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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	*	
	*	
GEORGIA POWER COMPANY,	*	Docket Nos. 50-424-OLA-3
et al.	*	50-425-OLA-3
	*	
(Vogtle Electric	*	Re: License Amendment
Generating Plant,	*	(Transfer to Southern
Units 1 and 2)	*	Nuclear)
	*	
	*	ASLBP No. 93-671-01-OLA-3

GEORGIA POWER COMPANY'S
RESPONSE TO ALLEN L. MOSBAUGH'S
THIRD SET OF INTERROGATORIES

I. Introduction

Georgia Power Company ("GPC") hereby responds to Allen L. Mosbaugh's Third Set of Interrogatories, dated May 17, 1994. GPC's responses to Intervenor's interrogatories state a number of objections, including that certain requests (1) are overbroad as requesting information not relevant to the diesel statements issue, (2) are unduly burdensome, or (3) seek information subject to the attorney-client communication privilege or the attorney work product doctrine.

A number of Intervenor's requests are overbroad because the information which they seek extends beyond the scope of discovery remaining in this phase of the

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proceeding (see e.g., request nos. V.1, 8, 11). In responding to Intervenor's requests, GPC has interpreted Intervenor's interrogatories as addressing those matters related to diesel generators which the Licensing Board has determined are at issue in this proceeding in its order of June 2, 1994. Based on that ruling, Intervenor's allegation that GPC made false statements to NRC concerning the safety of the Vogtle diesel generators is limited to those matters addressed in OI Report (Case No. 2-90-020R), dated December 20, 1993.

II. General Objections

As a general matter, GPC objects to Intervenor's definition of "Licensee," "Georgia Power Company," "The Southern Company," "SONOPCO," "you," and "your," and consequently to interrogatories which request information known to "GPC" or "you" as defined by Intervenor. Intervenor defines these terms as including not only GPC, but also forty one (41) parties listed in Section IV of those interrogatories, individually and in their capacity as an agent or employee of GPC, The Southern Company, and/or SONOPCO, past or present, and counsel for each person listed in Section IV and The Southern Company, and/or SONOPCO, their counsel and all their respective agents, servants, associates, employees, etc. of the foregoing. As a result, Intervenor would have GPC conduct an investigation as to the knowledge of every employee, agent or representative of each of these companies and individuals. Such an investigation of each of Intervenor's interrogatories, with their detailed subparts, is

unduly burdensome and expensive as well as overbroad given the subject matter of the Diesel statements issue. Without waiving this objection, GPC has endeavored to respond to Intervenor's interrogatories by making a reasonable inquiry of those individuals who GPC believes have material information related to the diesel statements issue, including, with respect to Interrogatory IV.1., the 40 persons identified.

GPC further objects to the identification of "each and every document, communication or contact referring or relating to" the subject of Intervenor's interrogatories. Given the nature of Intervenor's allegations, identification of such documents, communications and contacts within the custody or control of GPC would be oppressive and unduly burdensome. Again, without waiving this objection, GPC has endeavored to respond by identifying, after a reasonable inquiry, those contacts and documents which appear relevant to the diesel statements issue. Moreover, in responding to prior document requests GPC has produced nearly 60,000 pages of material. To the extent that Intervenor seeks information and documents in the possession of GPC as of May 4, 1993, GPC incorporates by references its response to Intervenor's First Set of Interrogatories, dated June 2, 1993. Also, GPC has not attempted to identify information contained on the tapes surreptitiously recorded by Mr. Mosbaugh in 1990, which have been made available to the Intervenor.

Furthermore, GPC generally objects to the identification, or disclosure, of those documents which are subject to the attorney work product doctrine or the attorney-client communication privilege. GPC has been a defendant or respondent in actions initiated

by Intervenor since mid-1990. In addition to this proceeding, such actions include (1) NRC inspections and an NRC Office of Investigations ("OI") investigation and an NRC proposed enforcement action respecting those allegations lodged by Intervenor in the Hobby/Mosbaugh Petition related to the diesel statements issue, (2) three separate actions before the Department of Labor, (3) an investigation by the Department of Justice, and (4) a hearing by a Congressional Subcommittee. GPC's legal counsel has been heavily involved in GPC's responses to these actions and, as a result, has generated a large number of documents in preparation of such defenses. It would be oppressive and unduly burdensome and expensive for GPC to identify each and every one of such documents which are subject to either or both of (1) the attorney work product doctrine (i.e., they were prepared by legal counsel in anticipation of litigation and their disclosure would reveal the mental impressions of legal counsel), or (2) the attorney-client communication privilege (i.e., communications from GPC to its legal counsel made in confidence for the purpose of obtaining legal advice and counsel).

III. Response to Interrogatories and Document Requests For Persons Listed

Because GPC found these interrogatories and document requests, directed toward 39 named individuals as well as two category of individuals, to be unduly burdensome and objectionable, GPC and Intervenor discussed a mutually acceptable method of response during the May 26, 1994 prehearing conference. There, the parties agreed that, rather than providing individual affidavits, GPC would conduct a survey of the named

people and provide a single response on their behalf. Tr. 408.

Most of the contacts that the named individuals have had within the categories identified by the interrogatory occurred in 1990 through their interactions with members of the NRC's Augmented Inspection Team, Incident Investigation Team, and Operational Safety Inspection Team. Information regarding contacts with members of these NRC teams was previously provided to Intervenor in response to prior interrogatories and document requests. In most cases, these documents consist of verbatim transcripts of meetings, interviews and telephone conferences between the NRC team members and GPC employees. Accordingly, for the individuals listed below that indicate they had contacts with these NRC Inspection Teams, Intervenor is directed to the documents previously produced. Furthermore, personal notes of the individuals responding that were taken during these meetings have also been previously produced. Finally, for those individuals below that have been interviewed by the NRC's Office of Investigations (OI), Intervenor has previously been provided with interview notes or transcripts that supply information responsive to these interrogatories.

1. (Mr. Edward L. Addison) Mr. Addison has had no contacts with the categories of individuals (NRC employees, including members of the Vogtle Coordinating Group; Department of Justice employees; members, staff or other representatives of Congress, and members of the press) concerning the allegations of inaccurate or incomplete information related

to diesel generators being provided to the NRC. He did contact Senator Bob Graham concerning hearings on "whistleblowers in the nuclear industry" as reflected in his July 7, 1993 letter to the Senator.

2. (Mr. John Aufdenkampe) Mr. Aufdenkampe participated in numerous meetings and discussions on practically a daily basis with members of the NRC's Augmented Inspection Team and Incident Investigation Team from the date of their arrival on-site until the issuance of the NRC's NUREG-1410 in June, 1990. Mr. Aufdenkampe was interviewed by the Incident Investigation Team on March 29, 1990. Mr. Aufdenkampe had numerous contacts with the NRC's resident inspectors following the issuance of LER-90-006 on April 19, 1990, until the issuance of the revised LER-90-006 on June 29, 1990. Mr. Aufdenkampe also participated in meetings and discussions with the NRC's Operational Safety Inspection Team in August, 1990. Mr. Aufdenkampe has no specific recollection of the dates, times and places of these contacts. Mr. Aufdenkampe was interviewed by the NRC's Office of Investigations on June 17, 1993.

