

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'82 AGO 18 AIO:31

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

emp

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

Docket Nos. 50-413
50-414

APPLICANTS' INTERROGATORIES TO
PALMETTO ALLIANCE AND REQUESTS
TO PRODUCE REGARDING PALMETTO ALLIANCE'S
CONTENTION 8

Pursuant to 10 CFR §§2.740b and 2.741, Duke Power Company, et al. ("Applicants") hereby serve Applicants' Interrogatories and Requests to Produce upon Intervenor, Palmetto Alliance. These interrogatories involve Palmetto Alliance's Contention No. 8.

Each interrogatory shall be answered fully in writing, under oath or affirmation, and include all pertinent information known to Palmetto Alliance, 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 Palmetto Alliance, its officers, directors or members as well as its employees, advisors or counsel. In answering each interrogatory and in responding to each request, recite the interrogatory or request preceding each answer or response. Also, identify the person providing each answer or response.

These interrogatories and requests shall be continuing in nature. Thus, any time Palmetto Alliance obtains information which renders any previous response incorrect or indicates that a response was incorrect when made,

DS03

Palmetto Alliance should supplement its previous response to the appropriate interrogatory or request to produce. Palmetto Alliance 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. Applicants are particularly interested in the names and areas of expertise of Palmetto Alliance's witnesses, if any. Identification of such witnesses is necessary if Applicants are to be afforded an opportunity to depose them. The term "documents" shall include any writings, drawings, graphs, charts, photographs, and other data compilations from which information can be obtained. We request that at a date or dates to be agreed upon, Palmetto Alliance make available for inspection and copying, all documents subject to the requests set forth below.

REQUESTS FOR DOCUMENTS

Pursuant to 10 CFR §2.741, Applicants request Palmetto Alliance by and through its attorney, to make available for inspection and copying at a time and location to be designated, any and all documents, of whatsoever description, identified in the responses to the Applicants' interrogatories, below, including, but not limited to:

- (1) any written record of any oral communication between or among Intervenors, their advisors, consultants, agents, attorneys, and/or any other persons, including but not limited to the NRC Staff, the Applicants, and their advisors, consultants, agents, attorneys and/or any other persons; and
- (2) any documents, correspondence, letter, memorandum, notes, diagrams, reports, charts, photographs, or any other writing of

whatsoever description, including but not limited to work papers, prior drafts, and notes of meetings.

If Palmetto Alliance maintains some documents should not be made available for inspection, it should specify the documents and explain why such are not being made available. This requirement extends to any such documents, described above, in the possession of Palmetto Alliance, its advisors, consultants, agents, or attorneys.

GENERAL INTERROGATORIES

Pursuant to 10 CFR §2.740b, the Applicants request Palmetto Alliance, by and through its attorney, to answer separately and fully in writing under oath or affirmation, by persons having knowledge of the information requested, the following interrogatories.

A. General Interrogatories

The following interrogatories apply severally to each of the contentions admitted as issues in controversy in this proceeding:

1. State the full name, address, occupation and employer of each person answering the interrogatories and designate the interrogatory or the part thereof he or she answered.
2. Identify each and every person you are considering to call as a witness at the hearing in this matter on this contention, and with respect to each such person:
 - a. State the substance of the facts and opinions to which the witness is expected to testify;
 - b. Give a summary of the grounds for each opinion; and
 - c. Describe the witness' educational and professional background.

3. Is the contention based on one or more calculations? If so:
 - a. Describe each calculation and identify any documents setting forth such calculation.
 - b. Who performed each calculation?
 - c. When was each calculation performed?
 - d. Describe each parameter used in such calculation and each value assigned to the parameter, and describe the source of your data.
 - e. What are the results of each calculation?
 - f. Explain in detail how each calculation provides a basis for the issue.

4. Is the contention based upon conversations, consultations, correspondence or any other type of communications with one or more individuals? If so:
 - a. Identify by name and address each such individual.
 - b. State the educational and professional background of each such individual, including occupation and institutional affiliations.
 - c. Describe the nature of each communication with such individual, when it occurred, and identify all other individuals involved.
 - d. Describe the information received from such individuals and explain how it provides a basis for the issue.
 - e. Identify each letter, memorandum, tape, note or other record related to each conversation, consultation, correspondence, or other communication with such individual.

