

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

DUKE POWER COMPANY, et al.

(Catawba Nuclear Station,
Units 1 and 2)

Docket Nos. 50-413
50-414

PALMETTO ALLIANCE RESPONSES
TO APPLICANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS TO PRODUCE

Intervenor Palmetto Alliance hereby responds to the Applicants' First Set of Interrogatories and Requests to Produce with the following answers, objections, responses and with the Motion for Protective Order herewith served. Response is made on the following basis:

By its Memorandum and Order of March 5, 1982 the Licensing Board admitted Palmetto Alliance as a party to this proceeding on the basis of only one unconditionally admitted contention, Number 27, and a number of contentions admitted only upon the express conditions that they be revised and made more specific upon the receipt of necessary information to be contained in yet unfilled documents (i.e. state and local emergency plans and the Staff Environmental Statement), or upon the completion of discovery by June 3 and filing of revisions by July 6, 1982, with respect to Contentions 6, 7, 18, 25, 40 and 43.

Although Palmetto Alliance and Carolina Environmental Study Group filed objections and requests for revision or certification on March 31, 1982, with respect to contentions rejected or accepted only upon

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condition of added specification, Palmetto Alliance has undertaken, notwithstanding its objections, the burden of conducting discovery as directed by the Board for the purpose of making such revisions as the Board has deemed necessary. On April 20, 1982, Palmetto Alliance served its First Set of Interrogatories and Requests to Produce and its Motion to Require Staff Answers to Interrogatories, with respect to Palmetto Alliance Contentions 6, 7, 18, 40 and 43 which are subject to revision after discovery. Responses to this discovery are pending.

On April 9, 1982, Applicants served their First Set of Interrogatories and Requests to Produce asserting that, "these Interrogatories involve Palmetto Alliance's Contentions 3, 4, 6, 7, 18, 40 and 43," at page 1; but propounding questions also with regard to "Palmetto Alliance - Contentions...26 and 35," at page 39.

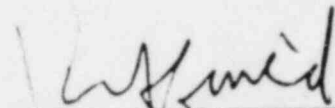
It is the position of Palmetto Alliance that Applicants' discovery with respect to contentions not yet admitted and subject to revision upon receipt of yet unfiled documents is beyond the proper scope of Applicants' discovery at this time and is objected to on the following grounds: such information is neither relevant to the subject matter now pending nor reasonably calculated to lead to the discovery of admissible evidence and the compilation of such non relevant and immaterial information would be unduly burdensome; time consuming, costly and oppressive to Intervenor.

This objection is asserted with respect to Interrogatories 1 through 128, pages 39-56 allegedly related to Palmetto Alliance Contentions 3, 4, 26, and 35, and the "General Interrogatories" and "Requests for Documents"

as they relate to these contentions.

Palmetto Alliance further asserts its objections to the discovery of priveleged communication between it and its attorney to the extent that such is sought by Applicants and to discovery of trial preparation materials including its attorney's work product reflecting his confidential mental impressions, conclusions, opinions, and legal theories.

April 28, 1982



Robert Gull
314 Pall Mall
Columbia, South Carolina
29201

Counsel for Palmetto Alliance

REQUESTS FOR DOCUMENTS

Palmetto Alliance will permit Applicants' counsel to inspect and copy documents identified in its responses to interrogatories at a time and location to be agreed upon except documents reflecting privileged communications between Palmetto Alliance, its members, officers and employees and counsel regarding legal opinions and advice and trial preparation materials representing counsel's work product represented by counsel's hand written notes contained in his private files. Palmetto Alliance objects to the production of these privileged and confidential documents.

A. General Interrogatories

1. Contentions 6, 7, 18, 40, 43

Michael F. Lowe, 2135½ Devine Street, Columbia, South Carolina 29205, Staff, Palmetto Alliance, Inc.

Contention 18

John C. Ruoff, P.O. Box 96, Jenkinsville, South Carolina 29065, Staff, Fairfield United Action.

