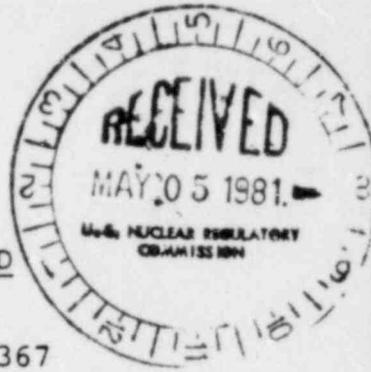


RELATED CORRESPONDENCE

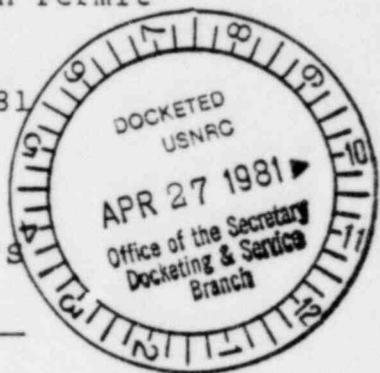
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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)  
April 23, 1981



NORTHERN INDIANA PUBLIC SERVICE COMPANY'S  
SECOND SET OF INTERROGATORIES TO  
PORTER COUNTY CHAPTER INTERVENORS

Northern Indiana Public Service Company (NIPSCO) hereby serves its Second Set of Interrogatories to Porter County Chapter Intervenor (hereinafter "PCCI"), pursuant to 10 C.F.R. § 2.740b. Each interrogatory is to be answered fully in writing, under oath or affirmation, by an officer or agent of PCCI and is to include all pertinent information known to PCCI. Each answer should clearly indicate the interrogatory to which it is intended to be responsive.

Under NRC regulations (10 C.F.R. § 2.740(e)) parties are required to supplement responses to interrogatories under certain circumstances when new and/or different information becomes available.

"PCCI" shall include all agents, employees, attorneys, investigators, and all other persons directly or indirectly subject to its control in any way.

"Documents" means all written or recorded material of any kind or character known to PCCI or in its possession, custody,

or control, including, without limitation, letters, correspondence, telegrams, memoranda, notes, records, minutes, contracts, agreements, records or notations of telephone or personal conversations or conferences, inter-office communications, microfilm, bulletins, circulars, pamphlets, studies, notices, summaries, reports, books, articles, treatises, teletype messages, invoices, tape recordings, and work-sheets.

When used with respect to a document, "identify" means, without limitation, to state its date, the type of document (e.g., letter, memorandum, telegram, chart, photograph, sound reproduction, etc.), the author and addressees, the present location and the custodian, and a description of its contents.

When used with respect to a person, "identify" means, without limitation, to state his or her name, address, occupation, and professional qualifications.

If PCCI cannot answer any portion of any of the Interrogatories in full, after exercising due diligence to do so, so state, and answer to the extent possible, specifying the inability to answer the remainder and stating when PCCI expects to be able to answer the unanswered portions.

NIPSCO'S INTERROGATORIES<sup>\*/</sup>

9. (a) For what period of time do you contend that the Bailly site will be dewatered during the extended period of construction?

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<sup>\*/</sup> Numbering of the following Interrogatories continues from NIPSCO'S First Set of Interrogatories to PCCI (April 10, 1981).

- (b) For what period of time do you contend that the Bailly site was dewatered between May 1, 1974, and September 1, 1979?
  - (c) What period of dewatering of the Bailly site was assessed in connection with issuance of Construction Permit No. CPPR-104?
  - (d) By what incremental period does the sum of your answers to 9(a) and 9(b) exceed your answer to 9(c)?
  - (e) Please provide the bases for your answers to 9(a), 9(b) and 9(c).
- 10.
- (a) What total volume of water do you contend will be removed from the Bailly site as a result of dewatering during the extended period of construction?
  - (b) What total volume of water do you contend was removed from the Bailly site as a result of dewatering between May 1, 1974, and September 1, 1979?
  - (c) What was the total volume of water removal from the Bailly site which was assessed in connection with issuance of Construction Permit No. CPPR-104?
  - (d) By what incremental volume does the sum of your answers to 10(a) and 10(b) exceed your answer to 10(c)?

- (e) Please provide the bases for your answers to 10(a), 10(b) and 10(c).
- 11.
- (a) The environmental assessment at the construction permit stage contemplates dewatering to what elevation?
  - (b) For what period of time is dewatering to the elevation specified in your answer to 11(a) contemplated?
  - (c) Please provide the bases for your answer to 11(a) and 11(b).
- 12.
- (a) If the Bailly site is continuously dewatered to the elevation specified in your answer to 11(a), how long after the onset of such dewatering will the groundwater levels in the Bailly site area reach equilibrium as a result of dewatering (discounting variations in the groundwater levels from factors other than dewatering)?
  - (b) Please specify the depth of drawdown of the groundwater levels in the area around the Bailly site which you contend will result from continuous dewatering to the elevation specified in your answer to Interrogatory 11(a) at distances of 700 feet, 1/2 mile, and 1 mile from the excavation.
  - (c) Please specify the rate of dewatering (vol/min.) which you contend will occur as a result of continuous dewatering to the elevation specified in your answer to Interrogatory 11(a).

