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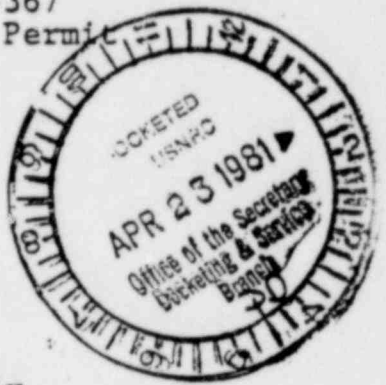
RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NORTHERN INDIANA PUBLIC)
SERVICE COMPANY)
(Bailly Generating Station,)
Nuclear-1))

Docket No. 50-367
(Construction Permit
Extension)



PORTER COUNTY CHAPTER INTERVENORS'
MOTION TO COMPEL ANSWERS TO FIRST
SET OF INTERROGATORIES TO NIPSCO

Porter County Chapter Intervenors (PCCI), by their attorneys, hereby move the Board, pursuant to 10 CFR §2.740(f)(1), for an order compelling NIPSCO to answer interrogatories numbered 19, 20(a) and 20(c) of PCCI's First Set of Interrogatories to NIPSCO, for the reasons set forth below. For the Board's convenience, each Interrogatory is set forth along with NIPSCO's "answer" thereto:

INTERROGATORY:

"19. Please describe NIPSCO's plans for re-routing of traffic, upgrading of the present road capacity, and all other contemplated actions which it will take to account for the anticipated increase in traffic due to construction of the Bailly plant."

ANSWER:

"An estimate of the present average daily traffic patterns on the primary and secondary access roads surrounding the Bailly site is shown on the attachment included in response to interrogatory no. 18, titled '1978 Average Daily Traffic'. As indicated on this map, approximately 15,235 vehicles per day

DSOS
50%

use that portion of U.S. 12 directly west of the Bailly entrance and 10,915 vehicles per day use that portion of U.S. 12 directly east of the Bailly entrance. Assuming that one-half of the Bailly N-1 construction traffic went each way on U.S. 12, it would raise these figures to 16,035 and 11,715 or an increase of 5.3% and 7.3%, respectively, during the peak construction years.

The primary and secondary access roads surrounding the Bailly site and the traffic capacity in vehicles per hour for these roads are shown in the table attached to interrogatory no. 18, titled 'Routes and Capacities'. We do not expect the capacities of these roads to be exceeded during the peak construction period (except for very short periods at shift change). One procedure which NIPSCO will consider if temporary congestion becomes a problem is to stagger change times with Bethlehem Steel in order to minimize the effect of traffic delay and congestion surrounding the Bailly site."

NIPSCO's "answer" is non-responsive. The only portion of the "answer" which relates to the interrogatory posed is the last sentence, which describes "one procedure which NIPSCO will consider." The interrogatory requests NIPSCO's plans, but no plans are described. If NIPSCO has no plans, it should so state. NIPSCO should be ordered to answer Interrogatory 19.

INTERROGATORY:

"20. NIPSCO's 1980 Annual Report, at p. 26, states: 'A new cost estimate for the 1989 in-service date will be completed in the spring of 1981.' Please give the following information for that cost estimate:

(a) The date by which NIPSCO expects that cost estimate to be completed;"

ANSWER:

"(a) NIPSCO expects that cost estimated to be completed in the spring of 1981."

NIPSCO's answer is non-responsive. A date by which NIPSCO "expects" to do an act is requested, and no date is given. NIPSCO's description "in the spring of 1981" is wholly inadequate, and so vague and imprecise as to be of no use to PCCI for follow-up discovery. NIPSCO should be ordered to specify the date requested in the Interrogatory.

INTERROGATORY:

"20(c) For each person who is or will be participating in preparing the cost estimate and who is not an employee of NIPSCO, the name, job title, and employer of that person."

ANSWER:

"(c) Several departments of Sargent & Lundy Engineers are involved in preparation of a new cost estimate for Bailly. The names and titles of the individuals responsible for such work in each involved department are:

D.L. Leone, Partner & Project Director
C.W. Peterson, Project Manager
N.F. True, Head, Estimating Division
W.G. Hegener, Manager, Mechanical Department
J.M. McLaughlin, Manager, Structural Department
D.C. McClintock, Manager, Electrical Department"

NIPSCO's answer is non-responsive. Instead of stating the name and job title of each person who is or will be participating in the cost estimate, NIPSCO has given the name and job title of those persons "responsible for such work in each involved

department" of Sargent & Lundy Engineers. NIPSCO has failed to provide the information requested and it should be ordered to do so.

CONCLUSION

For the reasons set forth above, NIPSCO should be ordered to provide answers to Interrogatories 19, 20(a) and 20(c) of Porter County Chapter Intervenors' First Set of Interrogatories to NIPSCO.

DATED: April 20, 1981

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I served copies of the Porter County Chapter Intervenors' Motion to Compel Answers to First Set of Interrogatories to NIPSCO on all persons on the attached Service List, by causing them to be deposited in the U.S. mail, first class postage prepaid, on April 20, 1981.

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