

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
12 11:33

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
DUKE POWER COMPANY, <u>et al.</u>)	Docket Nos. 50-413
)	50-414
(Catawba Nuclear Station,)	
Units 1 and 2))	

APPLICANTS' FIRST SET OF INTERROGATORIES
TO CAROLINA ENVIRONMENTAL STUDY GROUP
AND REQUESTS TO PRODUCE

Pursuant to 10 CFR §§2.740b and 2.741, Duke Power Company, et al. ("Applicants") hereby serve Applicants' First Set of Interrogatories and Requests to Produce upon Intervenor, Carolina Environmental Study Group (CESG). These interrogatories involve CESG Contentions 13 and 17.

Each interrogatory shall be answered fully in writing, under oath or affirmation, and include all pertinent information known to CESG, its officers, directors or members as well as any pertinent information known to its employees, advisors or counsel. Each request to produce applies to pertinent documents which are in the possession, custody or control of CESG, its officers, directors or members as well as its employees, advisors or counsel. In answering each interrogatory and in responding to each request, place recite the interrogatory or request preceeding each answer or response. Also, please identify the person providing each answer or response.

These interrogatories and requests shall be continuing in nature. Thus, any time CESG obtains information

which renders any previous response incorrect or indicates that a response was incorrect when made, CESC should supplement its previous response to the appropriate interrogatory or request to produce. CESC should also supplement its responses as necessary with respect to identification of each person expected to be called at the hearing as an expert witness, the subject matter of his or her testimony, and the substance of that testimony. Applicants are particularly interested in the names and areas of expertise of CESC's witnesses, if any. Each identification of such witnesses is necessary if Applicants are to be afforded adequate time to depose them.

The term "documents" shall include any writings, drawings, graphs, charts, photographs, and other data compilations from which information can be obtained. We request that at a date or dates to be agreed upon, CESC make available for inspection and copying, all documents subject to the requests set forth below.

REQUESTS FOR DOCUMENTS

Pursuant to 10 CFR §2.741, Applicants request CESC by and through their attorneys, to make available for inspection and copying at a time and location to be designated, any and all documents, of whatsoever description, identified in the responses to the Applicants' interrogatories, below; including, but not limited to:

- (1) any written record of any oral communication between or among Intervenors, their advisors, consultants, agents, attorneys, and/or any other persons, including but not limited to the NRC Staff, the Applicants, and their advisors, consultants, agents, attorneys and/or any other persons; and
- (2) any documents, correspondence, letter, memorandum, notes, diagrams, reports, charts, photographs, or any other writing of whatsoever description, including but not limited to work papers, prior drafts, and notes of meetings.

If CESH maintains some documents should not be made available for inspection, it should specify the documents and explain why such are not being made available. This request extends to any such document, described above, in the possession of CESH, its advisors, consultants, agents, or attorneys.

GENERAL INTERROGATORIES

Pursuant to 10 CFR §2.740b, the Applicants request CESH, by and through its attorneys, to answer separately and fully in writing under oath or affirmation, by persons having knowledge of the information requested, the following interrogatories.

A. General Interrogatories

The following interrogatories apply severally to each of the contentions admitted as issues in controversy in this proceeding.

1. Please state the full name, address, occupation and employer of each person answering the interrogatories and designate the interrogatory or the part thereof he or she answered.
2. Please identify each and every person whom you are considering to call as a witness at the hearing in this matter on this contention, and with respect to each such person, please:
 - a. State the substance of the facts and opinions to which the witness is expected to testify;
 - b. Give a summary of the grounds for each opinion; and
 - c. Describe the witness' educational and professional background.
3. Is the contention based on one or more calculations? If so:
 - a. Describe each calculation and identify any documents setting forth such calculation.
 - b. Who performed each calculation?
 - c. When was each calculation performed?

- d. Describe each parameter used in such calculation and each value assigned to the parameter, and describe the source of your data.
 - e. What are the results of each calculation?
 - f. Explain in detail how each calculation provides a basis for the issue.
4. Is the contention based upon conversations, consultations, correspondence or any other type of communications with one or more individuals?
- If so:
- a. Identify by name and address each such individual.
 - b. State the educational and professional background of each such individual, including occupation and institutional affiliations.
 - c. Describe the nature of each communication with such individual, when it occurred, and identify all other individuals involved.
 - d. Describe the information received from such individuals and explain how it provides a basis for the issue.
 - e. Identify each letter, memorandum, tape, note or other record related to each conversation, consultation, correspondence, or other communication with such individual.

