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RELATED CORRESPONDENCE

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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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before the

ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of

VERMONT YANKEE NUCLEAR  
POWER CORPORATION

(Vermont Yankee Nuclear  
Power Station)

)  
) Docket No. 50-271-OLA-4  
) (Construction Period  
) Recapture)  
)  
)  
)

INTERROGATORIES PROPOUNDED BY  
VERMONT YANKEE NUCLEAR POWER CORPORATION  
TO THE  
STATE OF VERMONT  
(Set No. 3)

Pursuant to 10 C.F.R. § 2.740b, Vermont Yankee Nuclear Power Corporation hereby propounds the following interrogatories to the State of Vermont.

As used in these interrogatories, VYNPC means Vermont Yankee Nuclear Power Corporation; VYNPS means Vermont Yankee Nuclear Power Station; SOV means the State of Vermont, including the agencies, officers, employees, and agents thereof and further including contractors or consultants thereto.

As used in these interrogatories, the term document has the same meaning as it does in Fed. R. Civ. P. 34(a).

As used in these interrogatories, the term "identify" with respect to a person means to supply the name, current business or residential address and telephone number of the person, and to state the relationship, if any, of the person to SOV.

As used in these interrogatories, the term "identify" with reference to a document means to provide such identifying information as the title or other name of the document, the author or authors of the document, the date of the document, and to state whether or not the document, or a copy thereof, is within the possession, custody or control of SOV.

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Your attention is called to the provisions of 10 C.F.R. § 2.740(e) regarding the duty of supplementation with respect to answers to interrogatories.

1. Please identify each and every SALP report or "other enforcement actions" relating to VYNPS wherein SOV contends that NRC has placed "importance" on "clearly established management controls" for the purpose of alleviating any "shortage of qualified replacement [maintenance] personnel," as asserted in the answer to Interrogatory No. 8, Set 1 Responses at page 7.
2. Does SOV adopt as true and correct, as of the date of its publication, the findings of SALP Report No. 50-271/88-89 (appended hereto as Attachment B), that:
  - a) "The Maintenance Program was considered a licensee strength . . . ."
  - b) "The routine preventative and corrective maintenance programs continued to be effectively implemented, as evidenced by high equipment availability, reliability, and performance;"
  - c) "Management maintained a low tolerance for degraded equipment and typically pursued conservative resolution of maintenance deficiencies;"
  - d) "By the end of the assessment period, the licensee had developed and substantially documented a formal plan."

If your answer is anything other than an unqualified affirmative, please identify each finding that SOV contends is (or on the date of the publication thereof was) not correct, and for each such finding state all the reasons why SOV contends the filing is not correct.

3. Please identify each and every item that SOV contends is part of the "current licensing basis" for VYNPS, as that term was used by SOV at page 3 of its Set 1 Responses, that have not been available to SOV either:
  - a) in the Public Document Room;
  - b) by request through informal discovery from VYNPC; or
  - c) through normal distribution to SOV of Vermont Yankee communications with the NRC.

4. Please identify each and every type and item of "information reviewed by the Maintenance Team Inspectors," as that term was used by SOV at page 4 of its Set 1 Responses, that SOV contends have not been available to SOV either:
  - a) in the Public Document Room;
  - b) by request through informal discovery from VYNPC; or
  - c) through normal distribution to SOV of Vermont Yankee communications with the NRC.
5. Please define what SOV contends is included within the scope of the term "correct controls" as used by SOV at page 7 of its Set 1 Responses, and provide all the bases for your definition.
6. Please state whether the "period of time" that SOV contends, at page 7 of its Set 1 Responses, is necessary to show the effectiveness of management controls is the same as the five-year period advanced by SOV in its response to Interrogatory No. 100 of Set 2? If not, please define the "period of time" referred to. In either event, please state each and every reason for the time period specified, and, for each such reason, please:
  - a. State each and every fact on which your reason is based.
  - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. For each reason, either provide the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the reason or state that SOV does not rely upon the expertise of any person for the reason.
7. Please quantify the expected "shortage" of qualified replacement (maintenance) personnel that SOV contends at pages 6-8 of its Set 1 Responses is to be expected, and provide all the bases for your quantification.



8. With respect to the assertion at page 8 of its Set 1 Responses that the maintenance program will be "inadequate," please identify each aspect of the program that SOV contends will be inadequate, the measure or standard by which SOV contends adequacy is determined, and for each aspect all of the reasons why SOV contends that it will be inadequate.
9. Please identify each and every passage of each document that SOV contends supports its assertions, at page 8 of its Set 1 response, that:
  - a) "as the plant reaches the extended period, there will be a shortage of qualified maintenance workers;" and
  - b) "without established and implemented management controls, the maintenance program will not only be less efficacious but will be inadequate."
10. Does SOV contend that its asserted shortage of qualified replacement maintenance personnel cannot be completely alleviated by financial or other incentives offered to such personnel? If your response is anything other than an unqualified negative, please:
  - a. State each and every fact on which your reason is based.
  - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. For each reason, either provide the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the reason or state that SOV does not rely upon the expertise of any person for the reason.
11. What does SOV contend will happen to the experienced maintenance workers at the "almost one-half of the nuclear generating capacity" whose "current licenses" SOV asserts, at page 9 of its Set 1 responds "will expire" "between 2010 and 2020?" Please state each and every reason for your answer, and, for each such reason, please:
  - a. State each and every fact on which your reason is based.

