

UNITED STATES OF AMERICA  
 NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
HOUSTON LIGHTING AND POWER COMPANY,	)	Docket Nos. 50-498
<u>ET AL.</u>	)	50-499
(South Texas Project, Units 1 and 2)	)	

NRC STAFF INTERROGATORIES TO, AND REQUEST FOR DOCUMENTS  
 FROM, CITIZENS CONCERNED ABOUT NUCLEAR POWER

The NRC Staff hereby requests that the Intervenor, Citizens Concerned About Nuclear Power (CCANP), pursuant to 10 CFR §§ 2.740b and 2.741, answer separately and fully, in writing under oath or affirmation, the following interrogatories and produce or make available for inspection and copying, all documentary material identified in the responses to interrogatories below by December 21, 1979.<sup>1/</sup> Each response to the interrogatories below shall be under oath or affirmation of the individual(s) who contributed thereto. For all references requested in these interrogatories, identify them by author, title, date of publication and publisher if the reference is published, and if it is not published, identify the document by the author, title, the date it was written, the qualifications of the author relevant to this proceeding, and where a copy of the document may be obtained.

<sup>1/</sup> See Board's Order dated August 3, 1979 which sets forth the discovery schedule in this proceeding, at 10.

1503 321

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Contention No. 1<sup>2/</sup>

There is no reasonable assurance that the activities authorized by the operating license for the South Texas Nuclear Project can be conducted without endangering the health and safety of the public in that:

1. There has been a surveying error which has resulted in the eastern edge of the Unit 2 Mechanical Electrical Auxiliary Building being constructed one (1) foot short (in the east-west direction) from its design location. This error violates 10 CFR Part 50, Appendix B, Sections X and XI.
2. There has been field construction error and as a result, extensive voids exist in the concrete wall enclosing the containment building, in violation of 10 CFR Part 50, Appendix B, Sections IX and X.
3. In violation of Quality Assurance and Quality Control requirements applicable to the South Texas Nuclear Project with regard to document control (10 CFR Part 50, Appendix B, Sections VI and XVII), a field document relating to cadweld inspections has been lost.
4. There are membrane seals in the containment structure which are damaged, indicating a violation of 10 CFR Part 50, Appendix B, Sections X, XV and XVI.

2/ The numbering and wording of the contentions stated in these interrogatories conforms to that accepted by the Atomic Safety and Licensing Board in its Memorandum and Order dated August 3, 1979.

5. There are steel reinforcement bars which are missing from the concrete around the equipment doors in the containment and such bars are missing from the containment structure as well, indicating violations of 10 CFR Part 50, Appendix B, Sections X, XV and XVI.
  
6. There are cadwelds which have been intergrated into parts of the plant structure which are not capable of being verified with regard to compliance with 10 CFR Part 50, Appendix B, in violation of Sections IX and X of Appendix B.
  
7. Quality Control as per the requirements of 10 CFR Part 50, Appendix B, in particular Sections III and IX, has not been complied with, because:
  - a. Efforts by quality control inspections to verify that design changes were executed in accordance with the purposes of the original design were repeatedly and systematically thwarted.
  
  - b. There were personnel other than the original designer approving design changes with no first hand knowledge of the purpose of the original design.
  
  - c. There were design changes providing by personnel unqualified in the type of design where the change was made.

- d. There were numerous pour cards that were supposed to record the correct execution of concrete pours which were falsified by numerous persons.
- e. There has been and continues to be assaults on the Applicant's quality control inspections, continual threats of bodily harm to those inspectors, firing of inspectors, and other acts constituting a pattern of behavior designed to intimidate the inspectors. As a result of the intimidations, certain inspections were never done because the inspectors decided to play cards over a period of four months rather than risk their safety on the plant grounds.

As a result of the foregoing, the Commission cannot make the findings required by 10 CFR §§ 50.57(a)(1) and (2) necessary for issuance of an operating license for the South Texas Nuclear Project.

- 1-1 a. Upon what person or persons do you rely to substantiate your case on Contention 1?
- b. Provide the addresses and education and professional qualifications of any persons named in your response to a. above.
  - c. Identify which of the above persons you intend to call as witnesses on this contention.

1503 324

- 1-2 Provide summaries of the views, positions or proposed testimony on Contention No. 1 of all persons named in response to Interrogatory 1-1, that you intend to present during this proceeding.
  
- 1-3 State the specific bases and references upon which the persons in Interrogatory 1-1 rely to substantiate their views regarding Contention 1.
  
- 1-4 Identify (noting the basis for each identification) the location of the voids which "exist in the concrete wall enclosing the containment building".
  
- 1-5 Identify the "field document relating to cadweld inspections" that you assert has been lost.
  
- 1-6 Identify (noting the basis for each identification) the specific location of the "membrane seals in the containment structure which are damaged".
  
