

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|-----------------------------|---|----------------------|
| In the Matter of |) | |
| |) | |
| NORTHERN INDIANA PUBLIC |) | Docket No. 50-367 |
| SERVICE COMPANY |) | (Construction Permit |
| (Bailly Generating Station, |) | Extension) |
| Nuclear-1) |) | |

PORTER COUNTY CHAPTER INTERVENORS'
FIRST SET OF INTERROGATORIES TO THE NRC STAFF

Porter County Chapter Intervenor, by their attorneys, pursuant to 10 CFR §2.720(h)(2)(ii) and §2.740b, hereby serve upon the NRC staff ("staff") the following Interrogatories to be answered separately and fully in writing under oath, within 14 days of the date of the Board's finding under 10 CFR §2.720(h)(2)(ii).

The term "document" means any writing or recording of any kind, however produced or reproduced, including but not limited to letters, telegrams, memoranda, reports, studies, tape recordings, computer printouts, photographs, calendar and diary entries, minutes, pamphlets, notes, charts, tabulations, and records of meetings, conferences and telephone or other conversations or meetings, which are in the actual or constructive possession, custody or control of the NRC. The terms "staff" and "NRC" include the United States Nuclear Regulatory Commission, its staff, members, attorneys, employees, consultants, divisions or subdivisions, contractors and subcontractors.

1. Please state whether Roger S. Boyd is presently employed by the Nuclear Regulatory Commission, and, if not, the date his employment terminated and his last known address, telephone number and employer.

2. Please state the following for every member of the staff who has been consulted or who has aided, or provided, furnished or evaluated information, with regard to the staff review of NIPSCO's request for an extension of the latest completion date for the Bailly Nuclear Plant:

- (a) Name,
- (b) Address and telephone number,
- (c) Job title and description,
- (d) A description of the information with respect to which that person consulted, aided, or provided or furnished information.

3. Please state whether the staff is presently preparing, or plans to prepare, a Safety Evaluation Report or Safety Evaluation Report Supplement for any nuclear plant in response to or as a result of the accident at Three Mile Island. If the answer is that such a report is being prepared, or is planned, please state whether such a report is being prepared for the Bailly plant, or is planned to be prepared for the Bailly plant, and if so, the date by which the staff expects such report to be completed.

4. Does the staff take the position that "good cause" exists for the fact that construction of the Bailly plant was not completed by the latest completion date contained in the construction permit?

5. (a) If the answer to Interrogatory 4 is "yes," please state each fact which the staff contends contributes to a conclusion that "good cause" exists, and the basis for the contention that each fact contributes to "good cause."

(b) If the answer to Interrogatory 4 is "no," please state the basis for the answer.

6. Does the staff take the position that "good cause" exists for an extension of the Bailly construction permit?

7. (a) If the answer to Interrogatory 6 is "yes," please state:

(i) each fact which the staff contends contributes to a conclusion that "good cause" exists,

(ii) the basis for the contention that each fact contributes to "good cause,"

(iii) the length of extension which the staff contends is reasonable,

(iv) the basis for the answer to 7(a)(iii).

(b) If the answer to Interrogatory 6 is "no," please state the basis for the answer.

8. With respect to each person who is not an employee of the NRC, but who has been retained or consulted by the staff with regard to NIPSCO's application for an extension to its construction permit or with regard to any of the facts surrounding or giving rise to NIPSCO's application or listed in your responses to Interrogatories 5 and 7 please:

(a) state the name, address and employer of each such person;
(b) state the date(s) on which each such person was retained or consulted;

(c) describe the subject matter with respect to which each person was consulted or retained;

(d) describe each document relied on or examined by each person, giving the date of the document, its author, its location and custodian, and a summary of its contents.

(e) State whether that person has prepared a written report and, if so, please give a summary of the contents of the report.

(f) State whether that person has given anyone an oral report and, if so:

(i) identify each person to whom such oral report was given;

(ii) give a summary of the contents of the oral report;
and

(iii) state whether any notes or memoranda concerning the report have been prepared and, if so, describe each document containing such notes or memoranda, giving the date, the author and the custodian of each such document.

9. With respect to each person whom the staff expects to call as an expert witness, please:

(a) state the name, address and employer of each person;

(b) state the subject matter on which the expert witness is expected to testify;

(c) state the substance of the facts and opinions to which the expert witness is expected to testify and summarize the ground for each opinion;

(d) describe each document relied upon or examined by the expert witness in answering subparagraph 9(c) above, giving the date, author, custodian and a summary of the contents of each document;

(e) state whether the expert has prepared a written report and, if so, please give a summary of the contents of the report.

(f) State whether the witness has given anyone an oral report and, if so:

- (i) identify each person to whom such oral report was given;
- (ii) give a summary of the contents of the oral report; and
- (iii) state whether any notes or memoranda concerning the report have been prepared and, if so, describe each document containing such notes or memoranda, giving the date, the author and the custodian of each such document.

10. With respect to each person whom the staff expects to call as a witness other than an expert witness please:

- (a) state that person's name, address and employer;
- (b) state the substance of his or her testimony;
- (c) give a summary of the basis for any opinions contained in such testimony; and

- (d) describe each document which will be introduced as evidence or relied upon by such person in support of such testimony, giving the date, author, custodian and a summary of

of the contents of each document.

11. With respect to the "Safety Evaluation Report Related to the Pile Foundation Design and Installation", dated March, 1981, please state:

(a) the reason the report was issued in March, 1981 as contrasted with any earlier or later date.

(b) the name, job title and employer of the person(s) whose decision it was to issue the report on the date which it was issued.

(c) why the evaluation of NIPSCO's short pilings proposal was referred to the U.S. Army Corps of Engineers.

12. Please give the following information for the person swearing to the answers to these Interrogatories:

(a) name

(b) address

(c) title

(d) capacity

13. Please give the following information for each person who has provided or furnished information to the person identified in Interrogatory 13, consulted with that person in the preparation of the responses to these Interrogatories, or otherwise aided in the preparation of the responses:

(a) name

(b) address

(c) title

(d) number (including subpart) of each Interrogatory with respect to which that person consulted, aided or provided or furnished information; and

(e) the nature of the information or aid furnished.

Dated: May 19, 1981

Robert J. Vollen
Jane M. Whicher

By:

Jane M. Whicher
Jane M. Whicher
Attorneys for Porter County Chapter
Intervenors

Robert J. Vollen
Jane M. Whicher
109 North Dearborn
Suite 1300
Chicago, Illinois 60602

(312) 641-5570