

RAS 909

RELATED CORRESPONDENCE

DOCKETED
USNRC

'99 AUG 24 P3:52
August 23, 1999

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
CAROLINA POWER & LIGHT)	Docket No. 50-400-LA
COMPANY)	
(Shearon Harris Nuclear Power Plant))	ASLBP No. 99-762-02-LA

**APPLICANT'S RESPONSE TO GENERAL INTERROGATORIES AND
GENERAL DOCUMENT REQUESTS IN THE BOARD OF COMMISSIONERS
OF ORANGE COUNTY'S FIRST SET OF DISCOVERY REQUESTS**

Applicant Carolina Power & Light Company ("CP&L") files the following objections and responses to the "Orange County's First Set of Discovery Requests Directed to the Applicant" ("BCOC's First Discovery Requests"), an electronic copy of which was served on the Applicant on Friday, August 6, 1999. The Applicant is filing responses to the discovery requests in accordance with BCOC's request for a response within 15 days of its request, which is Monday, August 23, 1999. See 10 C.F.R. § 2.710.

I. GENERAL OBJECTIONS

These general objections apply to the Applicant's responses to all of BCOC's First Discovery Requests.

1. The Applicant objects to BCOC's instructions and definitions on the grounds and to the extent that they request or purport to impose upon the Applicant any

obligation to respond in manner or scope beyond the requirements set forth in 10 C.F.R. §§ 2.740, 2.741 and 2.742.

2. The Applicant objects to BCOC's discovery requests to the extent that they request discovery of information or documents protected under the attorney-client privilege, the attorney work product doctrine, and limitations on discovery of trial preparation materials and experts' knowledge or opinions set forth in 10 C.F.R. § 2.740 or other protection provided by law. The Applicant will provide BCOC with a Privilege Log that identifies documents subject to these privileges and protections, which the Applicant reserves the right to supplement.

3. The Applicant objects to BCOC's discovery requests to the extent they seek discovery beyond the scope of BCOC's two contentions, as admitted by the Board in this proceeding. BCOC is permitted only to obtain discovery on matters that pertain to the subject matter with which BCOC is involved in this proceeding. 10 C.F.R. § 2.740(b).

II. GENERAL DISCOVERY REQUESTS

A. GENERAL INTERROGATORIES

Pursuant to agreement between the Board of Commissioners of Orange County ("Orange County") and Carolina Power & Light Company ("CP&L"), these general interrogatories apply to both of Orange County's admitted contentions; are in addition to the fifteen interrogatories per contention allowed by the Board's July 29, 1999, Memorandum and Order; and are continuing in accordance with 10 C.F.R. § 2.740(e) through the end of the discovery period, October 31, 1999, as established in the Board's July 29, 1999 Memorandum and Order.

GENERAL INTERROGATORY NO. 1. State the name, business address, and job title of each person who supplied information for responding to these interrogatories, requests for admission, and requests for the production of documents. Specifically note for which interrogatories and requests for admissions each such person supplied information. For requests for production, note for which contention each such person supplied information.

APPLICANT'S RESPONSE: In addition to counsel for CP&L, the following persons supplied information in responding to BCOC's First Discovery Requests:

Interrogatories:

General Interrogatory No. 2 – None

General Interrogatory No. 3 – None

Document Production Requests:

R. Steven Edwards
Supervisor – Spent Fuel Project
Harris Nuclear Plant
Carolina Power & Light
P.O. Box 165 (HNP-14)
New Hill, NC 27562-0165
Contentions 2 and 3

Kevin W. Shaw
Senior Engineer
Harris Nuclear Plant
Carolina Power & Light
P.O. Box 165
New Hill, NC 27562-0165
Contentions 2 and 3

Mike DeVoe
Project Engineer
Nuclear Fuel Services
Carolina Power & Light
P.O. Box 1551
Raleigh, NC 27602-1551
Contention 2

Robert Kunita
Principal Engineer
Harris Nuclear Plant
Carolina Power & Light
P.O. Box 165
New Hill, NC 27562-0165
Contention 2

Jeff Lane
Mechanical Engineer
Harris Nuclear Plant
Carolina Power & Light
P.O. Box 165
New Hill, NC 27562-0165
Contention 3

GENERAL INTERROGATORY NO. 2. For each admitted Orange County contention, give the name, address, profession, employer, area of professional expertise, and educational and scientific experience of each person whom CP&L expects to provide sworn affidavits and declarations in the written filing for the Subpart K proceeding described in the Board's July 29, 1999, Memorandum and Order and the general subject matter on which each person is expected to provide sworn affidavits and declarations for the written filing. For purposes of answering this interrogatory, the educational and scientific experience of expected affiants and declarants may be provided by a resume of the person attached to the response.

