

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of
DUKE POWER COMPANY

(Amendment to Materials License
SNM-1773 for Oconee Nuclear Station
Spent Fuel Transportation and Storage
at McGuire Nuclear Station)

Docket No. 70-2623

SECOND SET OF NRC STAFF INTERROGATORIES TO
SAFE ENERGY ALLIANCE (SEA)

Pursuant to 10 CFR Section 2.740b, the following interrogatories are directed to SEA.^{1/} Each interrogatory is to be answered separately and fully in writing under oath or affirmation by the individuals having personal knowledge of the answers. Section 2.740b requires interrogatories to be answered within 14 days of service. Five days are added to this time when service is by mail pursuant to Section 2.710. Accordingly, responses to these interrogatories, which are served by mail on March 23, 1979, are due to be filed on April 11, 1979.

Pursuant to Section 2.740(e), these interrogatories are to be considered your continuing obligation and should be supplemented as required by the above-referenced rule.

1/ A "NRC Staff Notice to Produce Directed to Safe Energy Alliance (SEA)" is being served contemporaneously with these Staff interrogatories.

Interrogatory No. 1

The following questions deal with Contention No. 1.^{1/}

A. Does SEA contend that modification of the existing Oconee spent fuel pools to provide additional storage capacity is a viable alternative? If so, provide the basis for that contention in reasonable detail.

B. What is the earliest date that SEA contends this alternative could be implemented by the Licensee? Provide the basis for this contention in reasonable detail.

C. Does SEA contend that the construction of a new and separate spent fuel storage facility at the Oconee site is a viable alternative? If so, provide the basis for this contention in reasonable detail.

D. What is the earliest date that SEA contends this alternative could be implemented by the Licensee? Provide the basis for this contention in reasonable detail.

E. Does SEA contend that the construction of new and separate spent fuel storage facilities away from the Oconee site but other than at the McGuire site is a viable alternative? If so, provide the basis for that contention in reasonable detail.

F. What is the earliest date that SEA contends this alternative could be implemented by the Licensee? Provide the basis for this contention in reasonable detail.

^{1/} References are to the Stipulation of October 18, 1978.

G. Identify all documents and studies relied upon by SEA in providing the answers to this interrogatory. The identification should be specific to the portion of the document or study relied upon. Studies shall include observations, calculations, literature and other types of work whether recorded in writing or not which consist of an examination or analysis of a phenomenon.

H. Identify by name and affiliation each individual who has knowledge which served as the basis for the answers to this interrogatory.

I. Identify the extent to which SEA intends to apply further efforts, research or inquiry to further develop the basis for its answers to this interrogatory. Include a reasonable identification of such work including its content, participants, milestones, and schedule for completion.

J. Identify the individual(s), if any, whom SEA intends to present as witnesses in this proceeding on the subject matter of its Contention No. 1. The identification should include a summary of the educational and professional background of the individual(s).

K. Provide a reasonable description of the substance of the testimony of any witness(es) that SEA intends to have testify with regard to its Contention No. 1, including an identification of all documents which will be relied upon.

Interrogatory No. 2

The following questions deal with Contention No. 2

A. With regard to Contention No. 2(a), explain why there will be an unacceptable incremental burden of radiation dose to persons living in the vicinity of the transportation routes.

B. With regard to Contention No. 2(a), define the following terms: "unacceptable", "incremental burden", and "the vicinity of the transportation routes".

C. With regard to Contention No. 2(b), explain why there will be an unacceptable incremental burden of radiation dose to persons traveling over the transportation routes concurrently with spent fuel shipment.

D. With regard to Contention No. 2(b), define the following terms: "unacceptable", "incremental burden of radiation dose" and "persons traveling ... concurrently with spent fuel shipment".

E. With regard to Contention No. 2(c), explain why there is likely to be an unacceptable incremental burden of radiation dose to persons in the vicinity due to an accident or a delay in transit.

F. With regard to Contention No. 2(c), define the following terms: "unacceptable", "incremental burden of radiation dose", "persons in the vicinity", "accident", and "delay".

G. Does SEA contend that there is likely to be delay in transit of spent nuclear fuel? If so, explain the reasons for this contention.

H. Does SEA contend that there is likely to be an accident in the shipment of spent fuel? If so, explain the reasons for this contention.

I. Identify all documents and studies relied upon by SEA in providing the answers to this Interrogatory. The identification should be specific to the portion of the document or study relied upon. Studies shall include observations, calculations, literature and other types of work whether recorded in writing or not which consist of an examination or analysis of a phenomenon.

J. Identify by name and affiliation each individual who has knowledge which served as the basis for the answers to this Interrogatory.

K. Identify the extent to which SEA intends to apply further efforts, research or inquiry to further develop the basis for its answers to this interrogatory. Include a reasonable identification of such work including its content, participants, milestones, and schedule for completion.

L. Identify the individual(s), if any, whom SEA intends to present as witnesses in this proceeding on the subject matter of its Contention No. 2. The identification should include a summary of the educational and professional background of the individual(s).

M. Provide a reasonable description of the substance of the testimony of any witness(es) that SEA intends to have testify with regard to its Contention No. 2, including an identification of all documents which will be relied upon.

Interrogatory No. 3

The following questions deal with Contention No. 3:

A. Provide the reasons for SEA's position that the proposed action is a "major federal action".

B. Provide the reasons for SEA's position that the proposed action will "significantly affect the quality of the human environment".

C. With regard to each reason provided in responding to questions A and B above, reference the appropriate sections of the Staff's EIA^{1/} and give the reasons why the Staff analysis is inadequate or incomplete.

D. Identify all documents and studies relied upon by SEA in providing the answers to this interrogatory. The identification should be specific to the portion of the document or study relied upon. Studies shall include observations, calculations, literature and other types of work whether recorded in writing or not which consist of an examination or analysis of a phenomenon.

E. Identify by name and affiliation each individual who has knowledge which served as the basis for the answers to this interrogatory.

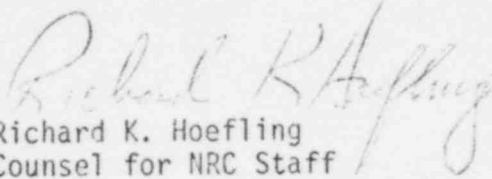
F. Identify the extent to which SEA intends to apply further efforts, research or inquiry to further develop the basis for its answers to this Interrogatory. Include a reasonable identification of such work including its content, participants, milestones, and schedule for completion.

G. Identify the individual(s), if any, whom SEA intends to present as witnesses in this proceeding on the subject matter of its Contention No. 3. The identification should include a summary of the educational and professional background of the individual(s).

^{1/} "Environmental Impact Appraisal Related to Spent Fuel Storage of Oconee Spent Fuel at McGuire Nuclear Station - Unit 1 Spent Fuel Pool" (EIA).

H. Provide a reasonable description of the substance of the testimony of any witness(es) that SEA intends to have testify with regard to its Contention No. 3, including an identification of all documents which will be relied upon.

Respectfully submitted,


Richard K. Hoefling
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 23rd day of March, 1979