3. (Mr. Barnie Beasley, Jr.) In his position as Plant General Manager, Mr. Beasley has frequent contact with NRC representatives, including Region II (e.g., Pierce Skinner) and Resident inspectors (e.g., Brian Bonser). In

that capacity he has general discussions of outstanding regulatory issues, including the general status of inspections, inspection follow-up items, and investigations, with the NRC representatives. He does not recall substantive discussions concerning the merits of allegations which are the subject matter of this interrogatory with NRC representatives. Mr. Beasley did not have any contacts relevant to this interrogatory prior to assuming his present position.

4. (Mr. George Bockhold) Mr. Bockhold participated in numerous meetings and discussions on practically a daily basis with members of the NRC's Augmented Inspection Team and Incident Investigation Team from the date of their arrival on-site until the issuance of the NRC's NUREG-1410 in June, 1990. He attended a meeting with the NRC Region II on April 9, 1990 in Atlanta, Georgia and made a presentation regarding issues associated with the Site Area Emergency prior to restart. Information regarding this meeting and presentation has been previously produced. Mr. Bockhold had contacts with the Resident Inspectors following the issuance of LER-90-006 on April 19, 1990 until the issuance of the revised LER-90-006 on June 29, 1990. Mr. Bockhold also participated in meetings and discussions with the NRC's Operational Safety Inspection Team in August, 1990. On September 5, 1990, Mr. Bockhold attended

an Enforcement Conference in Atlanta, Georgia with NRC Region II where matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been previously produced. Mr. Bockhold was interviewed by the NRC's Office of Investigations on August 14, 1990 and on June 22, 1993.

5. (Mr. Mark Briney) Mr. Briney is no longer an employee of the Georgia Power Company. Efforts to contact him to respond to this request have not been successful. GPC will supplement this response.

6. (Mr. Kenneth Burr) Mr. Burr participated in numerous meetings and discussions with members of the NRC's Augmented Inspection Team and Incident Investigation Team from the date of their arrival on-site until the issuance of the NRC's NUREG-1410 in June, 1990. He attended a meeting with the NRC Region II on April 9, 1990 in Atlanta, Georgia regarding issues associated with the Site Area Emergency prior to restart. Information regarding this meeting has been previously produced. Mr. Burr also had meetings and discussions with Mr. Milt Hunt of the NRC's Region II and Mr. Mike Waterman of the NRC's Office of NRR regarding a test program on Calcon sensors at Wyle Laboratories in Huntsville, Alabama. Mr. Burr also had meetings and discussions with

Mr. Milt Hunt and Mr. Pete Taylor in August, 1990 as a part of the NRC's Operational Safety Inspection. Mr. Burr was interviewed by the NRC's Office of Investigations on June 14, 1993. He also had meetings and discussions with an NRC Special Investigation Team during the time frame of May 9 through May 20, 1994. The NRC Inspectors included Mr. Randy Moore, Mr. George McDonald, Mr. Mike Waterman and Mr. Milt Shimlock. On May 24, 1994, Mr. Burr was deposed by Mr. Michael Kohn, counsel for Intervenor. This deposition was attended by Mr. Darl Hood who is a member of the Vogtle Coordinating Group from the NRC's Office of NRR. Also in attendance was Mr. Charles Barth, counsel for the NRC.

7. (Mr. James Bailey) During the relevant time frame, Mr. Bailey has held the position of Vogtle Licensing Manager. In this position he has discussions with the NRC on almost a daily basis. During the period from March 20, 1990 to the present, he may have had discussions with members of the NRC's staff about matters relevant to this interrogatory, but does not specifically recall having any such discussions. However, if such a discussion had occurred, the NRC staff member with whom the discussion would have occurred would likely be Messrs. Darl Hood (NRC NRR), Duke Wheeler (NRC NRR), Dave Matthews (NRC NRR), or

Pierce Skinner (NRC Region II). He attended a meeting with the NRC Region II on April 9, 1990 in Atlanta, Georgia regarding issues associated with the Site Area Emergency prior to restart. Information regarding this meeting has been previously produced. On September 5, 1990, Mr. Bailey attended an Enforcement Conference in Atlanta, Georgia with NRC Region II where matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been previously produced. Mr. Bailey was interviewed by the NRC's Office of Investigations on June 23, 1993.

8. (Mr. Paul Burwinkel) Mr. Burwinkel had limited participation with members of the NRC's Augmented Inspection Team and Incident Investigation Team in late March, 1990. Mr. Burwinkel was also contacted by the NRC's Office of Investigations in late 1990 or early 1991. The OI Investigator called Mr. Burwinkel's home and left a message for Mr. Burwinkel to contact him. Mr. Burwinkel returned the call and was asked by the OI Investigator if he would like to have dinner some time. Mr. Burwinkel declined the offer, indicated he had no first-hand knowledge regarding the events in question and was not contacted further.

9. (Mr. Jimmy Paul Cash) Mr. Cash had limited interaction with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. He was an Event Critique Team member for the event. He attended a meeting with the NRC Region II on April 9, 1990 in Atlanta, Georgia regarding issues associated with the Site Area Emergency prior to restart. Information regarding this meeting has previously been produced. In his capacity as the Unit Superintendent, Mr. Cash may have spoken to the Vogtle Resident Inspectors during the March to August, 1990 time frame regarding diesel generator issues. However, he has no recollection regarding such contacts. Mr. Cash was interviewed by the NRC's Office of Investigations on August 14, 1990 and June 14, 1993.

10. (Mr. Charles Coursey) Mr. Coursey had limited interaction with the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. He was an Event Critique Team member for the event. Mr. Coursey was interviewed by the NRC's Office of Investigations on November 3, 1993.

11. (Mr. Bill Chenault) Mr. Chenault is no longer providing contracted services for Georgia Power Company. Efforts to reach him have not been

successful.

