

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'83 MAR 14 A11:11

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

SECRETARY
OF SERVICE
BRANCH

In the Matter of	§	
	§	
HOUSTON LIGHTING & POWER	§	Docket Nos. 50-498 OL
COMPANY, <u>ET AL.</u>	§	50-499 OL
	§	
(South Texas Project,	§	
Units 1 and 2)	§	

APPLICANTS' SIXTH SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS TO CCANP

Pursuant to the Licensing Board's June 24, 1982 Memorandum (Memorializing Certain Rulings Announced During Evidentiary Hearing Sessions of June 15-17, 1982), the Licensing Board's Fourth Prehearing Conference Order, dated December 16, 1982, and Sections 2.740b and 2.741 of the Nuclear Regulatory Commission's Rules of Practice, Applicants propound the following Interrogatories and Requests for Production of Documents to Citizens Concerned About Nuclear Power, Inc. (hereinafter "CCANP"). Applicants incorporate herein the instructions and definitions set forth in their First Set of Interrogatories and Requests for Production of Documents.

Interrogatories and Requests for
Production of Documents

1. Does CCANP contend that HL&P failed to comply with any NRC requirement to report any information or finding

contained in the Design Review of Brown & Root Engineering Work for the South Texas Project prepared by Quadrex Corporation (the "Quadrex Report")?

2. If the answer to Interrogatory 1 is affirmative state the basis for such CCANP contention as follows:

(a) If CCANP contends that any information or finding contained in the Quadrex Report was required to be reported by 10 CFR § 50.55(e), (i) identify each separate item which CCANP contends should have been so reported, (ii) for each such item state which clauses of 10 CFR § 50.55(e) CCANP contends to be applicable to such item and state the factual basis for CCANP's contention that such clauses apply to such item, and (iii) identify each expert witness that CCANP expects to testify on its behalf with respect to such item.

(b) If CCANP contends that HL&P failed to comply with any NRC reporting requirement other than 10 CFR § 50.55(e) with respect to any information or finding contained in the Quadrex Report, (i) identify each separate item which CCANP contends should have been reported, (ii) for each such item identify the NRC requirement that CCANP contends to be applicable, including a citation to the specific NRC regulation or other NRC authority that contains such requirement, (iii) state the basis for CCANP's contention that such

requirement applies to such item, and (iv) identify each expert witness that CCANP expects to testify on its behalf with respect to such item.

3. Does CCANP contend, for reasons other than those provided in response to Interrogatories 1 and 2, that HL&P's "commissioning" or "handling" of the Quadrex Report did not comply with NRC requirements?

4. If the answer to Interrogatory 3 is affirmative, state the basis for such CCANP contention as follows:

(a) Identify each alleged HL&P action or failure to act in connection with the handling or commissioning of the Quadrex Report which CCANP contends to have been improper.

(b) For each action or failure to act identified in response to Interrogatory 4(a), identify any HL&P officer, employee or agent involved in each such action or failure to act and when such action or failure to act occurred.

(c) For each action and failure to act identified in response to Interrogatory 4(a), identify (i) the NRC requirement or other legal requirement which CCANP contends to have been violated and (ii) the regulation or other legal authority which constitutes authority for the existence of the applicable requirement.

(d) For each action or failure to act identified in response to Interrogatory 4(a), identify each expert witness that CCANP expects to testify on its behalf with respect to such action or failure to act.

5. Does CCANP contend that any statement, finding or conclusion in the Quadrex Report reflected that any aspect of the design or engineering of the South Texas Project or of the manner in which such design or engineering was performed failed to satisfy an applicable NRC requirement?

6. If the answer to Interrogatory 5 is affirmative, state the basis for such CCANP contention as follows:

(a) Identify each aspect of the design or engineering of the South Texas Project or of the manner in which such design or engineering was performed which CCANP contends failed to satisfy an applicable NRC requirement.

(b) For each aspect identified in response to Interrogatory 6(a), (i) identify the NRC requirement which CCANP contends was not satisfied, (ii) state how the design or engineering or the manner in which the design or engineering was performed failed to satisfy such requirement, and (iii) identify each expert witness that CCANP expects to testify on its behalf with respect to such aspect.

7. Does CCANP contend that there are any significant errors, omissions or improper conclusions in the Bechtel report entitled "Final Work Package Report for work package EN-619: Review of the Quadrex Report" (EN-619)?

8. If the answer to Interrogatory 7 is affirmative, identify each such error, omission or improper conclusion, state the basis for CCANP's contention that each constitutes an error, omission or is improper, explain why each is significant, and identify each expert witness that CCANP expects to testify on its behalf with respect to such error, omission or improper conclusion.

9. Does CCANP contend that Bechtel's analysis of the Quadrex Report, as reflected in EN-619 fails to properly address any significant concern contained in the Quadrex Report? If so, identify each such concern, state the basis for the contention that such concern is not properly resolved, state the resolution which CCANP contends to be appropriate, and the factual basis for such resolution and identify each expert witness that CCANP expects to testify on its behalf with respect to such concern.

