

313.

RELATED CORRESPONDENCE

DOCKETED
USNRC

October 5, 1984

'84 OCT -9 110:58

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY)
AND NORTH CAROLINA EASTERN) Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant))

APPLICANTS' EMERGENCY PLANNING INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS
TO INTERVENOR WILSON (SECOND SET)

Pursuant to 10 C.F.R. §§ 2.740b and 2.741 and to the Atomic Safety and Licensing Board's "Final Set of Rulings On Admissibility of Offsite Emergency Planning Contentions, Ruling on Petition For Waiver of Need for Power Rule, and Notice of Upcoming Telephone Conference Call" (August 3, 1984), Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby request that Intervenor Richard Wilson answer separately and fully in writing, and under oath or affirmation, each of the following interrogatories, and produce and permit inspection and copying of the original or best copy of all documents identified in the responses to interrogatories below. Answers or objections to these interrogatories and responses or objections to the request for production of documents must be served no later than October 24, 1984.

DS03

These interrogatories are intended to be continuing in nature, and the answers should promptly be supplemented or amended as appropriate, pursuant to 10 C.F.R. § 2.740(e), should Dr. Wilson or any individual acting on his behalf obtain any new or differing information responsive to these interrogatories. The request for production of documents is also continuing in nature and Dr. Wilson must produce immediately any additional documents he, or any individual acting on his behalf, obtains which are responsive to the request, in accordance with the provisions of 10 C.F.R. § 2.740(e).

Where identification of a document is requested, briefly describe the document (e.g., book, letter, memorandum, transcript, report, handwritten notes, test data) and provide the following information as applicable: document name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person or persons having possession of the document. Also state the portion or portions of the document (whether section(s), chapter(s), or page(s)) upon which you rely.

Definitions. As used hereinafter, the following definitions shall apply:

"Applicants" is intended to encompass Carolina Power & Light Company, North Carolina Eastern Municipal Power Agency and their contractors for the Harris Plant.

"Offsite emergency plans" refers to the "North Carolina Emergency Response Plan In Support of The Shearon Harris Nuclear Power Plant," Parts 1-5.

"Document(s)" means all writings and records of every type in the possession, control or custody of Dr. Wilson or any individual acting on his behalf, 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 Dr. Wilson; a document shall be deemed to be within the "control" of Dr. Wilson or any individual acting on his behalf if they have ownership, possession or custody of the document or copy thereof, or have the right to secure the document or copy thereof, from any person or public or private entity having physical possession thereof.

General Interrogatories

1(a). State the name, present or last known address, and present or last known employer of each person known to you to have first-hand knowledge of the facts alleged, and upon which you relied in formulating allegations, in each of your contentions which are the subject of this set of interrogatories.

(b). Identify those facts concerning which each such person has first-hand knowledge.

(c). State the specific allegation in each contention which you contend such facts support.

2(a). State the name, present or last known address, and present or last employer of each person, other than affiant, who provided information upon which you relied in answering each interrogatory herein.

(b). Identify all such information which was provided by each such person and the specific interrogatory response in which such information is contained.

3(a). State the name, address, title, employer and educational and professional qualifications of each person you intend to call as an expert witness or a witness relating to any contention which is the subject of this set of interrogatories.

(b). Identify the contention(s) regarding which each such person is expected to testify.

(c). State the subject matter as to which each such person is expected to testify.

4(a). Identify all documents in your possession, custody or control, including all relevant page citations, pertaining to the subject matter of, and upon which you relied in formulating allegations in each contention which is the subject of this set of interrogatories.

(b). Identify the contention(s) to which each such document relates.

(c). State the specific allegation in each contention which you contend each document supports.

5(a). Identify all documents in your possession, custody or control, including all relevant page citations, upon which you relied in answering each interrogatory herein.

(b). Identify the specific interrogatory response(s) to which each such document relates.

6(a). Identify any other source of information, not previously identified in response to Interrogatory 2 or 5, which was used in answering the interrogatories set forth herein.

(b). Identify the specific interrogatory response(s) to which each such source of information relates.

7(a). Identify all documents which you intend to offer as exhibits during this proceeding to support the contentions which are the subject of this set of interrogatories or which you intend to use during cross-examination of witnesses presented by Applicants and/or the NRC Staff and/or the Federal Emergency Management Agency ("FEMA") Staff on each contention which is the subject of this set of interrogatories.

(b). Identify the contention(s) to which each document relates and the particular page citations applicable to each contention.

Interrogatories on Wilson 12(b)(2)

12(b)(2)-1. Provide all facts which would support your statement that "Evacuation time study itself is deficient because the 1 evacuating car/family assumption is too low -- many families would take two cars."

12(b)(2)-2(a). Describe in detail any and all changes you believe must be made in offsite emergency plans to meet the concerns expressed in Wilson 12(b)(2).

(b). Describe in detail the bases for your belief that such changes must be made.

12(b)(2)-3(a). Describe in detail any and all actions or changes (other than those described in your response to Interrogatory 12(b)(2)-2(a)) which you believe are necessary to meet the concern expressed in Wilson 12(b)(2).

(b). Describe in detail the bases for your belief that such actions or changes are necessary.

Interrogatories on Wilson 12(b)(3)

12(b)(3)-1. State whether you are aware that the estimate of 240 families (at page 3-2 of the evacuation time estimate study for the Harris plume EPZ) is the estimated number of families without transportation in the Wake County portion of the plume EPZ, not the entire Harris plume EPZ.

