

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

August 19, 1983

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Glenn O. Bright  
Dr. James H. Carpenter  
James L. Kelley, Chairman

In the Matter of

CAROLINA POWER AND LIGHT CO. et al.  
(Shearon Harris Nuclear Power Plant,  
Units 1 and 2)

Dockets 50-400 OL  
50-401 OL  
ASLBP No. 82-468-61 O.L.

MOTION TO COMPEL DISCOVERY re Applicants' 8-5-83 responses  
on Eddleman 75 and 83/84, by Wells Eddleman  
enclosed

Negotiations on this broke down 8/9/83 -- see ' certificate

of negotiations. I therefore request Applicants be compelled to  
answer the following interrogatories. *Wells Eddleman*

The dispute re General Interrogatories G8 and G9 is the same  
as in my 8/8/83 motion to compel. I incorporate all my arguments re

them here as if fully set out at this point. Answers to my limited  
revision of G8 and G9 should be compelled for those reasons.

Re Interrogatory 75-6, pp 7-8 of 8-5 response, and objection  
thereto at page 8: This information is relevant. Applicants identify  
chlorination as their main means of controlling Corbicula at Harris.  
Their failures to chlorinate to stop bio-fouling of equipment needed  
to cool their other nuclear plants (or keep them cool in shutdown)  
is clearly relevant to the question of whether they will control  
Corbicula clams at Harris and so maintain safe shutdown capability there.  
Answers to these interrogatories (75-6 parts) therefore can lead  
to admissible evidence about CP&L's record in controlling bio-fouling  
by chlorination, as that may affect Harris operations. Applicants'

attempted distinction of organisms and (unspecified) technology are  
not relevant to this connection. Chlorine toxicity is generally the  
same mechanism, and failure to chlorinate is failure to chlorinate.

For the above reasons, Applicants should be compelled to answer 75-6 (all

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DOCKETED  
USNRC

Dockets 50-400  
and 50401 O.L.

AUG 24 AIO:23

CERTIFICATE OF SERVICE

I hereby certify that copies of 64f, 67 & 80 and re 75 and 83/84, and of  
a Motion to Compel Discovery re each set (64f, 67, 80; 75, 83/84) and of  
Eddleman Answers to Applicants' Interrogatories re 29 and 37B (2d round)  
HAVE been served this 19 day of August 1983, by deposit in

the US Mail, first-class postage prepaid, upon all parties whose  
names are listed below, except those whose names are marked with  
an asterisk, for whom service was accomplished by \_\_\_\_\_

\*Judge Kelley and CA Barth OFLD only for interrogatory responses  
among parties starred here

- \* Judges James Kelley, Glenn Bright and James Carpenter (1 copy each)  
Atomic Safety and Licensing Board  
US Nuclear Regulatory Commission  
Washington DC 20555

George F. Trowbridge (attorney for Applicants)  
Shaw, Pittman, Potts & Trowbridge  
1800 M St. NW  
Washington, DC 20036

\* Ruthanne G. Miller  
ASLB Panel  
USNRC Washington DC 20555

- \* Office of the Executive Legal Director  
Attn Dockets 50-400/401 O.L.  
USNRC  
Washington DC 20555

Phyllis Lotchin, Ph.D.  
108 Bridle Run  
Chapel Hill NC 27514

Docketing and Service Section (3x)  
Attn Dockets 50-400/401 O.L.  
Office of the Secretary  
USNRC  
Washington DC 20555

Dan Read  
CHANGE/FLP  
5707 Wavcross  
Raleigh, NC 27606

John Runkle  
CCNC  
307 Granville Rd  
Chapel Hill NC 27514

Karen E. Long  
Box 991  
Raleigh NC 27602

Dr. Linda W. Little  
Governor's Waste Mgt. Bd.  
513 Albemarle Bldg.  
325 N. Salisbury St.  
Raleigh, NC 27611

Travis Payne  
Edelstein & Payne  
Box 12607  
Raleigh NC 27605

\* Bradley W. Jones  
USNRC Region II  
101 Marietta St.  
Atlanta GA 30303

Richard Wilson, M.D.  
729 Hunter St.  
Apex NC 27502

Certified by

W. Eddleman