

02/22/82

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
TEXAS UTILITIES GENERATING COMPANY )  
 ET AL. )  
 )  
(Comanche Peak Steam Electric )  
 Station, Units 1 and 2) )

Docket Nos. 50-445  
50-446



NRC STAFF'S FOURTH SET OF INTERROGATORIES TO,  
AND REQUEST FOR THE PRODUCTION OF  
DOCUMENTS FROM, INTERVENOR CASE

The Nuclear Regulatory Commission (NRC) Staff hereby requests that Intervenor CASE, pursuant to 10 C.F.R. § 2.740(b) answer separately and fully, in writing under oath or affirmation, the following interrogatories relating to Contention 5 <sup>1/</sup> within fourteen (14) days after service hereof.

1/ ACORN was originally "lead intervenor" on Contention 5 and accordingly, these interrogatories were first directed to Intervenor ACORN. See "NRC Staff's First Set of Interrogatories to, and Request for the Production of Documents From Intervenor ACORN," January 19, 1981. Upon ACORN's voluntary dismissal as a party in this proceeding (See "Memorandum and Order," July 24, 1981), CFUR was designated as lead intervenor on Contention 5 (*Id.*, at 19). Subsequently, in response to a motion from CASE, the Atomic Safety and Licensing Board ("the Licensing Board") severed "Consolidation of CASE and CFUR for purposes of discovery and cross-examination on Contention 5 (Tr. 101)." (See "Order Subsequent to Prehearing Conference of December 1, 1981," dated December 18, 1981 at 4). According to the Licensing Board:

As concerns discovery on Contention 5, the Applicants and the Staff may each pursue discovery on both CASE and CFUR (Tr. 105). Both CASE and CFUR must answer separately, although they are free to consider the other's response in giving their answers. If the Applicants and the Staff address identical questions to CFUR or CASE, complete answers must nevertheless be provided to both the Applicants and the Staff. *Id.*

ACORN never answered the Staff's interrogatories on Contention 5. On February 8, 1982, CFUR notified the Licensing Board and parties that it was withdrawing all of its remaining contentions. Accordingly, these interrogatories are directed to CASE only.

DESIGNATED ORIGINAL

Certified By AS  
DSO

For each response to the interrogatories set forth below, identify the person or persons who prepared or substantially contributed to the preparation of the response.

The NRC Staff further requests that Intervenor CASE, pursuant to 10 C.F.R. § 2.741, provide copies of, or make available for Staff inspection and copying, the documents designated by CASE in response to certain of the accompanying interrogatories.

Contention 5

Statement of Contention

The Applicants' failure to adhere to the quality assurance/quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2, and the requirements of Appendix B of 10 CFR Part 50, and the construction practices employed, specifically in regard to concrete work, mortar blocks, steel, fracture toughness testing, expansion joints, placement of the reactor vessel for Unit 2, welding, inspection and testing, materials used, craft labor qualifications and working conditions (as they may affect QA/QC), and training and organization of QA/QC personnel, have raised substantial questions as to the adequacy of the construction of the facility. As a result, the Commission cannot make the findings required by 10 CFR § 50.57(a) necessary for issuance of an operating license for Comanche Peak. (CFUR 4A-ACORN 14-CASE 19 Joint Contentions) 2/ /

C5-1. State whether or not you intend to call any person or persons as witnesses in this proceeding in support of Contention 5 and provide the names, addresses, educational backgrounds and professional qualifications of those persons you intend to call.

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2/ The numbers in parentheses indicate the contentions in Intervenor's filings from which the admitted contention is derived.

C5-2. Indicate which of those persons identified in response to Interrogatory C5-1 will appear voluntarily and which persons you intend to subpoena.

C5-3. Provide summaries of the views, positions, or proposed testimony on Contention 5 of all persons named in response to Interrogatory C5-1 that you intend to present during this proceeding.

C5-4. Identify by author, title, date of publication and publisher, all books, documents and papers (including NRC inspection reports) that you intend to employ or rely upon in presenting your direct case on Contention 5 and provide copies of, or make available for Staff inspection and copying, those items.

C5-5. If the representations made in Contention 5 are based in whole or in part on any documents prepared by the Applicants or NRC Staff which you contend are deficient, identify the documents and specify the particular portions thereof you regard as deficient and explain why they are deficient.

C5-6. Identify by author, title, date of publication and publisher all books, documents or papers (including NRC inspection reports) that you intend to employ or rely upon in conducting your cross-examination of prospective NRC Staff witnesses testifying in connection with Contention 5.

C5-7. Identify the quality assurance/quality control provisions required by the construction permits for Comanche Peak which you assert Applicants have failed to adhere to and state the basis for your position in this regard.