B. Palmetto Alliance Contention No. 8

1. What do you mean by "hands-on operating experience?"
2. Specify each activity which you contend constitutes any or all aspects of the term "hands-on operating experience" as you define it.
3. Do you contend that "hands-on operating experience" is necessary to satisfy applicable NRC requirements?
4. If your answer to Interrogatory 3 is affirmative, identify those NRC requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement upon which you rely.
5. If your answer to Interrogatory 3 is negative, do you contend that "hands-on operating experience" affects public health and safety? If so, explain why you so contend.
6. What are the bases for your responses to Interrogatories 1 thru 5? Identify and submit copies of all documents, testimony or oral statements by any person on which you rely in support of your position.
7. What do you mean by "sufficient"?
8. Specifically, what do you contend constitutes "sufficient" hands-on operating experience?
9. Do you contend that NRC requirements have not been met when you say "sufficient"?
10. If your answer to Interrogatory 9 is affirmative, identify those NRC requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement upon which you rely.
11. With regard to Interrogatory 10, specify in what manner you contend each of those NRC requirements have not been met.
12. If your answer to Interrogatory 9 is negative, do you contend that "sufficient" has a nexus to the public health and safety? If so, explain why you so contend.
13. What are the bases for your responses to Interrogatories 7 thru 12? Identify and submit copies of all documents, testimony or oral statements by any person on which you rely in support of your position.
14. What do you mean by "lacks"?
15. Do you contend that such a "lack" constitutes a violation of NRC regulatory requirements?
16. If the answer to Interrogatory 15 is affirmative, identify those NRC requirements. Provide specific reference to all provisions of statutes,

regulations, regulatory guides, or any other NRC regulatory requirement on which you rely.

17. With regard to Interrogatory 16, do you contend that Applicants have not met such NRC requirements? If so, identify each such specific NRC requirement which you contend Applicants have not met and, with regard to each, explain why you contend Applicants fail to meet that requirement.
18. If the answer to Interrogatory 15 is negative, do you contend that such a "lack" has a nexus to the public health and safety? If so, explain why you so contend.
19. What are the bases for your responses to Interrogatories 14 through 18? Identify and submit copies of all documents, testimony or oral statements by any person on which you rely in support of your position.
20. What do you mean by "large pressurized water reactors"?
21. Specifically, do you contend that Catawba Units 1 and 2 are "large" pressurized water reactors?
22. What do you mean by "reactor operators"?
23. Do you contend that "reactor operators" is defined by certain NRC regulatory requirements? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement upon which you rely.
24. What do you mean by "shift supervisors"?
25. Do you contend that "shift supervisors" is defined by certain NRC regulatory requirements? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement upon which you rely.
26. With regard to Interrogatories 23 and 25, do you contend that Applicants' "reactor operators and shift supervisors" fail to comply with those NRC regulatory requirements? If so, identify each such requirement and, with regard to each, explain why you contend Applicants fail so to comply.
27. What do you mean by the term "can be operated"?
28. Specify each activity which you contend constitutes any or all aspects of the term "can be operated" as you define it.
29. Do you contend that the term "can be operated" is defined by certain NRC regulatory requirements? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement upon which you rely.

30. What are the bases for your responses to Interrogatories 20 through 29? Identify and submit copies of all documents, testimony, or oral statements by any person on which you rely in support of your position.
31. Do you contend that "sufficient hands-on operating experience" with "large pressurized water reactors" is necessary to assure the public health and safety?
32. If your answer to Interrogatory 31 is affirmative, do you contend that NRC requirements mandate that "reactor operators and shift supervisors" have "sufficient hands-on operating experience" with "large pressurized water reactors" to assure the public health and safety? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement on which you rely.
33. If your answer to Interrogatory 32 is affirmative, do you contend that Applicants have not met such NRC requirements? If so, identify each such NRC requirement which you contend Applicants have not met, and, with respect to each, explain why you contend Applicants have not met such requirements.
34. If your answer to Interrogatory 32 is negative, do you contend that "sufficient hands-on operating experience" has a nexus to the public health and safety? If so, explain why you so contend.
35. If your answer to Interrogatory 31 is negative, is it because you believe there are means other than "sufficient hands-on operating experience" with a "large" pressurized water reactor to assure the public health and safety?
36. If your answer to Interrogatory 35 is affirmative, specify each of those means. Explain why you believe each of these means is necessary to assure the public health and safety.
37. With regard to Interrogatory 36, do you contend that Applicants do not meet any or all of those means? If so, specify why you contend that Applicants do not meet those means.
38. What are the bases for your responses to Interrogatories 31 thru 37? Identify all documents, testimony or oral statements by any person on which you rely in support of your position.
39. What do you mean by "Catawba Plant Supervisor"?
40. Identify each resume of "Catawba Plant Supervisors" which you examined in preparation of this contention. Provide the name of each such "Catawba Plant Supervisor."
41. Is each of these resumes contained in the Catawba Final Safety Analysis Report (FSAR)? If so, list the section where each is contained.
42. If any or all of the response to Interrogatory 41 is negative, identify each such resume which you obtained from a source other than the

Catawba FSAR, identify the individual, and identify the source of the resume.

