

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD



Administrative Judges:

Robert M. Lazo, Chairman
Dr. Richard F. Cole
Dr. A. Dixon Callihan

SERVED SEP 1 1981

In the Matter of:

ARIZONA PUBLIC SERVICE COMPANY, ET AL.

(Palo Verde Nuclear Generating Station,
Units 1, 2 and 3 Operating License
Proceeding)

Docket Nos. STN-50-528-OL
STN-50-529-OL
STN-50-530-OL

August 31, 1981

MEMORANDUM AND ORDER

The Joint Applicants have filed a motion to compel Intervenor Hourihan to answer their interrogatories 63, 64 and 65. The Intervenor objected to each of the interrogatories

* * * on the ground that the interrogatory calls for information which is irrelevant, immaterial, and not designed to lead to the discovery of admissible evidence.

We do not have any elaboration of this objection. The Intervenor has filed neither an answer to the motion to compel nor any motion for a protective order, and the time for filing such further pleadings (including the additional time granted by the Board sua sponte in our Order of August 3, 1981) has expired.



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Objections to interrogatories are required to be "specific enough so that the [tribunal] can understand in what way the interrogatories are claimed to be objectionable. General objections, such as the objection that the interrogatories * * * are irrelevant and immaterial * * * are insufficient."^{*}/ Here we have precisely such a general objection. And in fact, it gives us little help understanding "in what way the interrogatories are claimed to be objectionable."

We have nevertheless carefully reviewed interrogatories 63, 64 and 65 to determine whether, on the basis of the very limited record before us, they appear to be in any way objectionable. We conclude that they do not. In her contention no. 8, the Intervenor claims that

The base mats for Units 1 and 2 are not structurally able to support the systems and equipment inside containment, because some of the concrete slump tests performed by Engineering Testing Labs for Units 1 and 2 were falsified.

This alleged falsification is the focal point of all three interrogatories here involved. By way of illustration, Interrogatory 63 in effect asks the Intervenor to relate how she learned of the alleged falsification. In our view, all three interrogatories are plainly within the scope of discovery allowed by 10 CFR §2.740 (b)(1).

^{*}/ Pennsylvania Power and Light Company and Allegheny Electric Cooperative, Inc. (Susquehanna Steam Electric Stations (Units 1 and 2), ALAB-613, 12 NRC 317, 323 (1980) quoting 4A Moore's Federal Practice (1980 ed) Para. 33.27 (at pp. 33-151 and 33-152).

It is, therefore, this 31st day of August 1981

ORDERED

That not later than September 15, 1981, Intervenor Patricia Lee Holliman serve her written answers, under oath or affirmation, to Joint Applicants' Interrogatories 63, 64 and 65.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

Robert M. Lazo.

Robert M. Lazo, Chairman
ADMINISTRATIVE JUDGE