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RELATED CORRESPONDENCE

DOCKETED
JULY 29, 1994
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'94 AUG -1 P3:19

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of	*	
	*	
GEORGIA POWER COMPANY,	*	Docket Nos. 50-424-OLA-3
<u>et al.</u>	*	50-425-OLA-3
	*	
(Vogtle Electric	*	Re: License Amendment
Generating Plant,	*	(Transfer to Southern
Units 1 and 2)	*	Nuclear)
	*	
	*	ASLBP No. 93-671-01-OLA-3

GEORGIA POWER COMPANY'S ADDITIONAL RESPONSE TO INTERVENOR'S
FOURTH INTERROGATORY AND DOCUMENT REQUEST

I. INTRODUCTION.

Georgia Power Company ("GPC") hereby provides an additional response to Intervenor's Fourth Interrogatory and Document Request to Georgia Power, dated June 29, 1994 (the "Fourth Request").¹ This response addresses document request nos. 6-17 and 19 of the Fourth Request.

A number of the document requests in the Fourth Request are objectionable as overbroad in that Intervenor seeks information beyond the scope of discovery established by the Board's Memorandum and Order (Scope of Discovery), dated June 2, 1994. GPC has endeavored to identify and make available those documents

¹ GPC has previously provided its interrogatory responses to Intervenor's Fourth Request. See Georgia Power Company's Responses to Intervenor's Fourth Interrogatory and Document Request, dated July 20, 1994.

D503

which, based on a reasonable inquiry, appear relevant to the diesel statements at issue in this proceeding. In addition, GPC incorporates herein each of the General Objections stated in Georgia Power Company's Responses to Intervenor's Fourth Interrogatory and Document Request (July 20, 1994), at 2-4.

II. RESPONSES TO DOCUMENT REQUESTS.

6. GPC objects to this request on the ground that the requested performance appraisals are not relevant to the scope of discovery remaining in this proceeding and cannot reasonably be expected to lead to the discovery of admissible evidence. GPC also objects to this request on the ground that such performance appraisals constitute personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. See 10 C.F.R. 2.790(a)(6). GPC further objects to this request as overbroad in that (1) most of the individuals identified in the request had no connection with the diesel generator reporting matter at issue in this proceeding (Intervenor appears to be engaged in discovery on the illegal license transfer matter well beyond the deadline for such discovery), and (2) production of performance appraisals for a six year period is excessive given that the statements at issue all occurred in a single year. Without waiving such objections, GPC has reviewed the performance appraisals which might reasonably contain references to the diesel reporting issue and

states that none of those performance appraisals contain any references to this matter.

7. GPC is unable to produce the requested Duty Engineer Daily Log for calendar years 1989 and 1990 because it no longer exists. (GPC's practice is to retain back-copies of this log for two years only.)

8. GPC objects to this request as unduly burdensome and expensive and overbroad in that it requests all deficiency cards related to the diesel generators in any way and, apparently, for all time. GPC also objects to producing all deficiency cards for "diesel generator support systems" as being overbroad and unduly burdensome. Such support systems would arguably include systems like the normal and emergency AC power systems, normal and emergency DC power systems, normal and emergency diesel generator building HVAC systems, nuclear service cooling water system, utility water system, emergency lighting system, and fire protection system, none of which is at issue in this proceeding. Without waiving such objections, deficiency cards related to the Vogtle emergency diesel generators for part of the calendar year 1989² and all of the calendar year 1990 are available to

² Deficiency card information was not included on the Vogtle computer data base until mid-July, 1989. GPC objects to producing deficiency cards prior to this time because it would be unduly burdensome, requiring manual review of thousands of deficiency cards.

Intervenor for inspection and copying in the Atlanta offices of GPC's counsel.

9. GPC objects to this request as unduly burdensome and overbroad in that it requests all completed Preventive Maintenance ("PM") checklists for the diesel generators from 1989 to present. Without waiving such objections, completed PM checklists for the Plant Vogtle emergency diesel generators for calendar years 1989 and 1990 are available to Intervenor for inspection and copying in the Atlanta offices of GPC's counsel.

10. The requested deficiency cards are available to Intervenor for inspection and copying in the Atlanta offices of GPC's counsel.