APPLICANT'S RESPONSE: The following person has been identified as likely to provide a sworn affidavit or declaration in the written filing for the Subpart K proceeding:

R. Steven Edwards
Supervisor – Spent Fuel Project
Harris Nuclear Plant
Carolina Power & Light
P.O. Box 165 (HNP-14)
New Hill, NC 27562-0165
Area of professional expertise: plant engineering and project management¹
General subject matter: overall project, specifically Contention 3.

¹ A copy of Mr. Edwards' resume is attached to this response.

The Applicant has not yet selected any other person who will provide a sworn affidavit or declaration in the written filing for the Subpart K proceeding described in the Board's July 29, 1999 Memorandum and Order. The Applicant will supplement this response in accordance with 10 C.F.R. § 2.740(e) as it obtains further information.

GENERAL INTERROGATORY NO. 3. For each admitted Orange County contention, identify each expert on whom CP&L intends to rely on in its written filing for the Subpart K proceeding described in the Board's July 29, 1999 Memorandum and Order, the general subject matter on which each expert is expected to provide sworn affidavits and declarations for the written filing, the qualifications of each expert whom CP&L expects to provide sworn affidavits and declarations for the written filing, a list of all publications authored by the expert within the preceding ten years, and a listing of any other cases in which the expert has testified as an expert at a trial, hearing or by deposition within the preceding four years.

APPLICANT'S RESPONSE: The Applicant has not yet selected experts who will provide sworn affidavits or declarations in the written filing for the Subpart K proceeding described in the Board's July 29, 1999 Memorandum and Order. The Applicant will supplement this response in accordance with 10 C.F.R. § 2.740(e) as it obtains further information.

B. GENERAL DOCUMENT REQUESTS

The County requests the Applicant to produce the following documents directly or indirectly within its possession, custody or control.

REQUEST NO 1. All documents in your possession, custody or control that are identified, referred to or used in any way in responding to all of the above general interrogatories and the following interrogatories and requests for admissions relating to specific contentions.

APPLICANT'S RESPONSE: No documents were identified, referred to, or used in responding to the above general interrogatories.

REQUEST NO. 2. All documents in your possession, custody or control relevant to each Orange County admitted contention, and to the extent possible, segregated by contention and separated from already produced documents.

APPLICANT'S RESPONSE: The Applicant will make available nonobjectionable, responsive documents relevant to each BCOC admitted contention, sorted by contention to the extent possible, in a document repository located at CP&L's offices in Raleigh, North Carolina, beginning on Friday, September 3, 1999. BCOC should contact Steven Carr, counsel for CP&L, at (919)546-4161 to gain access to the CP&L's document repository.

REQUEST NO. 3. All documents (including experts' opinions, workpapers, affidavits, and other materials used to render such opinion) supporting or otherwise relating to testimony or evidence that you intend to use in your Subpart K presentation and/or the hearing on each Orange County admitted contention.

APPLICANT'S RESPONSE: Applicant objects to this Request as being overly broad, vague, unduly burdensome and seeking privileged material. Applicant will provide nonobjectionable, responsive documents, with respect to its experts, that are relevant to the two BCOC admitted contentions at its document repository at CP&L's offices in Raleigh, North Carolina, beginning on Friday, September 3, 1999.

REQUEST NO. 4. A current and fully updated version of the Final Safety Analysis Report ("FSAR") and Technical Specifications ("Tech Specs") for the Harris nuclear power plant.

APPLICANT'S RESPONSE: Applicant objects to this Request as being overly broad and unduly burdensome. The Harris Plant Final Safety Analysis Report ("FSAR") and Technical Specifications ("Tech Specs") address many areas far beyond the scope of the two BCOC contentions admitted by the Board in its Memorandum and Order (Ruling

on Standing and Contentions), dated July 12, 1999. The sections of the FSAR and Tech Specs that are outside of the scope of the contentions as admitted are not "reasonably calculated to lead to the discovery of admissible evidence." See 10 C.F.R. § 2.740(b)(1). In addition, such non-relevant sections comprise thousands of pages of voluminous documents, the production of which would be unduly burdensome on the Applicant. The Applicant will provide those sections of the Harris Plant FSAR and Tech Specs that are relevant to the two BCOC admitted contentions at its document repository at CP&L's offices in Raleigh, North Carolina, beginning on Friday, September 3, 1999.

