

May 4, 1979

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)
)
VIRGINIA ELECTRIC AND POWER COMPANY) Doc. Nos. 50-338 OL
) 50-339 OL
(North Anna Power Station,) (Pump House Settlement
Units 1 and 2)) and Turbine Missiles)

VEPCO'S ANSWER TO
INTERVENOR ARNOLD'S
INTERROGATORIES ON
PUMP HOUSE SETTLEMENT

Counsel for intervenor Geraldine Arnold sent 17 interrogatories and requests for documents to Vepco on April 7, 1979, and one supplemental interrogatory on April 10, 1979. Vepco arranged with Mrs. Arnold's counsel to respond by May 4, 1979. Vepco's responses are attached hereto. Vepco's counsel and Mrs. Arnold's counsel have agreed that the responses need not be under oath. Vepco asserts, however, that it believes the responses to be true and correct.

As noted in the responses, Vepco objects to Interrogatories 1 and 7 and Supplemental Interrogatory 1 on the ground that they are irrelevant to service water pump house settlement and therefore irrelevant to this proceeding. For the same reason Vepco objects to Requests for Documents 13 and 14 insofar as the notes and memoranda requested discuss matters

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other than pump house settlement and the horizontal drain system. Notes on those other matters have been deleted from the documents produced in response to Requests 13 and 14.

As for the continuing obligation of Vepco to update its responses, Vepco will comply with 10 CFR § 2.740(e):

(e) Supplementation of responses. A party who has responded to a request for discovery with a response that was complete when made is under no duty to supplement his response to include information thereafter acquired, except as follows:

(1) A party is under a duty seasonably to supplement his response with respect to any question directly addressed to (i) the identity and location of persons having knowledge of discoverable matters, and (ii) the identity of each person expected to be called as an expert witness at the hearing, the subject matter on which he is expected to testify, and the substance of his testimony.

(2) A party is under a duty seasonably to amend a prior response if he obtains information upon the basis of which (i) he knows that the response was incorrect when made, or (ii) he 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.

(3) A duty to supplement responses may be imposed by order of the presiding officer or agreement of the parties.

VIRGINIA ELECTRIC AND POWER
COMPANY

/s/ James N. Christman
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