

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

WASHINGTON PUBLIC POWER SUPPLY SYSTEM )  
et. al. )

(WPPSS Nuclear Project No. 1) )

Docket No. 50-460CPA

COALITION FOR SAFE POWER MOTION TO COMPELL RESPONSES TO  
FIRST SET OF INTERROGATORIES TO APPLICANT

The Coalition For Safe Power (CFSP), pursuant to 10 CFR 2.740(f), hereby moves that the Atomic Safety and Licensing Board in the above captioned proceeding order the Washington Public Power Supply System (WPPSS) to respond fully to CFSP interrogatories 6,7,8 and 9 filed on April 14, 1983.

BACKGROUND

On April 14, 1983 CFSP filed its first set of interrogatories on WPPSS. WPPSS served its responses on May 3, 1983. In its response WPPSS objected to interrogatories 6,7,8 and 9.

NATURE OF ISSUES

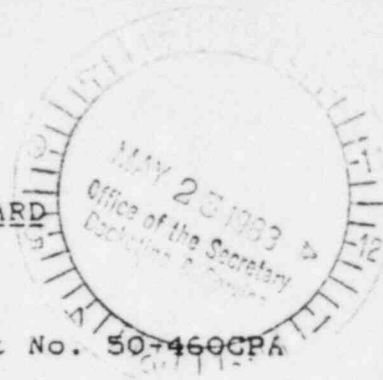
All four interrogatories request documents concerning the delay of WNP-1:

Interrogatory 6: Provide all documents exchanged between WPPSS "participants" and "Companies" concerning the delay of WNP-1.

Interrogatory 7: Provide minutes of all meetings of the WPPSS Executive Board at which the delay of WNP-1 was discussed.

Interrogatory 8: Provide all documents generated internally by WPPSS concerning the delay of WNP-1.

Interrogatory 9: Provide all documents related to all options considered by WPPSS for WNP-1 between April 23 and 29, 1983.



### WPPSS OBJECTION

WPPSS objects to all four interrogatories in general, stating: "These interrogatories request documents which are clearly beyond the scope of this proceeding and are irrelevant and unnecessarily burdensome." WPPSS states that documents would have to be produced which address every aspect of the construction delay at WNP-1 and that such documents "bear on health and safety."

### ARGUMENT IN SUPPORT OF MOTION

Intervener submits that the refusal by WPPSS to answer interrogatories 6,7,8, and 9 is without foundation. WPPSS is simply attempting to withhold information which has a direct relation to the issues in this proceeding. These issues are: the deferral of WNP-1; was such deferral dilatory; and is the requested extension a reasonable period of time.

The interrogatories in question seek information concerning actions by WPPSS on the deferral of WNP-1 and whether or not good cause existed for such actions. For example, interrogatory 9 requests all options considered by the WPPSS Executive Board between April 23 and 29, 1982, the period of time during which the decision to defer WNP-1 was made. Clearly there were a variety of options considered, some of which did not call for the deferral of WNP-1; the consideration of these options has a bearing on the final decision and thus is relevant to this proceeding.

The same is true for interrogatory 7, which requests the minutes of Executive Board meetings at which the deferral of WNP-1 was discussed. The Executive Board is the

group that made the decision to defer WNP-1. (See Letter to H.R. Denton, Director, Office of NRR, NRC from G.D. Bouchy, Deputy Director, WPPSS dated April 30, 1982) Thus the Intervenor should be entitled to review these minutes.

The other two interrogatories seek documents exchanged between WPPSS, the Bonneville Power Administration (BPA) and other participants in WNP-1 which contain information directly relevant to this proceeding. WPPSS relies upon judgement of the the BPA to support its contention that good cause existed for deferral. Intervenor requests to view documents exchanged by WPPSS and BPA on that very subject. Regarding the other participants in WNP-1, WPPSS must have informed them of its intentions either prior to deferral or after. The parties in this case have a right to know what WPPSS told those participants. Furthermore the participants may have forwarded information which WPPSS used in its decision; if so, the parties have a right to know about that information .

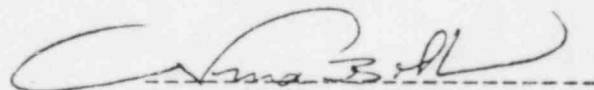
WPPSS also expresses the concern that it would have to supply documents concerning ramp-down actions which have been proposed or taken to prevent possible site or facility degradation during the deferral. While it may be true that such documents "bear on health and safety" they are also relevant to the issues in this proceeding. Issues do not have to be mutually exclusive: a hypothetical example would be if a letter had been written stating that because of questions about the geology of the site, WPPSS was considering the deferral of WNP-1. The documents requested

would shed light on whether or not WPPSS' actions were dilatory and the extension dates reasonable. For instance, WPPSS could have been planning a deferral of construction prior to BPA's suggestion to do so. The only way intervenor could discover that fact would be to have an opportunity to view those documents. Information regarding the level of the work force also has a direct bearing on when construction can restart and thus a bearing on the completion date for WNP-1. (See Letter to ASLB from N. S. Reynolds, March 7, 1983) The same is true for the changes in "contractual obligations" which WPPSS states have no relevance to the issues of this proceeding.

#### CONCLUSION

WPPSS claims that the documents requested deal with every aspect of the construction delay at WNP-1 and that such a request is beyond the scope of this proceeding. Intervenor submits, as outlined above, that such claims are without basis and that the Board should order WPPSS to respond fully to Interrogatories 6,7,8, and 9.

Respectfully submitted



Nina Bell  
Staff Intervenor

Dated this day, the  
18th of May, 1983.

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NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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WASHINGTON PUBLIC POWER SUPPLY SYSTEM	)	Docket No. 50-460 CPA
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CERTIFICATE OF SERVICE

I hereby certify that copies of "COALITION FOR SAFE POWER MOTION TO COMPELL RESPONSES TO FIRST SET OF INTERROGATORIES TO APPLICANT" in the above-captioned proceeding have been served on the following by deposit in the U.S. Mail, first class, postage prepaid on this 18th day of May, 1983.

Herbert Grossman, Chairman  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555

Nicholas Reynolds  
Debevoise & Lieberman  
1200 17th Street, NW  
Washington D.C. 20036

Glen O. Bright  
Administrative Judge  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555

Dr. Jerry Harbour  
Administrative Judge  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555


Mitzi Young  
Counsel for NRC Staff  
Office of Exec. Legal Director  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555

Gerald Sorenson, Manager  
Licensing Program  
WPPSS  
300 G. Washington Way  
Richland, WA 99352

State of Washington  
Energy Facility Site Evaluation  
Council Mail Stop PY-11  
Olympia, WA 98504

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

Docketing & Service  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555

  
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Nina Bell, Staff Intervenor  
Coalition for Safe Power