2. Contention 6

Nolan R. Hoopingarner, II, Rural Route 5, Box 227, Clover, South Carolina 29710.

William R. McAfee, Route 1, Box 68, York, South Carolina 29745.

Refer to answers to Interrogatory Nos. 77 through 80 regarding Contention 6.

3. No.

4. Refer to answer to Interrogatories regarding specific Contentions.

The following documents in the custody or control of Palmetto

Alliance reflect bases for the Contentions or conversations, correspondence or communications with individuals regarding the Contentions:

1. Handwritten notes of Robert Guild, attorney for Palmetto Alliance reflecting conversations with members, officers and staff regarding legal advice and opinion and notes reflecting his work product in preparation for trial; notes reflecting conversations with representatives and counsel for other parties and the presiding officer; notes reflecting the prehearing conference in the proceeding;
2. Handwritten notes of Michael Lowe reflecting prehearing conference;
3. "South Carolina's Nuclear Burden," pamphlet;
4. Palmetto Nuclear Report, Vol. 2, Nos. 5, 6 and 9; Vol. 3 No. 1.
5. Palmetto Alliance news releases, July 21, 1981; July 24, 1981; March 18, 1982;
6. Newsclippings - Rock Hill Evening Herald, March 17, 1982; Sept. 22, 1981; March 18, 1982; Charlotte Observer, May 19, 1982; July 25, 1981; (York Observer section) Feb. 17, 1982; Greenville News, Jan. 24, 1982; State, Aug. 26, 1980; Oct. 18, 1981; The Charlotte News, May 15, 1980; Rock Hill Evening Herald, Oct. 25, 1979; Record, Jan. 13, 1978; State/Record, Dec. 14, 1976; unknown sources, "Prosperity Won't Buy Reactor Share," n.d.; "House OKs Joint City Power Firms" 3/28/78; "The Great White

Elephant?" series of articles by Bob Brueneckner 8/26/80-9/4/80;

7. Complaint, Division of Occupational Safety and Health, 5/6/80;
8. Witness statement, S.C. Department of Labor, Division of Occupational Safety and Health, 5/3/80;
9. Letter, NRC, Atlanta Ga., June 18, 1980 to Raymond Finney of U.S. Department of Labor - OSHA;
10. Letter, S.C. Department of Labor to Nolan Hoopingarner, 6/24/80;
11. Michael Lowe's notes concerning Nolan Hoopingarner;
12. Letter to the Editors, from Ron McAfee, 5/22/79;
13. Prospectus, North Carolina Municipal Power Agency Number 1, Catawba Electric Revenue Bonds, Series 1980. April 11, 1980;
14. "Buy A Used Nuke From Duke" by Weiss Eddleman, 10/81;
15. "Sale of Assets" from Duke Power Company annual report, 1980;
16. "Catawba Unit 1 Sale Finalized" from Duke Power Co. 1st quarter report, 1981;
17. Intervenor's Petitions, Supplements, Affidavits and pleadings;
18. NRC Staff's Draft Environmental Statement and Safety Evaluation Report; SALP Licensee Assessments, NUREG 0834; Analysis of LER related to electrical systems, NUREG 0807; Diesel Generator Reliability, NUREG/CR - 0660.

B. Specific Interrogatories

PALMETTO ALLIANCE CONTENTION 6

1. Design, fabrication, construction, and testing below applicable standards.
2. Those required for safe operation, including 10 CFR Part 50 Appendix A General Design Criteria for Nuclear Power Plants.
3. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
4. Design, fabrication, construction, and testing of safety related structures, systems and components.
5. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
6. Yes.
7. Those required for safe operation including 10 CFR Part 50 Appendix A General Design Criteria for Nuclear Power Plants.
8. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
9. Applicants' Application, Final Safety Analysis Report and pleadings; Intervenor's Petitions, Supplements, Affidavits and pleadings; NRC Staff's Safety Evaluation of the Catawba Nuclear Station Unit Nos. 1 and 2, Systematic Assessment of Licensee Performance Review Group, Licensee Assessments, NUREG 0834, and

pleadings; oral and written communication by Palmetto Alliance members Nolan R. Hoopingarner, II and William R. McAfee to counsel; the United States Constitution, the Atomic Energy Act of 1954, as amended, and Title 10 Code of Federal Regulations.

