

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
BOSTON EDISON COMPANY et al. )  
 )  
(Pilgrim Nuclear Generating )  
Station, Unit 2) )  
 )

Docket No. 50-471

MOTION OF THE COMMONWEALTH  
OF MASSACHUSETTS TO  
COMPEL ANSWERS TO ITS  
FIRST SET OF INTERROGATORIES  
TO BOSTON EDISON COMPANY  
RELATIVE TO TMI ISSUES



The Commonwealth hereby moves that the Board compel complete and responsive answers to the following interrogatories contained in its First Set of Interrogatories to Poston Edison Company Relative to TMI Issues.

Interrogatory #1

The Commonwealth asked BE Co. to indicate whether, in its opinion, the Applicants have complied with each and every information requirement contained in Appendix B to NUREC-0718, Rev. 1, identifying each fact upon which it relies for its answer and every document which supports each fact so identified. The Commonwealth is unable to confirm from BE Co.'s answer that it has in fact identified all documents supporting the facts upon which it relies.

DS03  
5  
1/1

BE Co.'s answer to interrogatory No. 1 refers the reader to certain sections of the PSAR for the facts upon which it bases its conclusion that each and every requirement of NUREG-0718, Rev. 1, App. B has been satisfied. With respect to some of the requirements, BE Co. then lists certain documents as supporting its answer. However, because of the language preceeding these listings, it is impossible to determine whether all documents supporting the facts contained in the referenced PSAR sections have been identified. To the extent they have not, the Commonwealth moves for an order compelling their identification.

Interrogatory #2

The Commonwealth asked in this interrogatory for identification of documents relating to communications between the Applicants, Combustion Engineering ("CE") or Bechtel and the NRC, between the Applicants and CE, between the Applicants and Bechtel, between the Applicants and the CE Owners Group, or between CE and the CE Owners Group relating to any of the information requirements contained in NUREG-0718, Rev. 1, App. B or the original version of that Appendix. BE Co. has objected, without stating any grounds, to identifying anything but the principal documents (and documents referenced therein) relied upon by the Applicants at the time Amendment 43 to the PSAR was prepared.

The Commonwealth moves for an order compelling a complete response to this interrogatory. The Commonwealth is, of course, more interested in communications which evidence difficulties in satisfying the information requirements than in communications which BE Co. would rely upon to attempt to prove their satisfaction. Hence, those documents which BE Co. has chosen to identify are those which it knows to be of relatively less interest to the Commonwealth. This interrogatory is drafted so as to apply only to communications among specifically named parties which relate to specific requirements contained in the Appendix of one document. As such, it is highly specific and does not impose an undue burden on the Applicants.

Interrogatory No. 8

BE Co.'s answer to this interrogatory cross-references its answer to Interrogatory #2. For the reasons outlined above with respect to interrogatory #2, the Commonwealth moves for an order compelling a complete response to this interrogatory.

Respectfully submitted,

By:   
JO ANN SHOTWELL

Assistant Attorney General  
Environmental Protection Division  
Public Protection Bureau  
Department of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, Massachusetts 02108  
(617) 727-2265

Dated: *September 14, 1981*

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
BOSTON EDISON COMPANY et al.	)	Docket No. 50-471
	)	
(Pilgrim Nuclear Generating	)	
Station, Unit 2)	)	
	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that the within Motion has been served on the following by deposit of copies thereof in the United States Mail, first class mail, postage prepaid this 14th day of September, 1981:

Andrew C. Goodhope, Esq.  
Chairman  
Atomic Safety and  
Licensing Board  
3320 Estelle Terrace  
Wheaton, Maryland 20906

Dr. A. Dixon Callihan  
Union Carbide Corporation  
P.O. Box Y  
Oak Ridge, Tennessee 37830

Dr. Richard F. Cole  
Atomic Safety and  
Licensing Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Patrick J. Kenny, Esq.  
Edward L. Selgrade, Esq.  
Deputy Director  
Mass. Office of Energy  
Resources  
73 Tremont Street  
Boston, Massachusetts 02108

Henry Herrman, Esq.  
Room 1045  
50 Congress Street  
Boston, Massachusetts 02109

Mr. & Mrs. Alan R. Cleeton  
22 Mackintosh Street  
Franklin, Massachusetts 02038

William S. Abbot, Esq.  
Suite 925  
50 Congress Street  
Boston, Massachusetts 02109

Thomas G. Dignan, Jr., Esq.  
Ropes & Gray  
225 Franklin Street  
Boston, Massachusetts 02110

Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Jack R. Goldberg  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Thomas S. Moore, Chairman  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Christine N. Kohl, Esquire  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Stephen H. Lewis  
U.S. Nuclear Regulatory  
Commission  
Office of the Executive  
Legal Director  
Washington, D.C. 20555

Michael Blume  
U.S. Nuclear Regulatory  
Commission  
Office of the Executive  
Legal Director  
Washington, D.C. 20555

Office of the Secretary  
Docketing and Service Section  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555


Chief Librarian  
Plymouth Public Library  
North Street  
Plymouth, Massachusetts 02360

William S. Stowe, Esquire  
Boston Edison Company  
800 Boylston Street  
Boston, Massachusetts 02199

Francis S. Wright, Esquire  
Berman & Lewenberg  
211 Congress St.  
Boston, Massachusetts 02110

Dr. John H. Buck  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

R. K. Gad III  
Ropes & Gray  
225 Franklin Street  
Boston, Massachusetts 02110

  
Jo Ann Shotwell  
Assistant Attorney General  
Environmental Protection Division  
Public Protection Bureau  
Department of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, Massachusetts 02108  
(617) 727-2265