

DOCKETED
USNRC

September 2, 1983 '83 SEP -6 P12:44

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	Docket Nos. 50-400 OL
AND NORTH CAROLINA EASTERN MUNICIPAL)	50-401 OL
POWER AGENCY)	
)	
(Shearon Harris Nuclear Power Plant,)	
Units 1 & 2))	

APPLICANTS' INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS
TO INTERVENOR WELLS EDDLEMAN (Sixth Set)

Pursuant to 10 C.F.R. §§2.740(b) and 2.741 and to the Atomic Safety and Licensing Board's "Memorandum and Order (Reflecting Decisions Made Following Prehearing Conference)" of September 22, 1982, Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby request that Intervenor Wells Eddleman answer separately and fully in writing, and under oath or affirmation, each of the following interrogatories, and produce and permit inspection and copying of the original or best copy of all documents identified in the response to interrogatories below.

Under the Commission's Rules of Practice, answers or objections to these interrogatories must be served within 14 days after service of the interrogatories; responses or

8309070091 830902
PDR ADOCK 05000400
G PDR

D503

objections to the request for production of documents must be served within 30 days after service of the request.

These interrogatories are intended to be continuing in nature, and the answers should promptly be supplemented or amended as appropriate, pursuant to 10 C.F.R. §2.740(e), should you or any individual acting on your behalf obtain any new or differing information responsive to these interrogatories. The request for production of documents is also continuing in nature and you must produce immediately any additional documents you or any individual acting on your behalf, obtain which are responsive to the request, in accordance with the provisions of 10 C.F.R. §2.740(e).

Where identification of a document is requested, briefly describe the document (e.g., book, letter, memorandum, transcript, report, handwritten notes, test data) and provide the following information as applicable: Document name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person or persons having possession of the document. Also state the portion or portions of the document (whether section(s), chapter(s), or page(s)) upon which you rely.

Definitions. As used hereinafter, the following definitions shall apply:

The "ER" is the Environmental Report - Operating License Stage for the Shearon Harris Nuclear Power Plant, as amended.

The "FSAR" is the Final Safety Analysis Report for the Shearon Harris Nuclear Power Plant, as amended.

"Applicants" is intended to encompass Carolina Power & Light Company, North Carolina Eastern Municipal Power Agency and their contractors for the Harris Plant.

"Document(s)" means all writings and records of every type in the possession, control or custody of Wells Eddleman or any individual acting on his behalf, including, but not limited to, memoranda, correspondence, reports, surveys, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, speeches, articles, transcripts, voice recordings and all other writings or recordings of any kind;

"document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody, or control of Wells Eddleman; a document shall be deemed to be within the "control" of Wells Eddleman or any individual acting on his behalf if he has ownership, possession or custody of the document or copy thereof, or has the right to secure the document or copy thereof, from any person or public or private entity having physical possession thereof.

General Interrogatories

1(a). State the name, present or last known address, and present or last employer of each person, other than affiant, who provided information to you upon which you relied in answering each interrogatory herein, or who otherwise assisted you in answering each interrogatory herein.

(b). Identify all such information which was provided by each such person and the specific interrogatory in which such information is contained.

(c). If, in responding to General Interrogatory 1(a), you rely on any of the protection afforded in the Licensing Board's Memorandum and Order of May 27, 1983, describe, as applicable, the "expertise" of the persons whose identities are being withheld, the facts underlying any "retained or specially employed" status, the need to withhold each person's identity, and the applicability of any other privilege.

2(a). Identify all documents in your possession, custody or control, including all relevant page citations, upon which you relied in answering each interrogatory herein.

(b). Identify the specific interrogatory response(s) to which each such document relates.

3(a). Identify any other source of information, not previously identified in response to Interrogatories 1 or 2, which was used in answering the interrogatories set forth herein.

(b). Identify the specific interrogatory response(s) to which each such source of information relates.

Interrogatories on Contention 65

65-14(a). Do you contend that the methods described in Applicants' answer to Eddleman Interrogatory No. 65-1(a) are inadequate to assess the quality of the concrete placements for the Harris Plant containment building?

65-14(b). If the answer to the preceding interrogatory is other than negative, state in detail all facts which support this allegation and identify those additional actions which you contend are required by NRC regulation or industry code. Identify specifically any such regulation or code.

65-14(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 65.

65-15(a). Do you contend that the methods described in Applicants' answer to Eddleman Interrogatory No. 65-1(c) are inadequate to prevent and/or detect instances of voiding or honeycombing in the concrete placements for the Harris Plant containment building?

65-15(b). If the answer to the preceding interrogatory is other than negative, state in detail all facts which support this allegation and identify those additional actions which you contend are required by NRC regulation or industry code. Identify specifically any such regulation or code.

65-15(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 65.