10. Quality assurance actions related to the physical characteristics of a material, structure, component or system which fails to provide a means to control the quality of the material structure, component, or system to predetermined requirements.
11. Quality assurance actions related to the physical characteristics of a material, structure, component or system which fails to provide a means to control the quality of the material structure, component, or system to predetermined requirements.
12. Not necessarily.
15. Quality assurance actions related to the physical characteristics of a material, structure, component or system which provides a means to control the quality of the material, structure, component, or system to predetermined requirements.
16. Yes.
17. Poor quality control fails to provide a means for identifying and correcting substandard workmanship.
19. Refer to answer No. 9.
20. Provides compelling evidence.
21. No.
23. Existence, extent, and relationship among substandard workmanship, poor quality control, actual plant construction and the degree of

assurance that the plant can operate without endangering the health and safety of the public.

24. Refer to answer to No. 9.
25. Common meaning.
26. Yes.
27. Supplies obvious common meaning to the contention.
28. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
29. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
32. No
35. Refer to answer to No. 9.
36. Failing to meet predetermined requirements in significant ways.
37. Yes.
38. Those required for safe operation including 10 CFR Part 50 Appendix A General Design Criteria for Nuclear Power Plants.
39. Those required for safe operation including 10 CFR Part 50 Appendix A General Design Criteria for Nuclear Power Plants.
40. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
41. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

42. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
43. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
44. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
45. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
46. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
47. Yes. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
48. Yes. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
49. Yes. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
50. Intervenor at present lacks sufficient knowledge to answer and

is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

51. Yes.
52. Applicants' Application, Final Safety Analysis Report and pleadings; Intervenor's Petitions, Supplements, Affidavits and pleadings; NRC Staff's Safety Evaluation of the Catawba Nuclear Station Unit Nos. 1 and 2, Systematic Assessment of Licensee Performance Review Group, Licensee Assessments, NUREG 0834, and pleadings; oral and written communication by Palmetto Alliance members Nolan R. Hoopingarner, II and William R. McAfee to counsel; the United States Constitution, the Atomic Energy Act of 1954, as amended, and Title 10 Code of Federal Regulations.
53. Applicants' Quality Assurance program fails to provide adequate confidence that a structure, system, or component will perform satisfactorily in service.
54. No.
55. Yes.
56. Applicants' Quality Assurance program fails to provide adequate confidence that a structure, system, or component will perform satisfactorily in service.
57. Refer to answer to No. 9.
58. The one required of Applicants by 10 CFR Part 50, Appendix B.
59. Yes, the program does not work.
60. Yes, the program does not work.
61. Yes, the program does not work.

62. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
63. Refer to answer to No. 9 for bases.
64. Safety related structures, systems and components.
65. Refer to answer to No. 9 for bases.
66. No.
68. p. B-1.
69. No.
72. Same as meant by NRC.
75. Refer to answer to No. 9 for bases.
76. Two at present.
77. a. Nolan R. Hoopingarner, II
Rural Route 5, Box 227
Clover, South Carolina 29710
- b. William R. McAfee
Route 1, Box 68
York, South Carolina 29745
78. a. September 1977 to August 1980;
b. March 28, 1977 to March 16, 1979.
79. a. Builder and scaffold builder;
b. Concrete pourer, concrete QC prepour runner, utility office secretary, electrical QC inspector.
80. a. Nolan R. Hoopingarner, II observed substandard workmanship and poor quality control at the plant site. He observed work

performed by those under the influence of alcohol and drugs, hazards to worker safety limiting work quality, improper handling and storage of materials such as stainless steel and electrical cable, unresponsiveness to worker complaints, pressures and retaliation against those complaining. Access to records in the possession of Duke Power Company sought in discovery requests served April 20, 1982, is necessary in order to refresh his recollection;

