

RELATED CORRESPONDENCE

January 25, 2002

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

February 22, 2002 (9:16AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of:)
)
Dominion Nuclear Connecticut, Inc.)
)
(Millstone Nuclear Power Station,)
Unit No. 3))

Docket No. 50-423-LA-3

ASLBP No. 00-771-01-LA-R

DOMINION NUCLEAR CONNECTICUT'S FIRST SET OF INTERROGATORIES AND
DOCUMENT REQUEST IN THE REOPENED PROCEEDING DIRECTED TO
CONNECTICUT COALITION AGAINST MILLSTONE AND
LONG ISLAND COALITION AGAINST MILLSTONE

In accordance with the schedule established in the Atomic Safety and Licensing Board ("Licensing Board") Memorandum and Order (Telephone Conference Call, 10/31/01; Schedules for Proceeding), issued on November 5, 2001, Dominion Nuclear Connecticut, Inc. ("DNC") hereby requests the Connecticut Coalition Against Millstone ("CCAM") and the Long Island Coalition Against Millstone ("CAM") (collectively, "Intervenors") to answer this set of interrogatories fully, in the fullest detail possible, in writing and under oath, within 14 days after service of this request in accordance with 10 C.F.R. § 2.740b and provide the requested documents within 30 days pursuant to 10 C.F.R. § 2.741.

I. DEFINITIONS AND INSTRUCTIONS

1. These interrogatories cover all information in the possession, custody, and control of Intervenors, including information in the possession of employees, agents, representatives, attorneys, consultants, or other persons directly or indirectly employed or retained by them or

voluntarily working with them, or anyone else acting on Intervenors' behalf or otherwise subject to their control.

2. If Intervenors currently lack information to answer any interrogatory completely, please state:

1. the reasons for the lack of information;
2. the responsive information currently available;
3. the responsive information identified but currently unavailable; and
4. when such information will become available.

Each of the following requests requires supplementation in accordance with 10 C.F.R. §§ 2.740(e)(1) – (2).

3. If privilege is claimed as grounds for not answering an interrogatory or if the interrogatory is otherwise objected to, describe fully the legal and/or factual basis for the claim of privilege or other objection in sufficient detail to allow the Atomic Safety and Licensing Board to adjudicate the validity of the claim or objection.

4. When an interrogatory requires Intervenors to “state the basis” or give a “description” of a claim, contention, request for remedy, allegation or the like, please provide a complete summary in which the rationale for the position and all pertinent facts, including the identify of persons, dates, documents, and events, are included.

5. For each interrogatory, identify all documents that support, refer, or relate to the subject matter of the interrogatory and the answer thereto.

6. References to Connecticut Coalition Against Millstone, CCAM, Long Island Coalition Against Millstone, CAM, Intervenors, “you,” and “your” refer to any branch, department, division, or other affiliate of the Intervenors, including its employees, agents,

representatives, attorneys, consultants, or other persons directly or indirectly employed or retained by them or voluntarily working with them, or anyone else acting on Intervenors' behalf or otherwise subject to its control.

7. References to "documents" mean any written or graphic matter of any kind, or any data compilation, no matter how produced, recorded, stored, or reproduced (including electronic, mechanical, or electronic records or representation of any kind) including, but not limited to, any writing, letter, telegram, facsimile, meeting minutes, meeting notes, memorandum, statement, computer file, book, record, survey, map, study, handwritten note, working paper, chart, tabulation, graph, tape, data sheet, database, data processing card, printout, microfilm or microfiche, interoffice and intraoffice communications, instructions, reports, demands, schedules, notices, recordings, analyses, sketches, manuals, brochures, telephone minutes, calendars, accounting ledgers, invoices, indices, notebooks, personal notes, diary entries, electronic mail, notes of interview, communication, contracts, any other agreements, data compilations, and all other writings and papers similar to any of the foregoing, however designated by you, including all drafts of all such documents.

8. The words "describe" or "identify" shall have the following meanings:

a. In connection with a person, the words "describe" or "identify" mean to state the name, last known business address, last known business telephone number, and last known place of employment and job title;

b. In connection with a document, the words "describe" or "identify" mean to give a description of each document sufficient to uniquely identify it among all of the documents related to this matter, including, but not limited to, the name of the author of the document, the name of each person or entity signing or approving the document, the date on

which the document was prepared, signed, and/or executed, and any other information necessary to adequately identify the document;

c. In connection with any activity, occurrence, or communication, the words “describe” or “identify” mean to describe the activity, occurrence, or communication, the date of its occurrence, the identity of each person alleged to have had any involvement with or knowledge of the activity, occurrence, or communication, and the identity of any document recording, referencing or documenting such activity, occurrence, or communication.

II. INTERROGATORIES

Interrogatory 1

Identify each person who supplied information for responding to these interrogatories. Specifically note the interrogatories for which each such person supplied information.

