

April 6, 1982



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
TEXAS UTILITIES GENERATING	)	Docket Nos. 50-445 and
COMPANY, <u>et al.</u>	)	50-446
	)	
(Comanche Peak Steam Electric	)	(Application for
Station, Units 1 and 2)	)	Operating Licenses)

APPLICANTS' FIFTH SET OF INTERROGATORIES  
TO CASE AND REQUESTS TO PRODUCE

Pursuant to 10 C.F.R. §§ 2.740b and 2.741, Texas Utilities Generating Co., et al ("Applicants") hereby serve Applicants' Fifth Set of Interrogatories and Requests to Produce upon Citizens Association for Sound Energy ("CASE"). Each interrogatory shall be answered fully in writing, under oath or affirmation, and include all pertinent information known to CASE, its officers, directors or members as well as any pertinent information known to its employees, advisors or counsel. Each request to produce applies to pertinent documents which are in the possession, custody or control of CASE, its officers, directors or members as well as its employees, advisors or counsel. In answering each interrogatory and in responding to each request, please recite the interrogatory or request preceeding each answer or response. Also, please identify the person providing each answer or response.

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These interrogatories and requests shall be continuing in nature. Thus, any time CASE obtains information which renders any previous response incorrect or indicates that a response was incorrect when made, CASE should supplement its previous response to the appropriate interrogatory or request to produce. CASE should also supplement its responses as necessary with respect to identification of each person expected to be called at the hearing as an expert witness, the subject matter of his or her testimony, and the substance of that testimony. The term "documents" shall include any writings, drawings, graphs, charts, photographs, and other data compilations from which information can be obtained, whether prepared by CASE or by another person. We request that on a date or dates to be agreed upon, CASE make available for inspection and copying, all documents subject to the requests set forth below.

These interrogatories are based in substantial part on CASE's March 16, 1982 Answers to Applicants' Third Set of Interrogatories to CASE and Requests To Produce. Many of the instant interrogatories are founded on statements made by CASE in those Answers. Accordingly, CASE should refer to those Answers when reading and responding to these interrogatories.

APPLICANTS' INTERROGATORIES AND REQUESTS  
TO PRODUCE

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Contention 5. 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 C.F.R. 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 C.F.R. § 50.57(a) necessary for issuance of an operating licensing for Comanche Peak.

1-5. <sup>1/</sup> In CASE's response to Interrogatory 3 (Applicants' Third Set), CASE indicates that it is making an analysis of the provisions in the Comanche Peak construction permit to which it contends Applicants have failed to adhere. With respect to this analysis, please answer the following questions:

- a. What does this analysis intend to show?
- b. What are the particular provisions of the construction permit to which CASE has already decided Applicants have not adhered?
- c. When will CASE have this analysis completed?
- d. Is CASE preparing this analysis on its own? If not, who is assisting CASE in this analysis?
- e. Please make available for inspection and copying any portions of the analysis which CASE has completed. (CASE may supplement any additional portions when those are completed).

2-5. For each of the I&E Reports identified in CASE's response to Interrogatory 4 (Third Set), specify the language in each criterion of 10 C.F.R. Part 50, Appendix B to which CASE contends Applicants have failed to adhere.

1/ Applicants have identified these Interrogatories as the Fifth Set to CASE by the hyphen 5 following each number.

3-5. Are there any other I&E Reports which CASE has identified at this time which fall within the scope of Interrogatory 4 (Third Set)? If so, please identify those Reports and the associated Appendix B criterion number and specify the particular language of the criterion to which CASE contends Applicants have failed to adhere.

4-5. In CASE's response to Interrogatory 5 (Third Set), CASE indicates that it is "in the process of refining the specific areas with which it will deal in the hearings and specific approach [it] will take the the (sic) various issues with which [it is] concerned." With respect to that response, please answer the following questions:

- a. Has CASE identified any "specific areas" at this time? If so, please specify what those areas are and describe the exact issue which CASE intends to raise with respect to each area.
- b. When does CASE intend to have completed its refinement of the areas with which it will deal at the hearings?
- c. Has CASE determined the "specific approach" it will take with respect to any of the "areas" identified in a. above? If so, please describe the approach and the area involved.

