

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARDOFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	Docket Nos. 50-413
Duke Power Company, <u>et al.</u>	)	50-414
	)	
(Catawba Nuclear Station,	)	March 25, 1984
Units 1 and 2)	)	
	)	

PALMETTO ALLIANCE AND CAROLINA ENVIRONMENTAL STUDY GROUP  
 RESPONSES TO APPLICANTS' INTERROGATORIES  
 AND REQUEST TO PRODUCE DOCUMENTS ON DIESEL GENERATOR  
 CONTENTION

Intervenors Palmetto Alliance and CESG hereby respond to Applicants' Interrogatories and Request to Produce Documents on Diesel Generator Contention. This response is made on the following basis:

As reflected in the Licensing Board February 23, 1984 Memorandum and Order (Referring Certain Diesel Generator Issues To The Appeal Board) Intervenors Palmetto and CESG advanced certain contentions with respect to the unreliability of the Transamerica Delaval Emergency Diesel Generators at Catawba on the record of the licensing hearing December 5, 1983. The Board announced its decision to admit only a portion of this contention in its decision announced February 17, 1984. Tr. 12,541-12,551. The contention as admitted by the Licensing Board reads as follows:

Applicants have not demonstrated a reasonable assurance that the TDI emergency diesel generators at the Catawba Nuclear Station can perform their safety function in service because of:

- (1) inadequate design of the crankshafts

The Board excluded the two additional aspects of Intervenor's diesel generator contention but provided for a referral of these aspects to the Appeal Board. The excluded aspects of the contention were:

- (2) deficiencies in quality assurance at TDI;
- (3) operating performance history of TDI generators at other nuclear facilities.

February 23, 1984 Order at p. 4. Intervenor has supported referral of these issues to the Appeal Board and has sought reversal of the Licensing Board's exclusion decision and remand of revised site-specific claims regarding the diesel generators for litigation in this proceeding. These matters remain pending before the Appeal Board.

The basis for Palmetto and CESC's December 5, 1983, diesel generator contention, which is the subject of Applicants' Interrogatories and Request for Production of Documents is reflected in the Board's February 23, 1984 Memorandum and Order at p. 1-5. As of December 5, 1983, Palmetto and CESC had available to them the NRC Staff's Board Notifications 83-160 and 83-160A of October 21, 1983 and November 17, 1983, respectively. The original Board Notification concluded that:

The identification of QA problems at TDI, taken together with the number of operational problems and the Shoreham crankshaft failure, has reduced the Staff's level of confidence in the reliability of all TDI diesel generators. The Staff will require, on a case-by-case basis, a demonstration these concerns are not applicable to specific

diesel generators because of subsequent inspections or testing performed specifically to address the above matters.

In the November 17, 1983 transmittal, the NRC Staff transmitted a report by Failure Analysis Associates with respect to the emergency diesel generator crankshaft at Shoreham. The Staff observed, "in its report the consultants concluded that the original design of the crankshaft was definitely inadequate and, therefore, it failed as a result of high cycle torsional fatigue." It was on the basis of these two Board Notifications and the failure report attached thereto that Intervenors claimed the crankshaft design aspect of the contention which has been admitted for litigation.

As the Board provided in its ruling admitting that aspect of Intervenors' diesel generator contention, Palmetto and CESG have served their interrogatories and requests for production of documents on Applicants and the NRC Staff on or before March 19, 1984. These discovery requests remain outstanding.

Palmetto and CESG have received only very limited information bearing on the admitted contention to this date. We have been recipients of generally-circulated materials served pursuant to the Board Notification process upon all parties to proceedings involving facilities with the TDI diesel generators. Such documentary materials are believed well known to Applicants and the NRC Staff since they are also indicated as recipients of such materials. In addition, Palmetto and CESG have received from Applicants a copy of their February 22, 1984 submittal in response

to questions by the NRC Staff. Further, by transmittal of March 11, 1984, Palmetto and CESG received from Applicants a February 20, 1984 submittal by Mississippi Power and Light Company with respect to the DSRV-16 model TDI diesel generator at its Grand Gulf facility. This diesel is ostensibly similar to the diesels at the Catawba facility and is, we understand, relied upon by Applicants for qualification of the reliability of the Catawba machines.

