

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of) Docket No. 50-275
) Docket No. 50-323
PACIFIC GAS AND ELECTRIC COMPANY)
) (Reopened Hearing --
Diablo Canyon Nuclear Power) Design Quality Assurance)
Plant Units Nos. 1 and 2)
)

GOVERNOR DEUKMEJIAN'S FIRST SUPPLEMENTAL RESPONSE
TO APPLICANT'S FIRST DOCUMENT PRODUCTION REQUEST

Governor George Deukmejian hereby provides this first supplement to his response to the first document production request propounded to him by Applicant Pacific Gas and Electric Company. This supplement provides the answers specified by the Atomic Safety and Licensing Appeal Board in its August 9, 1983, order. Further supplemental answers are contemplated, as provided by 10 C.F.R. section 2.740(e).

REQUEST NO. 2:

All documents relating to Diablo Canyon design or design quality assurance prepared by PG&E, the IDVP, or the NRC, having comments, notes, or the like on them and any writings prepared by or for you discussing, commenting on or otherwise referring to those documents.

RESPONSE TO REQUEST NO. 2:

The board's order divided the documents sought by this request into two categories. The first category consists of

1.

all documents relating to Diablo Canyon design or design quality assurance prepared by PG&E, the IDVP, or the NRC, having notes or comments made on them. An index of such documents in the possession of the Governor, his counsel, or consultants to counsel is attached hereto as Exhibit 2-A-1.

The second category of documents consists of writings discussing or commenting on documents dealing with Diablo Canyon design or design quality assurance, prepared by PG&E, the IDVP, or the NRC. The board's order limited the documents in this category to be produced to those created prior to October 1, 1981. The only such documents are in the possession of MHB Technical Associates and consist of documents pertaining to past hearings in this case, dealing principally with seismic criteria and other previously litigated subjects. Should PG&E desire production of these documents, they will be produced at the MHB offices in San Jose at a time mutually convenient to the parties.

REQUEST NO. 3:

All other documents relating to Diablo Canyon design or design quality assurance not produced in response to Request No. 2 which have been prepared or reviewed by or for you.

RESPONSE TO REQUEST NO. 3:

Pursuant to an August 17, 1983, telephone conversation between Mr. Norton and Mr. Strumwasser, this request has been clarified to exclude all documents prepared by the applicant, the IDVP, or the NRC not having comments, notes, or the like on them.

Pursuant to the same telephone conversation, documents having the following characteristics have also been excluded: documents prepared by the personnel of the Office of the Attorney General or the Office of the Governor, which have been seen only by some or all of the following people: George Deukmejian, Governor; Steven A. Merksamer, Chief-of-Staff to the Governor; Vance W. Raye, Legal Affairs Secretary to the Governor; John K. Van de Kamp, Attorney General; Nelson Kempsky, Chief Deputy Attorney General; Andrea Sheridan Ordin, Chief Assistant Attorney General; Michael J. Strumwasser, Special Counsel to the Attorney General; Susan L. Durbin and Peter H. Kaufman, Deputy Attorneys General; Christina Neal, Analyst; and support staff of the Governor's Office and the Office of the Attorney General. (The term "support staff" excludes consultants and all other person retained by contract.) This response constitutes certification of the foregoing characteristics of the documents thus excluded.

Pursuant to the same conversation, counsel for PG&E is being sent under separate cover a copy of the file consisting of all press clippings in the Office of the Attorney General concerning Diablo Canyon.

As to all remaining documents responsive to the request, an index of the documents requested is attached hereto as Exhibit 3-1. For the applicant's convenience this list includes documents already on file in this case.

REQUEST NO. 4:

All documents that contain calculations, analyses or computer programs performed by or for you regarding the design of Diablo Canyon structures, systems or components.

RESPONSE TO REQUEST NO. 4:

Other than those documents listed in the response to Request No. 3, above, no such documents exist.

REQUEST NO. 6:

All correspondence or records of meetings or telephone conversations between Mr. Hubbard (or his associates) and Dr. Rosette [sic.] (or his associates) related in any way to design of structures, systems, or components at Diablo Canyon.

RESPONSE TO REQUEST NO. 6:

All documents have been indexed, produced, proffered, or excused from production in prior requests.

