

RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION '82 NOV 18 10:50

Before the  
ATOMIC SAFETY AND LICENSING BOARD

SET

In the Matter of: )  
 )  
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, )  
ET AL. )  
(Seabrook Station, Units 1 and 2) )

Docket Nos: 50-443  
and  
50-444

MOTION OF THE STATE OF NEW HAMPSHIRE  
TO COMPEL ANSWERS TO ITS FIRST SET OF INTERROGATORIES  
TO PUBLIC SERVICE COMPANY

The State of New Hampshire filed its First Set of Interrogatories to the Public Service Company on October 15, 1982. Public Service Company served its response to those Interrogatories on November 3, 1982. To a number of those Interrogatories, the Applicant Public Service Company provided incomplete and evasive responses. Although New Hampshire will attempt to informally resolve the question of completeness of response to those Interrogatories, New Hampshire hereby moves, pursuant to 10 C.F.R. Section 2.740(f), that the Applicant be compelled to answer those Interrogatories set forth below to which it has provided incomplete or evasive responses.

Interrogatory No. 9.1

Question:

Identify all persons who were and are responsible in a supervisory capacity for the design and installation of the radioactivity monitoring system for Seabrook.

Answer:

The persons currently responsible in a supervisory capacity for the design of the Radiation Data Management System (RDMS) are:

J. A. MacDonald, Radiation  
Protection Manager, YAEC,  
Framingham, MA

R. P. Neustadter, Supervising  
Engineer, Instrumentation and  
Controls, UE&C, Philadelphia, PA.

These individuals are currently involved with the design of the RDMS. Others have been involved in the past.

Ultimate responsibility for the installation of the RDMS rests with R. Rebel, Seabrook Construction Manager, UE&C, Seabrook, NH.

The Interrogatory asks for those who "were and are responsible" for the activity to which the Interrogatory relates. The response identifies only individuals currently involved with the activity. The response is incomplete and the Applicant should be ordered to provide the names of those individuals who were involved in the past in the activity to which the Interrogatory relates.

Interrogatory No. 9.6

Question:

Identify all documents which have been prepared for the purpose of studying, reviewing, or critiquing the radioactivity monitoring system, the RDMS or the PAMS, for Seabrook.

Answer:

The studying, reviewing and critiquing of the Radiation Monitoring System is accomplished via a series of correspondence dealing with the system specification and the system design description. The documents which detail the correspondence, consisting of letters, memos and notes of telecon, are in the UE&C RDMS specification file and system description file.

The Interrogatory has three parts:

- 1) The radioactivity monitoring system,
- 2) The RDMS, and
- 3) The PAMS.

The Applicant's response appears incomplete in that it does not address each of the three parts of the question. The Applicant should be ordered to complete the answer.

Interrogatory No. 9.8

Question:

Identify all aspects in which Seabrook Radiation Monitoring System is not in strict compliance with Reg. Guide 1.97. For each aspect identified, indicate PSNH reason for non-compliance and the alternative method chosen by PSNH to comply with Criterion 64.

Answer:

Seabrook Station's Radiation Data Managements System conforms to the guidance in Regulatory Guide 1.97 requirements as they pertain to Criterion 64, Effluent Releases.

The Interrogatory is set forth in two parts. The first part requests that all aspects in which the radiation monitoring system is not in strict compliance with Regulatory Guide 1.97 be identified. The response does not answer this part of the Interrogatory. It does not identify aspects of the radiation monitoring system which are not in compliance with Regulatory Guide 1.97. The Applicant should be ordered to provide this information.

Interrogatory No. 9.16

Question:

NUREG 0737, III(D)(1.1) requires PSNH to implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient and/or accident. Identify all documents relating to the development of the program under III(D)(1.1) and produce such documents pursuant to 10 C.F.R. Section 2.741. Explain the manner in which compliance with III(D)(1.1) will be achieved and specify all aspects in which strict compliance will not be achieved.

Answer:

PSNH will implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident in accordance with NUREG-0737, Section III.D.1.1. This commitment was made to the NRC by letter SBN-212, "Implementation of TMI Action Plan Requirements of NUREG-0737," J. DeVincentis to Frank Miraglia, dated February 12, 1982. The subject letter indicates the manner in which compliance to NUREG-0737 will be achieved. As required by III.D.1.1 a summary description of the ongoing leak reduction program will be completed four months prior to fuel load.

The Applicant's answer is incomplete and evasive. While the Applicant states that a particular letter by PSNH indicates a commitment to compliance with III (D) (1.1), the Interrogatory asks for identification of all documents relating to the development of the program. While the State understands PSNH's position that its program is not finalized at present, this does not relieve PSNH from the obligation to fully respond to the Interrogatory. The Applicant should be ordered to identify all documents relating to the development of the NUREG III (D) (1.1) program as requested by the Interrogatory.

Interrogatory No. NH 10.1

Question:

Identify all persons who were or are responsible in a supervisory capacity for the design and installation of the control room for Seabrook.

