

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Docket No. 70-2623

Pursuant to 10 CFR Section 2.740b, the following interrogatories are directed to NRDC.^{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.

1/ A "NRC Staff Notice to Produce Directed to Natural Resources Defense Council" is being served contemporaneously with these Staff interrogatories.

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.

Interrogatory 1^{1/}

The following questions deal with Contention No. 1.

A. Identify the "proposed program" referred to in this contention. Indicate who proposed the program and all of its components.

B. Explain why the proposed action has no independent value in solving the spent fuel storage problem.

C. Explain why the proposed action is inherently premised on the near term construction of an interim away-from-reactor storage facility.

D. Explain why the proposed action will bias the final decision on whether to approve the "program". To what "program" does NRDC refer?

E. Explain how the proposed action will foreclose at-reactor options at both Oconee and McGuire.

^{1/} The Staff's interrogatories are propounded with reference to the contentions presented in the Board's "Order Regarding Contentions of Natural Resources Defense Council" of March 16, 1979.

F. Identify all documents and studies relied upon by NRDC 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.

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

H. Identify the extent to which NRDC 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.

I. Identify the individual(s), if any, whom NRDC 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.

J. Provide a reasonable description of the substance of the testimony of any witness(es) that NRDC 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. Identify the particular elements of the proposed action which NRDC contends make that action a "major federal action."

B. Identify the particular elements of the proposed action which NRDC contends make the proposed action one "significantly affecting the quality of the human environment."

C. Does NRDC contend that the Staff's EIA^{1/} is incomplete or inadequate with regard to the elements identified in response to questions A and B above? Relate, where possible, each element to the Staff's EIA by reference to the appropriate section where that element is analyzed.

D. For each reference to the EIA made in response to question C above, explain the basis for NRDC's conclusion that the Staff analysis supporting the conclusion that the proposed action is not a major federal action or does not significantly affect the quality of the human environment is in error.

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

E. Identify all documents and studies relied upon by NRDC 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.

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

G. Identify the extent to which NRDC 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.

H. Identify the individual(s), if any, whom NRDC 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).

I. Provide a reasonable description of the substance of the testimony of any witness(es) that NRDC 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. Does NRDC contend that the alternative identified in its Contention 3.a is superior to the proposed action. If so, explain why this alternative is superior. Include in your explanation considerations of cost and schedule.

B. Identify with particularity the benefits associated with the alternative identified in Contention 3.a. Identify with particularity the environmental costs which will be avoided.

C. Does NRDC contend that the alternative identified in its Contention 3.b, i.e., that the Oconee facility be shut down, is superior to the proposed action. If so, explain why this alternative is superior. Include in your explanation considerations of cost and schedule.

D. Identify with particularity the benefits associated with the alternative identified in Contention 3.b. Identify with particularity the environmental costs which will be avoided.

E. Identify the precise nature of the alternative proposed by NRDC in its Contention 3.c. Does NRDC contend that this alternative is superior to the proposed action. If so, explain why this alternative is superior.

F. Identify with particularity the benefits associated with the alternative identified in Contention 3.c. Identify with particularity the environmental costs which will be avoided.

G. Identify the precise nature of the alternative proposed by NRDC in its Contention 3.d. Does NRDC contend that this alternative is superior to the proposed action? If so, explain why this alternative is superior.

H. Identify with particularity the benefits associated with the alternative identified in Contention 3.d. Identify with particularity the environmental cost which will be avoided.

I. Identify all documents and studies relied upon by NRDC 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 NRDC 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 NRDC 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).

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

Interrogatory No. 4

These questions deal with Contention No. 4

A. Provide the basis for NRDC's contention that ALARA can be achieved by on-site expansion of spent fuel pool storage capacity at Oconee, including building another spent fuel pool.

B. Provide the basis for NRDC's contention that residual health risks referred to in Contention 4.b are major costs of the proposed action which tip the balance against the proposed action. Quantify the residual health risks referred to. Define "major costs".

C. Identify all documents and studies, relied upon by NRDC 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.

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

E. Identify the extent to which NRDC 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.

F. Identify the individual(s), if any, whom NRDC intends to present as witnesses in this proceeding on the subject matter of its Contention No. 4. The identification should include a summary of the educational and professional background of the individual(s).

G. Provide a reasonable description of the substance of the testimony of any witness(es) that NRDC intends to have testify with regard to its Contention No. 4, including an identification of all documents which will be relied upon.

Interrogatory No. 5

The following questions deal with Contention No. 5.

A. Does NRDC contend that the 1-core discharge capacity standard is a necessary standard for either environmental or health and safety reasons at the Oconee facility? If so, provide the basis to support this position.

B. Identify all cost/benefit studies which NRDC has undertaken relative to the one-core discharge capacity reserve standard and summarize them.

C. Identify all documents and studies relied upon by NRDC 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.

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

E. Identify the extent to which NRDC 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.

F. Identify the individual(s), if any, whom NRDC intends to present as witnesses in this proceeding on the subject matter of its Contention No. 5. The identification should include a summary of the educational and professional background of the individual(s).

G. Provide a reasonable description of the substance of the testimony of any witness(es) that NRDC intends to have testify with regard to its Contention No. 5, including an identification of all documents which will be relied upon.

Interrogatory No. 6

The following questions deal with Contention No. 6.

A. Define the term "sabotage".

B. Present the basis for NRDC's assertion that spent fuel shipments from Oconee to McGuire will be vulnerable to sabotage. Why does this represent a "serious risk"?

C. Define the acts encompassed by the term "other malevolent acts."

D. Present the basis for NRDC's assertion that spent fuel shipments from Oconee to McGuire will be vulnerable to each acts identified in C above. Why do these acts represent a "serious risk"?

E. Identify all documents and studies relied upon by NRDC 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.

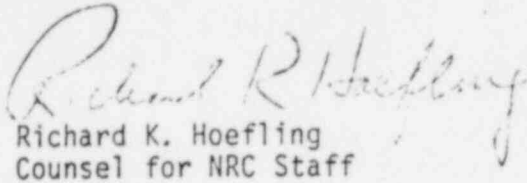
F. Identify by name and affiliation each individual who has knowledge which served as the basis for the answers to this interrogatory.

G. Identify the extent to which NRDC 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.

H. Identify the individual(s), if any, whom NRDC intends to present as witnesses in this proceeding on the subject matter of its Contention No. 6. The identification should include a summary of the educational and professional background of the individual(s).

I. Provide a reasonable description of the substance of the testimony of any witness(es) that NRDC intends to have testify with regard to its Contention No. 6, 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

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Docket No. 70-2623

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