12. (Mr. A.W. Dahlberg) Mr. Dahlberg testified on July 15, 1993 at the U.S. Senate Subcommittee on Clean Air and Nuclear Regulation. Contacts associated with that testimony are identified in response to Interrogatory 8. In addition, Mr. Dahlberg wrote a letter dated July 31, 1990, to Ms. Anita Sharpe, editor of the Atlanta Business Chronicle, a copy of the letter was previously produced by GPC.
13. (Mr. Stan Driver) Mr. Driver had limited contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team. Mr. Driver was interviewed by Incident Investigation Team members on March 28, 1990.
14. (Mr. Chris Eckert) Mr. Eckert met with the NRC's Office of Investigations on November 3, 1993.
15. (Mr. George Frederick) Mr. Frederick was a member of the Plant Vogtle Event Critique Team assigned to investigate and report on the March 20, 1990 event. In that capacity he attended several meetings with members of the NRC's Augmented Inspection Team and Incident Investigation

Team until their departure from the plant site. He did not have a specific assignment to interact with members of either team and does not recall providing any documents to members of these teams. Mr. Frederick attended a meeting with the NRC's Region II on April 9, 1990 in Atlanta, Georgia. He did not personally have any communications with members of the NRC present at that meeting related to diesel generator starts or diesel generator reliability. In August, 1990, Mr. Frederick was assigned to interact with Mr. Pete Taylor (Region II NRC Inspector) as a part of the NRC's Operational Safety Inspection. Mr. Frederick discussed with Mr. Taylor the content of his SAER Audit, Audit Report OP26-90/33 dated June 29, 1990. During this time, Mr. Frederick met with Mr. Taylor at various times and on various dates to discuss the audit and to review the Vogtle Unit 1 diesel generator start count after March 20, 1990.

Mr. Frederick was interviewed by the NRC's Office of Investigations on June 28, 1993. On May 25, 1994, Mr. Frederick was deposed by Mr. Michael Kohn, counsel for Intervenor, in the offices of Finestone, Morris & Wildstein in Atlanta, Georgia. This deposition was attended by Mr. Darl Hood who is a member of the Vogtle Coordinating Group from the NRC's Office of NRR. Also in attendance was Mr. Charles Barth from the NRC staff.

16. (Mr. Joseph Farley) Mr. Farley does not recall any discussions he has had with members of the identified entities which are responsive to this interrogatory. However, Mr. Farley was deposed by Michael Kohn on April 14, 1994, in the offices of Balch & Bingham in Birmingham, Alabama on the subject of Mr. Mosbaugh's illegal license transfer allegation. Mr. Darl Hood and Charles Barth, Esq. from the NRC Staff participated in this deposition.

17. (Mr. Thomas Greene) Mr. Greene had limited interaction with the NRC's Operational Safety Inspection Team in August, 1990. He has no recollection of the dates, times and places of such contacts or the subject matter discussed. Mr. Greene was interviewed by the NRC's Office of Investigations on July 6, 1993.

18. (Mr. George Hairston, III) At the time of the relevant events and continuing through today, Mr. Hairston has held officer positions in the nuclear operations organization of Georgia Power Company, first as Senior Vice President and, subsequently upon the retirement of Mr. R. Patrick McDonald, Executive Vice President. In those capacities he has numerous, routine discussions with the NRC regarding Plant Vogtle. Those include discussions with members of the NRC Region II office in

Atlanta, Georgia, and of the NRC headquarters office in Washington. Specific NRC employees with whom he had discussions include Mr. Stewart Ebnetter, the Regional II Administrator, and Mr. Pierce Skinner. Mr. Hairston does not recall these routine discussions addressing the accuracy or completeness of Georgia Power statements concerning the Plant Vogtle diesel generators.

With respect to discussions related to diesel generators, Mr. Hairston attended a meeting at NRC Region II in Atlanta, Georgia on April 9, 1990 related to Vogtle restart. Information regarding this meeting has been previously produced by GPC. He also contacted Mr. Ebnetter during the development of a revision to LER 1-90-006 in May and June, 1990. On September 5, 1990, Mr. Hairston attended an Enforcement Conference in Atlanta, Georgia with NRC Region II where matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been previously produced. Mr. Hairston was interviewed by the NRC Office of Investigations (Mr. Larry L. Robinson and Mr. James D. Dockery) on June 25, 1993. The transcript of this interview was previously provided to Intervenor by the NRC Staff and describes these diesel generator-related discussions. The only other conversation with NRC representatives concerning the accuracy or completeness of diesel generator-related statements occurred in

September or October, 1990. Present were Mr. Brian Bonser (an NRC resident inspector at the Plant), Mr. John Aufdenkampe (the Technical Support manager at the time), Mr. Hairston and, perhaps, others. Mr. Hairston recalls Mr. Aufdenkampe telling him that an incorrect number was used in the development of LER 1-90-006 because his organization had used the numbers from overlays developed for an April 9, 1990 meeting with the NRC in Atlanta and had merely added additional starts from and after April 9.

19. (Mr. Harvey Handfinger) Mr. Handfinger had interactions with the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. He left the employee of GPC in November, 1992.

20. (Mr. Ken Holmes) Mr. Holmes had limited contacts with the NRC's Augmented Inspection Team and Incident Investigation Team. His contacts were directly related to his position as the Event Critique Team Leader for the March 20, 1990 Site Area Emergency event. In that capacity, he was interviewed by Incident Investigation Team members on several occasions. On September 5, 1990, Mr. Holmes attended an Enforcement Conference in Atlanta, Georgia with NRC Region II where

matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been previously produced. On September 27, 1991, Mr. Holmes was interviewed by the NRC's Office of Investigations.

21. (Mr. Mike Horton) Mr. Horton had contacts with the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event.

22. (Mr. W. F. Kitchens) At the time of the event, Mr. Kitchens was the Assistant General Manager-Plant Operations and has subsequently become the Assistant General Manager-Plant Support. In both of these positions, Mr. Kitchens may have had occasion to discuss issues related to diesel generators with members of the NRC Staff but has no specific recollection of any such discussions. Mr. Kitchens was also the Technical Support Center Manager during the Site Area Emergency and had discussions with Mr. Stewart Ebnetter, NRC Region II, regarding plant status at that time. Mr. Kitchens had limited contacts with the members of the Augmented Inspection Team and Incident Investigation Team following the Site Area Emergency. On May 19, 1994, Mr. Kitchens met with Mr. Randy Moore and Mr. Milt Shimiock of NRC Region II to discuss the preliminary

findings of an NRC inspection related to diesel generator control air systems. On May 20, 1994, Mr. Kitchens attended an NRC Inspection Exit Meeting with Mr. Randy Moore, NRC Region II, regarding the same diesel generator control air issues.

23. (Mr. Paul Kochery) Mr. Kochery had numerous contacts with members of the Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. He was an Event Critique Team member for the event. After the Incident Investigation Team left the Vogtle site, Mr. Kochery continued to periodically receive phone calls from Team members until the issuance of NUREG-1410 in June, 1990.
24. (Mr. Ron LeGrand) Mr. LeGrand had limited contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. Mr. LeGrand has no recollection of participating in any discussions or meetings where the subject matter of these interrogatories was discussed.
25. (Mr. Harry Majors) Mr. Majors was interviewed by the NRC's Office of Investigations on June 29, 1993. On May 25, 1994, Mr. Majors was deposed by Mr. Michael Kohn, counsel for Intervenor. This deposition

was attended by Mr. Darl Hood, a member of the Vogtle Coordinating Group from the NRC's Office of NRR, and Charles Barth, Esq., counsel for the NRC staff.