Answer:

The persons currently responsible in a supervisory capacity for the design of the Control Room are:

R. P. Neustadter, Supervising Engineer,  
Instrumentation and Controls, UE&C,  
Philadelphia, PA.,

W. H. Reed, Instrumentation and Controls  
Engineering Manager, YAEC, Framingham, MA

These individuals are currently involved with the design of the Seabrook Control Room. Others have been involved in the past.

Ultimate responsibility for the installation of the Seabrook Control Room rests with R. Rebel, Seabrook Construction Manager, UE&C, Seabrook, NH.

As with Interrogatory 9.1, this question asks for those "who were and are responsible" for the activity to which the Interrogatory relates. The response identifies those currently involved with the activity. The response is incomplete and the Applicant should be ordered to provide the names of those individuals who were involved in the past with the activity to which the Interrogatory relates.

Interrogatory No. 10.2

Question:

Identify all documents which have been developed for the purpose of studying, reviewing or critiquing the control room design, including but not limited to the documents resulting from the Detailed Control Room Design Review (DCRDR) required by NUREG 0737, Section I(D)(1). Please produce such documents pursuant to 10 C.F.R. Section 2.741. Please provide information on the status of the DCRDR.

Answer:

The following documents have been developed specifically for studying, reviewing or critiquing the Control Room design.

Seabrook Control Room Review- attachment to letter No. SB-12593, dated December 23, 1981.

2. Seabrook Station Control Room Design Review Preliminary Report - attached to letter No. SBN-274, May 12, 1982.

3. Nuclear Engineering Services Agreement between Yankee Atomic Electric Company and Thomas B. Sheridan Associates.

In addition, a file has been developed containing a large number of memos, letters and notes of meeting which deal with the study, review and critique of the main control panel design. This file is labeled "MCB - Seabrook, Human Factors, 199.99.29" and is maintained by W. G. Alcusky, Yankee Atomic Electric Company.

The DCRDR is currently being performed at Seabrook and is approximately 50% complete.



The Applicant's answer appears incomplete. The Applicant states that the DCRDR is 50% (see answer to Interrogatory N.H. 10.2) complete but it is not clear that the documents identified in the answer include all those documents which have been developed as part of the DCRDR. Needless to say, the Applicant is under an obligation to identify and produce all documents relating to the DCRDR, regardless of whether or not the study is completed. The Applicant should be ordered to produce all documents presently available relating to the DCRDR.

Interrogatory No. SAPL Supp. 3.7

Question:

Identify all documents which relate to an analysis of transients in accidents which postulate multiple failures including operator errors. Please produce such documents pursuant to 10 C.F.R. 2.741.

Answer:

See response to SAPL Supplement 3.6. (See below.)

( Interrogatory No. SAPL Supp. 3.6

Question:

Identify all persons who have been assigned the responsibility of performing the analysis of transients and accidents which postulates multiple failures including operator errors.

Answer:

PSNH has not done an analysis of transients and accidents which postulate multiple failures including operator errors. However, multiple failure analyses will be addressed by the Seabrook Probabilistic Safety Assessment study (SPSA). The SPSA study, being performed by Pickard, Lowe, and Garrick, Inc., is currently scheduled for completion in the fall of 1983.)

The Applicant's answer to Interrogatory SAPL Supp. 3.7 is incomplete and evasive. The answer refers to the answer to Interrogatory SAPL Supp. 3.6, which indicates that multiple failure analysis is being performed by a consulting firm, and that such study will be completed in Fall 1983. As indicated in previous Interrogatories, the Applicant appears to believe that if it has not completed its work in a specific area, it need not identify or produce documents which relate to that area. The State strenuously objects to this practice. If documents exist which relate to the Interrogatory, then the State is clearly entitled to have them identified and produced, regardless of whether or not the Applicant believes an associated study is complete.

The Applicant should be ordered to produce all documents, including those which have been prepared in connection with the SPSA study, which relate to an analysis of transients and accidents, and which postulate multiple failures including operator errors.

Interrogatory No. SAPL Supp. 3.10

Question

Identify all documents which have been developed for the purpose of studying, reviewing, or critiquing the question of whether additional features or other accidents should be added to Seabrook which would prevent or mitigate the consequences of serious accidents. Please produce such documents pursuant to 10 C.F.R. 2.741.

Answer:

There are no documents that have been developed specifically for the purpose of studying, reviewing, or critiquing the question of whether additional features or other accidents should be added to Seabrook which would prevent or mitigate the consequences of serious accidents. With regard to future modifications to station design, operations or maintenance that might enhance station safety, PSNH will rely on the results of the Seabrook Probabilistic Safety Assessment (SPSA) study, now in progress, as an aide in its decisionmaking. Since the SPSA study is presently scheduled for completion in the fall of 1983, PSNH cannot provide the requested documentation at this time.