5-5. With respect to CASE's answer to Interrogatory 5 (Third Set) concerning concrete work, please answer the following questions:

- a. CASE alleges that Applicants have not "really thoroughly examin[ed] what has already been done". Specify each and every instance in which CASE contends Applicants have not thoroughly examined any concern you have with concrete. For each such instance, identify what you contend Applicants failed to thoroughly examine, why you contend Applicants should have thoroughly examined that area and what you contend Applicants should have done upon conducting such examination.
- b. CASE states that it finds a "troubling aspect is the lack of a consistent QA/QC program". Please define what CASE means by the term "consistent". Please identify each and every instance in which you contend Applicants have not conducted their QA/QC program in a "consistent" manner.
- c. CASE states that its "primary and continuing concern is the trend of the type of work being done at the plant and continuing breakdown of the entire QA/QC program". Please describe what CASE means by "trend" and "continuing breakdown". Please describe any "trend" which you contend

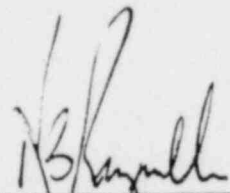
demonstrates that the Applicants' QA/QC program is inadequate. Identify each instance of "continuing breakdown" which you contend demonstrates Applicants' QA/QC program is inadequate.

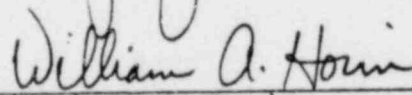
- 6-5. CASE indicates in its response to Interrogatory 5 (Third Set) that it has not analyzed the time, location and particular problem alleged for construction practices which are the subject of this Contention. Please explain how CASE intends to demonstrate that the facility has not been constructed properly if CASE cannot point to any specific instances of construction practices with which it is concerned?
- 7-5. Has CASE identified any problems which it intends to raise in support of its position on this Contention with respect to the audit reports (including the Lobbin report) which it has reviewed? If so, please specify the substance of each such problem and indicate what CASE intends to demonstrate with respect to each alleged problem.
- 8-5. With respect to "mortar blocks", please specify the I&E Reports which you contend support this aspect of Contention 5. What do contend each of those I&E Reports demonstrates? Do you intend to rely on those I&E Reports for your position on Contention 5?
- 9-5. With respect to "steel", please specify what I&E Reports you contend support this portion of Contention 5? What do you contend each of those I&E Reports demonstrates? Do you intend to rely on those I&E Reports in support of your position on Contention 5?
- 10-5. With respect to "fracture toughness testing", does CASE intend to rely upon the Westinghouse agreement referenced by CFUR? If so, what does CASE intend to show by that agreement? In addition, please identify the I&E Report referred to in your response to Interrogatory 5.d. (Third Set). What do you contend that I&E Report demonstrates with respect to "fracture toughness testing"? Do you intend to rely on that I&E Report in support of your position on Contention 5?
- 11-5. With respect to "expansion joints", please indicate whether CASE has contacted CFUR and whether CASE has decided to pursue this aspect of Contention 5. If CASE intends to pursue this aspect of Contention 5, please identify the information on which CASE intends to rely in support of its position on this aspect of Contention 5 and the source of that information.