12(b)(3)-2. Identify all bases for your allegation that "the 240 family [sic] without transportation is too low."

12(b)(3)-3(a). State whether you believe that the estimate of 84 households without transportation in the Chatham County portion of the plume EPZ (at page 3-2 of the evacuation time estimate study for the Harris plume EPZ) is sufficiently accurate for planning purposes.

(b) If the answer to (a) above is other than affirmative, state the approximate number of families without transportation in the Chatham County portion of the plume EPZ, to the best of your knowledge, and specify the bases for your estimate.

12(b)(3)-4(a). State whether you believe that the estimate of 54 households without transportation in the Harnett County portion of the plume EPZ (at page 3-2 of the evacuation time estimate study for the Harris plume EPZ) is sufficiently accurate for planning purposes.

(b) If the answer to (a) above is other than affirmative state the approximate number of families without transportation in the Harnett County portion of the plume EPZ, to the best of your knowledge, and specify the bases for your estimate.

12(b)(3)-5(a). State whether you believe that the estimate of 32 households without transportation in the Lee County

portion of the plume EPZ (at page 3-2 of the evacuation time estimate study for the Harris plume EPZ) is sufficiently accurate for planning purposes.

(b) If the answer to (a) above is other than affirmative, state the approximate number of families without transportation in the Lee county portion of the plume EPZ, to the best of your knowledge, and specify the bases for your estimate.

12(b)(3)-6(a). State whether you believe that the estimate of 84 households without transportation in the Wake County portion of the plume EPZ (at page 3-2 of the evacuation time estimate study for the Harris plume EPZ) is sufficiently accurate for planning purposes.

(b) If the answer to (a) above is other than affirmative, state the approximate number of families without transportation in the Wake County portion of the plume EPZ, to the best of your knowledge, and specify the bases for your estimate.

12(b)(3)-7. Identify all bases for your assertion that "[m]any [families] have cars that are not in working order."

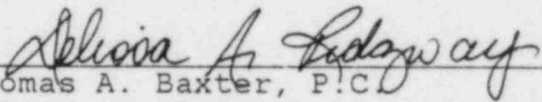
12(b)(3)-8. Describe any and all changes you believe must be made in the offsite emergency plan to meet the concerns expressed in Wilson 12(b)(3). Describe in detail the bases for your belief that such changes must be made.

12(b)(3)-9. Describe any and all actions you believe must be taken, or changes you believe must be made (other than those identified in answer to Interrogatory 12(b)(3)-8 above) to meet the concerns expressed in Wilson 12(b)(3). Describe in detail the bases for your belief that such actions must be taken and such changes made.

Request For Production of Documents

Applicants request that Intervenor Wilson respond in writing to this request for production of documents and produce the original or best copy of each of the documents identified or described in the answers to each of the above interrogatories, at a place mutually convenient to the parties.

Respectfully submitted,


Thomas A. Baxter, P.C.
Delissa A. Ridgway
SHAW, PITTMAN, POTTS & TROWBRIDGE
1800 M Street, N.W.
Washington, D.C. 20036
(202) 822-1000

Richard E. Jones
Samantha Francis Flynn
Dale Hollar
Hill Carrow

CAROLINA POWER & LIGHT
COMPANY
P.O. Box 1551
Raleigh, North Carolina 27602
(919) 836-7707

Counsel for Applicants

Dated: October 5, 1984

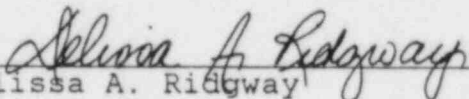
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	
and NORTH CAROLINA EASTERN)	Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear Power)	
Plant))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Emergency Planning Interrogatories and Request For Production of Documents To Intervenor Wilson (Second Set)" were served this 5th day of October, 1984, by deposit in the U.S. mail, first class, postage prepaid, upon the parties listed on the attached Service List.



Delissa A. Ridgway

Dated: October 5, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	
and NORTH CAROLINA EASTERN)	Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear Power)	
Plant))	

SERVICE LIST

James L. Kelley, Esquire
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

Dr. James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Charles A. Barth, Esquire
Janice E. Moore, Esquire
Office of Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

Mr. Daniel F. Read, President
CHANGE
Post Office Box 2151
Raleigh, North Carolina 27602

John D. Runkle, Esquire
Conservation Council of
North Carolina
307 Granville Road
Chapel Hill, North Carolina 2751

M. Travis Payne, Esquire
Edelstein and Payne
Post Office Box 12607
Raleigh, North Carolina 27605

Dr. Richard D. Wilson
729 Hunter Street
Apex, North Carolina 27502

Mr. Wells Eddleman
718-A Iredell Street
Durham, North Carolina 27705

Richard E. Jones, Esquire
Vice President and Senior Counsel
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

Dr. Linda W. Little
Governor's Waste Management Board
513 Albemarle Building
325 North Salisbury Street
Raleigh, North Carolina 27611

Bradley W. Jones, Esquire
U.S. Nuclear Regulatory Commission
Region II
101 Marietta Street
Atlanta, Georgia 30303

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

Mr. Robert P. Gruber
Executive Director
Public Staff - NCUC
Post Office Box 991
Raleigh, North Carolina 27602

Administrative Judge Harry Foreman
Box 395 Mayo
University of Minnesota
Minneapolis, Minnesota 55455

Spence W. Perry, Esquire
Associate General Counsel
FEMA
500 C Street, S.W., Suite 480
Washington, D.C. 20740