

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)	Extension)
Station, Nuclear-1))	

PEOPLE OF THE STATE OF ILLINOIS'
THIRD SET OF INTERROGATORIES TO NIPSCO

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. §2.740b, hereby serves upon Northern Indiana Public Service Company ("NIPSCO") the following Interrogatories, to be answered under oath within 14 days of the date of the Board's granting of PCCI's application for discovery filed this date. These Interrogatories refer to the Staff's report issued July 17, 1981 entitled: "NRC Staff Evaluation of the Bailly Construction Permit Extension Request".

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

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

a. With reference to the phrase "NIPSCO's presently proposed and conditionally accepted program", appearing in the last paragraph of page 4, is it NIPSCO's understanding that the NRC Staff will not permit construction until the QA/QC manual for pile installation is revised to reflect the final driving criteria established by the Staff?

b. 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?

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

d. When does NIPSCO expect that all revisions to the said QA/QC manual will be completed by NIPSCO and submitted to the Staff?

e. Is it your understanding 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, how did you reach such an understanding?

f. When does NIPSCO expect that all revisions to the said QA/QC manual will be accepted or approved by the Staff?

g. With reference to the last sentence of the first paragraph of the section "A. Introduction":

i. Is it your understanding that the Staff will not recommend extension of the Bailly N-1 Construction Permit unless NIPSCO submits modifications to the construction dewatering program?

ii. Is it your understanding that the Staff will not allow construction to resume until NIPSCO submits modifications to the construction dewatering program?

iii. Is it your understanding that the Staff will not allow construction to resume until the Staff approves or accepts the modifications to the construction dewatering program submitted by NIPSCO, and if so, how did you reach such an understanding?

h. 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 NIPSCO first indicate to the Staff, either formally or informally, by any means whatsoever, that NIPSCO would use or was considering using jetting as a means, alone or in combination with other means, of placing piles?

iii. When did NIPSCO first inform the Staff, either formally or informally, by any means whatsoever, that

NIPSCO would test and/or evaluate or had tested and/or evaluated jetting as a means, alone or in combination with other means, of placing piles?

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

i. Did you at any time prior to issuance of the Bailly N-1 Construction Permit deliver to the Staff 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?

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

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

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

m. Did the Staff ever indicate to NIPSCO either formally or informally, by any means whatsoever, that a short piles foundation plan would require or involve a public

hearing, and if so, when did the Staff so indicate?

n. 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?

o. 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?

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

q. Did NIPSCO in 1974 have any meetings with the Staff 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 NIPSCO persons were present?

r. When did NIPSCO first indicate to the Staff, either formally or informally, by any means whatsoever, that NIPSCO was considering placing short piles under Class I structures, and to whom and by whom was such indication given?

2. With respect to the Environmental Impact Appraisal:

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

b. 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?

c. On page 5 under subsection "i. Reactor facility excavation" the Staff states: "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?

d. With reference to the last sentence of the first full paragraph on page 7, what document reflects the conclusion of NIPSCO 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"?

e. Did the Staff prior to issuance of the Environmental Impact Appraisal ever indicate, formally or informally, by any means whatsoever, to NIPSCO that appropriate modification of the monitoring and mitigation program might be necessary?

f. If the answer to Interrogatory #2(e) is yes, when did the Staff first so indicate to NIPSCO, and by whom and to whom was such indication given?

g. 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

no yet done so." When was the said verbal agreement made and to whom and by whom?

h. 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.

i. Has NIPSCO begun developing or working on modifications to the monitoring and mitigation program?

j. Has NIPSCO submitted to the Staff any revisions or proposed revisions to the monitoring and mitigation program, and if so, when were they submitted?

k. When does NIPSCO expect that all revisions to the monitoring and mitigation program will be completed by NIPSCO and submitted to the Staff?

l. When does NIPSCO expect that all revisions to the monitoring and mitigation program will be accepted or approved by the Staff?

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

4. 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.

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

Respectfully submitted,

TYRONE C. FAHNER
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BY: _____

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CERTIFICATE OF SERVICE

I hereby certify that I served copies of People of the State of Illinois' Application for Discovery Regarding Staff Documents, First Set of Interrogatories to the NRC Staff, and Third Set of Interrogatories to NIPSCO, on the persons on the attached Service List by causing them to be deposited in the U.S. Mail, first class, postage prepaid, on this 13th day of August 1981.



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