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RELATED CORRESPONDENCE

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
GULF STATES UTILITIES COMPANY)
)
(River Bend Station, Unit 1))

'94 AUG 26 P1:08

Docket No. 50-458-OLA

DOCKETING & SERVICE
BRANCH

GULF STATES UTILITIES COMPANY'S
FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS
TO THE U.S. NUCLEAR REGULATORY COMMISSION'S
EXECUTIVE DIRECTOR FOR OPERATIONS

Pursuant to 10 C.F.R. § 2.744, Gulf States Utilities Company ("GSU"), a party to the captioned proceeding, hereby serves on the Nuclear Regulatory Commission's Executive Director for Operations ("EDO") the following requests for records and documents, with a statement as to the relevancy of the documents and records requested.

INSTRUCTIONS AND DEFINITIONS

The Instructions and Definitions contained in GSU's First Set of Interrogatories to the U.S. Nuclear Regulatory Commission's Staff dated August 26, 1994 ("First Set of Interrogatories"), with the following additions, should be utilized in the EDO's response:

V. Copies of documents produced should be in the form and condition in which the document exists on the date of service of this request, and shall include all comments, notes, remarks, and other material (including handwriting) that may have been added to or attached in any fashion to the document after its initial preparation. Documents produced in response to the requests below should be mailed to the undersigned counsel for GSU.

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- W. If the EDO objects to any document request, in whole or in part, or seeks to withhold documents because of the alleged proprietary or other nature of the data, please set forth all reasons and the underlying factual basis for the objection in sufficient detail to permit the Atomic Safety and Licensing Board to determine the validity of the objection. This description by EDO should include with respect to any document: (1) author, sender, addressee, and recipients of indicated and "blind" copies, together with their job titles; (2) date of preparation; (3) subject matter; (4) purpose for which the document was prepared; (5) all persons to who distributed, shown, summarized, brief, or explained; (6) present custodian; (7) all persons believed to have a copy of the document; and (8) the nature of the objection asserted.
- X. For any document or part of a document that was at one time, but is no longer, in EDO's possession, custody, or control, or which is no longer in existence, or which cannot be located or produced, identify the document, state where and how it passed out of existence or why it can no longer be located and the reasons therefore, and identify each person having knowledge concerning such disposition or loss and the contents of the document, and identify each document evidencing its prior existence and/or any fact concerning its nonexistence or loss.
- Y. These document requests shall be continuing in nature as required by 10 C.F.R. § 2.740(e). Thus, any time EDO obtains

information that renders any previous response incorrect or incomplete, or which indicates that a response was incorrect or incomplete when made, EDO must supplement its previous response. Such supplements should be provided in a timely fashion.

GENERAL DOCUMENT REQUESTS

- G-1. Provide all documents that each witness who the NRC Staff expects to call as a witness, including any expert witness, at the NRC hearing on this matter has read or been shown relating to the subject of his testimony.
- G-2. Provide all documents that each person who the NRC expects to call as a witness, including as an expert witness, will rely upon or will otherwise use for his testimony at the hearing.
- G-3. Provide all documents referenced in the statement of educational and professional qualifications of any expert witness the NRC expects to call at the NRC hearing on this matter.

SPECIFIC DOCUMENT REQUESTS

- 1. Provide all documents relating to safety issues, concerns or allegations related to the operation of River Bend that have been identified or raised by Cajun to the NRC.
- 2. Provide documents related to meetings with the NRC, its employees or agents relating to safety matters at which Cajun was represented through its directors, officers, members,

consultants, contractors, counselor, other agents, but neither GSU nor EOI was so represented.

