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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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before the
ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	
VERMONT YANKEE NUCLEAR)	Docket No. 50-271-OLA-4
POWER CORPORATION)	(Construction Period
(Vermont Yankee Nuclear)	Recapture)
Power Station))	

INTERROGATORIES PROPOUNDED BY
VERMONT YANKEE NUCLEAR POWER CORPORATION
TO THE
STATE OF VERMONT
(Set No. 1)

Pursuant to 10 C.F.R. § 2.740b, Vermont Yankee Nuclear Power Corporation hereby propounds the following interrogatories to the State of Vermont.

As used in these interrogatories, VYNPC means Vermont Yankee Nuclear Power Corporation; VYNPS means Vermont Yankee Nuclear Power Station; SOV means the State of Vermont, including the agencies, officers, employees, and agents thereof and further including contractors or consultants thereto.

As used in these interrogatories, the term document has the same meaning as it does in Fed. R. Civ. P. 34(a).

As used in these interrogatories, the term "identify" with respect to a person means to supply the name, current business or residential address and telephone number of the person, and to state the relationship, if any, of the person to SOV.

As used in these interrogatories, the term "identify" with reference to a document means to provide such identifying information as the title or other name of the document, the author or authors of the document, the date of the document, and to state whether or not the document, or a copy thereof, is within the possession, custody or control of SOV.

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Your attention is called to the provisions of 10 C.F.R. § 2.740(e) regarding the duty of supplementation with respect to answers to interrogatories.

1. Please define what SOV contends is included within the scope of the term "program to maintain and/or determine and replace all components found to have aged to a point where they no longer meet the safety standards applicable to this plant" as used by it in its Contention 7, and provide all of the bases for your definition.
2. Please identify each of the "safety standards" that SOV contends is "applicable to this plant" as these terms are used by it in its Contention 7, and please define the measure of "reasonable assurance" as the term is used by SOV in its Contention 7.
3. For each of the seven "specific weaknesses" enumerated by SOV in sub-paragraph "b" of its Contention 7, state each and every reason why SOV contends (if it does) that that "weakness" would materially impact safety through the balance of the existing VYNPS license term, and also please state each and every reason why SOV contends (if it does) that that "weakness" would materially impact safety though the balance of the extended VYNPS license term.
4. Does SOV adopt as true and correct, as of the date of its publication, all of the findings and conclusions of the NRC Staff contained in IR 89-80? If your answer is anything other than an unqualified affirmative, please identify each of the findings and conclusions of the NRC Staff contained in IR 89-80 that SOV contends is (or on the date of the publication thereof was) not correct, and for each such finding or conclusion, state all of the reasons why SOV contends the finding or conclusion is not correct.
5. Does SOV agree that NRC Temporary Instruction 2515/97 ("NRC Maintenance Inspection Guidance") is an adequate assessment tool for use in determining the adequacy of a plant's maintenance program? If your response is anything other than an unqualified affirmative, then please identify each and every respect in which SOV contends that NRC Temporary Instruction 2515/97 ("NRC Maintenance Inspection Guidance") is not an adequate assessment tool for use in determining the adequacy of a plant's maintenance program, and, for such respect, state all of the reasons why SOV contends that it is not adequate.
6. Does SOV contend that a maintenance program can never be adequate if it has "weaknesses" as that term is used in IR 89-80?

