

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)

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Docket Nos. 50-413
50-414

May 26, 1982

PALMETTO ALLIANCE RESPONSES TO NRC STAFF'S
FIRST SET OF INTERROGATORIES AND DOCUMENT
PRODUCTION REQUESTS
-and-
MOTION FOR PROTECTIVE ORDER

Intervenor Palmetto Alliance hereby responds to the NRC Staff's First Set of Interrogatories and Document Production Requests with the following answers, objections, responses, and with a Motion for Protective Order.

Applicants Duke Power Company, et al., served upon Palmetto Alliance their First Set of Interrogatories and Requests to Produce dated April 9, 1982. Palmetto Alliance responded fully to Applicants' discovery by Responses and Motion for Protective Order dated April 28, 1982, which are incorporated herein by reference. Copies were served upon the NRC Staff.

Palmetto Alliance served its First Set of Interrogatories and Requests to Produce together with its Motion to Require Staff Answers all dated April 20, 1982. Applicants interposed a general objection and moved for a Protective Order. They gave no substantive answers to intervenor's interrogatories nor did they agree to any requests to produce. Staff refused Palmetto Alliance's request to voluntarily answer interrogatories, produce documents, lend documents and transcripts to intervenor, or give us extra copies of documents not needed by Staff, or to set up an accessible public document room where intervenor could review relevant materials. Staff has opposed

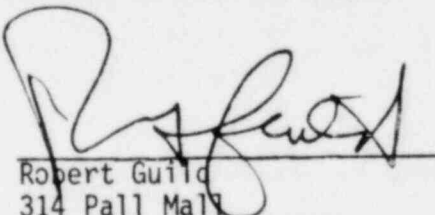
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Palmetto Alliance's Motion to require Staff answers to interrogatories and has provided us no substantive information whatsoever.

NRC Staff now serves its First Set of discovery on Palmetto relating to our Contentions 6, 7, 18, 40, and 43, which were already the subjects of Applicant discovery and our responses. Each Interrogatory of the NRC Staff is either identical to one or more already propounded by Applicants, or is substantially the same as those already propounded, and in either event all discoverable information sought now by Staff has already been supplied in response to discovery by Applicants. No further information is available to intervenor since neither Duke et al., nor the Staff have answered a single discovery request. While this round of discovery was established by the Board to permit Palmetto Alliance to elicit sufficient information to enable it to make further specification of its above- enumerated contentions; to date it has been only the intervenors who have answered what has been asked.

Palmetto Alliance objects to providing further answer to Staff Interrogatories beyond those answers already given as unduly burdensome, time consuming, costly and oppressive, and calling for production of privileged communication between it and its attorney, including his private work product. Intervenor will make available for inspection and copying those materials which it has agreed to produce for Applicants under the same terms.

Palmetto Alliance reiterates its Motion for Protective Order dated April 28, 1982, as related to NRC Staff discovery as well as that by Applicants, upon the basis as asserted therein as supplemented by this filing. In addition we request that any further discovery against Palmetto Alliance, compulsion of discovery against Staff and Applicants, or further discovery by Palmetto, await resolution of the matters now pending before the Board.



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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Docket No. 50-413
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I hereby certify that copies of PALMETTO ALLIANCE RESPONSES TO NRC STAFF'S FIRST SET OF INTERROGATORIES AND DOCUMENT PRODUCTION REQUESTS AND MOTION FOR PROTECTIVE ORDER

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

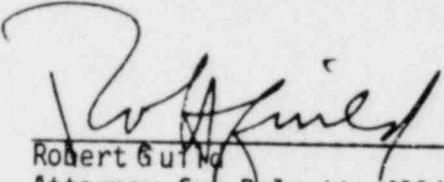
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