

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

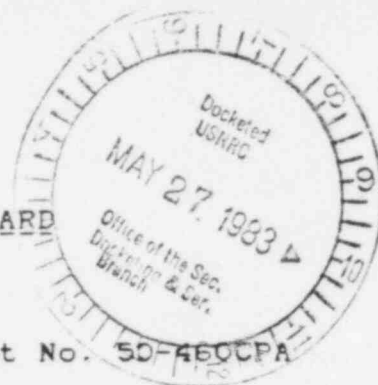
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

WASHINGTON PUBLIC POWER SUPPLY SYSTEM)
et. al.)

(WPPSS Nuclear Project No. 1))

Docket No. 50-460CPA



COALITION FOR SAFE POWER RESPONSES TO APPLICANT'S
FIRST SET OF INTERROGATORIES

On May 3, 1983, the Washington Public Power Supply System (WPPSS) served the Coalition for Safe Power its first set of interrogatories. Pursuant to Sections 2.740(b) and 2.741(d) of the NRC Rules of Practice, CFSP sets forth below its response to each interrogatory.

INTERROGATORY 1: State the full name, address, occupation and employer of each person answering the interrogatories and designate the interrogatory or the part thereof he or she answered.

RESPONSE: Eugene Rosolie, Suite 410 408 SW 2nd, Portland, Or. is responsible for answers to all interrogatories.

INTERROGATORY 2: Identify each and every person you are considering calling as a witness in the event a hearing is held in this proceeding and with respect to each of these witnesses:

- a. State the substance of the facts and opinions to which the witness is expected to testify;
- b. Give a summary of the grounds for each opinion; and
- c. Describe the witnesses' educational and professional background.

RESPONSE: To date the CFSP has not identified any

witness.

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INTERROGATORY 3: Is your contention based upon conversations, consultations, correspondence or any other type of communications with one or more individuals? If so,

a. Identify by name and address each of these individuals.

b. State the educational and professional background of each of these individuals, when each communication occurred, and identify all other individuals involved.

c. Describe the nature of each communication with such individual, when it occurred, and identify all other individuals involved.

d. Describe the information received from such individuals and explain how it provides a basis for your contention.

e. Identify each letter, memorandum, tape, note or other record related to each conversation, consultation, correspondence or other communication with such individuals.

RESPONSE: No.

INTERROGATORY 4: Please identify and provide a copy of the current charter, bylaws, articles of incorporation and/or all other organic documents pursuant to which intervenor is organized.

INTERROGATORY 5: Have the documents identified and provided in interrogatory 4 amended and/or superceded any earlier charters, bylaws, articles of incorporation and/or organic documents pursuant to which intervenor was organized? If so:

a. Identify and provide each of these amended and superceded documents (sic).

b. Explain why these documents were amended and/or superceded.

c. Identify and provide all documents in which the actions explained in interrogatory 5(b) are discussed.

INTERROGATORY 6: Explain the organizational goals of intervenor.

RESPONSE: Intervenor objects to interrogatories 4,5, and 6. The requests have no relation to the issues in this proceeding.

INTERROGATORY 7: What is the complete basis for your statement that Licensee's "decision in April, 1982 to 'defer' construction for two to five years, and subsequent cessation of construction at WNP-1 was dilatory."

RESPONSE: The complete basis for our statement is contained in our contention.

INTERROGATORY 8: Please explain fully what you mean by the word "defer" as used in your contention.

RESPONSE: "Defer", as used in the contention, means to put off; we believe, however, that it means a permanent halt to construction of the plant.

INTERROGATORY 9: Please explain fully what you mean by the word "dilatory" as used in your contention.

RESPONSE: "Dilatory", as used in the contention, means intentional and without valid purpose.

INTERROGATORY 10: What is the basis for your response to interrogatories 8 and 9?

RESPONSE: The basis for the responses to interrogatories 8 and 9 are Webster's Dictionary, Blacks Law Dictionary, Commission Decision CLI-82-29, 16NRC___ (Oct. 8, 1982 and ALAB-722 (April 11, 1983).