C5-8. Identify the requirements of Appendix B of 10 CFR Part 50 which you assert Applicants have failed to adhere to and state the basis for your position in this regard.

C5-9. Define what is meant by "construction practices employed" as that phrase is used in the contention.

C5-10. Describe the "concrete work" referred to in the contention and state the basis for your assertion that Applicants construction practices with regard to "concrete work" have raised "substantial questions as to the adequacy of the construction of the facility."

C5-11. Identify the "mortar blocks" referred to in the contention and state the basis for your assertion that Applicants' construction practices with respect to "mortar blocks" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-12. Describe specifically and in detail the "steel" referred to in the contention and state the basis for your assertion that Applicants' construction practices with respect to steel have "raised substantial questions as to the adequacy of the construction of the facility."

C5-13. Define what is meant by "fracture toughness testing" as that phrase is used in the contention and state the basis for your assertion that Applicants' construction practices with respect to "fracture toughness testing" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-14. Identify the "expansion joints" referred to in the contention and state the basis for your assertion that Applicants' construction practices with respect to "expansion joints" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-15. Describe what is meant by "placement of the reactor vessel for Unit 2" and state the basis for your assertion that Applicants' construction practices with respect to "placement of the reactor vessel for Unit 2" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-16. Describe specifically and in detail the "welding" referred to in the contention and state the basis for your assertion that Applicants' construction practices with respect to "welding" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-17. Describe specifically and in detail the "inspection and testing" referred to in the contention and state the basis for your assertion that Applicants' construction practices with respect to

"inspection and testing" have raised substantial questions as to the adequacy of the construction of the facility.

C5-18. Identify the "materials used" and state the basis for your assertion that Applicants' construction practices with respect to "materials used" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-19. Describe specifically and in detail the "craft labor qualifications and working conditions (as they may affect QA/QC)" referred to in the contention and state the basis for your assertion that Applicants' construction practices with respect to "craft labor qualifications and working conditions (as they may affect QA/QC)" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-20. Describe specifically and in detail the "training and organization of QA/QC personnel" referred to in the contention and state the basis for your assertion that the Applicants' practices with respect to "training and organization of QA/QC personnel" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-21. Define what is meant by the phrase "substantial questions as to the adequacy of the construction of the facility." Exactly what "questions" do you contend are raised by Applicants' "failure to adhere



to the quality assurance/quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2..."?

C5-22. State specifically and in detail what is meant by the phrase "lack of compliance" and state the basis for your assertion that Applicants' "lack of compliance" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-23. State specifically what is meant by the phrase "subcontractors' failure to report items of noncompliance"; identify the "subcontractors" referred to, specify the "items of noncompliance" and state the basis for your assertion that "subcontractors' failure to report items of noncompliance" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-24. State specifically what is meant by the phrase "lack of methods of identification and control of nonconformance" and state the basis for your assertion that Applicants' "lack of methods of identification and control of nonconformance" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-25. State specifically what is meant by the phrase "program surveillance" and state the basis for your assertion that Applicants' "program surveillance" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-26. State specifically what is meant by the phrase "procedural deficiencies"; specify the "procedural deficiencies" and state the basis for your assertion that Applicants' "procedural deficiencies" have "raised substantial questions as to the adequacy of the construction of the facility."

C5-27. State specifically what is meant by the phrase "storage of electrical components"; identify the "electrical components" and state the basis for your assertion that Applicants' "storage of electrical components" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-28. State specifically what is meant by the phrase "failure to follow pipe fabrication procedures"; identify the "pipe fabrication procedures" and the "pipe" and state the basis for your assertion that Applicants' "failure to follow pipe fabrication procedures" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-29. State specifically what is meant by the phrase "failure to follow equipment maintenance instructions"; identify the "equipment" and state the basis for your assertion that Applicants' "failure to follow equipment maintenance instructions" has "raised substantial questions as to the adequacy of the construction of the facility."



C5-30. State specifically what is meant by the phrase "potential construction deficiency regarding the Unit 1 pressurizer"; describe the "potential construction deficiency" and state the basis for your assertion that the "potential construction deficiency regarding the Unit 1 pressurizer" has "raised substantial questions as to the adequacy of the construction of the facility."

C5-31. Identify the findings required by 10 C.F.R. § 50.57(a) which you assert the Commission cannot make with respect to Comanche Peak.

Respectfully submitted,

*Marjorie U. Rothschild*

Marjorie U. Rothschild  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 22nd day of February, 1982.

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S FOURTH SET OF INTERROGATORIES TO, AND REQUEST FOR THE PRODUCTION OF DOCUMENTS FROM, INTERVENOR CASE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 22nd day of February, 1982:

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