to use this map for evidentiary and illustrative purposes. In previous answers to question 3(w), the applicant stated that Site N-18 was not clearly superior to the Perkins Site. Intervenors now request that applicant supply any and all information which it has not previously supplied which it contends supports its position that the Perkins site is clearly superior to the N-18 site.

11. In its answer to 3(w), the applicant states that its position that Perkins is clearly superior is based on "siting methodology, constraints and necessary decisions". Intervenors ask that applicant state in detail exactly what methodology is referred to, what constraints are referred to what decisions are referred to, and what it is about these decisions that were "necessary".

12. Applicant states in answers to 3(bb) and 3(cc) that no additional information, meetings or objections were involved between the time of the 1973 study and the decision to choose

the Perkins Site. If this is the case, intervenors ask the applicant to give any engineering or management reasons for choosing the Perkins Site over N-18 other than the fact that the environmental and cost effects of the cooling towers at N-18 would be born by the applicant as land owner and down stream hydro operator which environmental costs would not be born by the applicant at the Perkins site.

13. In its answer to the previous question 3(ff) the applicant was asked a hypothetical question which it simply refused to answer by saying that it did not believe that the N-18 site is a clearly superior site. Intervenors once again ask for the applicant to answer question 3(ff) by assuming all of the hypothetical portions of this question and by explaining the answer by pointing out any deficiencies which it feels are present in the hypothetical question as asked:

ff. If the cooling towers at site N-18 have approximately the same effect on the waterlife of Lake Norman as the proposed Perkins plant does on the waterlife at High Rock Lake, and if the water in Lake Norman is at a much, much better level in terms of pollution and eutrophication than High Rock, and if the waterflow is more reliable and sufficient, and the lakes and dams upstream are controlled by the applicant, then is it not a fact that the site known as N-18 is clearly a superior site in terms of water quality and quantity than the Perkins site?

14. State whether site N-18 was removed in the course selection process for sites in the 1978 phase I study and give the basis of such removal if in fact it occurred. If it did not occur, give the basis for the removal of site N-18 at some later time or at an earlier time if it in fact occurred at a later or earlier time.

15. Applicant is requested to admit or deny that the site N-18 is clearly superior to the Perkins site in regard to the amount that would have to be spent for a water reservoir to furnish make-up water during periods of low flow and to explain its answer.

16. Applicant is requested to admit or deny whether the site N-18 is clearly superior in regard to rail access to the Perkins site and to explain its answer.

17. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to location of transmission lines and to explain its answer.

18. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to population density and to explain its answer.

19. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to reliable water supply and to explain its answer.

20. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to control over water supply and to explain its answer.

21. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to location of nearest large population center and to explain its answer.


22. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to site excavations and explain its answer.

23. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to site opening costs and explain its answer.

24. Applicant is requested to admit or deny whether site N-18 is clearly superior to the Perkins site in regard to water eutrophication and explain its answer.

24. Intervenor request applicant to produce a copy of all correspondence, documents of whatsoever kind, received by the applicant, or written by the applicant, regarding the effect of its proposed N-18 plant site on its property development and real estate sales at Lake Norman.

This the 22nd day of December, 1978


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CERTIFICATE OF SERVICE

I hereby certify that copies of Preliminary Response to Proposed Supplemental NRC Staff Testimony Regarding the Criteria Used to Select Site Alternatives to the Perkins Site and the Examination of Site Alternatives to Perkins and Intervenor's Request for Production of Documents, Interrogatories and Request to Admit.

in the above-captioned matter have been served on the following by deposit in the United States mail this 22nd day of December, 1978.

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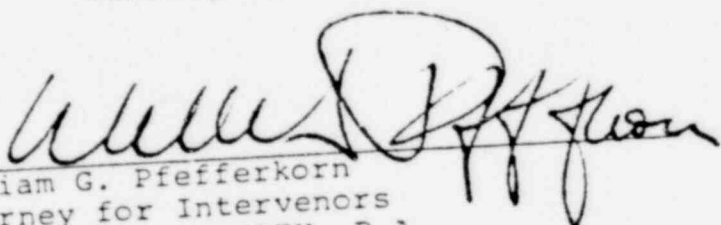
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