

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'82 MAY 18 A9:44

In the Matter of)
)
DUKE POWER COMPANY, et al.)
)
(Catawba Nuclear Station,)
Units 1 and 2))

Docket Nos. 50-413
50-414

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

APPLICANTS' RESPONSE TO
CAROLINA ENVIRONMENTAL STUDY GROUP'S
RESPONSE TO APPLICANTS' FIRST
SET OF INTERROGATORIES

On April 9, 1982, Applicants filed its "First Set of Interrogatories to Carolina Environmental Study Group and Request to Produce." On May 6, 1982, Carolina Environmental Study Group ("CESG") filed "Carolina Environmental Study Group's Response to Applicants' First Set of Interrogatories." 1/ Applicants maintain that CESG's response necessitates that Applicants file additional discovery on the subject contentions 2/

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- 1/ Pursuant to a telephone conversation between CESG's representative and counsel for Applicants, Applicants agreed to an extension to May 7, 1982 for CESG to file its response.
- 2/ For example, see CESG's response to interrogatories 1 through 6 regarding its contention 13. Those responses, which are set forth below, should be reviewed, with reference to, among other things, Applicants' General Interrogatory 5, at p.5 of Applicants' First Set of Interrogatories.

Q. What do you mean by the term "irregularities"?

A. Depositing metal in a weld before the specified preheat temperature had been reached, or the specified interpass temperature.

(Footnote continued on next page.)

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including perhaps a motion to compel pursuant to 10 CFR §2.740(f). 3/ However, Applicants have requested this Board to suspend or stay discovery pending resolution of objections

(Footnote continued from previous page.)

Q. Identify each and every "irregularity" which is the subject of this question.

A. This is the only irregularity.

Q. For each "irregularity" identified in your response to Interrogatory 2, please specify the location, time of occurrence and person or persons who were involved.

A. I do not have specific dates, times, nor identities of persons.

Q. When do you contend such "irregularities" occurred?

A. During the period in which safety-related welds were being made on unit 1.

Q. What do you contend was the cause of such "irregularities"?

A. The supervisors insistence that the welder not wait until the specified preheat temperature was reached.

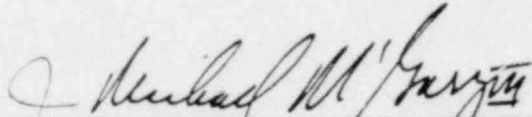
Q. What are your bases for your responses to Interrogatories 1-5? Identify all documents, testimony or oral statements by any person and legal requirements on which you rely in support of your position.

A. A conversation with a colleague who is an engineer. The conversation took place, approximately, in November, 1981.

3/ If a motion to compel were appropriate in these circumstances, such would have to be filed on this date.

raised by Applicants and Staff as to the contentions in this proceeding. Such being the case, Applicants are of the view that it is premature to engage in pleading practices with regard to discovery requests. Accordingly, Applicants have refrained from filing additional discovery on the subject contentions and/or a motion to compel at this time pending Board action on its request regarding a deferral of discovery. If the Board denies Applicants' request for a suspension or stay of discovery Applicants will file appropriate pleadings forthwith. 4/

Respectfully submitted,



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May 17, 1982

4/ See Applicants' Objections to Palmetto Alliance First Set of Interrogatories and Request to Produce dated May 10, 1982 at p.8, note 10.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Response To Carolina Environmental Study Group's Response To Applicants' First Set Of Interrogatories" in the above captioned matter, has been served upon the following by deposit in the United States mail this 17th day of May, 1982.

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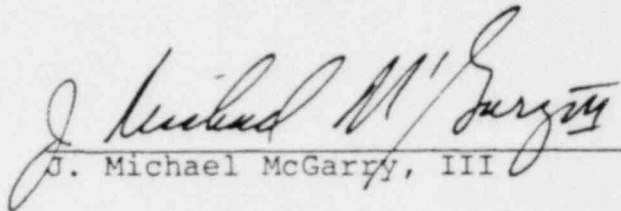
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