26. (Mr. Ken McCoy) At the time of event and continuing through today, Mr. McCoy has held the position of Vice President - Vogtle Project. In that capacity he has had numerous, routine discussions with the NRC regarding Plant Vogtle from the time of the event to today. Mr. McCoy had limited contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. Mr. McCoy attended a meeting with the NRC Region II on April 9, 1990 in Atlanta, Georgia and made a presentation regarding issues associated with the Site Area Emergency prior to restart. Information regarding this meeting has been previously produced. He also contacted NRC Staff during the development of LER-90-006 and its revision. Mr. McCoy interacted with the NRC's Operational Safety Inspection Team in August, 1990. Information regarding these contacts have been previously produced to the Intervenor. On September 5, 1990, Mr. McCoy attended an Enforcement Conference in Atlanta, Georgia with NRC Region II where matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been

previously produced.

Mr. McCoy has had routine discussions with NRC personnel including the Vogtle Resident Inspectors, NRC Region II personnel (primarily Mr. Pierce Skinner, Mr. Ken Brockman, Mr. Marvin Sinkule and Mr. Al Herdt during the relevant period). Mr. McCoy has also interacted with NRC Office of NRR personnel (primarily Mr. Darl Hood, Mr. Gene Carpenter, Mr. Duke Wheeler, Mr. Dave Matthews and Mr. Gus Lainas during the relevant period). Mr. McCoy also participates in periodic status meetings regarding Plant Vogtle with Mr. Stewart Ebnetter and Mr. Ellis Merschoff (and various members of their staffs), of the NRC's Region II, and Mr. Jim Partlow and Mr. Steve Varga (and various members of their staffs), of the NRC's Office of NRR. As the Chairman of the Westinghouse Owners Group, Mr. McCoy has had interactions with Dr. Tom Murley and Mr. Bill Russell, of the NRC's Office of NRR regarding generic Westinghouse PWR issues during this time frame. Mr. McCoy has no recollection of discussing any of the issues related to this interrogatory with these NRC personnel during his routine discussions with them. Additionally, Mr. McCoy was interviewed by the NRC's Office of Investigations on June 30, 1993.

27. (Mr. Patrick McDonald) Efforts to contact Mr. McDonald to respond to

this interrogatory have been unsuccessful to date. GPC will supplement this response.

28. (Mr. Cliff Miller) Mr. Miller had limited contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event.

29. (Mr. Rick Odom) Mr. Odom had limited contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the event on March 20, 1990. For a period of time following the event, Mr. Odom worked in a licensing interface position for the Georgia Power Company which required some contact with members of the NRC staff. Matters responsive to this interrogatory may have been discussed with members of the NRC staff during this time period, but Mr. Odom has no recollection of the dates, times, or substance of those discussions.

30. (Mr. Paul Rushton) On September 5, 1990, Mr. Rushton attended an Enforcement Conference in Atlanta, Georgia with NRC Region II where matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been

previously produced. Mr. Rushton is not aware of any other contacts which would be responsive to the subject matter of this interrogatory.

31. (Mr. Jack Stringfellow) Mr. Stringfellow was interviewed by the NRC's Office of Investigations on June 21, 1993.

32. (Mr. William Shipman) On or about June 11, 1990, Mr. Shipman contacted Mr. Ken Brockman (NRC Region II) regarding the error in the start count reported in the LER-90-006. Mr. Shipman was interviewed by the NRC's Office of Investigations on June 11, 1993.

33. (Mr. Ken Stokes) Mr. Stokes had numerous contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. After the Incident Investigation Team left the Vogtle site, Mr. Stokes continued to periodically receive phone calls from members of the Team up until NUREG-1410 was issued in June, 1990. Mr. Stokes was interviewed by the NRC's Office of Investigations on November 3, 1993. Mr. Stokes also participated in a special inspection by the NRC during the time period of May 9 through May 20, 1994. The NRC Inspectors were Mr. Randy Moore, Mr. George McDonald, Mr. Mike Waterman and Mr. Milt Shimlock.

34. (Mr. Robert Scherer) Mr. Scherer retired on June 1, 1989 from Georgia Power Company. He has not had any contacts with the categories of persons listed in this interrogatory.
35. (Mr. Jim Swartzwelder) Mr. Swartzwelder had limited contacts with the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. He also had limited contacts with the NRC's Operational Safety Inspection Team in August, 1990. Mr. Swartzwelder does not believe that any of these contacts with the NRC were related to matters responsive to the subject matter of this interrogatory.
36. (Mr. Curtis Stinespring) Mr. Stinespring does not believe he has had any contacts which would be responsive to the subject matter of this interrogatory.
37. (Mr. Tom Webb) Mr. Webb was an Event Critique Team member for the March 20, 1990 event. From the time of the event through today, Mr. Webb has worked in an on-site licensing interface position which requires periodic contact with members of the NRC staff. Matters related to the subject matter of this interrogatory may have been discussed, but

Mr. Webb has no specific recollection of such discussions.

38. (Mr. Lewis Ward) Mr. Ward had contacts with members of the NRC's Augmented Inspection Team and Incident Investigation Team following the March 20, 1990 event. Mr. Ward's primary involvement with these teams was in setting up and discussing a test program conducted by Wyle Laboratories in Huntsville, Alabama. Mr. Ward discussed the status and findings of the test program on practically a daily basis with members of the IIT during the relevant time frame. Information associated with these contacts has been previously produced. On September 5, 1990, Mr. Ward attended an Enforcement Conference in Atlanta, Georgia with NRC Region II where matters related to the current Notice of Violation were discussed. Documentation concerning this enforcement conference has been previously produced.

In 1992, Mr. Ward worked at the Vogtle site for a temporary six month period as the Maintenance Manager while a new manager was being selected. In that capacity, he may have had discussions with the NRC regarding diesel generators, but has no specific recollection of such discussion including any time, date or persons contacted.

39. (Mr. Gus Williams) Mr. Williams has no recollection of having any

contacts which would be within the scope of the subject matter of this interrogatory.

40. (Troutman Sanders) GPC interprets this interrogatory as seeking information concerning contacts which Intervenor's counsel was not a party to or copied on. We are aware of the following contacts:
 - a.
 1. June 7, 1993 telephone call from Larry Robinson (OI) to Art Domby (TS) requesting identity of attorney representing either George Bockhold or Harry Majors and address/telephone number. Domby also suggested that Robinson review pleadings in license amendment proceeding filed by Allen Mosbaugh.
 2. June 25, 1993 telephone call to Larry Robinson (OI) by Art Domby (TS) to determine documentation which interviewees should bring to interviews, and to suggest that OI was ignoring exculpatory evidence which was relevant and material, in particular audiotapes which were not transcribed/retained by OI.
 3. July 20, 1993 telephone call to Larry Robinson (OI) from Art Domby and Bryan Lavine (TS) concerning OI request for polygraph examinations.
 4. August 4, 1993 letter from Bryan Lavine to Larry Robinson, and James Y. Vorse (OI) concerning polygraph examinations, which

is included in the OI Report exhibits.