- 1-7 Identify (noting the basis for each identification) the specific location of the "missing reinforcement bars".
  
- 1-8 Identify (noting the basis for each identification) the specific location of the cadwelds "which are not capable of being verified".

- 1-9 Specifically identify all "efforts" referred to in Contention 1.7.a. and explain in detail how these "efforts" were "thwarted".
- 1-10 Identify the "personnel" in Contention 1.7.b as well as your bases for your belief that such "personnel" had no "knowledge of the purpose of the original design".
- 1-11 Identify the "personnel" in Contention 1.7.c as well as your bases for your belief that such "personnel" were "unqualified in the type of design where the change was made".
- 1-12 Identify: a) which pour cards referenced in Contention 1.7.d were "falsified" and indicate what areas of the facility are affected, if any, explaining the bases for your belief that the alleged falsification would affect the facility and its ability to operate safely; and b) the names of the persons who "falsified" the pour cards as well as the dates (as accurately as possible) of such falsification.
- 1-13 Identify the type, extent, and date of the assaults referenced in Contention 1.7.e as well as the names of those persons involved with each assault.
- 1-14 Identify all instances of "threats of bodily harm", "firing", and "behavior designed to intimidate" referenced in Contention 1.7.e describing for each instance the names of the persons involved.

1-15 Identify all the inspections (giving dates and specific detail with respect to what was to be inspected) that were never done as a result of the "intimidations" referenced in Contention 1.7.e. In addition, state the names of the persons who were to conduct each of these inspections.

1-16 Identify all documentary or other material that you intend to use during this proceeding to support this contention and that you intend to offer as exhibits on this contention or refer to during your cross-examination of witnesses presented by applicants and/or the NRC Staff.

Contention No. 2

NRC inspection records (Inspection and Enforcement Reports #77-03, 2/77; #77-03, 4/77, and #77-08, 5/78) indicate that South Texas Project construction records have been falsified by employees of Houston Lighting and Power Company and Brown and Root, in violation of 10 CFR Part 50, Appendix B, Section VI and XVII.

As a result, the Commission cannot make the findings required by 10 CFR §§ 50.57(a)(1) and (2).

2-1 a. Upon what person or persons do you rely to substantiate your case on Contention 2?

1503 327

- b. Provide the addresses and education and professional qualifications of any persons named in your response to a. above.
  - c. Identify which of the above persons you intend to call as witnesses on this contention.
- 2-2 Provide summaries of the views, positions or proposed testimony on Contention No. 2 of all persons named in response to Interrogatory 2-1, that you intend to present during this proceeding.
- 2-3 State the specific bases and references upon which the persons in Interrogatory 2-1 rely to substantiate their views regarding Contention 2.
- 2-4 Indicate in detail what aspects or language of the Inspection Reports cited in Contention 2 support your assertion that STP construction records have been falsified by employees of Houston Lighting and Power Company and Brown and Root. In addition, set forth the names of those employees referenced in Contention 2 who falsified STP construction records, indicating how and when these documents were falsified.
- 2-5 Identify all documentary or other material that you intend to use during this proceeding to support this contention and that you intend to offer as exhibits on this contention or refer to during your cross-examination of witnesses presented by applicants and/or the NRC Staff.



Contention No. 3

South Texas Project Units 1 and 2 are pressurized water reactors. Such reactors have experienced about thirty reported instances (most of which occurred during startup or shutdown) in which temperature-pressure limits of the reactor vessels (as reflected in plant technical specifications) in the reactor coolant-system have caused excessive pressures on reactor pressure vessels. The South Texas Nuclear project does not incorporate design features or administrative procedures which are adequate to prevent or ameliorate such pressure transients nor have any technical specifications been proposed for this purpose. The South Texas Nuclear Project will, therefore, not be in compliance with 10 CFR Part 50.

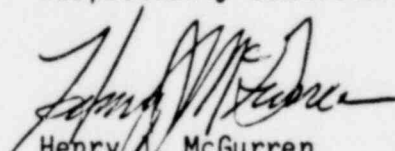
- 3-1 a. Upon what person or persons do you rely to substantiate your case on Contention 3?
- b. Provide the addresses and education and professional qualifications of any persons named in your response to a. above.
- c. Identify which of the above persons you intend to call as witnesses on this contention.
- 3-2 Provide summaries of the views, positions or proposed testimony on Contention No. 3 of all persons named in response to Interrogatory 3-1, that you intend to present during this proceeding.

1503 329

3-3 State the specific bases and references upon which the persons in Interrogatory 3-1 rely to substantiate their views regarding Contention 3.

3-4 Identify all documentary or other material that you intend to use during this proceeding to support this contention and that you intend to offer as exhibits on this contention or refer to during your cross-examination of witnesses presented by applicants and/or the NRC Staff.

Respectfully submitted,



Henry D. McGurren  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 5th day of November 1979

1503 330