C. SPECIFIC DOCUMENT REQUESTS

The Applicant will respond to BCOC's specific document requests within 30 days following service of BCOC's First Discovery Requests, in accordance with 10 C.F.R. § 2.741.

Respectfully submitted,



John H. O'Neill, Jr.
William R. Hollaway
SHAWPITTMAN
2300 N Street, N.W.
Washington, D.C. 20037-1128
(202) 663-8294
Counsel For CAROLINA POWER &
LIGHT COMPANY

Of Counsel:
Steven Carr
Legal Department
CAROLINA POWER & LIGHT
COMPANY
411 Fayetteville Street Mall
Post Office Box 1551 – CPB 13A2
Raleigh, North Carolina 27602-1551
(919) 546-4161

Dated: August 23, 1999

R. Steven Edwards

Summary: Seventeen years experience in engineering, project management and outage management.

EXPERIENCE: Carolina Power & Light Company, June 1982 - Present

Supervisor, Spent Fuel Pool Project, Harris Plant, Nuclear Engineering (April 1998 - Present)

Project manager for Harris spent fuel pool 'C' and 'D' activation projects including spent fuel pool cooling and cleanup system completion, spent fuel storage rack design and installation, pool cleanup, and related activities. Responsible for all aspects of scope, cost, schedule and quality of projects. Responsible for study, design and implementation activities. Supervise multi-disciplined modification engineering staff that includes mechanical, civil and electrical engineers that develop plant design change modifications, oversee architect/engineer designs, write procedures, perform 10CFR50.59 analyses, perform ANSI N45.2.11 design verification reviews, and perform owner reviews of A/E developed modifications and calculations. Manage activities of various A/E engineers performing design activities including Bechtel, Sargent & Lundy, Duke Engineering, Raytheon, Protopower and Holtec. Responsible for development of License Amendment Request for SFP Activation project. Provide technical support to spent fuel communications team. Perform root cause evaluations. Serve as Emergency Response Organization Company Technical Spokesperson.

Manager of Projects, Nuclear Engineering (July 1996 - April 1998)

Project manager responsible for scope, cost, schedule and quality of various nuclear projects. Responsible for A/E design and analysis. Managed outsource engineering activities (scope development, schedule & cost management, AE negotiations & interface) for preferred and specialty engineering AE's and contractors. Provided group-wide oversight and administration of project management and economic evaluation processes, procedures and activities. Responsible for three-phase project authorization including value-added technical and financial review of projects requiring executive approval. Delivered economic evaluation module at NGG Business Concepts Course. Taught Project Cost Management module for Project Management Institute (PMI) project manager certification course. Developed and delivered various project management/ project controls presentations to industry groups such as Integrated Scheduling & Planning Utility Group (ISPUG) and Institute for International Research Budgeting and Forecasting Conference.

Director - Project Control, Nuclear Business Operations/ Operations & Environmental Support (October 1994 - July 1996)

Provided group-wide oversight and administration of project management and economic evaluation processes and activities. Lead development of NGG project management procedure. Responsible for three-phase project authorization. Developed and delivered project management and economic analysis training to plant personnel focusing on fundamentals and NGG specifics. Delivered various project management related presentations to industry groups and internal company management. Managed implementation of integrated project cost/schedule reporting system that combined FAIM financial data with Prestige schedule information. Developed and delivered economic evaluation module of NGG Business Concepts Course. Managed project budgeting team that implemented process to use Prestige schedule and resource data to build budget for

R. Steven Edwards

plant projects. Facilitated development of Long Range Planning process at each nuclear plant. Project management peer group facilitator.

Director - Information Architecture (Nuclear), Management Services (August 1992 - October 1994)

Served as management-level liaison and project manager for nuclear related information technology projects. Provided technical and business process perspective for corporately implemented nuclear I/T projects. Coordinated the development of the nuclear portion of the Corporate Information Technology (I/T) Plan including administration of project prioritization process. Evaluated NGG generated requests for I/T products and services including evaluation of business justification, development of cost/benefit analyses and approval of I/S resource allocations.