- a. If your answer to the foregoing interrogatory is negative, then please explain all of the bases that SOV contends are properly applicable to the question of whether identified weaknesses are or are not negating of adequacy.
 - b. If your answer is affirmative, does it not necessarily follow that, if a reviewer pronounces a maintenance program to be adequate, any suggestions for improvement he may simultaneously have identified are not "weaknesses?" Please explain the rationale for your answer.
7. Does SOV concede that one cost of proceduralization is its tendency to suppress the application of initiative, judgment and discretion on the part of employees, and that, therefore, before a judgment can prudently be made to require proceduralization in any given situation a careful assessment must be made of the benefits and costs of doing so? Please state the reasons for your answer.
- a. Please describe in detail the complete extent, if any, to which SOV determined, assessed and evaluated the costs of the proceduralization that it advocates in this contention.
 - b. Please provide the technical qualifications (education, employment history, licenses and certificates, experience, or other information which SOV contends establishes the qualifications of the person), of each person who assisted SOV in making the foregoing determinations, assessments and evaluations or upon whose expertise SOV relies for the same, or state that SOV does not rely upon the expertise of any person for the determination.
8. Does SOV contend that "clearly established management controls" can adequately compensate for a shortage of "qualified replacement personnel," as those terms are used by SOV in sub-paragraph "c" of its Contention 7? Please state each and every reason for your answer, and, for each such reason, please:
- a. State each and every fact on which your reason is based.
 - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.

- c. For each reason, either provide the technical qualification (education, employment history, licenses and certificates, experience, or other information which SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the reason or state that SOV does not rely upon the expertise of any person for the reason.
9. Does SOV contend that it is always and categorically true that a maintenance program "based on the stability of maintenance staff, their skill in their professions, and their knowledge of plant system characteristics that come with long-term experience" will be less efficacious than a maintenance program based "on formally and clearly established management controls"?
- a. If your answer is other than an unqualified affirmative, please state each and every qualification necessary to obtain SOV's concurrence in the conclusion, and, for each such qualification, state all of the reasons why SOV requires such qualification prior to its adoption of the conclusion.
 - b. If your answer is an affirmative, please state each and every reason why SOV so contends, and please describe the combined qualifications and experience of the persons upon whom SOV relies for its contention.
10. Does SOV contend that its concern regarding the availability of maintenance personnel is any different with respect to the year 2007 than it is with respect to the year 2012?
- a. If your answer is anything other than an unqualified negative, please state each and every respect in which SOV contends that the concern applies differently to the year 2012 than it does with respect to the year 2007, each and every reason for each and every such respect, the degree of confidence that SOV contends can be reliably ascribed to predictions so far into the future, and the identification of any and all documents upon which SOV relies for its contention.
 - b. Does SOV contend that the basic skills and aptitude required of personnel who can be trained to be equally effective maintenance workers as presently exist at VYNPS are different from those required of personnel who can be trained to be effective maintenance personnel at coal-fired or oil-fired power plant or other large industrial facility (such as a paper

mill)? If so, please state each and every respect in which SOV contends that the basic skills and aptitude required of maintenance personnel hirees for any of these technologies differs from the others.

- c. Does SOV contend that the skills peculiar to a maintenance worker in a nuclear power plant would preclude him from working at a coal-fired or oil-fired power plant or other large industrial facility (such as a paper mill)?
 - d. If so, please identify each and every skill that SOV contends would effect such a preclusion and all of the reasons why SOV contends that it would do so.
 - e. Does SOV contend that the skills peculiar to a maintenance worker in a coal-fired or oil-fired power plant or other large industrial facility (such as a paper mill) would preclude him from working at a nuclear power plant?
 - f. If so, please identify each and every skill that SOV contends would effect such a preclusion and all of the reasons why SOV contends that it would do so.
11. Please state each and every reason why SOV contends that the statement that it has labelled "false and unreliable" in sub-paragraph "g." of Contention 7 is "false and unreliable." Please describe the investigation that SOV performed, prior to making this accusation, of the procedures and processes actually employed at VYNPC for detecting and analyzing trends, insofar as they relate to aging.
12. Does SOV adopt as true and correct, as of the date of its publication, all of the findings and conclusions of the each of the LRS documents cited by SOV in its basis for Contention 7? If your answer is anything other than an unqualified affirmative, please identify each of the findings and conclusions of each of the LRS documents that SOV contends is (or on the date of the publication thereof was) not correct, and for each such finding or conclusion, state all of the reasons why SOV contends the finding or conclusion is not correct.
13. Does SOV adopt as true and correct, as of the date of its publication, all of the findings and conclusions of the each of the LERs cited by SOV in its basis for Contention 7? If your answer is anything other than an unqualified affirmative, please identify each of the findings and conclusions of each of the LERs that SOV contends is (or on the

