

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of GENERAL)
ELECTRIC COMPANY,)
)
(G.E. Morris Spent Fuel) Docket No. 70-1308
Storage Facility License)
Renewal))

OBJECTIONS AND ANSWERS TO INTERROGATORIES
PROPOUNDED BY GENERAL ELECTRIC

The PEOPLE OF THE STATE OF ILLINOIS (Illinois) by TYRONE
C. FAHNER, Attorney General of the State of Illinois responds to the
Interrogatories propounded by General Electric as follows:

1. All documents referred to herein are available for
inspection at the Office of the Attorney General, 188 West Randolph,
Suite 2315, Chicago, Illinois 60601.

2. "MHB Report" refers to "Technical Review of Risk
Due to Expansion of the Morris Operation Spent Fuel Storage" by MBH
Technical Associates dated February 1979.

INTERROGATORY NO. 1.

For each witness whom you will or may call as an expert to
give opinion testimony in the hearing of tis matter, state the following:

- a) Name and address;
- b) Name and address of his employer or the organization
with which he is associated in any professional capacity;

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- c) The field in which he is to be offered as an expert;
- d) A summary of his qualifications within the field in which he is expected to testify;
- e) The substance of the facts to which he is expected to testify;
- f) The substance of the opinions to which he is expected to testify and a summary of the grounds for each opinion; and
- g) State the dates and addresses of all reports rendered by such experts.

RESPONSE:

Illinois does not know who, if anyone, it will call as a witness in this matter.

INTERROGATORY NO. 2.

For each person retained or specifically employed as an expert with regard to this license renewal application or hearing, about whom no decision has been made as to whether such expert will be called, state the following:

- a) Name and address;
- b) His particular field of expertise;
- c) A summary of his qualifications within the field;
and
- d) Whether such expert has submitted or transmitted

any reports, analyses, or opinions in any form. If so, state the dates and addresses of all reports, analyses or opinions.

RESPONSE:

- a) MHB Technical Associates
366 California Avenue, Palo Alto California 94306
- b) Illinois does not have this information at present but will provide it within two weeks.
- c) See response to (b) above.
- d) See MHB Report.

INTERROGATORY NO. 3.

With reference to Contention 1(a), state with particularity the basis for the contention that the Consolidated Safety Analysis Report ("CSAR") should be required to describe the consequences of simultaneous accidental radioactive releases from the Dresden Nuclear Power Station ("DNPS") and the Morris Spent Fuel Storage Facility (the "Morris Operation").

RESPONSE:

A class 9 accident or similar incident at Dresden could require immediate evacuation of all personnel at Morris thus removing all human safeguards and controls. In addition the same event, e.g. tornado, sabotage, could allow release of radiation from both facilities.

INTERROGATORY NO. 4.

With reference to Contention 1(a), describe in technical detail the accident postulated to occur at DNPS, giving the circumstances thereof, and state with particularity the facts and date upon which such postulate is based.

RESPONSE:

Any incident causing release of radiation into the environment in excess of the limits set out in the Regulations and in Dresden's license.

INTERROGATORY NO. 5.

With response to Contention 1(a), describe in technical detail the accident postulated to occur at the Morris Operation that would result in a release of radioactive material off-site based on fuel storage in terms of the conditions specified in the CSAR, NEDO-21326C, Chaoter 10, and state the facts upon which such contention is based.

RESPONSE:

Any incident causing release of radiation into the environment in excess of the limits set out in the Regulations and in Morris' license. See also MHB Report.

INTERROGATORY NO. 6.

Define the phrase "risks and consequences", including sufficient detail for translation of the meaning of the phrase into engineering specifications, as used in subparagraph (b) of Contention 1.

RESPONSE:

"Risks" means possibilities of harm or danger.

"Consequences" means results.

See MHB Report.

INTERROGATORY NO. 7.