5. Discussions between Larry Robinson and John Lamberski on August 20, 1993 during which Mr. Robinson stated that he would be sending a letter to GPC's counsel inviting them to make a presentation to OI concerning the evidence which they believe should be considered by OI in its investigation. Mr. Robinson made statements which Mr. Lamberski believes are accurately summarized below:

5.a. Mr. Robinson understands that the Incident Investigation Team and NRC's Ken Brockman, Region II, received information concerning the diesel start failures in the relevant time frame.

5.b. Mr. Robinson concluded that on April 19, 1990 neither Mr. Aufdenkampe nor Mr. Mosbaugh knew the LER was wrong, although Mr. Mosbaugh expressed some concern about its accuracy.

5.c. Mr. Robinson and Mr. Lamberski also discussed the possible interpretation of a statement by Mr. Shipman on tape no. 58 to the effect that "if we use the point that the diesels are declared operable to start the count, the

numbers are likely to be significantly less than what Bockhold told Ebnetter. That will create a selling job for me."

6. August 23, 1993 letter (dated 1992) from James Vorse (OI) to Bryan Lavine (TS) accepting an offer of GPC to present evidence to three Offices of the NRC.
7. September 20, 1993 letter from Art Domby to Larry Robinson (OI) criticizing OI's failure to refresh interviewee's recollection by playing tapes and OI's failure to afford interviewees the opportunity to listen to relevant tapes containing statements alluded to by OI in interviews.
8. October 6, 1993 letter to Larry Robinson from Art Domby (TS) concerning a presentation to the NRC as proposed in James Vorse's (OI) letter of August 23, 1993.
9. October 7, 1993 meeting among Larry Robinson (OI), Bryan Lavine (TS) and Art Domby (TS). Documentation concerning this contact was previously produced to Intervenor, and is included as Exhibits to the OI report.
10. October 27, 1993 FAX to Larry Robinson (OI) from Arthur Domby (TS) consisting of pages 236, 288 and 289 of the Department of Labor hearing transcript in Case Nos. 91-ERA-01

and 91-ERA-11, dated March 11, 1992.

11. Discussions among Larry Robinson (OI), Art Domby (TS) and John Lamberski (TS) on and about November 2 and 3, 1993 concerning the mechanics of prospective OI interviews of Messrs. Eckert, Coursey, Stokes and Kochery. Robinson plans to interview Allen Mosbaugh again and to complete his investigation by mid-December. Robinson acknowledged that TS had discussed the subject matters with Rick Kendall but Robinson has not talked with Kendall since then.
12. November 5, 1993 letter from John Lamberski (TS) to Larry Robinson (OI) transmitting a portion of the April 19, 1990 tape during which Mr. McCoy asks about the number of diesel generator starts.
13. November 9, 1993 telephone conference call among Larry Robinson, Art Domby, Bryan Lavine and John Lamberski in which Robinson stated that he did not need to talk to Mark Briney or Michael Horton and solicited information concerning Intervenor's interrogatory responses.
14. November 12, 1993 telephone discussion between Larry Robinson and John Lamberski during which the latter referred Mr. Robinson to the following responses in Intervenor's Response to the Second

Set of Interrogatories of Georgia Power Company, dated August 11, 1993. The substance of the conversation on each of the items is believed to be as recited below:

Response 1(i) - Contrast this with ALM statements on Tape 19, dated March 28, 1990.

Response 18(b)(2) - It states that he did not receive a draft copy of the April 9, 1990 letter before it was signed. However, an earlier April 6th draft of that letter indicates that ALM, among others, received a copy.

Response 18(c)(2) - Everyone knew or should have known.

Response 15 - Footnote 4 admits that ALM had no way of conclusively knowing whether Hairston was on the April 19, 1990 telephone call during which the site and corporate agreed on the final language of the LER.

Responses 6(b), 6(f), 6(h) and 18(c)(2), (3) and (4) - These state, in effect, that on April 19, 1990 ALM was aware of problems or failures with the diesel starts occurring "subsequent to the test program" and that he provided that information to Stringfellow, Shipman and Aufdenkampe, demonstrating that the final LER was inaccurate. This is not true based on the tapes of April 19, 1990. Furthermore, on about May 8, 1990 ALM prepared draft language for the revised LER which simply changed the number of diesels starts to eleven. His proposed correction said nothing about any failures or problems prior to their string of "successful starts."

Response 7 - ALM's 6/91 allegation, p. 9 (Response II) states that he performed his task . . .

promptly and accurately. But Response 7 says Aufdenkampe and the PRB prepared the revision.

Mr. Robinson requested an April 6 draft of the April 9, 1990 letter and the "ALM Rewrite" which were faxed to him the same day. A copy of the fax will be provided to Intervenor.

15. January 18, 1994 telephone call of Art Domby to James Lieberman of the NRC's Office of Enforcement indicating GPC's willingness to provide additional information to his Office which it may need in its review and commenting that GPC had observations on audiotapes provided to GPC subsequent to OI's completion of that Office's investigation.
16. May 18 and 20, 1994 telephone conversations between Mr. Joseph Gray, Office of Enforcement, and Art Domby (TS) concerning extension of time for responding to Notice of Violation and Demands for Information.
17. May 27, 1994 letter to Mr. James Lieberman, Director, NRC Office of Enforcement, from Mr. W. George Hairston, III (GPC) requesting extension of time to respond to the NOV and Demands for Information.
18. June 2, 1994 letter from Mr. James Lieberman, Director, NRC Office of Enforcement, to W. George Hairston, III (GPC) granting

extension.

19. Discussions at various times between John Lamberski and Arthur Domby with Troutman Sanders and Charles Barth, Mitzi Young, Darl Hood or Ed Reis concerning licensing proceeding which GPC objects to identifying on the grounds that such an undertaking would be unduly burdensome and expensive. Moreover, the interrogatory is not reasonably calculated to lead to admissible evidence. The substance of these communications generally concerned the status of various procedural matters of GPC and NRC staff (e.g., standing of Intervenor, scope of proceeding, stipulations, audiotape production, tape transcript stipulation) and not the matters at issue in the proceeding.
- b. None.
- c. 1. Several discussions between Jesse P. Schaudies (TS) and members of the Majority and Minority Staffs of the Senate Subcommittee on Clean Air and Nuclear Regulation of the Committee on the Environment and Public Works between approximately July 2, 1993 and July 15, 1993 concerning the testimony of Mr. A. W. Dahlberg at the July 15, 1993 hearings on whistleblowers.

