

DOCKETED
USNRC

'83 APR 11 110:14

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
THE CLEVELAND ELECTRIC)	Docket Nos. 50-440
ILLUMINATING COMPANY, <u>ET AL.</u>)	50-441
)	
(Perry Nuclear Power Plant,)	
Units 1 and 2))	

APPLICANTS' INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS TO INTERVENOR OHIO
CITIZENS FOR RESPONSIBLE ENERGY (FOURTH SET)

These Interrogatories and the Request for Production of Documents are filed by Applicants pursuant to the Licensing Board's Special Prehearing Conference Memorandum and Order, LBP-81-24, 14 N.R.C. 175 (1981), the discovery schedule designated by the Licensing Board during the January 5, 1983 conference call, see Tr. at 800-01, and the Nuclear Regulatory Commission's Rules of Practice. The Interrogatories and Document Request are directed toward Intervenor Ohio Citizens for Responsible Energy ("OCRE") and pertain to Issues No. 13 (turbine missiles), No. 14 (in-core thermocouples) and No. 15 (steam erosion). The Interrogatories are limited, in accordance with the discovery schedule designated by the Licensing Board, to follow-up interrogatories to OCRE Response to Applicants' Interrogatories and Request for Production of

DS03

Documents to Intervenor Ohio Citizens for Responsible Energy (Third Set), dated March 18, 1983 ("OCRE Response").

The Interrogatories submitted herein are filed pursuant to 10 C.F.R. § 2.740b, which requires that the Interrogatories be answered separately and fully in writing under oath or affirmation within 14 days after service. The Interrogatories are intended to be continuing in nature; and the answers must be immediately supplemented or amended, as appropriate, should OCRE obtain any new or different information responsive to the Interrogatories.

The Request for Production of Documents is filed pursuant to 10 C.F.R. § 2.741, which requires that OCRE produce and either furnish copies of or permit Applicants to inspect and copy any documents responsive to the request and which are in the possession, custody or control of OCRE. The Request for Production of Documents also is continuing in nature and OCRE must produce immediately any additional documents it obtains which are responsive to the Request.

For purposes of these Interrogatories, the term "document(s)" means all writings and records of every type in the possession, control or custody of OCRE, including, but not limited to, memoranda, correspondence, reports, surveys, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, speeches, articles, transcripts, voice recordings, and all other writings or recordings of any

kind. "Document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody or control of OCRE.

For purposes of these Interrogatories, a document shall be deemed to be within OCRE's "control" if OCRE has ownership, possession or custody of the document or copy thereof, or has the right to secure the document or copy thereof from any person or public or private entity having physical possession thereof.

When identification of a document is requested, briefly describe the document, i.e., letter, memorandum, book, pamphlet, etc., and state the following information as applicable to the particular document: name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person(s) having possession of the document.

The purpose of these follow-up Interrogatories and the Request for Production of Documents is to clarify the scope of Issues No. 13, No. 14 and No. 15 and to ascertain the factual bases which support each element of the Issues, so that Applicants adequately can prepare their response to the Issues.

INTERROGATORIES

Issue No. 13 (Turbine Missiles)

1. In response to Interrogatory #8(c) of Applicants' Interrogatories and Request for Production of Documents to Intervenor Ohio Citizens for Responsible Energy (Third Set), dated January 31, 1983 ("Applicants' Third Set of Interrogatories"), you state that P1 can be reduced "through appropriate quality assurance in turbine design and fabrication." OCRE Response at 5.

(a) State whether you believe that the quality assurance program for the design and fabrication of the turbines to be used at Perry Nuclear Power Plant ("PNPP"), as set forth in GEZ 4982, "General Electric Large Steam Turbine-Generator Quality Assurance Program," is inadequate.

(b) If the answer to (a) above is other than negative, state each and every reason why you believe the quality assurance program set forth in GEZ 4982 is inadequate. Describe in detail the bases for your answer.

(c) If the answer to (a) above is other than negative, state all changes which you believe must be made to establish an "appropriate" quality assurance program for the design and fabrication of the turbines to be used at PNPP. As to each such change, describe in detail the bases for your conclusion, including the reasons for identifying the change.

2. In response to Interrogatory #8(c) of Applicants' Third Set of Interrogatories, you state that P1 can be reduced by "employing turbine overspeed protection systems." OCRE Response at 5.