Interrogatory 2

Identify each person whom Intervenors expect to provide sworn affidavits or declarations in connection with the written filing for this Subpart K proceeding, and each person who would testify in any subsequent evidentiary hearing. For each person identified, describe that person’s professional affiliation, address, area of professional expertise, qualifications, and educational and scientific experience. Also, describe the general subject matter on which each such identified person is expected to provide sworn affidavits or testimony in this proceeding.

Interrogatory 3

Identify each document that Intervenors expect to submit, reference, cite, or otherwise rely upon in the written filing in this Subpart K proceeding.

Interrogatory 4

Identify and give a description of any specific relief, remedy, corrective actions, order, or other action that Intervenors will request in connection with the reopened Contention 4 in this Subpart K proceeding and state the basis for such request.

Interrogatory 5

Identify and describe each Millstone Unit 1 spent fuel pool procedure or other administrative control whose non-compliance or inadequacy Intervenors assert resulted in or contributed to the loss or misplacement of the two fuel rods reported missing by Licensee Event Report 2000-02-00 (filed on January 11, 2001). This response should identify:

- (a) the specific provision of each procedure or administrative control with which the Licensee did not comply, or which was inadequate to protect public health and safety; and
- (b) the acts of the Licensee that would have constituted compliance, or such terms of the procedure or administrative control that would have sufficiently protected public health and safety.

Interrogatory 6

Identify and describe each Millstone Unit 3 spent fuel pool procedure or other administrative control that Intervenors assert is brought into question by any Unit 1 inadequacy or non-compliance identified in response to Interrogatory 5, either in terms of:

- (a) the adequacy of the Unit 3 procedure or administrative control itself; or
- (b) the ability or willingness of the current Licensee to implement such procedures or administrative controls to protect public health and safety.

Interrogatory 7

For each Millstone Unit 1 and Unit 3 spent fuel pool procedure or administrative control identified in response to the preceding two interrogatories, identify and describe, in specific detail, each commonality in the substance, purpose, or execution of such procedures or administrative controls, as between Unit 1 and Unit 3, that Intervenor asserts renders the Unit 3 procedure or administrative control susceptible to inadequacy or non-compliance.

Interrogatory 8

List all reasons that Intervenor will assert to support a conclusion that Dominion Nuclear Connecticut will not or cannot comply with the Millstone Unit 3 administrative controls that support the license amendment at issue in this Subpart K proceeding to prevent a criticality accident in the Unit 3 spent fuel pool.

Interrogatory 9

State whether Intervenor will assert that loss of one or more individual fuel rods (removed from a fuel assembly) would lead to a nuclear criticality accident in the Millstone Unit 3 spent fuel pool. If so, state the basis for this position and list all reasons that will be given in the written filing in this Subpart K proceeding. Specifically identify how many fuel rods would need to be lost to cause a criticality accident.

III. DOCUMENT REQUEST

Document Request 1

Provide a copy of any document identified in response to Interrogatory 3.

Respectfully submitted,

A handwritten signature in black ink that reads "David A. Repka". The signature is written in a cursive style and is positioned above a horizontal line.

David A. Repka
Donald P. Ferraro
WINSTON & STRAWN
1400 L Street, NW
Washington, D.C. 20005-3502

Lillian M. Cuoco
DOMINION NUCLEAR CONNECTICUT, INC.
Millstone Power Station
Building 475/5
Rope Ferry Road (Route 156)
Waterford, CT 06385

Counsel for DOMINION NUCLEAR
CONNECTICUT, INC.

Dated in Washington, D.C.
this 25th day of January 2002

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)
)
Dominion Nuclear Connecticut, Inc.) Docket No. 50-423-LA-3
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(Millstone Nuclear Power Station,) ASLBP No. 00-771-01-LA-R
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Unit No. 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of "Dominion Nuclear Connecticut's First Set of Interrogatories and Document Request in the Reopened Proceeding Directed to Connecticut Coalition Against Millstone and Long Island Coalition Against Millstone" in the captioned proceeding have been served on the following by deposit in the United States mail, first class, this 25th day of January 2002. Additional e-mail service has been made this same day as shown below.

Charles Bechhoefer, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(e-mail: cxb2@nrc.gov)

Dr. Richard F. Cole
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(e-mail: rfc1@nrc.gov)

Dr. Charles N. Kelber
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(e-mail: cnk@nrc.gov)

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attn: Rulemakings and Adjudications Staff
(original + two copies)
(e-mail: HEARINGDOCKET@nrc.gov)

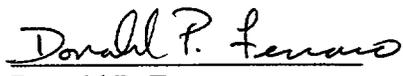
Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Adjudicatory File
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Ann P. Hodgdon, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(e-mail: aph@nrc.gov)

Nancy Burton, Esq.
147 Cross Highway
Redding Ridge, CT 06876
(e-mail: nancyburtonsq@hotmail.com)

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


Donald P. Ferraro
Donald P. Ferraro
Counsel for DNC, Inc.