With reference to Contention 1(b), state with particularity the manner in which the following accidents are postulated to occur at the Morris Operation, describing in technical detail the postulated consequences thereof, including the anticipated magnitude of the alleged release of radioactive elements, and state the facts upon which such postulations are based:

- a. An accident caused by a tornado-impelled missile;
- b. An accident involving the loss of coolant, either alone or in conjunction with an accident causing a rift in the building structure;
- c. Accidents involving earthquakes;
- d. Sabotage-related accidents not analyzed in NEDM-20682;

- e. Fire;
- f. Flooding;
- g. Acts of war;
- h. Human error; and
- i. Massive electrical power failure.

RESPONSE:

(a) through (d). See MHB Report.

(e) through (i). Illinois objects on the ground that these terms were not proposed by it and it has no knowledge as to what other parties mean by these terms.

INTERROGATORY NO. 8.

State with particularity the manner in which the CSAR does not adequately describe the "risks and consequences" of the accidents and occurrences listed as subparts (i) through (ix) inclusive of Contention 1(b).

RESPONSE:

See response to interrogatory 7.

INTERROGATORY NO. 9.

State with particularity the manner in which the Physical Security Plan does not meet the requirements of 10 C.F.R. Part 73, as alleged in Contention 2.

RESPONSE:

Illinois objects on the ground that this particular issue was not raised by it and it has no knowledge as to what other parties mean by it.

INTERROGATORY NO. 10.

Define the phrase "risks of sabotage related events" used in Contention 2 and specifically state the facts upon which the contention that such events are a threat are based.

RESPONSE:

"Risks of sabotage related events" means any and all dangers or hazards resulting from sabotage at the Morris facility. Illinois objects to the rest of this interrogatory on the ground that Illinois has not contended that "such events are a threat" and thus has no knowledge as to what such a phrase is based.

INTERROGATORY NO. 11.

State with particularity the basis for the contention that the CSAR should be required to assess "risks and consequences of sabotage related events" as alleged in Contention 2.

RESPONSE:

By its own terms that contention is limited to failure of General Electric to adequately address "advances in the technology of explosives."

Illinois' contention is based on the failure of NEDM-20682 to adequately address this issue and on the failure of General Electric to update that report. See Proposed State Contention 2. See also MHB Report.

INTERROGATORY NO. 12.

With reference to Contention 2, state the facts upon which the contention that "advances in the technology of explosives . . . could make sabotage a more probable event" is based and describe the impact of such alleged developments on the alleged risks of sabotage at the Morris Operation.

RESPONSE:

"Advances in the technology of explosives" refers to improvement in composition, size effectiveness, methods of concealment and transportation and techniques and devices for detonation. These advances make sabotage more effective, easier to accomplish and make it easier for a saboteur to plant, conceal and detonate explosives and then to escape. These make sabotage more effective and of less risk to a saboteur and thus more probable.

INTERROGATORY NO: 13.

With reference to Contention 2, state the regulatory basis, including the specific statute or regulation relied upon, which requires the CSAR to include an assessment of "credible risks of sabotage related events."

RESPONSE:

See 10 CFR Part 73 especially 10 CFR §73.50.

INTERROGATORY NO. 14.

State the regulatory basis, including the specific regulation or statute relied upon, which requires the CSAR to state the projected effects on the health of personnel, and their families from exposure to radiation with regard to each subparagraph (a) through (e) inclusive of Contention 3.

RESPONSE:

(a) through (e). as to "personnel" - 10 CFR Part 20, as to "families" Illinois objects on the ground that this is not material or relevant in that none of subparts (a) through (e) refers to "families"

INTERROGATORY NO. 15.

State with particularity the reasons for the contention that the CSAR should state "the projected effects on health of personnel and their families from occupational exposure to radiation" as described in subparagraphs (a) through (e) inclusive of Contention 3.

RESPONSE:

Illinois objects on the ground that it does not know what General Electric means by "reasons for the contention" and thus cannot answer this interrogatory.

INTERROGATORY NO. 16.