(a) State whether you believe that the turbine overspeed protection systems described in PNPP FSAR § 10.2.2.3 are adequate to reduce P1.

(b) If the answer to (a) above is other than affirmative, identify each system which you believe to be inadequate and state each and every reason why the system is inadequate. Describe in detail the bases for your conclusion(s).

(c) State whether you believe that turbine overspeed protection systems other than or in addition to the systems described in FSAR § 10. .2.3 should be employed at PNPP.

(d) If the answer to (c) above is other than negative, identify and describe in detail all turbine overspeed protection systems which you believe ought to be employed at PNPP to reduce P1, including electrical, mechanical and manual/mechanical systems. As to each such system, describe in detail the bases for your answer, including the reasons for identifying the system.

3. With regard to your responses to Interrogatories #1 and #2, supra:

(a) identify all documents you have relied upon in answering the Interrogatories;

(b) state the name, present or last known address, present or last known employer, and educational and professional qualifications of each person known to you to have first-hand knowledge of the factual bases of your answers.

Issue No. 14 (In-Core Thermocouples)

4. In response to Interrogatory #15 of Applicants' Third Set of Interrogatories, you state that "[g]eneral criteria for ... thermocouples would include: range of at least 200-2300°F; accuracy of [plus or minus] 5°F." OCRE Response at 7.

(a) Describe in detail the bases for your claim that thermocouples must have a range of at least 200-2300°F.

(b) Describe in detail the bases for your claim that thermocouples must have an accuracy of plus or minus 5°F.

5. In response to Interrogatory #15 of Applicants' Third Set of Interrogatories, you state that: "An adequate system could consist of 41 thermocouples located in the topmost LPRM thimbles, with 12 additional thermocouples (3 per quadrant) placed at various axial heights, e.g., at the core midplane; 12 of the 41 LPRM housings would contain 2 thermocouples, with the remainder containing one." OCRE Response at 7.

Describe in detail the bases for the thermocouple numbers and locations specified in your answer.

6. In response to Interrogatory #15 of Applicants' Interrogatories, you state that "OCRE does not necessarily accept the premise that the only practical location for in-core thermocouples is in the LPRM detectors." OCRE Response at 8.

(a) State the reasons why you do not necessarily accept the premise.

(b) Identify all locations for in-core thermocouples which you believe to be practical other than the LPRM detectors. As to each such location, describe in detail the bases for your conclusion, including the reasons for identifying the location.

7. In response to Interrogatory #18(a) of Applicants' Interrogatories, you state that "[t]o aid operators in interpreting thermocouple readings, experiments should be conducted using in-core thermocouples." OCRE Response at 12.

(a) State generally where and how you believe such experiments should be conducted, e.g., in a test reactor under simulated accident conditions, or in the PNPP reactors under deliberately induced "accident conditions and fuel heat-up rates." Id.

(b) State the methodology you believe should be employed in conducting such experiments. Describe in detail the bases for your answer.

(c) Identify all "accident conditions and fuel heat-up rates," id., for which you believe experiments should be

conducted. State the bases for your conclusion, including the reasons for identifying the accident condition or fuel heat-up rate.

(d) State whether the experiments described in response to (a), (b) and (c) above are the same as the "experimentation" you claim to be necessary in response to Interrogatory #17 of Applicants' Interrogatories. Id.

(e) If the answer to (d) above is other than affirmative, describe in detail the additional "experimentation" you believe to be necessary as stated in response to Interrogatory #17.

Id. State the bases for your conclusion.

8. With regard to your responses to Interrogatories #4 through #7, supra:

(a) identify all documents you have relied upon in answering the Interrogatories;

(b) state the name, present or last known address, present or last known employer, and educational and professional qualifications of each person known to you to have first-hand knowledge of the factual bases of your answers.

Issue No. 15 (Steam Erosion)

9. In response to Interrogatory #34 of Applicants' Third Set of Interrogatories, you question whether "Applicants' . . . surveillance program will detect . . . larger leakages caused by steam erosion?" OCRE Response at 21.