REQUEST NO. 7:

All notes, calculations, meeting minutes, computer outputs, drawings or other writings prepared by MHB Technical Associates or Dr. Rosette [sic.] or any other of your technical consultants related in any way to design or design quality assurance at Diablo Canyon.

RESPONSE TO REQUEST NO. 7:

All documents have been indexed, produced, proffered,
or excused from production in prior requests.

DATED: August 19, 1983 JOHN K. VAN DE KAMP, Attorney General
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Exhibit 2-A-1

DOCUMENTS PREPARED BY PG&E, THE IDVP, OR THE NRC
HAVING MARGINAL NOTES BY THE GOVERNOR'S REPRESENTATIVES

<u>DOCUMENT DATE</u>	<u>MARGINALIA DATE</u>	<u>AUTHOR OF MARGINALIA</u>	<u>TITLE OF DOCUMENT</u>
11 18 81		MHB	Preliminary Report, Seismic Reverification Program, R.L. Cloud Assoc. (Draft)
11 19 81		MHB	Statement of George Maneatis before the House Subcommittee on Energy and the Environment
11 19 81		MHB	Statement of Richard Eckert before the House Subcommittee on Energy and the Environment
12 4 81		MHB	PG&E letter to NRC regarding qualifications of R.L. Cloud Associates to conduct design verification
1 8 82		MHB	NRC notice of meeting with PG&E
1 13 82		MHB	PG&E submittal of proposed Phase II program to NRC
1 28 82		MHB	NRC letter to PG&E regarding acceptability of proposed review plan
3 15 82		MHB	NRC Information Items: cover letter forwarding four R.F. Reedy letters
3 15 82		MHB	NRC Information Items: cover letter forwarding four R.L. Cloud letters
4 15 82		MHB	PG&E letter to NRC regarding PG&E comments on March 8, 1982 R.F. Reedy report
6 18 82		MHB	IDVP Phase II Program Management Plan
7 16 82		MHB	NRC notice of meeting with PG&E, Brookhaven National Laboratory, and the IDVP
7 21 82		MHB	Internal NRC letter regarding Diablo Canyon Seismic Reverification Program Inspections: May 26-28, 1982
7 14 82		MHB	PG&E letter to NRC responding to Violation notice from Inspection Report 50-323/82-09
7 27 82		MHB	IDVP (Teledyne) July Semi-Monthly Report
7 1 82		MHB	NRC Board Notification: Brookhaven Report of its Independent Evaluation of Diablo Canyon Design Verification
8 16 82		MHB	Response of PG&E to Governor Brown's Motion to Reopen the Record
8 23 82		MHB	NRC Staff's Response to Governor Brown's Motion to Reopen the Proceeding...
10 13 82		MHB	NRC SECY-82-414: Diablo Canyon Design Verification Program - Phase II Recommendations
11 10 82		MHB	Summary of November 10, 1982 Commission Meeting, PG&E presentation of comments on October 20, 1982 NRC Staff Briefing
11 12 82		MHB	Stone and Webster November Semi-Monthly Report

<u>DOCUMENT DATE</u>	<u>MARGINALIA DATE</u>	<u>AUTHOR OF MARGINALIA</u>	<u>TITLE OF DOCUMENT</u>
1 28 83		MHB	January 28-29 Presentation regarding Diablo Canyon Unit 1 Component Cooling Water System
2 17 83		MHB	NRC (Chairman Palladino) letter to Honorable Morris Udall, U.S. House of Representatives
3 11 83		MHB	IDVP 2nd Friday of March Semi-Monthly Report
3 25 83		MHB	IDVP End of March Semi-Monthly Report
3 14 83		MHB	NRC Commission Meeting: Interim IDVP
3 25 83		MHB	NRC Interview of Virgil Tennyson
4 5 83		MHB	Statements of Virgil Tennyson and Richard Roam
5 27 83		MHB	IDVP letter forward Preliminary Draft of ITR's No. 36 and 38
5 17 83	5/31/83	MHB	Motion of Governor George Deukmejian to Reopen the Record on Construction Quality Assurance
6 6 83		Kaufman	NRC Staff Response to Joint Intervenor's and Governor's Motion to Reopen on Construction Quality Assurance
6 10 83	6/15/83	Durbin	First Document Production Request by Applicant Pacific Gas and Electric Company to Governor Deukmejian
6 6 83		Durbin	NRC Staff Response to Joint Intervenor's and Governor's Motion to Reopen on Construction Quality Assurance