- b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. For each reason, either provide the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the reason or state that SOV does not rely upon the expertise of any person for the reason.
- 12. Please describe in detail each of the steps taken by SOV to verify independently any of the opinions or conclusions of the author (or authors) of the work dated October 9, 1989, to which SOV refers in sub-paragraph "c." of its Contention 7, as asserted in its response to Interrogatory No. 38 of Set 2, including but not limited to: (i) the identity and qualifications of the persons taking the steps, (ii) the identity of all persons interviewed or queried, (iii) the identity of all documents reviewed, (iv) a description of all data collected and analyzed and a description of the results of the analysis, and (v) all other results of the steps.
- 13. For each and every assertion made by SOV in his Set 1 Responses at Interrogatory No. 10.b, pages 10-i2, please:
  - a. State each and every fact on which your assertion is based.
  - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. For each assertion, either provide the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the assertion or state that SOV does not rely upon the expertise of any person for the assertion.
- 14. Please describe in detail what level of awareness SOV contends, at pages 10-11 of its Set 1 Responses, that "nuclear maintenance personnel" must have of "the interrelationships between ECCS and other safety systems." Please also:
  - a. State each and every fact on which your answer is based.

- b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. Provide either the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the answer or state that SOV does not rely upon the expertise of any person for the answer.
15. Please describe in detail what level of awareness SOV contends, at page 11 of its Set 1 Responses, that "nuclear maintenance personnel" must have of "requirements, commitments and regulations." Please also:
- a. State each and every fact on which your answer is based.
  - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. Provide either the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the answer or state that SOV does not rely upon the expertise of any person for the answer.
16. Does SOV contend, in sub-paragraph "g" of its Contention 7 or otherwise, that performance data is not tracked and analyzed? If your answer is anything other than an unqualified negative, please state all the reasons why SOV so contends, and identify every fact and document which SOV asserts supports that contention.
17. Does SOV contend, in sub-paragraph "g" of its Contention 7 or otherwise, that performance data is not reported to the Maintenance Supervisor? If your answer is anything other than an unqualified negative, please state all the reasons why SOV so contends, and identify every fact and document which SOV asserts supports that contention.



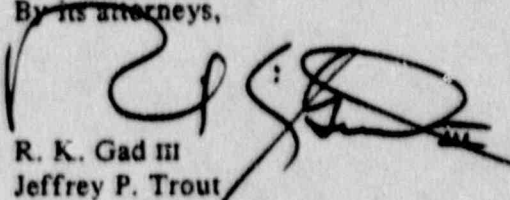
18. Does SOV contend, in sub-paragraph "g" of its Contention 7 or otherwise, that trending analysis is not reported to plant and corporate management? If your answer is anything other than an unqualified negative, please state all the reasons why SOV so contends, and identify every fact and document which SOV asserts supports that contention.
19. Does SOV contend, in sub-paragraph "g" of its Contention 7 or otherwise, that tracking and analysis of performance data has never led to equipment replacement? If your answer is anything other than an unqualified negative, please state all the reasons why SOV so contends, and identify every fact and document which SOV asserts supports that contention.
20. Please describe in detail how high in the Vermont Yankee organization SOV contends that trending analysis should be reported, and
  - a. State each and every fact on which your answer is based.
  - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
  - c. Provide either the technical qualifications (education, employment history, licenses and certificates, experience, or other information that SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the answer or state that SOV does not rely upon the expertise of any person for the answer.
21. Please identify each and every type and item of "additional, related information" that SOV contends, at page 14 of its Set 1 Responses, it needs to complete its "investigation," that have not been available to SOV either:
  - a) in the Public Document Room;
  - b) by request through informal discovery from VYNPC; or
  - c) through normal distribution to SOV of Vermont Yankee communications with the NRC.
21. Please identify every passage of every "INPO report" (regardless of whether or not SOV had the report in its possession when it submitted

its Contention 7) that SOV contends is meant to be referenced by the allegations contained in sub-paragraph "m" of SOV's Contention 7.

22. Please identify each and every type and item of "additional evidence other than BVY 89-69," as that term is used by SOV at page 17 of its Set 1 Responses, that have not been available to SOV either:

- a) in the Public Document Room;
- b) by request through informal discovery from VYNPC; or
- c) through normal distribution to SOV of Vermont Yankee communications with the NRC.

By its attorneys,



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Dated: April 26, 1990.



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Certificate of Service

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I, R. K. Gad III, hereby certify that on April 26, 1990, I made service of the within interrogatories, by mailing copies thereof, first class mail, postage prepaid, as follows:

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Chairman  
Atomic Safety and Licensing Board  
U.S.N.R.C.  
Washington, D.C. 20555

Jerry Harbour  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S.N.R.C.  
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Frederick S. Shon  
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Adjudicatory File  
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