The substance of these communications involved the

appropriateness of a hearing which addresses the substantive issues then under investigation by the NRC, the inappropriateness of asking any GPC witness about those substitutive issues, the procedures for the hearing, and the procedural history of Mr. Mosbaugh's Department of Labor proceedings. On July 9, 1993, Mr. Schaudies and Mr. Joseph "Buzz" Miller (Southern Nuclear) met with Subcommittee Staff members Mr. Dan M. Berkovitz, Ms. Joyce Rechtshaffen and Mr. Doug Heady and discussed the hearing of July 15, 1993. Mr. Berkovitz referred to GPC's 2.206 petition response, played a copy of portions of Tape 57 and/or 58, and commented on the substance of the conversations. Mr. Schaudies commented that additional taped conversations after the three in the series played by Mr. Berkovitz existed. Documents provided to these Staff members to date have not been identified; when identified they will be produced to Intervenor.

- d. See item a. above.
- e. 1. In May 1994, John Lamberski was contacted by David Airozo of Inside N.R.C. who inquired about the delay in the NRC's enforcement decision. Mr. Lamberski recalls that he informed Mr. Airozo that he did not know a reason for any delay.

41. (GPC Corporate Representative) (Mr. Tal Wright, Corporate Spokesperson)

a. Mr. Wright and Mr. Dave Altman (GPC) spoke with Mr. Ken Clark (NRC Region II media relations) concerning a pending NRC press release of the Notice of Violation on or about May 9, 1994. Altman contacted Clark previously in April, 1994 concerning the NRC's procedures for press releases and media inquiries.

b-d. Mr. Wright does not recall contact with employees of the U.S. Department of Justice, members, staff or representatives of the U.S. Congress or the Vogtle Coordinating Group.

e. Mr. Wright, as the Corporate Spokesperson, has contacted, and been contacted by, a number of members of the press since 1990. The following press members had contact with Wright on or about May 10, 1994 concerning the Notice of Violation:

John Winters, Augusta Chronicle

Dave Airozo, Nucleonics Week

Charles Seabrook, Atlanta Journal-Constitution

Pete Konencamp, Georgia Radio Network

David Pace, Associated Press

IV. GPC's Responses to Interrogatories and Document Request

1. (Domby) GPC objects to this interrogatory to the extent that it requests the identification and production of transcripts of tape recordings made by Intervenor which are not related to the diesel statements issue in this proceeding and, therefore, not relevant. As a result of the Board's June 2, 1994 order, two additional tape transcripts (for Tape Nos. 37 and 38) not previously produced are relevant. These partial transcripts will be made available for inspection and copying.
2. (Domby) With the exhibits to the OI report and his own knowledge of communications between the corporate office and the site, Intervenor is as capable of identifying the location of the individuals whose voices are heard in a review of the partial transcript of Tape No. 58, between page 8, line 17 and page 17, line 11, and the associated audiotape as GPC is. A review indicates as follows:
 - a. Messrs. Aufdenkampe and Mosbaugh were in Mr. Aufdenkampe's office in the Plant Vogtle Administration building;
 - b. Mr. Bockhold was in his office in the Plant Vogtle Administration building;
 - c. Messrs. Hairston, McCoy, Shipman, and Stringfellow were in Building 42 of the Inverness Center office park near Birmingham, Alabama.
3. (Burr and Stokes) GPC objects to this interrogatory to the extent that it

requests GPC to engage in any new analyses regarding the diesel starts and runs referenced in the interrogatory. Without waiving this objection GPC provides the following information.

Diesel Generator 1A

- Starts 139, 140: The engine started, ran and tripped due to premature venting of the Calcon temperature sensors.
- Start 141: The engine started and ran with no operational problems.
- Start 146: This was an inadvertent start and the engine was shutdown within one minute.
- Start 148: The engine was tripped due to one temperature sensor venting and another sensing line being disconnected for testing. This is further described in NUREG-1410.

Diesel Generator 1B

- Starts 120, 121: The engine failed to start because the fuel lines were not sufficiently primed before attempting to start the engine.
- Starts 123, 124: The engine was shutdown by the operator during these runs to investigate various alarms.
- Start 132: The engine tripped during this run due to the high temperature lube oil sensor venting without an actual

- high temperature condition present.
- Start 133: The engine started, ran and was shutdown normally. After the engine was started, an operator reset an undervoltage relay flag.
- Start 134: The engine tripped during this run. The operator noted that the low pressure jacket water annunciator was received. The engine was restarted and ran for four hours before being shut down by the operator.
- Start 136: The engine was shutdown by the operator during this run to investigate various alarms.
- Start 153: The engine was started and shutdown by the operator.
- Start 156: Three new temperature sensors were installed on the engine prior to this start. The sensors had been calibrated using a newly developed calibration procedure based on test results from Wyle Laboratories. The engine tripped because the set points for these sensors were too low. See explanation in NUREG-1410 and Wyle Test Report (which has been previously provided).
- Starts 157, 160, 161,
162, 164, 165: These starts were part of GPC's trouble shooting efforts which followed the trip associated with Start No. 156.

See response regarding Start No. 156 above.

4. (Burr and Stokes) GPC objects to this interrogatory as overly vague and undefined without appropriate context. It requests information on diesel starts as they are defined by particular quoted language but fails to reference the source of the quoted language. GPC observes that different knowledgeable persons may apply different connotations to the quoted phrases in different contexts. Without waiving this objection, respondents interpret subparts a. and d. as referring to the same diesel start information: the starts that occurred from the point each diesel was reassembled to the point each diesel was declared operable. For diesel generator 1A, these terms include starts 131 through 137, and for diesel generator 1B, these terms include starts 120 through 142. Also, respondents interpret subparts b. and c. as referring to the same diesel start information: the first surveillance start per plant procedure. For diesel generator 1A, these terms refer to start 138 and for diesel generator 1B these terms refer to start 143.
5. (Burr and Stokes) GPC objects to this interrogatory in that it requires analyses and conclusions that have not been performed and the performance of such review and analyses would be unduly burdensome and time consuming. Furthermore, GPC disagrees with Intervenor's characterization of the receipt of the maintenance lockout alarm in this instance as a "problem." Without waiving these objections, GPC believes that receipt of the maintenance lockout

alarm on April 3, 1990, was most likely the result of the system configuration. Diesel generator 1B was taken out of service on April 1, 1990, through April 5, 1990, to allow for implementation of a design change to the diesel as described in DCP 90-V1N0133. The maintenance lockout alarm was received due to the normal bleeding down of the control air while the air receiver outlet valve is locked closed.