13. If the Bailly site is continuously dewatered to the elevation specified in your answer to Interrogatory 11(a), how long after the onset of such dewatering will the environmental impacts as a result of such dewatering reach an equilibrium (discounting variations in environmental impacts from factors other than dewatering)?
14. Do your answers to Interrogatory 12(a), 12(b), 12(c), and 13 bound the results which would be obtained if the Bailly site is dewatered to an elevation higher than that specified in your answer to Interrogatory 11(a)?
15. (a) Do you contend that an incremental environmental impact during the extended period of construction will result from
  - (1) dewatering during the incremental period specified in your answer to Interrogatory 9(d)?
  - (2) dewatering of the incremental volume of water specified in your answer to Interrogatory 10(d)?
  - (3) other causes? If yes, please specify the cause[s].
- (b) Please describe in detail the incremental environmental impact which will result from each of the causes specified in your answer to Interrogatory 15(a).

16. Are the incremental environmental impacts described in your answer to Interrogatory 15(b) irreversible in whole or part once dewatering during the extended period of construction is completed?
17. If your answer to Interrogatory 16 is yes, please specify which impacts are irreversible.
18. If the incremental environmental impacts described in your answer to Interrogatory 15(b) are reversible in whole or part once dewatering during the extended period of construction is completed:
  - (a) please specify which impacts are reversible in whole or part;
  - (b) please specify the degree to which the impacts are reversible;
  - (c) Please specify the time required to complete the reversal process for each impact.
19.
  - (a) Are you contending that dewatering of Bailly during the extended period of construction will cause different groundwater levels at distances of 700 feet, 1/2 mile, and 1 mile from the excavation than occurred as a result of dewatering prior to September 1, 1979?
  - (b) Are you contending that dewatering of Bailly during the extended period of construction will cause different direction or rates of groundwater flow at distances of 700 feet, 1/2 mile, and 1 mile from the excavation than occurred as a result of dewatering prior to September 1, 1979?

- (c) Are you contending that dewatering of Bailly during the extended period of construction will cause the groundwater at distances of 700 feet, 1/2 mile, and 1 mile from the excavation to exhibit different chemical characteristics than occurred as a result of dewatering prior to September 1, 1979?
- (d) Are you contending that dewatering of Bailly during the extended period of construction will cause the groundwater to be different in any other respects than occurred as a result of dewatering prior to September 1, 1979?
- (e) If your answer to Interrogatories 19(a), 19(b), 19(c) or 19(d) is yes,
- (1) please describe each difference, specifying, e.g., its magnitude, geographic extent, and duration;
  - (2) please describe the bases for contending that each difference will occur;
  - (3) please describe the incremental environmental impact which will be caused by each difference.
- (f) If your answers to Interrogatories 19(a), 19(b), 19(c), and 19(d) are no, please describe why the environmental impacts attributable to dewatering during the extended period of construction of Bailly will differ in kind or degree from those impacts, if any, which occurred as a result of dewatering prior to September 1, 1979.

20. (a) Are you contending that the extra period of dewatering of Bailly (as distinct from any changes in the parameters of the groundwater which will allegedly occur after September 1, 1979, as a result of dewatering during the extended period of construction) will cause an incremental environmental impact?
- (b) If yes,
- i. please describe the impact,
  - ii. please provide the bases for your contention.
21. You have contended that the "additional period of construction time [sought] is sufficient to cause some of the rare species, particularly the 'Bog Indicator' [Indicator] plants to disappear from the dunes ecosystem."<sup>\*</sup>
- (a) Please identify the "rare species" mentioned above.
  - (b) Please specify the periods and rates of dewatering of the Bailly site which are required to cause the above plants "to disappear."
  - (c) Please provide the bases for your contention.
22. You have contended that the Indiana Dunes National Lakeshore would be adversely affected by "a deficiency of water, or a surplus of water; a change in water

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<sup>\*</sup> "Joint Intervenor's First Supplement to Petition for Leave to Intervene," Contention 4, p. 10 (Feb. 26, 1980).

characteristics; an increase in the rate or direction of water flow; dilution of existing water. . . ." \*/

- (a) Please specify the "water" to which you are referring.
- (b) Please specify the numerical values for the parameters of the water which you are using as a reference in order to determine whether a deficiency, surplus, or a change in the water occurs.
- (c) Please describe the adverse effects upon the Indiana Dunes National Lakeshore which will result from
  - i. deficiencies of water;
  - ii. surpluses of water;
  - iii. changes in water characteristics;
  - iv. changes in water flow direction;
  - v. changes in water flow rates; and
  - vi. dilution.
- (d) Using the values specified in your answer to Interrogatory 22(b) as a reference, please specify the magnitude of change in the following parameters of the groundwater of the Indiana Dunes National Lakeshore which can occur before any adverse impact will result in the Indiana Dunes National Lakeshore:
  - i. groundwater level;
  - ii. groundwater flow rate;
  - iii. groundwater flow direction;
  - iv. groundwater characteristics.