State with particularity the facts upon which the contentions of subparagraphs (a) through (e), inclusive of Contention 3 are based.

RESPONSE:

(a) through (e). See MHB Report and General Electric document entitled "Status of Existing Licensing" dated February 21, 1979.

INTERROGATORY NO. 17.

With response to Contention 4, state the regulatory basis, including the specific regulation or statute, which requires that:

- a. General Electric provide a decommissioning plan for the Morris Operation;
- b. General Electric provide assurance of financial capability to guarantee that decommissioning and decontamination costs are fully covered;
- c. General Electric provide a contingency plan to decommission the Morris Operation should an immediate and/or permanent abandonment of the Morris Operation become necessary; and
- d. General Electric provide consideration of perpetual care and maintenance of the Morris Operation;
- e. General Electric provide a bond on or assurance of financial capability for the decontamination and decommissioning of the Morris Operation.

RESPONSE:

(a) through (e). 10 CFR §70.22.

INTERROGATORY NO. 18.

State with particularity the facts upon which the contentions of subparagraphs (a) through (d) inclusive of Contention 4 are based.

RESPONSE:

(a) through (d). See MHB Report.

INTERROGATORY NO. 19.

State with particularity the facts upon which the allegations of subparagraphs (a) and (b) of Contention 4 are based.

RESPONSE:

Answered in interrogatory 18.

INTERROGATORY NO. 20.

Describe in detail the "accident or other unforeseen event" postulated in Contention 4(c), which would require abandonment of the Morris Operation and state with particularity the facts upon which such postulate is based.

RESPONSE:

See MHB Report.

INTERROGATORY NO. 21.

Define the phrase "incomplete decontamination", as used in subparagraph (d) of Contention 4. Include the technical criteria for defining that phrase.

RESPONSE:

See MHB Report.

INTERROGATORY NO. 22:

State with particularity the facts upon which the allegation of Contention 4(d) that incomplete decontamination or decommissioning may result from the contingencies described in subparagraphs (i) through (iv) inclusive is based.

RESPONSE:

See MHB Report.

INTERROGATORY NO. 23.

With reference to Contention 5, state the regulatory basis, including the specific regulation or statute relied upon, which requires that (1) the Emergency Plan specify procedures to unload the spent fuel pool and to transport and/or store the irradiated fuel in the event of an emergency; (2) the CSAR contain a plan for emergency transportation of irradiated fuel; and (3) the license renewal application documentation contain adequate test programs or other means to determine if the emergency plan is adequate.

RESPONSE:

See MHB Report.

INTERROGATORY NO. 24:

With reference to Contention 5, describe in detail the emergency which would necessitate the unloading of the spent fuel pool and/or the transportation and/or storage of irradiated fuel.

RESPONSE:

See MHB Report.

INTERROGATORY NO. 25.

Define the term "emergency transportation" used in Contention 5.

RESPONSE:

The term is taken from "Emergency Plan Relationships for Morris Operation" NEDO-21236C, Figure 9-4, and has the same meaning as in that document.

INTERROGATORY NO. 26.

With reference to Contention 5, state with particularity under what circumstances emergency transportation of spent fuel would be required.

RESPONSE:

See MHB Report.

INTERROGATORY NO. 27.

Define the phrase "adequate test programs" used in Contention 5.

RESPONSE:

The term means sufficient to assure the applicant, the NRC, and the intervenors that communications systems and procedures will function to accomplish the purposes of the emergency plan.

INTERROGATORY NO. 28.

Describe in technical detail any accident contemplated by Contention 6 which is postulated to require:

- a. The evacuation of large numbers of people in the Joliet and/or Kankakee areas and/or
- b. The hospitalization of large numbers of people within a 50-100 mile range of the facility.

RESPONSE:

Illinois objects on the ground that it did not propose these items and has no knowledge as to what other parties mean by them.

INTERROGATORY NO. 29.

Define the term "measures" used in subparagraph (c) of Contention 6.

RESPONSE:

See response to interrogatory 28,

INTERROGATORY NO. 30.