6. (Burr and Stokes) GPC objects to this interrogatory in that it requires analyses and conclusions that have not been performed and the performance of such review and analyses would be unduly burdensome and time consuming. Without waiving this objection, GPC believes that information responsive to this request is contained in a computer-generated print-out from the Plant Vogtle Nuclear Plant Management Information System. The print-out provides a summary of work requested and performed on the air dryers associated with the Plant Vogtle diesel generators (i.e., equipment tag numbers 12403G4001K01, 12403G4001K02, 12403G4002K01, 12403G4002K02, 22403G4001K01, 22403G4001K02, 22403G4002K01, 22403G4002K02). GPC objects to Intervenor's request to "identify every person who knew the dew point was less than satisfactory" as unduly burdensome. Like other nuclear power plants, the process at Plant Vogtle associated with requesting work to be performed; scheduling and planning work to be performed; obtaining parts, materials and tools for work to be performed; taking equipment out of service;

performing work; reviewing work performed; closing out work authorization packages; and periodically reporting on work accomplished necessarily involves numerous people.

7. (Burr and Stokes) See GPC's response to interrogatory 6 above. GPC objects to Intervenor's request to "identify every person who knew this condition existed" as unduly burdensome for the same reasons discussed in interrogatory 6 above.
8. Response to 8.a. and 8.b. GPC will produce a transcript of Mr. Dahlberg's Senate Subcommittee testimony, the errata sheet to the testimony, and a letter to the two Senators who attended the Subcommittee's hearing in which Mr. Dahlberg testified. GPC objects to the identification of production of all drafts of Mr. Dahlberg's testimony based upon the attorney work product doctrine and attorney-client communication privilege. Furthermore, Mr. Dahlberg's testimony was directed at GPC's relationship with Mr. Mosbaugh, and not the substance or merits of Mr. Mosbaugh's allegations related to diesel generator-related statements made by GPC. As a result, the documents requested are not reasonably related to the issues in controversy before the Licensing Board or reasonably calculated to identify admissible, relevant evidence.

Notwithstanding these objections, GPC will produce documentation which it

has identified which consists of correspondence with, or documents provided by, the Subcommittee as follows:

1. A July 1, 1993 memorandum from Claire Silvia to Dan Berkovitz regarding the legality of tape recordings;
2. A July 2, 1993 letter from Mr. Joseph I. Lieberman, Chairman of the Subcommittee, to Mr. W. George Hairston, III;
3. A July 6, 1993 letter from Kenneth C. Rogers, acting Chair of the NRC, to Senator Joseph I. Lieberman;
4. A July 7, 1993 letter to Senator Bob Graham from Mr. Ed Addison, President of the Southern Company;
5. A July 13, 1993 letter to Mr. Allen Mosbaugh from Mr. Joseph I. Lieberman;
6. A July 13, 1993 letter from Senator Joseph I. Lieberman to Mr. W. George Hairston;
7. A July 14, 1993 letter from A.W. Dahlberg, President and Chief Executive Office, Georgia Power Company, to Senator Joseph I. Lieberman;
8. A July 14, 1993 letter from Charles E. Mullins, Esquire of the NRC to Jesse P. Schaudies, Jr., Esq.;
9. A July 21, 1993 letter from Jesse P. Schaudies, Jr., Esq. to Janice Dunn Lee, Esq., minority counsel for the Senate Subcommittee;

10. A July 20, 1993 letter from Jesse P. Schaudies, Jr., Esq. to Mr. Brent Erikson, Legislative Director to Senator Alan K. Simpson.
11. Two undated transcripts title "Mosbaugh Tape of Conversation A" and "Mosbaugh Tape of Conversation B" provided to Jesse P. Schaudies on or about July 9, 1993.

Response to Interrogatory 8.c. GPC did not maintain a list of persons involved in preparing Mr. Dahlberg for his Senate Subcommittee testimony and the extent of their involvement. The matter began on or about July 2, 1993 and was essentially completed with Mr. Dahlberg's testimony on July 15, 1993. Based on recollections, the following individuals assisted Mr. Dahlberg for this testimony:

Jesse P. Schaudies, Jr., Esq. (Attorney-Client Privileged Communications)

Arthur H. Domby, Esq. (Attorney-Client Privileged Communications)

Christopher Miller, Esq. (Attorney-Client Privileged Communications)

Mr. David Altman and Mr. Tal Wright of Georgia Power Company (Communications protected pursuant to the attorney-client communication privilege)

Mr. David Rozier of Georgia Power Company (Communications protected pursuant to the attorney-client communication privilege)

Mr. Joseph A. (Buzz) Miller of Southern Nuclear

(Communications protected pursuant to the attorney-client communication privilege)

9. (Domby) GPC objects to this request as vague, overbroad and unduly burdensome. The request seeks facts and documents related to communications by and between GPC and every person at any time concerning Mr. Mosbaugh's credibility. Moreover, GPC objects to this request because it seeks discovery of the mental impressions and legal strategy of GPC's counsel and therefore seeks information which is subject to the attorney work product doctrine. The process of reviewing and evaluating prior testimony in preparation for cross-examination is the very essence of a lawyer's trial strategy. Further, the information which Intervenor seeks is among the information which has already been produced in discovery between the parties.
10. (Domby) GPC is not aware of any contacts with the Vogtle Coordinating Group relative to the allegations in the Notice of Violation or tasks assigned the Group. GPC has had contacts with some members of the Vogtle Coordinating Group but the contacts were made in the context of the particular member's routine responsibilities within the agency and no contact has been made that relates to any member's activity on the Vogtle Coordinating Group. See also the response to request No. IV.1.a.
11. (Domby) GPC objects as unduly burdensome to producing copies of

documents provided to Intervenor in this proceeding. Responsive documents are being provided in response to interrogatories IV.3 and 4 above.

12. (Domby) GPC could not locate any article in the May 11, 1994 Atlanta Journal entitled, "Georgia Power Facing Fine in Vogtle Probe." GPC did locate an article in that publication on that date entitled, "Georgia Power Facing Fine Plant Vogtle's Records Cited." GPC agrees with the two statements attributed to it in that article with the exception that one statement contained a typographical error. The statement should read as follows, "We did make some mistakes in collecting and reporting information when this event occurred four years ago" GPC also agrees with the one statement attributed to it in the May 13, 1990 article.
13. In addition to the persons previously identified, see GPC's responses herein. Documents previously produced to the Intervenor by GPC and the NRC Staff, including the Exhibits to the OI report, identify individuals and their associated knowledge of relevant facts.
14. (Domby) GPC objects to this interrogatory as unduly burdensome and duplicative of GPC's preliminary designation of anticipated witnesses who are expected to be called as witnesses at the hearing. Notwithstanding the foregoing objections, GPC identifies the following: non-employees of Southern system corporations who were retained by GPC's counsel and

who are not expected to be called as a witness at the hearing are:

Stenographers of Brown Report Services
(Atlanta, Georgia);

Tape duplicating companies who made copies of audiotape;

Mr. Roger W. Shuy of Washington, D.C., retained to analyze
segments of a tape.