3. Provide documents related to communication between Cajun and the NRC, employees or agents concerning substantive safety matters. This request does not include documents where Cajun was merely listed as receiving a copy of a communication which was sent or received by EOI or GSU.
4. Provide documents which describe any limitations in Cajun's access to River Bend or to information regarding safe operation which existed prior to December 31, 1993.
5. Provide documents describing how Cajun's access to River Bend or its access to information regarding safe operation of River Bend has changed since EOI assumed responsibility on December 31, 1993.
6. Provide documents identifying any differences in the operation of River Bend by GSU as opposed to EOI which could adversely affect the margin of safety or the reasonable assurance of the public health and safety.
7. Provide documents which describe any NRC requirements or guidance on the access to be given to INPO documents to a licensee which is a co-owner, but had not been found to be technically qualified by the NRC.
8. Provide documents related to the NRC's scope of review to assure that financial difficulties or problems of a licensee or licensees of a commercial, light-water nuclear power

station do not affect the safe operation of such facility or facilities.

9. Provide documents related to remedies available to the NRC where it has determined that safe operation has been or could be potentially affected by financial issues.
10. Provide documents related to utilization of such remedies discussed in Document Request 9 in the past for commercial, light-water nuclear power stations.
11. Provide documents related to the scope and criteria for NRC review of the safe operation of a facility when the holder of an operating license has filed for bankruptcy protection.
12. Provide documents relating to any NRC present or contemplated required showing of financial qualifications by a non-owner operator of a facility where the owners of such facility were obligated to provide funding or are electric utilities as defined in 10 C.F.R. § 50.2.
13. Provide all other documents identified in the Response to Gulf States Utilities Company's First Set of Interrogatories to the U.S. Nuclear Regulatory Commission Staff dated August 26, 1994 which have not been previously provided in response to specific requests for documents above.

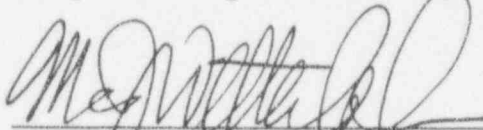
STATEMENT OF RELEVANCE

The requested documents are relevant to the issue admitted in this proceeding. The general request for documents relates to the qualification of witnesses and the documents upon

which they will rely, matters which are relevant in this proceeding. The specific requests relate to documents associated with Cajun interactions with the NRC related to safe operation, and the current safe operation of the facility by EOI as compared to the safe operation by GSU, the former operator. These matters are clearly related to the alleged significant reduction in the margin of safety at River Bend alleged by intervenor. These document requests also relate to possible license conditions proposed by intervenor which the Licensing Board has stated would be relevant to its consideration of the admitted contention. The requests also seek documents associated with Staff positions related to demonstration of financial qualification by a non-owner operator of a facility, a matter clearly relevant to the admitted contention. Finally, the licensee seeks all other documents identified in response to specific interrogatories to the NRC Staff dated August 26, 1994. The relevance of such a request, to the extent not

discussed above, is set forth in Licensee's Request for Licensing Board Approval of Written Interrogatories to be Answered by NRC Personnel dated August 26, 1994.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark J. Wetterhahn', is written over a horizontal line.

Mark J. Wetterhahn

WINSTON & STRAWN
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Attorneys for Gulf States
Utilities Company

Dated at Washington, D.C.
this 26th day of August, 1994

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'94 AUG 26 P1:08

In the Matter of
GULF STATES UTILITIES COMPANY
(River Bend Station, Unit 1)

)
) Docket No. 50-458-OLA
)
) Re: License Amendment
) (Transfer of Ownership and
) Control)

CERTIFICATE OF SERVICE

I, Mark J. Wetterhahn, hereby certify that on this 26th day of August, 1994, I served on the following, by first class mail, postage pre-paid, copies of:

1. Gulf States Utilities Company's First Request for the Production of Documents to the U.S. Nuclear Regulatory Commission's Executive Director for Operations
2. Licensee's Request for Board Approval of Written Interrogatories to be Answered by NRC Personnel
3. Gulf States Utilities Company's First Set of Interrogatories and Request for Production of Documents to Cajun Electric Power Cooperative, Inc.

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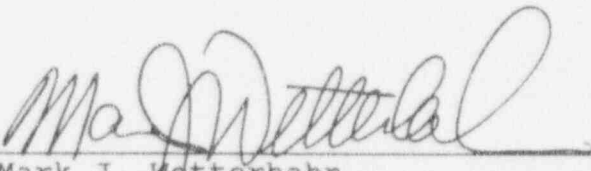
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August 26, 1994

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