With reference to Contention 6, state the regulatory basis, including the specific regulation or statute relied upon, which requires that:

- a. A comprehensive evacuation plan for the area should exist;
- b. Hospitals within a 50-100 mile range should be equipped to handle large numbers of people exposed to radiation;
- c. General Electric take responsibility for informing residents of a possible accident at the Morris Operation; and
- d. General Electric take financial responsibility for forming an evacuation plan, equipping hospitals, training personnel, and maintaining equipment described in this contention.

RESPONSE:

See response to interrogatory 28.

INTERROGATORY NO. 31.

With reference to Contention 7, identify with particularity all significant environmental impacts of normal operations of the Morris Operation and state the factual basis for each.

RESPONSE:

Illinois objects on the ground that this interrogatory is over broad and unduly burdensome. Without waiving this objection Illinois refers General Electric to:

- a. MHB Report
- b. Environmental Impact Appraisal NUREG-0695 June 1980
- c. Generic Environmental Impact Statement NUREG-0571 August 1979.
- d. "Spent Fuel Receipt and Sabotage at the Morris Operation" NEDG-21889 June 1978.
- e. "Commentary on Spent Fuel Storage at Morris Operation" NUREG/CR-0956 July 1979.

INTERROGATORY NO. 32.

With reference to Contention 7, state the regulatory basis, including the specific statute or regulation, which requires that the NRC issue an Environmental Impact Statement as opposed to an Environmental Impact Appraisal and a negative declaration.

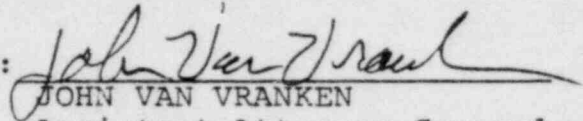
RESPONSE:

- a. The National Environmental Policy Act 42 U.S.C. §4321 et seq.
- b. 40 CFR §1500 et seq.
- c. 10 CFR Part 51.

PEOPLE OF THE STATE OF ILLINOIS
Intervenor

TYRONE C. FAHNER
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State of Illinois

BY:



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DATED: August 4, 1980

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

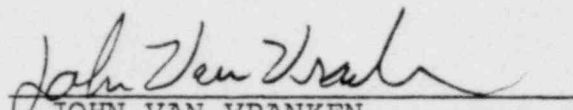
A F F I D A V I T

I, JOHN VAN VRANKEN, being first duly sworn on oath,
depose and state:

1. I am a duly appointed and sworn Assistant Attorney
General of the State of Illinois.

2. The answers to the Interrogatories Propounded by
General Electric are true and correct to the best of my knowledge,
information and belief.

FURTHER AFFIANT SAYETH NOT.



JOHN VAN VRANKEN

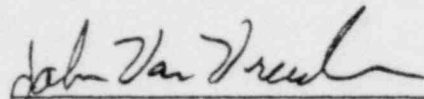
SUBSCRIBED AND SWORN TO
BEFORE ME THIS 4th DAY
OF AUGUST, 1980.

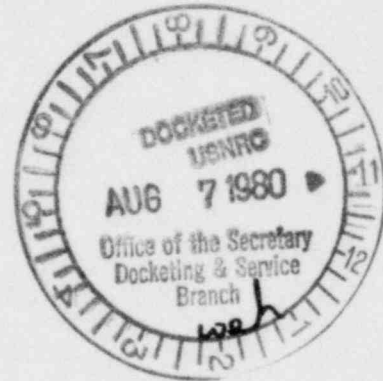


NOTARY PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of August, 1980 I served copies of the foregoing Objections and Answers to Interrogatories Propounded by General Electric, Response to Staff's Request for Production of Documents, and Response to General Electric's Notice to Produce Documents upon each persons named on the attached Service List, by causing copies to be deposited in the U.S. Mail, in envelopes properly addressed and sealed, first class postage prepaid.


JOHN VAN VRANKEN



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