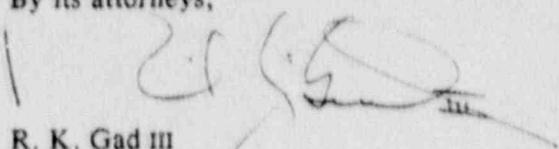
date of the publication thereof was) not correct, and for each such finding or conclusion, state all of the reasons why SOV contends the finding or conclusion is not correct.

14. Please describe each and every change to the VYNPS maintenance program or surveillance program that SOV contends, had such change been implemented earlier, would have precluded the occurrence of the matters described in the Licensee Event Report described in the foregoing interrogatory.
15. Please identify every passage of every "INPO report" that SOV had in its possession when it submitted its Contention 7 and contends is meant to be referenced by the allegations contained in sub-paragraph "m" of SOV's Contention 7.
16. Please state each and every reason SOV contends that "no confidence exists" in VYNPC's statement that there is "no present safety problem from paint chips and no future loss of integrity," and, for each reason, please:
 - a. State each and every fact on which your reason is based.
 - b. Describe all of the evidence in SOV's possession or of which SOV has knowledge that SOV contends establishes each such fact.
 - c. For each reason, either provide the technical qualification (education, employment history, licenses and certificates, experience, or other information which SOV contends establishes the qualifications of the person), of any person on whose expertise SOV relies for the reason or state that SOV does not rely upon the expertise of any person for the reason.
17. Please identify each person assisting SOV in the preparation of its answers to these interrogatories. For each such person, please
 - a. Identify the interrogatory answers prepared by that person or, if such person prepared only a portion of an answer, the portions of the answer provided by such person.
 - b. Provide the technical qualifications (education, employment history, licenses and certificates, experience, or other information which SOV contends establishes the qualifications of

the person), if any, of such person in each area in which SOV contends such person to be technically qualified.

- c. Identify each and every report, paper or other document prepared by such person (whether or not in conjunction with other persons) and made available to SOV.
18. If, in response to any of the foregoing interrogatories, SOV has responded that it cannot answer or that it cannot answer completely without the acquisition by it of additional information, then for each such response:
- a. Describe the additional information that SOV contends is required in order for it to answer or to answer completely the interrogatory.
 - b. State each and every reason why SOV contends that the acquisition of such information is necessary in order for it to answer or to answer completely the interrogatory.
 - c. State the steps that SOV is taking to acquire the information, and, for each step, the anticipated date on which it will be completed.
 - d. State the intentions, if any, of SOV concerning supplementation of its answer to the interrogatory, including (if supplementation is intended), the date on which it is anticipated that SOV will serve its supplemental response.

By its attorneys,



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Dated: March 21, 1990.

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Certificate of Service

OFFICE OF SECRETARY
DOCKETING & SERVICE
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I, R. K. Gad III, hereby certify that on March 21, 1990, I made service of the within interrogatories, by mailing copies thereof, first class mail, postage prepaid, as follows:

Robert M. Lazo, Esquire
Chairman
Atomic Safety and Licensing Board
U.S.N.R.C.
Washington, D.C. 20555

Jerry Harbour
Administrative Judge
Atomic Safety and Licensing Board
U.S.N.R.C.
Washington, D.C. 20555

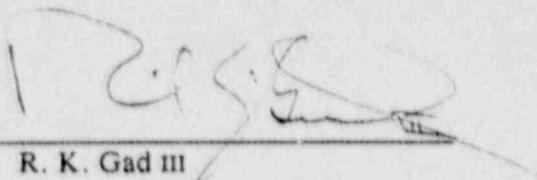
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