- 12-5. With respect to the placement of the reactor vessel for Unit 2, does CASE contend there is any concern for the health and safety of the public as a result of the placement of the vessel? If so, please specify that concern and describe in detail the substance of your position.
- 13-5. In CASE's response to Interrogatory 5.f. (Third Set), CASE contends that the placement of the reactor vessel for Unit 2 "raises grave questions about the way the plant has been built and about the ability of the Applicants to construct and operate the plant safely". Please specify what these questions are and how you contend they reflect on the ability of the Applicants' to construct and operate the plant safely.
- 14-5. With respect to "welding", what is the purpose of your quotation of Applicants' responses to CASE's December 4, 1980 Third Set of Interrogatories in the response to Interrogatory 5.g. (Third Set)? If CASE contends there are any specific problems that resulted in inadequate welding, please specify those problems.
- 15-5. Are there any additional I&E Reports on which CASE intends to rely with respect to welding that it did not list in its response to Interrogatory 5.g. (Third Set)? If so, please identify those I&E Reports.
- 16-5. What are the portions of I&E Report 80-25 which you contend presents "pertinent information regarding welding problems"? For each of those portions of the report, do you contend that they indicate any welds exist at Comanche Peak which do not comply with applicable standards? If so, please specify the particular welds which you contend do not satisfy applicable standards and the nature of your concern with respect to those welds.
- 17-5. With respect to "inspection and testing", are there any specific areas which you contend raise issues concerning "inspection and testing" rather than your statement that "inspection and testing pertains to all areas of the QA/QC program". If so, please identify those areas.

- 18-5. Has CASE identified the I&E Reports which raise "questions" regarding "materials used"? If so, please identify those Reports. Are there any other documents which CASE contends relate to "materials used"? If so, please identify those documents and explain how CASE intends to use those in support of its position on Contention 5.
- 19-5. With respect to CASE's answers to Interrogatories 5.j. and 5.k (Third Set), has CASE identified the I&E Reports which relate to these issues? If so, please specify those reports and the substance of the allegations in each report on which CASE intends to rely in support of its position on these aspects of Contention 5.
- 20-5. With respect to the I&E Reports on which CASE apparently intends to rely in support of its position on Contention 5, please answer the following questions:
- a. Does CASE contend that the outstanding issues presented in each I&E Report have not been resolved to the satisfaction of the NRC Staff?
  - b. If the response to Interrogatory 20-5.a. is in the affirmative, please specify the outstanding matters which you contend have not been resolved.
  - c. For each of the matters identified in the response to Interrogatory 20-5.b., in what way does CASE contend those matters support its position on Contention 5?
  - d. Does CASE contend that the resolution of any of the outstanding matters raised in I&E Reports has been inadequate? If so, please specify the specific outstanding issues which CASE contends have not been satisfactorily resolved.
  - e. For each of the issues identified in the response to Interrogatory 20-5.d., please describe how those issues support CASE's position on Contention 5.
- 21-5. What is the "trending" analyses which CASE is performing for CPSES and CPSES as compared to STNP? Describe the purpose, content and conclusion of those analyses.

- 22-5. Has CASE completed those analyses or any portions thereof?
- 23-5. If the response to Interrogatory 22-5 is in the affirmative, please supply for inspection and copying those analyses or portions thereof.
- 24-5. If the response to Interrogatory 22-5 is in the negative, when does CASE intend to complete those analyses?
- 25-5. What are your bases for the responses to Interrogatories 1-5 through 24-5? Please identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position in those responses.
- 26-5. For each of CASE's answers to Interrogatories 7 through 12 and 14 through 20 (Third Set), CASE indicates it will supplement its responses. When does CASE intend to supplement those responses? If any of those responses are capable of supplementation (in part or in full) at this time, please do so.

  
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Nicholas S. Reynolds

  
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COMPANY, et al. ) 50-446  
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(Comanche Peak Steam Electric ) (Application for  
Station, Units 1 and 2) ) Operating Licenses)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Applicants' Fifth Set of Interrogatories to CASE and Requests to Produce," in the above-captioned matter were served upon the following persons by overnight delivery(\*) or by deposit in the United States mail, first class postage prepaid this 6th day of April, 1982,:

Marshall E. Miller, Esq.  
Chairman, Atomic Safety and  
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Washington, D.C. 20555

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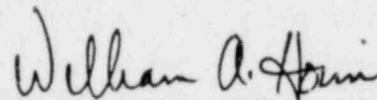
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William A. Horin

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