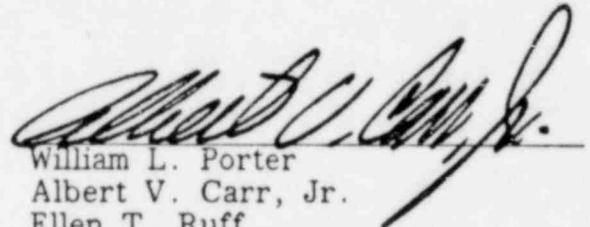
43. Identify each individual you consider to be a "Catawba Plant Supervisor," within the scope of your contention.
44. Do you contend that "Plant Supervisor" is defined by NRC regulations? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement on which you rely.
45. If your answer to Interrogatory 44 is affirmative, do you contend that the individual or individuals you have identified in response to Interrogatory 43 do not meet those requirements? If so, explain why you believe each such individual does not meet such requirements.
46. What are the bases for your responses to Interrogatories 39-45? Identify and submit copies of all documents, testimony, or oral statements by any person on which you rely in support of your position.
47. What do you mean by "primary management responsibility"?
48. Specify each activity which constitutes any or all aspects of "primary management responsibility" as you define it.
49. Do you contend that "primary management responsibility" is defined by certain NRC regulatory requirements? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement on which you rely.
50. If your answer to Interrogatory 49 is negative, do you contend that "primary management responsibility" affects public health and safety? If so, explain why you so contend.
51. With regard to Interrogatories 49 and 50, do you contend that Applicants do not comply with those regulatory requirements or otherwise fail to provide "primary management responsibility"? If so, explain why with respect to each such instance.
52. What are the bases for your responses to Interrogatories 47-51? Identify and submit copies of all documents, testimony, or oral statements by any person on which you rely in support of your position.
53. What do you mean by "safe operation of the plant"?
54. Specify each activity which constitutes any or all aspects of "safe operation of the plant" as you define it with respect to Contention 8.
55. Do you contend that "safe operation of the plant" is defined by NRC regulations? If so, provide specific reference to all provisions of statutes, regulations, regulatory guides or any other NRC regulatory requirement on which you rely.

56. With regard to Interrogatory 55, do you contend that Applicants will not meet those NRC requirements? If so, specify in what manner you contend each of these NRC requirements will not be met.
57. If your answer to Interrogatory 55 is negative, what do you contend constitutes "safe operation of the plant" as you define it?
58. Do you contend that Applicants will not meet the standards which you set out in response to Interrogatory 57? If so, explain specifically why you believe that Applicants will not meet each such standard.
59. What are the bases for your responses to Interrogatories 53 through 58? Identify and submit copies of all documents, testimony or oral statements by any person on which you rely in support of your position.
60. Do you intend the term "have experience" as you use it with respect to "Catawba Plant Supervisors" to be synonymous with the term "sufficient hands-on operating experience" as you use it with respect to "reactor operators and shift supervisors"? If not, answer Interrogatories 61 through 64.
61. What do you mean by "have experience"?
62. Specify each activity which you contend constitutes any or all aspects of the term "have experience" as you define it.
63. Do you contend that the term "have experience" is defined by or encompassed within NRC regulations? If so, provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement on which you rely.
64. With regard to Interrogatory 63, do you contend that Applicants do not meet those NRC requirements? If so, specify in what manner you contend each of those NRC requirements will not be met.
65. What are the bases for your responses to Interrogatories 60 through 64? Identify and submit copies of all documents, testimony, or oral statements on which you rely in support of your position.
66. Do you contend that "Catawba Plant Supervisors" must have "sufficient hands-on operating experience with large pressurized water reactors" to assure the public health and safety?
67. If the answer to Interrogatory 66 is affirmative, do you contend that NRC regulatory requirements mandate that "Catawba Plant Supervisors" must have "sufficient hands-on operating experience with large pressurized water reactors" to assure the public health and safety? If so, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement upon which you rely.
68. Do you contend that "Catawba Plant Supervisors" do not meet those requirements? If so, explain why, with respect to each such individual and each such requirement, you contend those requirements are not met.

