

8/30/82

~~RELATED~~ CORRESPONDENCE

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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'82 SEP -1 A11:23

OFFICE OF SECRETARY
DOCKETING & SERVICE
BOARD *amy*

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
CONSUMERS POWER COMPANY)	Docket Nos. 50-329-OM
(Midland Plant Units 1 and 2))	50-330-OM
)	50-329-OL
)	50-330-OL

CONSUMERS POWER COMPANY'S SECOND
SET OF INTERROGATORIES TO
INTERVENOR MARY SINCLAIR

Pursuant to 10 CRF §2.740b and the Atomic Safety and Licensing Board's Prehearing Conference Order of August 14, 1982, Consumers Power Company ("Consumers Power") requests Intervenor Mary Sinclair to answer separately and fully in writing under oath or affirmation, each of the following Interrogatories regarding contentions admitted at the pre-hearing conference, within 14 days of service.

INSTRUCTIONS AND DEFINITIONS

1. As used in these Interrogatories, whenever appropriate, the singular form of a word shall be interpreted as plural and the masculine gender shall be deemed to include the feminine.

2. As used in these Interrogatories, the term "and," as well as "or," shall be construed either disjunctively or conjunctively as necessary to bring within the

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scope of these Interrogatories any information which might otherwise be construed to be outside their scope.

3. As used in these Interrogatories, the term "person" includes, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association, governmental body or agency.

4. As used in these Interrogatories, the term "identification" of a person or entity includes stating his, her, or its full name, his or her most recent home address and telephone number, his, her, or its most recent known business address and telephone number, his or her present position, and his, her, or its connection or association with any party to this proceeding.

5. If any of the information contained in the answers to these Interrogatories is not within the personal knowledge of the person signing the Interrogatory, so state and identify each person, document and communication on which he relies for the information contained in answers not solely based on his personal knowledge.

6. If you cannot answer any portion of the following Interrogatories in full, after exercising diligence to secure the information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions.

7. If you claim privilege with respect to any information which is requested by these Interrogatories, specify the privilege claimed, the communication and/or answer as to which that claim is made, the parties to the communication, the topic discussed in the communication and the basis for your claim.

INTERROGATORIES

7. With respect to each Contention advanced by Intervenor Mary Sinclair which has been admitted by the Atomic Safety and Licensing Board in Prehearing Conference Order of August 14, 1982, in the above-captioned proceeding, subject to restatement, list the following:

- a. a concise statement of the facts supporting each Contention together with references to the specific sources and documents and portions thereof which have been or will be relied upon to establish such facts;
- b. the identity of each person expected to be called as a witness at the hearing;
- c. the subject matter on which each witness is expected to testify;
- d. the substance of each witness' testimony.

8. With respect to each witness identified in Intervenor's response to Interrogatory No. 7 above, identify each document which the witness will rely upon in whole or in part in the preparation of his testimony or in the development of his position.

9. With respect to each witness identified in

Intervenor's response to Interrogatory No. 7 above, identify the witness's qualifications to testify on the subject matter on which the witness will testify.

10. With respect to Contention 3, provide an analysis or discussion of the report "Precursors to Potential Severe Core Damage Accidents: 1969-1979, a Status Report," NUREG/CR/2497 (June 1982) which, in Intervenor Sinclair's opinion, when added to the DES and FES, would satisfy NEPA and NRC policy. Indicate specifically which, if any, portions of the DES and FES should, in Intervenor's opinion, be deleted in light of NUREG/CR/2497.

11. With respect to Intervenor's second to the last sentence of Contention 3, identify what actual accident sequences and significant events Intervenor believes should have been used as the basis for deriving probabilities of severe accidents. In addition, identify what probabilities of severe accidents and associated uncertainties Intervenor believes are appropriate for discussion in the FES and DES for Midland.

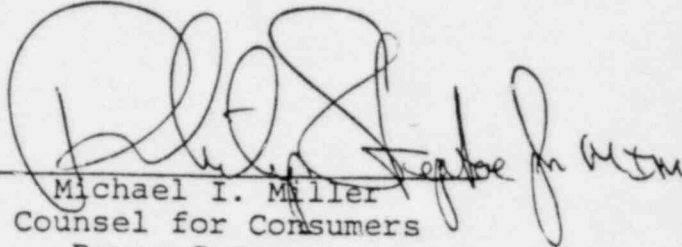
12. With respect to the reference to rebaselining in the Prehearing Conference Order of August 14, 1982, at page 16, state specifically in what ways, if any, Intervenor finds the process of rebaselining relevant to the final resolution of the issue raised by Contention 3. In addition, provide an analysis or discussion with regard to rebase-

lining which, when added to the discussion in the FES, Intervenor believes would satisfy NEPA and NRC policy. Indicate which, if any, portions of the discussion of re-baselining which presently appears in the FES Intervenor believes should be deleted.

13. With respect to Contention 5, identify:
 - a. what baseline data Intervenor believes was used in the NRC Staff's analysis of the cooling pond's effectiveness in controlling thermal discharges and ice and fog generation;
 - b. specifically how Intervenor believes that "a study based on cooling pond performance in a substantially different climatic region" was used in the Staff's analysis of thermal discharge to the river;
 - c. specifically what baseline data Intervenor believes should be used to allow the agency and the public to reach an informed decision on the adverse effects of the cooling pond; and
 - d. how Intervenor believes the data referred to in part "c" should be used in analyzing the cooling pond's effectiveness in controlling thermal discharges and ice and fog generation.

14. Identify all persons who participated in the preparation of the answers, or any portion thereof, to the Interrogatories.

We respectfully remind Intervenor Sinclair of her ongoing duty, under certain circumstances, to supplement responses to this discovery request in accordance with 10 C.F.R. §2.740(e).



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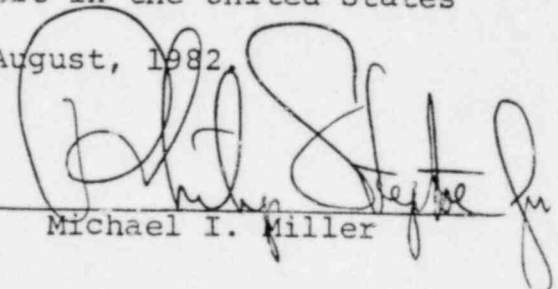
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OFFICE OF SECRETARY
DOCKETING & SERVICE
BOARD BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
)	Docket Nos. 50-329-OM
CONSUMERS POWER COMPANY)	50-330-OM
)	50-329-OL
(Midland Plant Units 1 and 2))	50-330-OL

CERTIFICATE OF SERVICE

I, Michael I. Miller, one of the attorneys for Consumers Power Company, hereby certify that a copy of "Consumers Power Company's Second Set of Interrogatories to Intervenor Mary Sinclair" was served upon all persons shown in the attached service list by deposit in the United States mail, first class, this 30th day of August, 1982.


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