B. Specific Interrogatories

CESG - Contention 13

1. What do you mean by the term "irregularities"?
2. Identify each and every "irregularity" which is the subject of this question.
3. For each "irregularity" identified in your response to Interrogatory 2, please specify the location, time of occurrence and person or persons who were involved.
4. When do you contend such "irregularities" occurred?
5. What do you contend was the cause of such "irregularities"?
6. What are your bases for your responses to Interrogatories 1-5? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.
7. What "welding practices" are the subject of this Contention and what person or persons do you contend engaged in such "welding practices"?
8. Specify when such "welding practices" occurred.
9. Where are the proper "welding practices" established?
10. Are the welding practices which are the subject of this Contention set forth in particular procedures?
11. If your response to Interrogatory 10 is in the affirmative, please specify the particular procedures which govern the "welding practices" which are the subject of this Contention.

12. For each of the procedures identified in your response to Interrogatory 11, set forth the specific problems which you contend occurred.
13. Do you contend that the "welding practices" which are the subject of this Contention fail to comply with certain standards?
14. If your response to Interrogatory 13 is in the affirmative, please identify the particular standards which are the subject of this Contention.
15. For each of the standards identified in your response to Interrogatory 14, please specify the particular concern which you have concerning "welding practices".
16. What are your bases for your responses to Interrogatories 7 through 15? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.
17. Identify each specific "safety related system" which is the subject of this Contention.
18. Specify the particular "welding practices" which you contend were performed on each of the "safety related systems" identified in your response to Interrogatory 17.
19. Specify for each of the "welding practices" associated with the "safety related systems" identified in your response to Interrogatory 18 the particular concerns which you have regarding the adequacy of such practices.

20. For each of the concerns identified in your response to Interrogatory 19, specify the time at which such concerns (i.e., problem) occurred.
21. For each concern identified in your response to Interrogatory 19, identify the person or persons who were involved and the situation giving rise to your concern.
22. For each concern identified in your response to Interrogatory 19, specify the cause which you attribute to such concerns.
23. What are your bases for your responses to Interrogatories 15 through 22? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.
24. Do you contend that the Applicants have not identified all "irregularities" in "welding practices" pursuant to their own inspection procedures?
25. If your response to Interrogatory 24 is in the affirmative, please specify the "irregularities" which you contend Applicants have not identified.
26. For each of the "irregularities" identified in your response to Interrogatory 25, answer each of the Interrogatories 1-5 above if you have not already done so.

27. If your response to Interrogatory 24 is in the negative, please specify precisely what your concern is with respect to "welding practices".
28. Do you contend that the NRC Staff has not identified the particular "welding practices" with which this Contention is concerned?
29. If your response to Interrogatory 28 is in the affirmative, please identify those instances of "welding practices" which you contend the NRC Staff does not identify.
30. For each of those instances "welding practices" identified in your response to Interrogatory 29, please answer Interrogatories 7 through 15 if you have not already done so for those particular practices.
31. If your response to Interrogatory 28 is in the negative, please explain exactly what your concern is with respect to "welding practices".
32. Do you contend that Applicants have not corrected all "irregularities" in welding practices"? If so, please explain, identifying the areas of the plant here such welds remain uncorrected.
33. What are your bases for your responses to Interrogatories 24 through 32? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.
34. What do you mean by the term "endanger"?

35. Specify the consequences which you allege will follow from each "irregularity" in "welding practices" which are the subject of this Contention.
36. For each of the consequences identified in your response to Interrogatory 35, specify the particular "safety related system" involved in such a scenario.
37. Do you contend that the procedures applicable to welding at the Catawba facility are not in compliance with applicable NRC regulations?
38. If your response to any of the Interrogatory 37 is in the affirmative, please specify for your particular concern and specify the particular NRC requirements which you contend have not been satisfied.
39. What are your bases for your responses to Interrogatories 34 through 38? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.