11. The requested maintenance work orders are available to Intervenor for inspection and copying in the Atlanta offices of GPC's counsel.

12. GPC believes the requested document is IIT Document No. 05-202-90, which has been previously produced to Intervenor (Bates No. 062683).

13. GPC objects to this request as overbroad in that it seeks information which is beyond the scope of discovery in this proceeding, as set forth in the Board's June 2, 1994 Order.

Without waiving this objection, two pages from Mr. Shipman's 1990 spiral notebook not previously produced by GPC which might lead to the discovery of admissible evidence in this proceeding are available to Intervenor for inspection and copying in the Atlanta offices of GPC's counsel.

14. This request is identical to Request No. 13. Please see the response to Request No. 13 above.

15. The requested maintenance work order documentation is available to Intervenor for inspection and copying in the Atlanta offices of GPC's counsel.

16. GPC objects to this request as overbroad in that it seeks information which is beyond the scope of discovery in this proceeding, as set forth in the Board's June 2, 1994 Order. Without waiving this objection, 12 pages from Mr. McCoy's 1990 notebook not previously produced as of the date of this document request which might lead to the discovery of admissible evidence in this proceeding were produced to Intervenor during the deposition of Mr. McCoy on July 26, 1994. See also the letter from John Lamberski to the Licensing Board, dated July 27, 1994.

17. GPC objects to this request as redundant, unduly burdensome and expensive, oppressive and overbroad (beyond the scope of discovery). This is essentially the same request

included in Intervenor's Notice of Deposition of Kenneth Holmes; Paul Kochery; Kenneth Stokes; Tom Webb; Rick Odom; Skip Kitchens; Guss Williams; George Bockhold; James Bailey; William Shipman; Paul Rushton; Louis Ward; Cliff Miller; Mark Ajuluni; David Lisenby; C. K. McCoy; George Hairston; R. P. McDonald; Joseph Farley; and A. W. Dahlberg, dated June 27, 1994. In response to that request GPC filed Georgia Power Company's Objections to the Document Requests in Intervenor's Notice of Depositions, dated July 1, 1994 ("GPC's Objections"), which GPC incorporates herein by reference. Without waiving its objections, GPC agreed to bring to each of the depositions those documents previously produced by GPC in this proceeding that were provided by such deponent. GPC also agreed to ask each deponent to bring relevant portions of additional personal documents if they contain information relating to the diesel generator reliability issue in this proceeding. GPC's Objections at 5. Moreover, GPC believes that the information sought by Intervenor, to the extent relevant to the diesel generator reporting matter at issue in this proceeding, is contained among the over 60,000 pages of documentation previously produced by GPC in response to Intervenor's prior discovery requests.

19. GPC objects to this request as unduly burdensome and expensive, oppressive and overbroad (beyond the scope of discovery). Without waiving such objections, GPC identifies the following documents which have been previously produced to

Intervenor: (1) "special reports" submitted to the NRC as a result of a failure of any diesel generator after March 20, 1990 and prior to January 1, 1991, along with the "blue sheets" which provides information concerning the development of such documents (see generally Bates Nos. 1622-2260 and 4275-4762), and (2) documents provided to the NRC IIT and Region II office following the March 20, 1990 site area emergency, which are identified in GPC's Proposed Stipulations Concerning Alleged GPC False Statements to NRC Related to the Diesel Generators, transmitted to Intervenor's counsel by letter dated March 1, 1994, from John Lamberski.

Dated: July 29, 1994

John Lamberski will appear
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UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board '94 AUG -1 P3:19

In the Matter of)

GEORGIA POWER COMPANY,
et al.)

(Vogtle Electric Generating
Plant, Units 1 and 2))

) Docket Nos. 50-424-OLA-3
) 50-425-OLA-3

) Re: License Amendment
) (Transfer to Southern
) Nuclear)

) ASLBP No. 93-671-01-OLA-3

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of Georgia Power Company's Additional Response to Intervenor's Fourth Interrogatory and Document Request, dated July 29, 1994, were served by express mail upon the persons listed on the attached service list this 29th day of July, 1994.

Thomas L. Penland, Jr.
Thomas L. Penland, Jr.

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NUCLEAR REGULATORY COMMISSION
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