69. If the answer to Interrogatory 66 is negative, specify the requirements you contend must be met to provide "sufficient hands-on operating experience with large pressurized water reactors" to assure the public health and safety.
70. Do you contend that "Catawba Plant Supervisors" do not meet those requirements? If so, explain why, with respect to each such individual and each such requirement, you contend those requirements are not met.
71. What are the bases for your responses to Interrogatories 66 through 70? Identify and submit copies of all documents, testimony, or oral statements by any person on which you rely in support of your position.
72. Identify each resume of "Senior Reactor Operators and Reactor Operators" which you examined in preparation of this contention. Provide the name of each such "Senior Reactor Operator" and "Reactor Operator."
73. Is each of these resumes contained in the Catawba FSAR? If so, list the section where each is contained.
74. If any or all of the response to Interrogatory 73 is negative, identify each such resume which you obtained from a source other than the Catawba FSAR, identify the individual, and identify the source of the resume.
75. Do you mean by "similar lack of experience" that "Senior Reactor Operators and Reactor Operators" lack the "sufficient hands-on operating experience with large pressurized water reactors" which you contend Applicants' "reactor operators and shift supervisors" lack?
76. If the answer to Interrogatory 75 is affirmative explain, with respect to each such "Senior Reactor Operator" and "Reactor Operator" why you contend those individuals lack such "sufficient hands-on operating experience."
77. If the answer to Interrogatory 75 is negative, answer Interrogatories 78 through 83.
78. What do you mean by "similar lack of experience"?
79. Do you contend that NRC regulatory requirements specify a level of "experience" which must be met by "Senior Reactor Operators" and "Reactor Operators"?
80. If your answer to Interrogatory 79 is affirmative, identify those requirements. Provide specific reference to all provisions of statutes, regulations, regulatory guides, or any other NRC regulatory requirement on which you rely.
81. Do you contend that Applicants' "Senior Reactor Operators" and "Reactor Operators" do not meet those NRC requirements? If so, state why, with respect to each such individual and each such requirement, you contend those requirements are not met.

82. If your answer to Interrogatory 79 is negative, state what requirements you believe should be met to provide what you contend to be the requisite level of "experience."
83. Do you contend that Applicants' "Senior Reactor Operators" and "Reactor Operators" do not meet those requirements? If so, state why, with respect to each such individual and each such requirement, you contend those requirements are not met.
84. What are the bases for your responses to Interrogatories 72 through 84? Identify and submit copies of all documents, testimony, or oral statements on which you rely in support of your position.

Respectfully submitted,



William L. Porter
Albert V. Carr, Jr.
Ellen T. Ruff
DUKE POWER COMPANY
P. O. Box 33189
Charlotte, N.C. 28242
(704) 373-2570

J. Michael McGarry, III
DEBEVOISE & LIBERMAN
1200 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 857-9833

August 16, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'82 AGO 18 MO:31

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	
)	
DUKE POWER COMPANY, <u>et al.</u>)	Docket Nos. 50-413
)	50-414
(Catawba Nuclear Station,)	
Units 1 and 2))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Interrogatories to Palmetto Alliance and Requests to Produce Regarding Palmetto Alliance's Contention 8," dated August 16, 1982 in the above-captioned matter, have been served upon the following by deposit in the United States mail this 16th day of August, 1982:

James L. Kelley, Chairman
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

George E. Johnson, Esq.
Office of the Executive Legal
Director
U. S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Dr. A. Dixon Callihan
Union Carbide Corporation
P. O. Box Y
Oak Ridge, Tennessee 37830

Richard P. Wilson, Esq.
Assistant Attorney General
State of South Carolina
P. O. Box 11549
Columbia, South Carolina 29211

Dr. Richard F. Foster
P. O. Box 4263
Sunriver, Oregon 97701

Robert Guild, Esq.
Attorney-at-Law
314 Pall Mall
Columbia, South Carolina 29201

Chairman
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Palmetto Alliance
2135-1/2 Devine Street
Columbia, South Carolina 29201

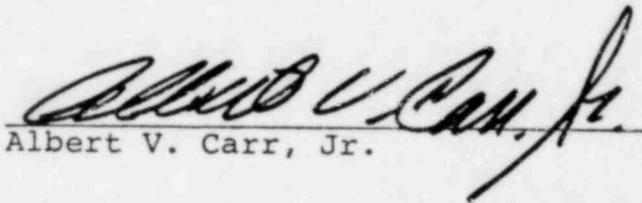
Chairman
Atomic Safety and Licensing
Appeal Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Jesse L. Riley
854 Henley Place
Charlotte, North Carolina 28201

J. Michael McGarry, III, Esq.
Debevoise & Liberman
1200 Seventeenth Street, N.W.
Washington, D. C. 20036

Mr. Henry A. Presler
943 Henley Place
Charlotte, North Carolina 28201

Mr. Scott Stucky
Docketing and Service Section
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555


Albert V. Carr, Jr.