CESG - Contention 17

1. What is the basis for this contention?
2. Please identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your response to Interrogatory 1.
3. What are the "effects" of Corbicula which you contend will occur?

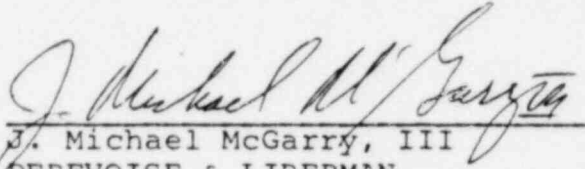
4. What do you contend are the consequences of the "effects"?
5. How do you contend such "effects" will affect "performance of the cooling tower system"?
6. What do you contend are the components of the "cooling tower system" which will be affected by Corbicula?
7. For each of the components identified in your response to Interrogatory 6, specify the particular "effect" which you contend Corbicula will have.
8. What are your bases for your responses to Interrogatories 3 through 7? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.
9. Do you contend there are any "effects" which have an adverse impact on the environment?
10. If your response to Interrogatory 9 is in the affirmative, please specify all such "effects."
11. Do you contend that any "effects" identified in your response to Interrogatory 10 tip the cost-benefit balance against licensing?
12. If your response to Interrogatory 11 is in the affirmative, please specify precisely what the "costs" which you contend tip the environmental cost-benefit balance against operation.
13. What are your bases for your responses to Interrogatories 8 through 12? Identify all documents, testimony

or oral statements by any person and legal requirements on which you rely in support of your position.

14. What is the extent of such infestation which you contend exists?
15. Do you contend such infestation is likely to extend to the Catawba site?
16. Do you contend that such "effects" will be detectable?
17. Do you contend that the "effects" of Corbicula are irreversible once they are detected?
18. If your response to Interrogatory 17 is in the affirmative, how do you explain that other facilities have adequately dealt with Corbicula?
19. If your response to Interrogatory 17 is in the negative, what concerns can you have for "the performance of the cooling tower system."
20. What are your bases for your responses to Interrogatories 13 through 18? Identify all documents, testimony

or oral statements by any person and legal requirements on which you rely in support of your position.

Respectfully submitted,


J. Michael McGarry, III
DEBEVOISE & LIBERMAN
1200 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 857-9833

William L. Porter
Albert V. Carr, Jr.
Ellen T. Ruff
Duke Power Company
P.O. Box 33189
Charlotte, North Carolina 28242

Attorneys for Duke Power
Company, et al.

April 9, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'82 APR 12 11:33

In the Matter of)	
)	
DUKE POWER COMPANY, <u>et al.</u>)	Docket No. 40-413
)	40-414
(Catawba Nuclear Station,)	
Units 1 and 2))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' First Set of Interrogatories to Palmetto Alliance and Requests to Produce" and "Applicants' First Set of Interrogatories to Carolina Environmental Study Group and Requests to Produce" in the above captioned matters, have been served upon the following by deposit in the United States mail this 9th day of April, 1982.

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

George E. Johnson, Esq.
Office of the Executive Legal
Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

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

William L. Porter, Esq.
Albert V. Carr, Jr., Esq.
Ellen T. Ruff, Esq.
Duke Power Company
P.O. Box 33189
Charlotte, North Carolina 28242

Dr. Richard F. Foster
P.O. Box 4263
Sunriver, Oregon 97701

Richard P. Wilson, Esq.
Assistant Attorney General
State of South Carolina
P.O. Box 11549
Columbia, South Carolina 29211

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

Robert Guild, Esq.
Attorney-at-Law
314 Pall Mall
Columbia, South Carolina 29201

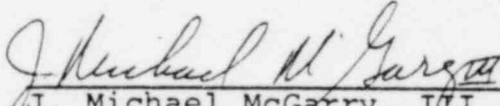
Chairman
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Palmetto Alliance
2135 1/2 Devine Street
Columbia, South Carolina 29205

Jesse L. Riley
854 Henley Place
Charlotte, North Carolina 28207

Henry A. Presler
Charlotte-Mecklenburg
Environmental Coalition
943 Henley Place
Charlotte, North Carolina 28207

Scott Stucky
Docketing and Service Station
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555



J. Michael McGarry, III