Identify all surveillance programs which you believe ought to be implemented at PNPP in order to detect such leakages, including inspection, monitoring and testing programs. In identifying each such program, state: the particular equipment or component(s) to be inspected, monitored or tested, and the acceptance criteria for each component or piece of equipment. As to each such inspection, monitoring or testing program, describe in detail the bases for your answer, including the reasons for identifying the program.

10. With regard to your response to Interrogatory #9, supra:

(a) identify all documents you have relied upon in answering the Interrogatory;

(b) state the name, present or last known address, present or last known employer, and educational and professional qualifications of each person known to you to have first-hand knowledge of the factual bases of your answers.

General Interrogatories Pertaining to
Issues No. 13, No. 14 and No. 15

11. State the name, title or position, address, employer, and educational and professional qualifications of each person who provided information used in preparing responses to any of the foregoing Interrogatories.

12. For each person identified in response to Interrogatory #11, supra, state the number(s) of the Interrogatories for which information was supplied.

13. State the name, title or position, address, employer and educational and professional qualifications of each person who searched for documents in order to respond to any of the foregoing requests for identification of documents.

14. For each person identified in response to Interrogatory #13, supra, state the number(s) of the Interrogatories for which the search was conducted and the location where the search was conducted.

15. Identify any written or recorded statement of any individual pertaining to the subject matter of Issue No. 13, No. 14 or No. 15, not previously identified in response to the foregoing Interrogatories.

REQUEST FOR PRODUCTION OF DOCUMENTS

Applicants request that OCRE respond in writing to the following request for production of documents, and produce the original or best copy of each of the documents requested below at the office of Mr. Alan Jones at The Cleveland Electric Illuminating Company, or at a place mutually convenient to the parties.

The term "document(s)" means all writings and records of every type in the possession, control or custody of OCRE including, but not limited to, memoranda, correspondence, reports, surveys, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, speeches, articles, transcripts, voice recordings, and all other writings or recordings of any kind. "Document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody or control of OCRE.

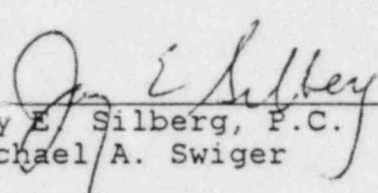
A document shall be deemed to be within the "control" of OCRE if it has ownership, possession or custody of the document or copy thereof, or has the right to secure the document or copy thereof from any person or public or private entity having physical possession thereof.

Applicants request that OCRE produce each and every document identified or described in the answers to Interrogatories #1 through #15, supra.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By: _____


Jay E. Silberg, P.C.

Michael A. Swiger

Counsel for Applicants
1800 M Street, N.W.
Washington, D.C. 20036

(202) 822-1000

Dated: April 8, 1983

April 8, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
THE CLEVELAND ELECTRIC)	Docket Nos. 50-440
ILLUMINATING COMPANY, <u>ET AL.</u>)	50-441
)	
(Perry Nuclear Power Plant,)	
Units 1 and 2))	

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing
"Applicants' Interrogatories And Request For Production
Of Documents To Intervenor Ohio Citizens For Responsible
Energy (Fourth Set)" were served by deposit in the United
States Mail, first class, postage prepaid, this 8th day
of April, 1983, to all those on the attached Service
List.

Michael A. Swiger
MICHAEL A SWIGER

DATED: April 8, 1983

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
THE CLEVELAND ELECTRIC)	
ILLUMINATING COMPANY, <u>ET AL.</u>)	Docket Nos. 50-440
)	50-441
(Perry Nuclear Power Plant,)	
Units 1 and 2))	

SERVICE LIST

Peter B. Bloch, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Jerry R. Kline
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Christine N. Kohl, Chairman
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. John H. Buck
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Gary J. Edles, Esquire
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

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

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

James M. Cutchin, IV, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ms. Sue Hiatt
OCRE Interim Representative
8275 Munson Avenue
Mentor, Ohio 44060

Daniel D. Wilt, Esquire
Post Office Box 08159
Cleveland, Ohio 44108

Donald T. Ezzone, Esquire
Assistant Prosecuting Attorney
Lake County Administration Center
105 Center Street
Painesville, Ohio 44077

John G. Cardinal, Esquire
Prosecuting Attorney
Ashtabula County Courthouse
Jefferson, Ohio 44047

Terry Lodge, Esquire
915 Spitzer Building
Toledo, Ohio 43604