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\*/ "Joint Intervenor's First Supplement to Petition for Leave to Intervene," Contention 4, p. 10 (Feb. 26, 1980).

- (e) Using the values specified in your answer to Interrogatory 22(b) as a reference, please specify the magnitude of change in the following parameters of the groundwater in the Indiana Dunes National Lakeshore which you allege will occur as a result of dewatering during the extended period of construction:
- i. groundwater level;
  - ii. groundwater flow rate;
  - iii. groundwater flow direction;
  - iv. groundwater characteristics.
- (f) Please describe the environmental impact which you allege will result from the change in items specified in Interrogatory 22(e).
- (g) Please identify all documents upon which you relied and persons whom you consulted in answering Interrogatories 22(b) through 22(f).
- (h) Please provide calculations upon which your answers to Interrogatories 22(b) through 22(f) are based.
23. You have contended that "had NIPSCO, and its contractors and subcontractors, known more about what they were doing, much of the delay [in construction] could not have occurred."<sup>\*</sup>
- (a) Please identify the tasks associated with construction of Bailly which you contend were performed in an incompetent manner by NIPSCO, its contractors, or its subcontractors, and which thereby resulted in a delay of construction of Bailly.

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<sup>\*</sup>/ "Joint Intervenors' First Supplement to Petition for Leave to Intervene," Contention 7, p. 14 (Feb. 26, 1980).

- (b) For each task identified in the answer to Interrogatory 23(a):
- (1) Specify the period of delay associated with the task.
  - (2) Identify the companies which are responsible for the delay associated with the task.
  - (3) Identify the individuals within the companies identified in your answer to Interrogatory 23(b) (2) who are responsible for delay associated with the task.
  - (4) Specify which actions associated with the tasks were performed in an incompetent manner.
  - (5) Specify those actions which a competent person would have performed but which were not performed in connection with the task.
  - (6) Specify those actions which a competent person would not have performed but which were performed in connection with the task.
- (c) For each individual identified in your answer to Interrogatory 23(b) (3),
- (1) Specify the information which he did not know but should have known in order to perform the task competently.
  - (2) Specify the training which he did not receive but should have received in order to perform the task competently.

- (3) Specify the ability which he did not possess but should have possessed in order to perform the task competently.
  - (d) For each task identified in your answer to Interrogatory 23(a),
    - (1) Specify whether or not the delay is attributable to the need to repeat actions which were initially performed in an incompetent manner.
    - (2) Specify whether or not the delay is attributable to the failure to perform actions as quickly as a competent person would have performed the actions.
24. With regard to each PCCI contention admitted in this proceeding:
- (a) Identify each person whom PCCI expects to call as an expert witness in respect of each contention.
  - (b) State the subject matter on which the expert witness is expected to testify.
  - (c) State the substance of the facts and opinions to which the expert witness is expected to testify and summarize the ground for each opinion.
  - (d) Identify all documents relied upon or examined by the expert witness in answering subparagraph 24(c) above.
  - (e) Identify all documents not identified in answering subparagraph 24(d) above which the expert witness expects to put into evidence or to rely upon in support of his or her testimony in this proceeding.

25. With respect to each PCCI contention admitted in this proceeding:
- (a) Identify any person having knowledge of the facts relating to each PCCI contention (other than the expert witnesses identified in response to Interrogatory 24(a)). This question is limited to those persons whom PCCI expects to call as witnesses other than expert witnesses in this proceeding, or with whom PCCI has consulted or expects to consult in connection with this proceeding.
  - (b) For each person who has been consulted, state when he or she was consulted and by which representative of PCCI and summarize the substance of any facts or opinions communicated by such person to the representative of PCCI relating to the subject matter of each PCCI contention.
  - (c) If PCCI expects to call any person identified in response to Interrogatory 25(a) above to testify, state the substance of his or her testimony, summarize the basis for any opinions contained in such testimony, and identify all documents which will be introduced as evidence or relied upon by such person in support of such testimony.
26. Please identify all documents which PCCI expects to introduce in evidence or use for impeachment or other cross-examination purposes in this proceeding, other than those identified in the responses to the previous Interrogatories.

27. Please identify the documents upon which PCCI relies which relate to each PCCI contention admitted in this proceeding, other than those documents identified in responses to previous Interrogatories.

Respectfully submitted,

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