- b. William R. McAfee observed substandard workmanship and poor quality control at the plant site. He observed portions of the concrete containment poured during heavy rainfall, blueprints changed to reflect construction errors, improper inspection of anchor bolt installation, rainfall leaking onto electrical equipment in the control room, inadequate testing training, supervision of quality control inspectors and pressure to approve faulty workmanship. Access to records in the possession of Duke Power Company sought in discovery requests served April 20, 1982, is necessary in order to refresh his recollection.

- 81. Refer to answer to No. 9 for bases.
- 82. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
- 83. William R. McAfee.
- 84. Route 1, Box 68, York, South Carolina.

85. March 28, 1977 to March 16, 1979.
86. Concrete pourer; concrete QC pre-pour runner, utility office secretary, electrical QC inspector.
87. Refer to answer to No. 80
88. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
89. Yes.
90. a. D.G. Beam, Cosntruction Project Mgr.; C. Wall, Asst. Project Mgr.; R. Morrison; J. Scruggs, Building Craft Superintendent; R.H. McDowell, General Foreman; O. Durham, General Foreman; S. Alexander, Safety and Security Supervisor; B.H. Tholen, Foreman; R.R. Pelfrey, Foreman; D. Powell, Employee Relations Supervisor; J. Turner, Employee Relations Asst.; R. David, Safety Supervisor; C.M. Melton, Senior Safety Asst.; Frank Cantrell, Foreman; G. Maxwell, NRC; M. Hunt, NRC; C. Alderson, NRC; R. Henley, OSHA; Borders, OSHA; Aun, OSHA; H.B. Zettler, OSHA; Concerns and complaints voiced to others including persons at S.C. Public Service Commission; EEOC; S.C. Dept. of Consumer Affairs, U.S. Dept. of Justice; FBI.
- b. Dick Hannay, Supervisor - Electrical QC Inspectors; Jim Allgood, Engineer - Electrical QC; and other persons whose names and positions are presently unknown.
91. a. At various times; worker's safety, harassment of worker; discrimination against worker; transferring worker to undesirable

- job; threatening worker's life; negligence of Duke Power Company in enforcing DPC, NRC and OSHA rules and regulations;
- b. At various times; attitude among many QC inspectors and supervisors of a lack of seriousness in implementing the QA program.
92. a. Many different responses;
b. Anger and frustration.
93. Yes; failure to take corrective action, cover-up of problems by DPC, NRC, and OSHA personnel.
94. Refer to answer to No. 9 for bases.
95. Common meaning.
96. Refer to answer to No 80.
97. Refer to answers to Nos. 3 and 80.
98. Refer to answers to Nos. 3 and 80.
99. Refer to answers to Nos. 3 and 80.
100. Refer to answers to Nos. 3 and 80.
101. Refer to answer to No. 9 for bases.
102. No.
104. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
105. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
106. There are no Interrogatories 127-128.

107. Discouragement of worker complaints, anger and frustration by supervisors in response to complaints or negative inspections; threats of retaliation.
108. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject. For example William R. McAfee, Electrical QC Inspector questioned the markings on several anchor bolt installations in Reactor Building No. 1. A supervisor looked at the bolt and said it was of suitable length when McAfee could not distinguish the marking. The supervisor became angry when McAfee said that the supervisor would have to approve the cable tray hanger, and said he would verify the bolt length himself by some other process. McAfee does not know if such verification was ever performed.
109. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
110. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
111. Yes.
112. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
114. Refer to answer to No. 9 for bases.