Project Engineer - Mechanical Systems, Technical Support, Robinson Plant
(June 1991 - August 1992)

Managed staff of four system engineers and two component engineers responsible for operation, performance, reliability and maintenance of various plant NSSS, support and secondary mechanical systems and equipment such as high head safety injection, low head SI/residual heat removal, containment spray, reactor coolant pumps, liquid & gaseous waste disposal, steam generator blowdown, HVAC, make up water treatment, condensate polishing, etc. Provided extensive coaching and mentoring to staff with varied experience/education levels in development of their customer focused, performance oriented system and component engineering skills. Served as refueling outage Technical Support Shift Manager responsible for timely and successful completion of all engineering related outage activities through coordination of efforts with operations, maintenance, corporate engineering and other site management as well as supervision of engineers assigned to emergent activities and planned projects. Served on Emergency Response Organization as Accident Assessment Team - Mechanical Engineer and Emergency Communicator.

System Engineer - Mechanical Systems, Technical Support, Robinson Plant
Senior Engineer (July 1988 - June 1991); Engineer (November 1986 - July 1988)

Supervised staff of contract engineers responsible for specific projects including plant performance monitoring, procedure rewrite, backlog assessment, engineering training program, and work management system development (1990-1991).

System engineer responsible for operation, performance, reliability and maintenance of various mechanical systems including all plant HVAC, containment vessel (civil and support systems), LHSI/RHR, containment spray, post accident containment venting/H2 recombiner, primary and post-accident sampling, etc. (1986-1990). As system engineer, monitored system/equipment performance; performed surveillance tests; developed engineering evaluations, temporary plant modifications, procedures, 10CFR50.59 safety analyses, ANSI N45.2.11 design verification reviews, procurement engineering reviews, etc. Provided oversight to maintenance staff in troubleshooting system/equipment problems. Conducted root cause analyses. Served on Emergency Response Organization as Accident Assessment Team - Mechanical Engineer and Emergency Communicator.

R. Steven Edwards

**Outage Planning and Scheduling Engineer, Outage Management, Robinson Plant
Engineer (June 1984 - November 1986); Associate Engineer (June 1982 - June 1984)**

Responsible for planning, scheduling and execution of outages and major projects. Developed detail and summary level schedules for forced outages, refueling outages, steam generator replacement outage and normal operating periods using manual CPM and ARTEMIS project management system. Led plan-of-day meetings. Served as field coordinator in outage management organization for major projects such as S/G eddy current.

PROFESSIONAL DEVELOPMENT: Attended American Management Association Project Management and Financial Analysis training, Reengineering Fundamentals Seminar, Harvard University In-Place Filter Testing Workshop, industry sponsored ANSI N510 Fan and Filter Testing Workshop, and NCSU Fundamentals of HVAC Design. Participated in company sponsored technical, project management and management/supervisory development training. Engineer in Training Certification - State of North Carolina.

EDUCATION: Bachelor of Science in Industrial Engineering, North Carolina State University, May 1982

DOCKETED
USNRC

'99 AUG 24 P3:52

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF THE
RULEMAKING AND
ADJUDICATION

Before the Atomic Safety and Licensing Board

In the Matter of)
)
CAROLINA POWER & LIGHT) Docket No. 50-400-LA
COMPANY)
(Shearon Harris Nuclear Power Plant)) ASLBP No. 99-762-02-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Applicant's Response to General Interrogatories and General Document Requests in the Board of Commissioners of Orange County's First Set of Discovery Requests," dated August 23, 1999, was served on the persons listed below by U.S. mail, first class, postage prepaid, and by electronic mail transmission, this 23th day of August, 1999.

G. Paul Bollwerk, III, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: gpb@nrc.gov

Frederick J. Shon
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: fjs@nrc.gov

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: psl@nrc.gov

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications
Staff
e-mail: hearingdocket@nrc.gov
(Original and two copies)

Susan L. Uttal, Esq.
Richard G. Bachmann, Esq.
Office of the General Counsel
Mail Stop O-15 B18
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
e-mail: harris@nrc.gov

Diane Curran, Esq.
Harmon, Curran, Spielberg &
Eisenberg, L.L.P.
1726 M Street, N.W., Suite 600
Washington, D.C. 20036
e-mail: dcurran@harmoncurran.com

* Adjudicatory File
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

James M. Cutchin, V, Esq.
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: jmc3@nrc.gov

* by mail only



William R. Hollaway