

June 28, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:  
Marshall E. Miller, Chairman  
Gustave A. Linenberger, Jr.  
Dr. Cadet H. Hand, Jr.

In the Matter of

UNITED STATES DEPARTMENT OF ENERGY  
PROJECT MANAGEMENT CORPORATION  
TENNESSEE VALLEY AUTHORITY

(Clinch River Breeder Reactor Plant)

Docket No. 50-537

INTERVENORS NATURAL RESOURCES  
DEFENSE COUNCIL, INC. AND THE  
SIERRA CLUB MOTION TO  
COMPEL DISCOVERY

Pursuant to 10 CFR § 2.740(f), and in accordance with the Board's Prehearing Conference Order (Schedule) of February 11, 1982, Intervenor, Natural Resources Defense Council, Inc. and the Sierra Club, hereby move the Board to enter an order compelling Applicants to provide a complete response to Interrogatory #27 of Intervenor's Nineteenth Set of Interrogatories, dated June 4, 1982.

Interrogatory #27 reads as follows:

27. Will Applicants rely upon "probabilistic analyses of CRBRP accident risks and/or consequences" in any way during the LWA-1 proceeding? If the answer is yes, describe each analysis, portion of analysis, or other factor, including the existence and general characteristics of such analysis, upon which Applicants intend to rely.

Applicants did not object to this interrogatory or apply for a protective order, but instead replied on June 18, 1982 as follows:

Applicants do not intend to rely upon an adequate analysis comparable to the Reactor Safety Study ("Rasmussen Report") that could identify CRBRP accident possibilities of greater frequency or consequence than the accident scenarios analyzed by Applicant and Staff in the LWA-1 proceeding.

Intervenors submit that Applicants' response is both evasive and incomplete. The response does no more than restate the Board's Order Following Conference With Parties dated April 22, 1982. In that Order, the Board ruled that "Applicants will not rely on any analyses comparable to the Reactor Safety Study for purposes of the LWA-1 hearing" (Order, p. 6). The Board did not, however, expressly address the question whether Applicants could rely upon other probabilistic analyses of CRBR accident risks and/or consequences.

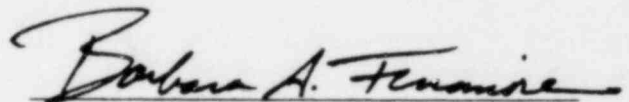
In light of the Board's Order, Intervenors served Interrogatory #27 upon Applicants to elicit a description of the evidence concerning probabilistic risk assessments upon which Applicants intend to rely during the LWA-1 hearing. Applicants have made no attempt to provide the requested information, or to describe

in any way the intended scope of their LWA-1 case, other than to reiterate the Board's proscription against reliance upon a Reactor Safety Study-type analysis.

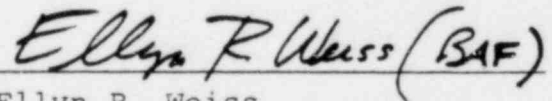
Intervenors are aware of the existence of several probabilistic risk analyses of CRBR accident risks and consequences that are not comparable to the Reactor Safety Study. It is essential for adequate case preparation that Intervenors know whether and to what extent Applicants intend to rely upon such analyses.

For the above reasons, Intervenors hereby move the Board to order Applicants to provide a complete answer to Interrogatory #27.

Respectfully submitted,



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June 28, 1982

CERTIFICATE OF SERVICE

I hereby certify that copies of NATURAL RESOURCES DEFENSE COUNCIL, INC. AND THE SIERRA CLUB MOTION TO COMPEL DISCOVERY were served this 28th day of June 1982 on the following:

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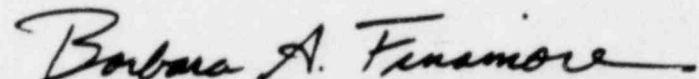
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