115. Design, fabrication, construction, and testing below applicable standards.
116. By QC inspectors.
117. To Duke Power Company through QA program.
118. Yes.
119. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
120. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
121. Refer to answer to No. 9 for bases.
122. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
123. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
124. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

CONTENTION 7

1. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

2. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
3. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
4. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
5. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
8. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
9. Yes.
11. Applicants' Application, Final Safety Analysis Report and pleadings; Intervenor's Petitions, Supplements, Affidavits and pleadings; NRC Staff's Safety Evaluation of the Catawba Nuclear Station Unit Nos. 1 and 2, Systematic Assessment of Licensee Performance Review Group, Licensee Assessment, NUREG 0834, March 19, 1977, letter by Ernest Volgennan, Director, Office of Inspection and Enforcement USNRC, to Carl Horn, Jr., President, Duke Power Company; the United States Constitution, the Atomic Energy Act of 1954, as amended, and Title 10 Code of Federal Regulations.

12. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
13. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
14. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
15. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
16. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
19. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
20. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
22. Refer to answer to No. 11.
23. Repetitive and chronic noncompliance.
24. Yes.
25. Intervenor at present lacks sufficient knowledge to answer and

is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

26. Yes.
27. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
28. Responsible personnel.
29. Yes, Oconee and McGuire.
30. Yes, Duke Power Company experience at other facilities is predictive of Catawba operation.
31. Refer to answer to No. 11.
32. Adhere and comply are synonymous.
33. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
34. Refer to answer to No. 11.
35. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
39. No.
41. No.
43. Refer to answer to No. 11.
44. Meaning intended by author.
45. Term refers to Oconee.
46. Intervenor at present lacks sufficient knowledge to answer and

is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

47. That noncompliance will result in facility operation in a manner which endangers the public health and safety.
48. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
49. Meaning intended by author.
50. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
52. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
53. That noncompliance will result in facility operation in a manner which endangers the public health and safety.
54. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
55. Refer to answer to No. 11.

CONTENTION 18

1. Failed to meet applicable requirements.
2. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

3. Applicants' Application, Final Safety Analysis Report and pleadings; Intervenor's Petitions, Supplements, Affidavits and pleadings; NRC Staff's Safety Evaluation of the Catawba Nuclear Station Unit Nos. 1 and 2, An analysis of Licensee Event Reports Related to Nuclear Generating Station Onsite Electrical System Malfunctions, NUREG-0807, Enhancement of On-Site Emergency Diesel Generator Reliability, NUREG/CR-0660; oral communication between former Duke Power Company engineer Jim Lynn, now deceased, and Palmetto Alliance member John C. Ruoff; the United States Constitution, the Atomic Energy Act of 1954, as amended, and Title 10 Code of Federal Regulations.
4. Yes.
5. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
6. Yes; Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
7. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
8. Refer to answer to No. 3 for bases.
9. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
10. Intervenor at present lacks sufficient knowledge to answer and

- is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
11. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 12. Refer to answer to No. 3 for bases.
 13. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 14. Common meaning.
 15. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 16. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 18. Yes.
 19. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 20. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 21. Refer to answer to No. 3 for bases.
 22. Common meaning.

23. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
24. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
26. Refer to answer to No. 3 for bases.
27. Common meaning.
28. Yes.
29. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
30. Refer to answer to No. 3 for bases.
31. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
32. Duke Power Company.
33. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
34. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
35. Refer to answer to No. 3 for bases.
36. Common meaning.

37. The required performance of the system.
38. NRC.
39. Refer to answer to No. 3 for bases.
40. Common meaning.
41. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
41. (sic) Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
43. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
44. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
45. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
47. Refer to answer to No. 3 for bases.
48. 10 CFR Part 50, Appendix A General Design Criteria, regulatory guides and other NRC standards.
49. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

50. Jim Lynn.
51. No.
53. Same meaning as intended by Jim Lynn.
54. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
56. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
57. Refer to answer to No. 3 for bases.