15. (Domby) GPC objects to this interrogatory as having been previously asked in discovery and responded to in GPC's response of June 2, 1993 to Intervenor's First Request for Production of Documents, dated May 4, 1993, Interrogatory 16. GPC further objects to this request as it applies to counsel for GPC in that it calls for the production of information and documents, if any, which are subject to the attorney - client communication privilege or the work product doctrine. Without waiving these objections, GPC states that GPC has historically conducted background investigations on numerous individuals as required by NRC regulations, including Intervenor as part of granting access to the plant facility.

Respectfully submitted,

John Lamberski by ABE w/ approval
John Lamberski
perman

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(404) 885-3360

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2300 N Street, N.W.
Washington, D.C. 20337

(202) 663-8084

Counsel for Georgia Power Company

Dated: June 10, 1994

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD


In the Matter of	*	
	*	
GEORGIA POWER COMPANY,	*	Docket Nos. 50-424-OLA-3
et al.	*	50-425-OLA-3
	*	
(Vogtle Electric	*	Re: License Amendment
Generating Plant,	*	(Transfer to Southern
Units 1 and 2)	*	Nuclear)
	*	
	*	ASLEP No. 93-671-01-OLA-3

AFFIDAVIT OF KENNETH S. BURR

I, Kenneth S. Burr, being duly sworn, state as follows:

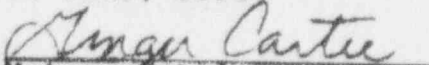
1. I am employed by Southern Nuclear Operating Company, Inc. as a Senior Project Engineer in Birmingham, Alabama.
2. I am duly authorized to verify Georgia Power Company's Response to Allen L. Mosbaugh's Third Set of Interrogatories to Georgia Power Company; specifically, those responses to which my name has been appended.

I hereby certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.



 Kenneth S. Burr

Sworn to and subscribed before me this 10 day of June, 1994.



 Notary Public

My commission expires:

MY COMMISSION EXPIRES JANUARY 12, 1997

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	*	
	*	
GEORGIA POWER COMPANY,	*	Docket Nos. 50-424-OLA-3
<u>et al.</u>	*	50-425-OLA-3
	*	
(Vogtle Electric	*	Re: License Amendment
Generating Plant,	*	(Transfer to Southern
Units 1 and 2)	*	Nuclear)
	*	
	*	ASLBP No. 93-671-01-OLA-3

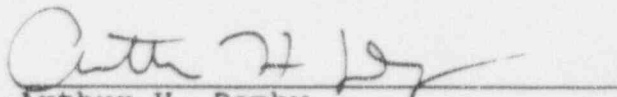
AFFIDAVIT OF ARTHUR H. DOMBY

I, Arthur H. Dobby, being duly sworn, state as follows:

1. I am a partner in the law firm of Troutman Sanders, where I have practiced law since being admitted to the State Bar of Georgia in 1979. I am also admitted to practice in the state of New York.

2. I am duly authorized to verify Georgia Power Company's Response to Allen L. Mosbaugh's Third Set of Interrogatories to Georgia Power Company; specifically, those responses to which my name has been appended.

I hereby certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.


Arthur H. Dobby

Sworn to and subscribed
before me this 16th day
of June, 1994.


Notary Public

My commission expires:

Notary Public, Cobb County, Georgia.
My Commission Expires January 12, 1996.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of *
*
GEORGIA POWER COMPANY, * Docket Nos. 50-424-OLA-3
et al. * 50-425-OLA-3
*
(Vogtle Electric * Re: License Amendment
Generating Plant, * (Transfer to Southern
Units 1 and 2) * Nuclear)
*
* ASLBP No. 93-671-01-OLA-3


AFFIDAVIT OF THOMAS L. PENLAND, JR.

I, Thomas L. Penland, Jr., being duly sworn, state as follows:

3. I am an associate in law firm of Troutman Sanders, where I have practiced law since being admitted to the State Bar of Georgia in 1993.

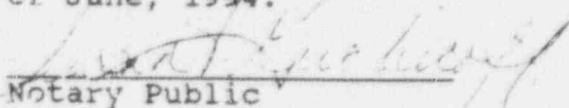
2. I am duly authorized to verify Georgia Power Company's Response to Allen L. Mosbaugh Third Set of Interrogatories to Georgia Power Company; specifically, Section III "Response to Interrogatories and Document Requests for Persons List."

I hereby certify that the statements and opinions in such responses are true and correct representation of the responses provided by the named individuals to the best of my personal knowledge and belief.



Thomas L. Penland, Jr.

Sworn to and subscribed
before me this 10th day
of June, 1994.



Notary Public

My commission expires:

Notary Public, Cobb County, Georgia.
My Commission Expires January 12, 1996.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	*	
	*	
GEORGIA POWER COMPANY,	*	Docket Nos. 50-424-OLA-3
et al.	*	50-425-OLA-3
	*	
(Vogtle Electric	*	Re: License Amendment
Generating Plant,	*	(Transfer to Southern
Units 1 and 2)	*	Nuclear)
	*	
	*	ASLBP No. 93-671-01-OLA-3

AFFIDAVIT OF KENNETH C. STOKES

I, Kenneth C. Stokes, being duly sworn, state as follows:

1. I am employed by Georgia Power Company as a Senior Plant Engineer at Plant Vogtle.
2. I am duly authorized to verify Georgia Power Company's Response to Allan L. Mosbaugh's Third Set of Interrogatories to Georgia Power Company; specifically, those responses to which my name has been appended.

I hereby certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

Kenneth C. Stokes
Kenneth C. Stokes

Sworn to and subscribed
before me this 10 day
of June, 1994.

James W. Chandler
Notary Public

My commission expires:
October 28, 1996



DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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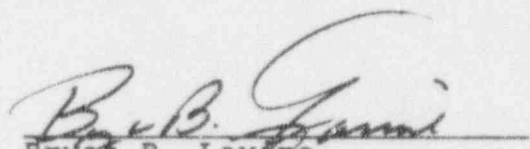
BEFORE THE COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	Docket Nos. 50-424-OLA-3
)	50-425-OLA-3
GEORGIA POWER COMPANY,)	
et al.)	Re: License Amendment
)	(Transfer to Southern
(Vogtle Electric Generating)	Nuclear)
Plant, Units 1 and 2))	
)	ASLBP No. 93-671-01-OLA-3

CERTIFICATE OF SERVICE

I hereby certify that copies of "Georgia Power Company's Response to Allen Mosbaugh's Third Set of Interrogatories" was served by express mail upon the persons listed on the attached service list, this 10th day of June, 1994.


Bryan B. Lavine

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
GEORGIA POWER COMPANY,
et al.

* Docket Nos. 50-424-OLA-3
* 50-425-OLA-3
*
*
*

(Vogtle Electric
Generating Plant,
Units 1 and 2)

* Re: License Amendment
* (Transfer to Southern
* Nuclear)
*
*

* ASLBP No. 93-671-01-OLA-3

SERVICE LIST

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U.S. Nuclear Regulatory
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Washington, D. C. 20555
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