

May 1, 1985

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of

Carolina Power & Light Company and  
North Carolina Eastern Municipal  
Power Agency

(Shearon Harris Nuclear Power Plant)

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Docket No. 50-400 OL

DISCOVERY REQUESTS TO APPLICANTS ON  
CONTENTION WB-3 (DRUG ABUSE DURING CONSTRUCTION)

Pursuant to 10 C.F.R. 2.740b, now comes the Conservation Council with discovery requests to the Applicants on our Contention WB-3 (Drug Abuse During Construction) which was admitted by the Board in its Memorandum and Order (Ruling on Contentions Concerning Diesel Generators, Drug Use and Harassment at the Harris Site), dated March 13, 1985. Each answer is to be made separately and fully, in writing and under oath or affirmation. When any of the interrogatories below uses the term "drugs," it refers to illegal drugs, not over-the-counter medications. The term "worker(s)" includes all employees, CP&L or contract personnel, who do any portion of their jobs at the Harris construction site.

## GENERAL INTERROGATORIES

1-WB. State the name, present or last known address, and present or last known employer of each person known to the Applicants to have first-hand knowledge on which the responses to the specific interrogatories are based.

2-WB. Identify those facts concerning which each person identified in the response to 1-WB has knowledge.

3-WB. State the specific basis or facts which support each response.

4-WB. State the name, present or last known address, and present or last employer of each person who provided information upon which the Applicants relied in answering each interrogatory herein.

5-WB. Identify all such information which was provided by each such person and the specific interrogatory response in which such information is contained.

6-WB. State the name, address, title, employer and educational and professional qualifications of each person the Applicants intend to call as an expert or other witness at a hearing on this contention.

7-WB. State the subject matter to which each person identified in 6-WB is expected to testify.

8-WB. Identify all documents in Applicants' possession, custody, or control, including all relevant page citations, pertaining to the subject matter of this contention and upon which Applicants relied upon in formulating responses to these interrogatories.

9-WB. Identify all documents which Applicants intend to offer as exhibits at a hearing on this contention.

10-WB. State the name, present or last known address, and present or last known employer of each person referred to in any of the responses to these interrogatories, unless the interrogatory specifically allows names, et al., not to be given.

#### SPECIFIC INTERROGATORIES

11-WB. Do the Applicants admit to the veracity of the facts contained in the newspaper article titled "6 Arrested in Nuclear Plant Drug Probe," on page 1A of the Raleigh NEWS & OBSERVER, January 11, 1985, which was attached to the Conservation Council's Request for Admission of New Contention WB-3 (January 18, 1985)?

12-WB. If the answer to 11-WB is negative, which portions of the article are in Applicants' opinion not true or otherwise misleading?

13-WB. For each portion of the article described in 11-WB which Applicants do not admit to as true, please explain the basis for your assertion that that portion is not true or otherwise misleading?

14-WB. For each of the eight workers (which includes the six listed by name in the article and two more who had warrants issued for their arrest) identified in the article described in 11-WB, please describe the positions each held at the Harris construction site, the length of their employment at the site, the specific jobs which each performed (in detail enough that the an NRC inspector could locate the actual area where the work was performed), who their supervisors were during the different times of their employment at

the Harris site, the exact charges brought against each one, and whether the jobs each had performed were reinspected after their arrests.

15-WB. Has QA/QC conducted an audit of any of the specific construction areas where any of the workers identified in the article in 11-WB was working or had worked?

16-WB. If the answer to 15-WB was affirmative, please supply copies of any such QA/QC audit?

17-WB. Please supply copies of all inspection reports on the jobs performed by the workers identified above.

18-WB. At the present time, how many workers at the Harris site use drugs while on the site? (An answer giving the "best estimate" is adequate). Please break down by types of jobs performed by the workers using drugs on site (again, "best estimate" is adequate).

19-WB. How were the figures (or estimates) in 18-WB above derived? Please provide all bases and who exactly made the estimate.

20-WB. What types of drugs are used by workers identified in 18-WB above? (Again, "best estimate" is adequate).

21-WB. What is the Applicants' policy about workers using drugs while on site?

22-WB. Have any workers been fired, suspended, reprimanded, or had other adverse job actions taken against them for using drugs while on site?

23-WB. If the answer to 22-WB is affirmative, please describe all such actions, including the jobs being performed by the worker, what drug the worker was using, and whether any of the jobs performed by that worker was reinspected. (Names of workers are not required).

24-WB. Did the Applicants request the Wake County Sheriff's Department to investigate drug abuse at the Harris site, prior to the arrests of the workers identified in the article described in 11-WB?

25-WB. If the answer to 24-WB is affirmative, please describe who initiated the request, to whom on the Sheriff's Department the request was made, on what grounds such a request was made, and the date on which the request was made. Please provide any documentation (including letters, phone logs, etc.) of this request.

26-WB. What actions do the Applicants take to determine if any of the workers at the Harris site are using drugs while on the site? This includes, but is not limited to, searches of persons or property, urine sampling, and lie detector tests. Please describe each action in detail.

27-WB. Approximately how often are the actions in 26-WB conducted?

28-WB. Under what conditions are the actions in 26-WB conducted?

29-WB. What criteria is used by management to determine which workers are to be searched, etc., for possible drug abuse?

30-WB. How many workers have been determined to be using drugs from the actions described in 26-B?

31-WB. Please provide any documentation, including policy statement or manuals, which describe the Applicants' drug use policy.

32-WB. Do the Applicants have any education, employee development programs, or the like which pertain to the prevention of drug use while on the site?

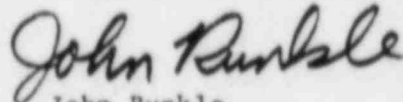
33-WB. If the answer to 32-WB is affirmative, please submit details of any such programs, including but not limited to the frequency given, who on the staff gives the program, who receives the program, and what the contents of any such program are.

34-WB. Do the Applicants have any drug rehabilitation program for Harris workers or recommend any such program for workers who may be using drugs on the site?

35-WB. If the answer to 34-WB is affirmative, please submit details of any such programs, including but not limited to the number of employees referred, who conducts the program, and what the contents of any such program are.

Please contact us if we can provide any needed clarification of the interrogatories above.

Respectfully submitted,



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CERTIFICATE OF SERVICE

RELATED CORRESPONDENCE

I hereby certify that copies of this Discovery Requests to Applicants on Contention WB-3 (Drug Abuse During Construction) were served on the following persons by deposit in the U. S. Mail, postage prepaid, or by hand-delivery.

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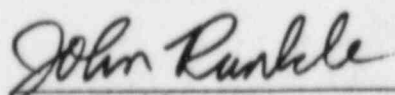
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This is the 1st day of May,  
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