CONTENTION 40

1. Workmanship not in compliance with predetermined requirements.
2. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
4. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
5. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
6. Applicants' Application, Final Safety Analysis Report and pleadings; Intervenor's Petitions, Supplements, Affidavits and pleadings; NRC Staff's Safety Evaluation of the Catawba Nuclear Station Unit Nos. 1 and 2; oral communication between Jesse L. Riley, President of

Carolina Environmental Study Group and a person unknown to Palmetto Alliance; the United States Constitution, the Atomic Energy Act of 1954, as amended, and Title 10 Code of Federal Regulations.

7. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
8. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
9. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
10. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
13. Yes.
14. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
16. Refer to answer to No. 6 for bases.
17. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
18. Intervenor at present lacks sufficient knowledge to answer and

- is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
19. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 23. Refer to answer to No. 6 for bases.
 24. Yes.
 25. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 28. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 32. Yes; Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 33. Refer to answer to No. 6 for bases.
 34. Expose to undue risk.
 35. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 37. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
 39. Refer to answer to No. 6 for bases.

CONTENTION 43

1. Applicants' Application, Final Safety Analysis Report and pleadings; Intervenor's Petitions, Supplements, Affidavits and pleadings; NRC Staff's Draft and Final Environmental Statements related to the proposed Catawba Nuclear Station Units 1 and 2; the United States Constitution, the Atomic Energy Act of 1954, as amended, and Title 10 Code of Federal Regulations.
2. Refer to answer to No. 1.
3. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
4. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
5. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
6. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
8. Refer to answer to No. 1 for bases.
9. Yes.
10. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.

11. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
13. Refer to answer to No. 1 for bases.
14. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
15. Yes.
16. Yes.
17. Intervenor at present lacks sufficient knowledge to answer and is awaiting responses to its Interrogatories and Requests to Produce served April 20, 1982, with regard to this subject.
20. Refer to answer to No. 1 for bases.

CONTENTIONS 3, 4, 26 AND 35

Objection

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

DUKE POWER COMPANY, et al.

(Catawba Nuclear Station,
Units 1 and 2)

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Docket Nos. 50-413
50-414

AFFIDAVIT OF MICHAEL F. LOWE

I, Michael F. Lowe do affirm as follows:

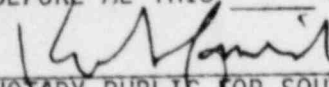
1. I am a member and am employed as Staff by Palmetto Alliance, Inc. at 2135½ Devine Street, Columbia, South Carolina 29205.
2. I am duly authorized to participate in answering Interrogatories regarding Palmetto Alliance Contentions 6, 7, 18, 40, and 43, and I hereby affirm that the answers given are true to the best of my knowledge.



Michael F. Lowe

AFFIRMED AND SUBSCRIBED

BEFORE ME THIS 25th DAY OF APRIL, 1982



NOTARY PUBLIC FOR SOUTH CAROLINA

My Comm. Expires
July 29, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

DUKE POWER COMPANY, et al.

(Catawba Nuclear Station,
Units 1 and 2)

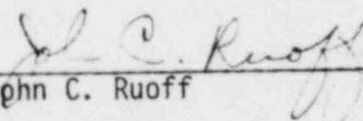
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Docket Nos. 50-413
50-414

AFFIDAVIT OF JOHN C. RUOFF

I, John C. Ruoff, do affirm as follows:


1. I am a member of Palmetto Alliance, reside at P.O. Box 96 Jenkinsville, South Carolina 29065, and am employed as Staff by Fairfield United Action.
2. I am duly authorized to participate in answering Interrogatories regarding Palmetto Alliance Contention 18 and I hereby affirm that the answers given are true to the best of my knowledge.



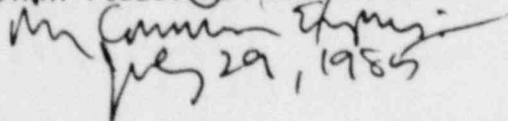
John C. Ruoff

AFFIRMED AND SUBSCRIBED

BEFORE ME THIS 28th DAY OF APRIL, 1982



NOTARY PUBLIC FOR SOUTH CAROLINA



JUL 29, 1985