It is on the basis of the above background and information available to Palmetto and CESG that we respond to the discovery filed by Applicants. We note that Applicants' interrogatories, some 60 in number, are highly technical in character and call for the expression of expert opinion beyond that presently available to Intervenors. It is, indeed, ironic that Applicants who Intervenors believe to have failed in their responsibilities to assure an adequate design of their emergency diesel generator seek to place the burden of responding to highly technical questions regarding crankshaft design onto these Intervenors. As stated above, we rely for our concerns about the adequacy of the design of the Catawba diesel generator crankshaft on the objective evidence of failure at Shoreham and the expert analysis reflected in the Failure Analysis Associates' inclusion that deficient design by TDI was the root cause of the Shoreham failure. We are only left to express our concern that such design inadequacy may exist in the Catawba diesel generators likewise.

## REQUESTS FOR DOCUMENTS

Palmetto Alliance and CESG have identified above the exclusive class documents pertinent to this contention which are available to them. To reiterate briefly, Palmetto and CESG have been the receipt of generally-circulated documents served upon parties to proceedings involving facilities with TDI diesel generators by the NRC Staff pursuant to the Board Notification process. We believe Applicants to be familiar with these materials as recipients themselves. Further, Palmetto and CESG are in receipt and possession of documents regarding the TDI diesel generators which have been served upon them by Applicants themselves, including the 2/22/84 submittal to the NRC Staff and the 2/20/84 Mississippi Power and Light submittal regarding the Grand Gulf DSRV-16 diesel generators. Such documents are the only documents except for notes of counsel and other trial preparation work products which are pertinent to this contention and in Intervenor's possession. Palmetto and CESG will make available for inspection and copying any such material, not privileged, to Applicants upon reasonable prior notice.

## INTERROGATORIES

### A. General Interrogatories

1. These interrogatories are being answered by counsel for Palmetto Alliance upon consultation with Jesse L. Riley, the authorized representative of Carolina Environmental Study Group.
2. No such person has been identified at this time.

3., 4., 5. and 6. As previously stated, this contention is based upon the transmittal from the NRC Staff in the above identified Board Notifications and subsequent documents. With respect to the crankshaft design issue, such documents include the transmitted Failure Analysis Associates study of the Catawba crankshaft which, apparently, embodies the results of a number of calculations, tests, and experiments which are reflected therein.

B. Specific Interrogatories

Palmetto Alliance and Carolina Environmental Study Group are unable to provide answers to the following numbered specific interrogatories due to their lack of sufficient knowledge of the highly technical matters reflected therein. We do not believe that the answers to such interrogatories are readily ascertainable by us, but have not yet received answers to our March 19, 1983 interrogatories and requests of Applicants and the NRC Staff on this contention. Thus, we lack sufficient knowledge at present to answer the following numbered specific interrogatories. 1-5, 8, 9, 17-34, 40-58, and 60.

With respect to a number of other interrogatories contained in Applicants' discovery requests Palmetto and CESG are of the belief that answers to such questions might be within the expertise of Intervenor, but only as a result of extensive independent research and analysis. Such research and analysis is not presently available to Intervenor although such information may



be reflected in the yet unanswered interrogatories and requests for production made of Applicants and the NRC Staff and now pending. At present, therefore, Intervenor's lack sufficient knowledge to respond to the following numbered specific interrogatories: 6, 10, 12-16, 35-39, and 59.

11. Yes. On the basis of review of the Staff's Board Notification 83-160A and the attached "Emergency Diesel Generator Crankshaft Failure Investigation, Shoreham Nuclear Power Station" prepared by Failure Analysis Associates (October 31, 1983) Palmetto and CESG agree that the Shoreham diesel generator crankshaft failures were caused by high-cycle torsional fatigue.

Respectfully Submitted,

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March 25, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	Docket Nos. 50-413
	)	50-414
DUKE POWER COMPANY, <u>et al.</u>	)	
	)	March 25, 1984
(Catawba Nuclear Station,	)	
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CERTIFICATE OF SERVICE

I hereby certify that copies of PALMETTO ALLIANCE AND CESC RESPONSES TO APPLICANTS' INTERROGATORIES AND REQUEST TO PRODUCE DOCUMENTS ON DIESEL GENERATOR CONTENTION in the above captioned matter has been served upon the following by deposit in the United States mail this 25 th day of March, 1984.

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