

# SHAW, PITTMAN, POTTS & TROWBRIDGE

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September 8, 1983

WRITER'S DIRECT DIAL NUMBER

822-1026

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

Re: H. B. Robinson Nuclear Generating  
Station, Unit 2, Docket No. 50-261 OL

Dear Judge Margulies:

With reference to your letter to me dated August 23, 1983, I enclose further letter agreement between the Harts-ville Group and Applicant's counsel settling all remaining discovery disputes in connection with the Hartsville Group Motion to Compel Applicant-Responses to Interrogatories and Requests to Produce Documents, dated July 11, 1983.

Respectfully submitted,

*George F. Trowbridge*  
George F. Trowbridge  
Counsel for Applicant

Enclosure

cc w/encl: Service List

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD 83-12 P12:33

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	
CAROLINA POWER & LIGHT COMPANY	)	Docket No. 50-261-OLA
	)	
(H. B. Robinson Steam Electric	)	ASLBP No. 83-484-03LA
Plant, Unit 2)	)	

SERVICE LIST

Administrative Judge Morton B. Margulies  
Chairman, Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

Administrative Judge David L. Hetrick  
Atomic Safety and Licensing Board  
Professor of Nuclear Engineering  
University of Arizona  
Tucson, Arizona 85721

Docketing & Service Section (3)  
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U.S. Nuclear Regulatory Commission  
Washington, D.C. - 20555

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Office of Executive Legal Director  
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B. A. Matthews  
Hartsville Group  
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Hartsville, South Carolina 29550

Dr. John C. Ruoff  
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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

Samantha Francis Flynn, Esq.  
Carolina Power & Light Company  
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September 1, 1983

WRITER'S DIRECT DIAL NUMBER

822-1026

Mr. B. A. Matthews  
The Hartsville Group  
P. O. Box 1089  
Hartsville, South Carolina 29550

Dear Mr. Matthews:

This will confirm our further agreements with respect to additional Hartsville Group interrogatories to which Licensee objected and with respect to which Hartsville Group has filed a motion to compel, with the result that agreement has now been reached between us on all discovery disputes covered by Hartsville Group's motion to compel.

Interrogatories 1-34, 1-36 and 1-38 (Disciplinary  
Actions and Allegations of Harassment)

Licensee will respond further to these interrogatories by September 30, 1983, subject to the following limitations:

- (1) Response to cover only CP&L employees involved in non-compliances covered by an NRC notice of violation since January 1, 1978.
- (2) Names and other personal identifying information will not be disclosed in Licensee's response.

Mr. B. A. Matthews  
September 1, 1983  
Page Two

Hartsville Group reserves the right to move the Board for an order requiring such disclosure with respect to specifically identified disciplinary actions or allegations of harassment. Licensee reserves the right to object and/or seek a protective order with respect to any such motion.

- (3) Licensee's response will be based on (a) a file search of documents related to the non-compliance and (b) review of the personnel records of the individual(s) involved.

On the basis of these commitments, the motion to compel is withdrawn.

Interrogatory 1-39 (Disagreements)

Licensee will make further inquiries of management personnel at the Brunswick, Harris and Robinson facilities who have been present at such facilities in a managerial capacity in the period January 1, 1978, to date to provide additional coverage of possible disagreements covered by this interrogatory during such period.

Licensee will also respond further to this interrogatory by September 30, 1983, based on a file search subject to the following limitations:

- (1) Response to cover only disagreements associated with non-compliances covered by an NRC Notice of violation since January 1, 1978.
- (2) Names and other personal identifying information will not necessarily be disclosed in Licensee's response. If not, Hartsville Group reserves the right to move the Board for an order compelling such disclosure with respect to specifically identified disagreements. Licensee reserves the right to object and/or seek a protective order with respect to any such motion.



Mr. B. A. Matthews  
September 1, 1983  
Page Three

- (3) Licensee's response will be based on a file search of documents related to the non-compliance.

On the basis of these commitments, the motion to compel is withdrawn.

Interrogatories 3-96 through 3-103 and 3-104(b) (Sleeving)

Hartsville Group withdraws its motion to compel taking into account the information that Licensee has already submitted to the NRC and to the Hartsville Group on the sleeving alternative and Licensee's representation that with respect to the sleeving alternative Applicant has not made additional studies or calculations necessary to respond to these interrogatories and does not intend to do so for its own purposes. On the same basis Hartsville Group withdraws Interrogatory 3-24 of its second set of interrogatories to Applicant.

Interrogatories 3-121 and 3-122 (Financial Forecasts)

In addition to previous answers to Hartsville Group's interrogatories, Licensee has committed to supply to Hartsville Group a supplemental report on the 15-year cost projection previously supplied to the NRC Staff and to the Hartsville Group comparing the steam generator replacement alternative with the alternative of retiring the Robinson 2 Unit. Licensee agrees that Hartsville Group may submit further discovery requests to Licensee based on any new information which may be contained in the supplemental report. Based on these commitments the motion to compel is withdrawn.

Interrogatories 8-27 and 8-28, and 8-41 through 8-43


Licensee withdraws its objections to these interrogatories and will answer them by September 30, 1983.

licensee's commitments to supply information are without prejudice to licensee's right to object to the introduction of such information in evidence on the ground that such information is outside the scope of Hartsville Group's constitutional

If this letter accurately reflects our agreements, please so indicate by signing and returning the enclosed copy. Licensee's counsel will submit a copy of the signed agreement to the licensing board.

Sincerely,

SHAW, PITTMAN, POTT & TROWBRIDGE

  
George F. Trowbridge  
Counsel for Licensee

Accepted:

  
Representative for The Hartsville Group

cc: Dr. John C. Ruoff  
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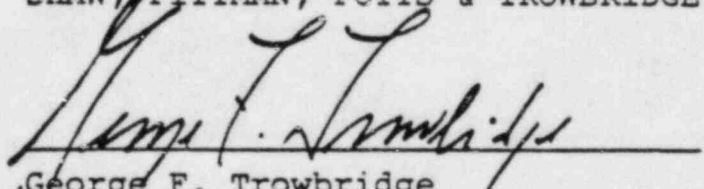
Mr. B. A. Matthews  
September 1, 1983  
Page Four

Licensee's commitments to supply information are without prejudice to Licensee's right to object to the introduction of such information in evidence on the ground that such information is outside the scope of Hartsville Group's contentions.


If this letter accurately reflects our agreements, please so indicate by signing and returning the enclosed copy. Licensee's counsel will submit a copy of the signed agreement to the Licensing Board.

Sincerely,

SHAW, PITTMAN, POTTS & TROWBRIDGE

  
George F. Trowbridge  
Counsel for Licensee

Accepted:

  
Representative for The Hartsville Group

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