65-16(a). Do you contend that ultrasonic testing of all concrete in the Harris Plant containment building is required by any NRC regulation or by applicable industry codes and standards?

65-16(b). If the answer to the preceding interrogatory is other than negative, identify each such regulation, code or standard.

65-16(c). If the answer to (a) above is other than affirmative, explain in detail how your response is consistent with the allegations set forth in Contention 65.

65-17(a). Do you contend that the corrective actions undertaken by Applicants upon discovery of voids/honeycombing in the Harris Plant containment building, as described in Applicants' answers to Eddleman Interrogatory Nos. 65-1(i) and (j), were inadequate to assure the structural integrity of the Unit 1 containment building?

65-17(b). If the answer to the preceding interrogatory is other than negative, state in detail all facts which support this allegation and identify those additional corrective actions which you contend are required by NRC regulation or industry code. Identify specifically any such regulation or code.

65-18(a). Do you contend that the reinforcing steel design for the Harris Plant containment building, as described in documents produced by Applicant in response to Eddleman Interrogatory No. 65-4(a), would inhibit the proper placement of concrete and/or tend to increase the possibility that voids or honeycombing could occur?

65-18(b). If the answer to the preceding interrogatory is other than negative, state in detail all facts which support this allegation.

65-19. Describe in detail your understanding of the role and responsibilities of Daniel International Corporation at the Harris Plant with respect to the following functions:

- (i) supervision of construction activities;
- (ii) performance of QA/QC activities;
- (iii) supervision of QA/QC activities;
- (iv) training of craft (construction) personnel; and
- (v) training of QA/QC personnel.

65-20(a). Do you intend to call "Bess Boe," identified in your letter of June 25, 1983 to Counsel for Applicants, as a witness in support of Contention 65?

65-20(b). If the answer to the preceding interrogatory is affirmative, state in detail:

- (i) Bess Boe's educational achievements in the area of civil/structural engineering and particularly as they relate to concrete quality; and

- (ii) Bess Boe's technical expertise (i.e., work experience) in the area of civil/structural engineering and particularly as this expertise relates to concrete quality.

Thomas H. Baxter

Thomas A. Baxter, P.C.
SHAW, PITTMAN, POTTS & TROWBRIDGE
1800 M Street, N.W.
Washington, D.C. 20036
(202) 822-1000

Richard E. Jones
Samantha Francis Flynn
CAROLINA POWER & LIGHT COMPANY
Post Office Box 1551
Raleigh, North Carolina 27602
(919) 836-6517

Counsel for Applicants

DATED: September 2, 1983

September 2, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER & LIGHT COMPANY
AND NORTH CAROLINA EASTERN MUNICIPAL
POWER AGENCY

(Shearon Harris Nuclear Power Plant,
Units 1 & 2)

)
)
)
)
)
)
)

Docket Nos. 50-400 OL
50-401 OL

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing "Applicants' Interrogatories and Request for Production of Documents to Intervenor Wells Eddleman (Sixth Set)" were served by deposit in the United States Mail, first class, postage prepaid, this 2nd day of September, 1983, to all those on the attached Service List.


Thomas A. Baxter

DATED: September 2, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAROLINA POWER & LIGHT COMPANY
and NORTH CAROLINA EASTERN
MUNICIPAL POWER AGENCY

(Shearon Harris Nuclear Power
Plant, Units 1 and 2)

)
)
)
)
)
)
)

Docket Nos. 50-400 OL
50-401 OL

SERVICE LIST

James L. Kelley, Esquire
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Charles A. Barth, Esquire (4)
Myron Karman, Esquire
Office of Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section (3)
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Daniel F. Read, President
CHANGE/ELP
5707 Waycross Street
Raleigh, North Carolina 27606

John D. Runkle, Esquire
Conservation Council of North Carolina
307 Granville Road
Chapel Hill, North Carolina 27514

M. Travis Payne, Esquire
Edelstein and Payne
Post Office Box 12607
Raleigh, North Carolina 27605

Dr. Richard D. Wilson
729 Hunter Street
Apex, North Carolina 27502

Mr. Wells Eddleman
718-A Iredell Street
Durham, North Carolina 27705

Richard E. Jones, Esquire
Vice President and Senior Counsel
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

Dr. Phyllis Lotchin
108 Bridle Run
Chapel Hill, North Carolina 27514

Dr. Linda Little
Governor's Waste Management Board
513 Albemarle Building
325 North Salisbury Street
Raleigh, North Carolina 27611

Service List
Page Two

Bradley W. Jones, Esquire
U.S. Nuclear Regulatory Commission
Region II
101 Marrietta Street
Atlanta, Georgia 30303

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

Robert P. Gruber
Executive Director
Public Staff - NCUC
Post Office Box 991
Raleigh, North Carolina 27602