

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))	

PEOPLE OF THE STATE OF ILLINOIS' FIRST
SET OF INTERROGATORIES TO THE NRC STAFF

People of the State of Illinois, by its attorney, Tyrone C. Fahner, Attorney General of the State of Illinois, pursuant to 10 C.F.R. §2.720(h)(2)(ii) and §2.740(b), hereby serves upon the NRC Staff the following Interrogatories to be answered under oath within 14 days of the date of the Board's finding under 10 C.F.R. §2.720(h)(2)(ii). These Interrogatories refer to the Staff's report issued July 17, 1981 entitled: "NRC Staff Evaluation of the Bailly Construction Permit Extension Request".

The terms "you", "staff" and "NRC" include the United States Nuclear Regulatory Commission, its staff, members, attorneys, employees, consultants, divisions or subdivisions, contractors and subcontractors. The term "NIPSCO" includes Northern Indiana Public Service Company, its agents, employees, representatives, subsidiaries, consultants, contractors and subcontractors.

1. What is your understanding or definition of the phrase "good cause" as used in the last sentence of the first paragraph of the section "A. Introduction"?

2. With reference to the sentence described in Interrogatory #1, is it your position that the Staff will not recommend extension of the Bailly N-1 Construction Permit unless NIPSCO submits modifications to the construction dewatering program?

3. With reference to the sentence described in Interrogatory #1, is it your position that the Staff will not recommend extension of the Bailly N-1 Construction Permit until the Staff approves or accepts the modifications to the construction dewatering program submitted by NIPSCO?

4. Is it your position that the Staff will not allow construction to resume unless NIPSCO submits modifications to the construction dewatering program?

5. Is it your position that the Staff will not allow construction to resume until the Staff approves or accepts the modifications to the construction dewatering program submitted to NIPSCO?

6. With respect to section "B. NRC Staff Evaluation of the Specified Delays":

a. On the basis of what information do you state that "the underlying clay layer [at the southeast corner of the excavation] into which the slurry wall is driven apparently thins out to a negligible thickness or is nonexistent" (page 4)?

b. Why do you make no judgment regarding NIPSCO's failure to resume construction during the seven-month period between April 1976 and November 1976 (see second full paragraph, p.3)?

c. With reference to the phrase "NIPSCO's presently proposed and conditionally accepted program," appearing in the

last paragraph of page 4, is it your position that the Staff will not permit construction to resume until the QA/QC manual for pile installation is revised to reflect the final driving criteria established by the Staff?

d. Is it your position that the Staff will not permit construction to resume until NIPSCO's revisions to the QA/QC pile installation manual are approved or accepted by the Staff, and if so, have you communicated such position to NIPSCO?

e. When did the Staff first indicate to NIPSCO, formally or informally, by any means whatsoever, that revisions would be required to the QA/QC pile installation manual, and to whom and by whom was such indication given?

f. Has NIPSCO submitted to the Staff any revisions or proposed revisions to the said QA/QC manual, and if so, when were they submitted?

g. The first full sentence on page 5 includes the statement that "NIPSCO made a one-sentence reference to the use of jetting as part of its pile placement program in a letter submitted to the Staff in December 1976."

i. Was there an attachment to said letter entitled "Northern Indiana Public Service Company Bailly N-1 Nuclear Station, Category I Structures--Pile Driving Criteria"?

ii. When did the Staff first learn, either formally or informally, by any means whatsoever, that NIPSCO would use jetting or was considering using jetting?

iii. When was the Staff first aware that a NIPSCO contractor had tested and/or evaluated jetting as a means, either alone or in combination with other means, of placing piles?

iv. Did the Staff have any communications with NIPSCO regarding jetting between summer 1975 and the date the Staff received NIPSCO's December 29, 1976 letter?

h. Did the Staff at any time prior to issuance of the Bailly construction permit receive a copy of a 1972 report by Dames & Moore, #5676-005-07, or a report or communication from Sargent & Lundy or NIPSCO describing the contents of said Dames & Moore report, and if so, when?

i. Did the Staff indicate, either formally or informally, by any means whatsoever, to NIPSCO in 1974 that a short piles foundation plan might require or involve a public hearing, and if so, when did the Staff so indicate?

j. Did the Staff indicate, either formally or informally, by any means whatsoever, to NIPSCO in 1974 that a short piles foundation plan would require or involve a public hearing, and if so, when did the Staff so indicate?

k. Did the Staff ever indicate, either formally or informally, by any means whatsoever, to NIPSCO, that a short piles foundation plan might require or involve a public hearing, and if so, when did the Staff so indicate?