The Applicant's answer is incomplete and evasive. Again, the Applicant states that there is an ongoing study which relates to the subject matter of the Interrogatory and apparently believes it has no obligation to produce documents relating to the ongoing study. Certainly, that is not the case. Any documents (as the term is broadly defined in the Interrogatories) which fall within the scope of the Interrogatory must be identified and produced. The Applicant cannot withhold pertinent information on the grounds that a study is in progress. The Applicant should be ordered to identify and produce all documents, including those relating to the Seabrook Probabilistic Safety Assessment, which have been requested by the Interrogatory.

Interrogatory No. SAPL Supp. 3.11

Question:

Explain what additional features which would prevent or mitigate the consequences of serious accidents have been considered by PSNH and explain the reasons that such features were not included in the present design.

Answer:

It is the opinion of PSNH, based on the information currently available, that the present design of Seabrook Station encompasses those features required for preventing or mitigating the consequences of serious accidents. PSNH will rely upon the results of the Seabrook Probabilistic Safety Assessment Study, now in progress, as an aide in its decisionmaking for evaluating possible future modifications to the Station design (see response to SAPL supplement 3.10). Since that study is not completed, PSNH cannot yet identify what features were considered and not adopted as Station design changes or modifications.

The Applicant's answer is evasive and incomplete. This Interrogatory is simple and to the point. The State has asked for information relating to the consideration and rejection by PSNH of features which would prevent or mitigate the consequences of accidents. Quite obviously, the evaluation by PSNH of such features is extremely important to the State. The response states only that PSNH is of the opinion that the present design is adequate. The State is already aware of the Applicant's opinion in this regard. In effect, the Interrogatory seeks the basis of that opinion by asking for an explanation of the reasoning by which such features were considered and rejected.

Again, the Applicant makes reference to the Probabilistic Safety Assessment. Certainly, if the assessment contains information relevant to this Interrogatory, that information should be identified.

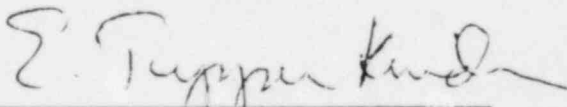
The Applicant summarizes its answers by saying, "Since the study is not complete, PSNH cannot yet identify what features were considered and not adopted as station design changes or modifications." This sentence makes no sense if it is an attempt to link past evaluation with the present study. If features were considered and not adopted, then they should be able to be identified, regardless of the status of the study. The Applicant may, by this sentence, mean that in the context

of the study, it will not be able to determine what features were considered and rejected until the assessment is completed. Even if this is the meaning, the Applicant is under an obligation to explain the additional features which the assessment is considering. The State is entitled to an answer to the Interrogatory and the Applicant should be ordered to answer fully and completely.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

GREGORY H. SMITH  
ATTORNEY GENERAL

By   
E. Tupper Kinder  
Assistant Attorney General  
Environmental Protection Division  
Office of the Attorney General  
State House Annex  
Concord, New Hampshire 03301  
Tel. (603) 271-3678

Dated: November 15, 1982



'82 NOV 18 REC 51

CERTIFICATE OF SERVICE

I, E. Tupper Kinder, Esquire, do hereby certify that a copy of the foregoing Motion of the State of New Hampshire to Compel Answers to Its First Set of Interrogatories to Public Service Company, has been mailed this 15th day of November, 1982, by first class mail, postage prepaid, to:

Helen F. Hoyt, Chm.  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. NRC  
Washington, D.C. 20555

Dr. Emmeth A. Luebke  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. NRC  
Washington, D.C. 20555

Dr. Jerry Harbour  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. NRC  
Washington, D.C. 20555

Jo Ann Shotwell  
Assistant Attorney General  
Office of the Attorney General  
One Ashburton Place  
19th Floor  
Boston, Massachusetts 02108

Roy P. Lessy, Jr., Esquire  
Robert Perliss, Esquire  
Office of Executive Legal Dir.  
U.S. NRC  
Washington, D.C. 20555

Mrs. Beverly Hollingsworth  
822 Lafayette Road  
P.O. Box 596  
Hampton, New Hampshire 03842

Robert A. Backus, Esquire  
116 Lowell Street  
P.O. Box 516  
Manchester, New Hampshire 03105

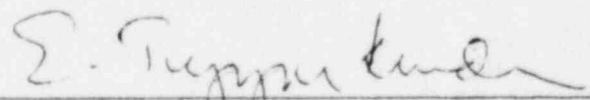
William S. Jordan, II, Esquire  
Ellyn R. Weiss, Esquire  
Harmon and Weiss  
1725 I Street, N.W.  
Suite 506  
Washington, D.C. 20006

Phillip Ahrens, Esquire  
Assistant Attorney General  
State House, Station #6  
Augusta, Maine 04333

Edward J. McDermott, Esquire  
Sanders and McDermott  
408 Lafayette Road  
Hampton, New Hampshire 03842

Thomas G. Dignan, Jr., Esquire  
Ropes and Gray  
225 Franklin Street  
Boston, Massachusetts 02110

Atomic Safety and Licensing  
Board Panel  
U.S. NRC  
Washington, D.C. 20555

  
\_\_\_\_\_  
E. Tupper Kinder

Dated: November 15, 1982