10. Other than the information provided in response to Interrogatories 8 and 9, does CCANP disagree with any significant statement, finding or conclusion contained in EN-619? If so, identify each such statement, finding or conclusion

with which CCANP disagrees, state the basis for such disagreement, and identify each expert witness that CCANP expects to testify on its behalf with respect to such statement.

11. Does CCANP contend that there are significant errors or omissions in the NRC Staff Investigation Report 82-02 (I&E Report 82-02), concerning the handling of the Quadrex Report or that I&E Report 82-02 fails to properly address any significant concern regarding the handling of the Quadrex Report?

12. If the answer to Interrogatory 11 is affirmative, identify each such error, omission or unaddressed concern, state the basis for CCANP's contention that each constitutes an error, omission or unaddressed concern, explain why each is significant, and identify each expert witness that CCANP expects to testify on its behalf with respect to such error, omission or unaddressed concern.

13. Other than the information provided in response to Interrogatories 11 and 12, does CCANP disagree with any statement, finding or conclusion contained in I&E Report 82-02? If so, identify each statement, finding and conclusion with which CCANP disagrees, state the basis for such disagreement and identify each expert witness that CCANP expects to testify on its behalf with respect to such statement, finding or conclusion.

14. Does CCANP contend that there are significant errors or omissions in NRC Inspection Report 82-12, related to the review of the Quadrex Report (I&E Report 82-12), or that I&E Report 82-12 fails to properly address any significant concern contained in the Quadrex Report?

15. If the answer to Interrogatory 14 is affirmative, identify each such error, omission and unaddressed concern, state the basis for CCANP's contention that each constitutes an error, omission or unaddressed concern, explain why each is significant, and identify each expert witness that CCANP expects to testify on its behalf with respect to such statement, finding or conclusion.

16. Other than the information provided in response to Interrogatories 14 and 15, does CCANP disagree with any statement, finding or conclusion contained in I&E Report 82-12. If so, identify each statement, finding and conclusion with which CCANP disagrees, state the basis for such disagreement, and identify each expert witness that CCANP expects to testify on its behalf with respect to such statement, finding or conclusion.

17. Identify each person CCANP intends to call as an expert witness at the Phase II hearing, for whom CCANP has not provided an identification and summary of testimony in response to Interrogatories 1-16, and state the substance of the testimony of such witness.

18. Identify each person not identified in response to the Interrogatories 1-17 whom CCANP intends to call as a witness at the Phase II hearing and state the substance of the testimony of such witness.

19. Identify and produce each document upon which CCANP relies as support for its contentions or positions as stated in its response to this sixth set of interrogatories.

20. For each Interrogatory herein, identify each person who participated in the preparation of CCANP's response.

Dated: March 10, 1983

Respectfully submitted,

LOWENSTEIN, NEWMAN,
REIS & AXELRAD, P.C.
1025 Connecticut Ave., N.W.
Washington, D.C. 20036

BAKER & BOTTS
3000 One Shell Plaza
Houston, Texas 77002
(713) 229-1234

Alvin H. Gutterman by TSH

Jack R. Newman
Maurice Axelrad
Alvin H. Gutterman
Donald J. Silverman
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

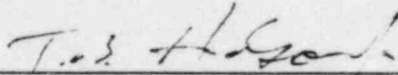
Finis E. Cowan
Thomas B. Hudson, Jr.
3000 One Shell Plaza
Houston, Texas 77002

Attorneys for Houston Lighting &
Power Company, Project Manager
of the South Texas Project,
acting herein on behalf of
itself and the other Applicants,
THE CITY OF SAN ANTONIO, TEXAS,
acting by and through the City
Public Service Board of the
City of San Antonio, CENTRAL
POWER AND LIGHT COMPANY and
CITY OF AUSTIN, TEXAS

TBH:17:C

CERTIFICATE OF SERVICE

I hereby certify that "Applicants' Sixth Set of Interrogatories and Requests For Production of Documents to CCANP" have been served on the following individuals and entities by deposit in the U.S. Mail, first class, postage prepaid or by courier delivery where indicated by an asterisk on this 10th day of March, 1983.



T. B. Hudson, Jr.

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

Dr. James C. Lamb, III
313 Woodhaven Road
Chapel Hill, North Carolina 27514

Ernest E. Hill
Lawrence Livermore Laboratory
University of California
P. O. Box 808, L-46
Livermore, California 94550

Robert G. Perlis
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Brian E. Berwick
Assistant Attorney General
for the State of Texas
P. O. Box 12548
Austin, Texas 78711

Mr. Jack Newman
Lowenstein, Newman, Reis
& Axelrad
1025 Connecticut Avenue, NW
Washington, D.C. 20036

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mrs. Peggy Buchorn
Citizens for Equitable
Utilities, Inc.
Route 1, Box 1684
Brazoria, Texas 77422

Pat Coy
Citizens Concerned About Nuclear
Power
5106 Casa Oro
San Antonio, Texas 78233

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

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

Lanny Sinkin *
2207-D Nueces
Austin, Texas 78705

William S. Jordan, III, Esq.
Harmon & Weiss
1725 I St. N.W.
Washington, D.C. 20006