Exhibit 3-1

- 10/30/81 Letter from Gov. Brown to Palladino with memo to Denton outlining California's proposal for an independent quality verification program.
- 11/07/81 Letter from Byron Georgiou to Chairman Palladino listing 13 seismic design errors, and reiterating request for an independent verification program. Attached is a description of each of the 13 errors.
- 11/16/81 Letter from Herb Brown to Chairman Palladino further elucidating on Gov. Brown's verification proposal, and further outlining PG&E/Blume QA deficiencies.
- 11/19/81 Statement of Richard Hubbard before House Subcommittee on Energy and the Environment summarizing deficiencies in PG&E's Diablo QA program.
- 12/14/81 Letter from Richard Hubbard to Lawrence Lanpher, containing comments on the 11-12-81 R.L. Cloud report.
- 1/15/82 Letter from Herb Brown to the NRC Commissioners transmitting attached comments by Governor Brown on the proposed seismic design verification program.
- 2/17/82 Presentation of Richard Hubbard for Governor Brown concerning PG&E's proposed seismic design verification program. Presentation given at February 17, 1982 meeting with NRC staff.
- 2/25/82 Letter from Herb Brown to NRC Commissioners and enclosure presenting Governor Brown's technical comments on the proposed seismic design verification program.
- 5/24/82 Affidavit of Richard Hubbard concerning breakdowns in the Diablo Canyon Quality Assurance Program.
- 8/ 2/82 Letter from Alan Dynner to Harold Denton enclosing technical comments from counsel to Governor Brown on the proposed phase II Diablo Canyon design verification program.

- 9/ 9/82 Presentation of Richard Hubbard on the proposed Diablo Canyon verification program, presented at September 9, 1982 meeting with NRC staff.
- 11/10/82 Presentation of Richard Hubbard concerning proposed phase II Diablo Canyon design verification program, presentation made before the NRC Commissioners.
- 3/ 7/83 Dr. Jose Roeset to Michael J. Strumwasser - Lists questions regarding the seismic analyses conducted for Diablo
- 3/25/83 Richard B. Hubbard to Michael J. Strumwasser - Encloses Summary of Anonymous Allegations regarding Diablo
- 3/31/83 Supplemental affidavit of Richard Hubbard concerning breakdowns in the Diablo Canyon Quality Assurance program.
- 4/26/83 Dr. Jose Roeset to Michael J. Strumwasser - Comments on the review of the seismic design of Diablo
- 5/ 2/83 Curran Roller to Michael J. Strumwasser - Encloses Information Concerning Bechtel/PG&E Schedule Incentives at Diablo
- 5/ 3/83 Dr. Jose Roeset to Michael J. Strumwasser - Comments on the open items and errors reported by the IDVP
- 6/17/83 Richard B. Hubbard to Michael J. Strumwasser - Summaries of ITRs 18, 20, 21, 22, 23, and 24
- 7/28/83 Richard B. Hubbard to Michael J. Strumwasser - Encloses Summaries of ITRs 25, 26, 27, and 28
- 8/ 8/83 Richard B. Hubbard to Michael J. Strumwasser - Comments for NRC Commissioners re: IDVP Diablo Proceeding
- 8/18/83 Dr. Jose Roeset - Comments on ITR's

Unknown Richard Hubbard, Dr. Jose Roesset - Summaries of and
comments on remaining ITR's, SER, IDVP Final Report,
ITP Phase I Final Report (dates of completion unknown)

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In the Matter of)

PACIFIC GAS AND ELECTRIC COMPANY)

(Diablo Canyon Nuclear Power)
Plant, Units 1 and 2))

Docket Nos. 50-275 O.L.
50-323 O.L.

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused copies of the foregoing GOVERNOR DEUKMEJIAN'S FIRST SUPPLEMENTAL ANSWERS TO APPLICANT'S FIRST SET OF INTERROGATORIES AND GOVERNOR DEUKMEJIAN'S FIRST SUPPLEMENTAL RESPONSE TO APPLICANT'S FIRST DOCUMENT PRODUCTION REQUEST served on the following by U.S. Mail, first class (except for those persons marked with an asterisk ("*"), to whom the envelope was posted Express Mail), postage prepaid.

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