l. Did the Staff ever indicate, either formally or informally, by any means whatsoever, to NIPSCO, that a short piles foundation plan would require or involve a public hearing, and if so, when did the Staff so indicate?

m. Did the Staff ever recommend to NIPSCO prior to issuance of the construction permit that short rather than long pilings be installed under Bailly's Class I structures, and if so, when?

n. Did the Staff ever recommend to NIPSCO after issuance of the construction permit but before December 1976 that short rather than long pilings be installed under Bailly's Class I structures, and if so, when?

o. Identify the Staff persons who were present at the meeting with NIPSCO regarding pile design and placement on July 26, 1974?

p. Did the Staff in 1974 have any meetings with NIPSCO, other than the July 26, 1974 meeting, during which pile design and placement were discussed, and if so, when was such meeting(s) held and which Staff persons were present?

q. When did the Staff first learn, either formally or informally, by any means whatsoever, that NIPSCO would place short piles under Class I structures or was considering placing short piles under Class I structures?

r. With reference to the first sentence of the third full paragraph on page 5, is it your position that NIPSCO first proposed the jetting method of pile placement in September 1977?

s. With reference to the first sentence of the third full paragraph on page 5, is it your position that "good faith" contributes or is relevant to a finding of good cause, and if so, why?

7. With respect to the Negative Declaration, you state that the construction permit extension "is not a major federal action significantly affecting the quality of the human environment." Does this statement mean that the construction permit extension is not a major action or that it will not significantly affect the quality of the human environment, or both?

8. With respect to the Environmental Impact Appraisal:

a. On what basis did you determine that only three specific issues could be affected by the proposed construction permit extension?

b. What was the original estimate of the time necessary to complete the construction phases described in the second paragraph on page 3?

c. If the present estimate of two to three years, given in the second paragraph on page 3, for completion of the said construction phases is longer than the original estimate, what is the basis for the new longer estimate?

d. With reference to the second sentence of the second paragraph on page 3, please specify in NIPSCO datum the elevation referred to as the "'natural' level of the groundwater at the Bailly site" or otherwise describe what you mean by the "natural" level?

e. With reference to the second sentence of the second paragraph on page 3, please identify the baseline you use or assume in determining the "'natural' level of the groundwater at the Bailly site".

f. On page 5 under subsection "i. Reactor facility excavation" you state: "Dewatering of the lower unit 3 sands will be performed as part of the pile placement program." How long and at what rate will the lower unit 3 sands be dewatered?

g. With reference to the last sentence of the first full paragraph on page 7, what document reflects the conclusion of the permittee and its consultants that "no drawdown from construction dewatering of the Bailly site should occur at distances greater than about 1,500 feet from the excavation"?

h. Is it your position that without appropriate modifications to NIPSCO's monitoring and mitigation program, drawdown of the Unit 3 aquifer will occur outside the excavation site boundary as a result of construction dewatering?

i. If the answer to Interrogatory #8(h) is yes, did the Staff prior to issuance of the Environmental Impact Appraisal ever indicate to NIPSCO that appropriate modification of the monitoring and mitigation program might be necessary?

j. If the answer to Interrogatory #8(i) is yes, when did the Staff first so indicate to NIPSCO, either formally or informally, by any means whatsoever?

k. The first sentence on page 10 states: "While the permittee has verbally agreed to submit the appropriate program modifications to the NRC Staff for review, it has not yet done so." When was the said verbal agreement made and to whom and by whom?

l. Identify, by date, type of communication, and parties to communication, all communications between NIPSCO and the Staff regarding modifications to NIPSCO's monitoring and

mitigation program with respect to dewatering Unit 3.

m. When was the Staff first aware that the Unit 3 aquifer might have to be dewatered?

n. Does the Staff believe that dewatering at the Bailly N-1 site--whether by pumping, gravity drains, or otherwise--may or will be necessary after construction is completed, and if so, why?

o. If the answer to Interrogatory #8(n) is yes, did the Staff take this matter into consideration in preparing the Environmental Impact Appraisal?

p. Does the Staff believe that hydraulic interconnections between the Unit 1 and 3 aquifers may have been created by NIPSCO's pile driving activities thus far?

q. If the answer to Interrogatory #8(p) is yes, did the Staff take this matter into consideration in preparing the Environmental Impact Appraisal?

9. Please state the name, address, and title of the person swearing to the answers to these Interrogatories.

10. Please state the name, address, title, relevant Interrogatory number, and the nature of the information provided, for each person who provided information utilized in the answering of these Interrogatories.

11. For each of these Interrogatories, please identify each document referred to or used in formulating the answer.

Respectfully submitted,

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