INTERROGATORY 11: Why do you contend that Licensee has failed to establish good cause for an extension of the WNP-1 construction permit?

RESPONSE: We contend that Licensee has failed to establish good cause for the reasons given as basis for our contention.

INTERROGATORY 12: What are the reasons you believe Licensee offered to NRC in support of a showing of "good cause" as required by 10 C.F.R. 50.55(b)?

RESPONSE: It is our belief that Licensee offered the NRC the reason that it was BPA that had recommended the action.

INTERROGATORY 13: What is the basis for your response to interrogatory 12?

RESPONSE: Representations made by licensee through filings with the NRC and at the prehearing conference.

INTERROGATORY 14: Do you contend that the reasons offered by Licensee to support a showing of good cause are factually incorrect?

RESPONSE: BPA did make a recommendation.

INTERROGATORY 15: What is the basis for your response to interrogatory 14?

RESPONSE: Personal knowledge of events surrounding the deferral of WNP-1 and filings by the Licensee.

INTERROGATORY 16: Do you contend that the reasons offered by Licensee to support a showing of good cause are not in fact the reasons why Licensee had requested an extension of its construction permit?

RESPONSE: Yes.

INTERROGATORY 17: If your response to interrogatory 16 is yes, why do you believe that Licensee has (a) sought an extension of its construction permit and (b) deferred construction at WNP-1?

RESPONSE: It is our belief that WNP-1 was deferred to due several factors. WPPSS had a choice to either defer WNP-1 or WNP-3. Even though construction on WNP-1 was ahead of WNP-3 and the construction permit on WNP-3 does not

expire until 1986 WNP-1 was chosen because (1) private utilities were involved in WNP-3 and would not agree to deferral of that plant and (2) WNP-3 is located in Western Washington where there is strong anti-nuclear sentiment making the restart of construction on WNP-3 more difficult. Furthermore, there is no need for the power from WNP-1 or WNP-3 now or at any time in the future nor will there ever be adequate financing for the projects.

INTERROGATORY 18 : What is the basis for your response to interrogatories 16 and 17?

RESPONSE: The basis for response to interrogatories is common knowledge in the region as to the financial situation of WPPSS, news articles, and the BPA report submitted by Licensee in this proceeding.

INTERROGATORY 19: What is the basis for your statement that the "modified request for extension of completion date to 1991 does not constitute a 'reasonable period' of time provided for in 10 CFR 50.55(b)?"

RESPONSE: The basis is contained in our contention.

INTERROGATORY 20: Please explain fully what you mean by a "reasonable period of time" as used in your contention.

RESPONSE: What we mean by "reasonable period of time" is that the extension beyond the original dates falls within a period of one to two years and that the proposed dates of completion be a good estimate of when the plant will be completed, for example not requiring further extensions in the future.

INTERROGATORY 21: What factors do you contend should be considered when determining if a requested construction permit extension is for a "reasonable period of time"?


RESPONSE: Licensee's past performance to complete work on schedule, and if the plant is likely to be completed within the time period. The primary factors which govern a finding on the latter are financial ability, management capability and need for power.

INTERROGATORY 22: What do you contend would constitute a "reasonable period of time" in the case of WNP-1?

RESPONSE: An extension of one to two years might be appropriate. An extension should be an extension; if there have been such substantial changes in the situation such that the original application for the construction permit would have been denied, and the request is for more than a matter of months, then it is clear the construction permit requires relitigation. In this case, deferral of construction was based on no need for power and lack of financing and was due to poor management in the first place and there is no reason to believe that the deferral of construction will be for any known period of time.

Respectfully submitted,

Dated this day the 23rd
of May, 1983.



Nina Bell
Coalition for Safe Power

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CERTIFICATE OF SERVICE

I hereby certify that copies of "COALITION FOR SAFE POWER RESPONSES TO APPLICANT'S FIRST SET OF INTERROGATORIES" in the above-captioned proceeding have been served on the following by deposit in the U.S. Mail, first class, postage prepaid on this 23rd day of May, 1983.

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Nina Bell, Staff Intervenor
Coalition for Safe Power