

RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

CAROLINA POWER & LIGHT COMPANY )  
AND NORTH CAROLINA EASTERN )  
MUNICIPAL POWER AGENCY )

Docket Nos. 50-400 OL  
50-401 OL

(Shearon Harris Nuclear Power Plant,  
Units 1 & 2) )

APPLICANTS' SECOND SET OF INTERROGATORIES AND REQUEST FOR  
PRODUCTION OF DOCUMENTS TO INTERVENOR WELLS EDDLEMAN  
RELATING TO EDDLEMAN CONTENTION 15-AA

Pursuant to 10 C.F.R. §§ 2.740(b) and 2.741, Applicants Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby request that Intervenor Wells Eddleman answer separately and fully in writing, and under oath or affirmation, each of the following interrogatories, and produce and permit inspection and copying of the original or best copy of all documents identified in the responses to interrogatories below. Under the Commission's Rules of Practice, answers or objections to these interrogatories must be served within 14 days after service of the interrogatories; responses or objections to the request for production of documents must be served within 30 days after service of the request.

These interrogatories are intended to be continuing in nature, and the answers should promptly be supplemented or amended as appropriate, pursuant to 10 C.F.R. § 2.740(e), should you or any individual acting on your behalf obtain any new or differing information responsive to these interrogatories. The request for production of documents is also continuing in nature and you must produce immediately any additional

documents you, or any individual acting on your behalf, obtain which are responsive to the request, in accordance with the provisions of 10 C.F.R. § 2.740(e).

Where identification of a document is requested, briefly describe the document (e.g., book, letter, memorandum, transcript, report, handwritten notes, test data) and provide the following information as applicable: document name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person or persons having possession of the document. Also state the portion or portions of the document (whether section(s), chapter(s), or page(s)) upon which you rely.

Definitions: As used hereinafter, the following definitions shall apply:

"Applicants" is intended to encompass Carolina Power & Light Company, North Carolina Eastern Municipal Power Agency and their contractors for the Harris Plant.

"Document(s)" means all writings and records of every type in the possession, control or custody of Wells Eddleman or any individual acting on his behalf, including, but not limited to, memoranda, correspondence, reports, surveys, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, speeches, articles, transcripts, voice recordings and all other writings or recordings of any kind; "document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody, or control of Mr. Eddleman; a document shall be deemed to be within the "control" of Mr. Eddleman or any individual acting on his behalf if he has ownership, possession or custody of the document or copy thereof, or has the right to secure the document or copy thereof, from any person or public or private entity having physical possession thereof.

#### INTERROGATORIES ON EDDLEMAN CONTENTION 15-AA(CAPACITY FACTOR)

15AA-14(a). Identify the name, present or last known address, and present or last known employer of each person who participated in answering this set of interrogatories.

(b) For each such person, identify the information which he or she provided and the specific interrogatory response in which such information is contained.

15AA-15(a). Do you allege that CP&L's involvement in construction, added NRC safety requirements and CP&L's purported mismanagement in construction and operation are the sole variables adversely affecting the expected capacity factor of Harris Unit No. 1?

(b) If your answer to Interrogatory 15AA-15(a) is other than an unequivocal "yes," identify each and every additional variable that you allege will adversely affect the capacity factor. Describe in detail the basis for your allegation and identify all documents upon which you rely for support.

15AA-16. List all nuclear generating units in commercial operation in the world that you consider similar or comparable in design to Harris Unit No. 1 and identify the cumulative lifetime capacity factor for each. Describe in detail your basis for considering each unit similar or comparable in design to Harris Unit No. 1 and identify all documents or other sources of information upon which you rely.

15AA-17(a). Describe in detail your understanding of all similarities in design between McGuire Unit No. 1 and Harris Unit No. 1. Identify all documents and other sources of information upon which you rely for this description.

(b) Describe in detail your understanding of all differences in design between McGuire Unit No. 1 and Harris Unit No. 1. Identify all documents and other sources of information upon which you rely for this description.

15AA-18. What was the capacity factor of McGuire Unit No. 1 for the months of June and July, 1983?

15AA-19. Of the reasons you allege in answer to Interrogatory No. 15AA-3(c) cause poor performance by McGuire Unit No. 1, which do you allege will contribute to poor performance of Harris Unit No. 1? For each factor, state in detail the basis for your

allegation that it will adversely affect the performance of Harris, and identify all documents and other sources of information to support your allegation.

15AA-20(a). Describe in detail your understanding of all similarities in design between Beaver Valley Unit No. 1 and Harris Unit No. 1. Identify all documents and other sources of information upon which you rely for this description.

(b) Describe in detail your understanding of all differences in design between Beaver Valley Unit No. 1 and Harris Unit No. 1. Identify all documents and other sources of information upon which you rely for this description.

15AA-21. For all nuclear plants other than Beaver Valley Unit No. 1 cited in NCUC Docket No. E-2, Sub 203, Order dated 2/29/72, Finding of Fact No. 6, as similar to Harris Unit No. 1 (namely North Anna 1, North Anna 2 and Robinson 2), what are their cumulative lifetime capacity factors?

15AA-22. Describe in detail the basis for your allegation in answer to Interrogatory No. 15AA-2(b) that the "all other things equal" capacity factor for a 900 MWe Westinghouse PWR reactor should be 58.1 percent. Identify all documents and other sources of information that support this capacity factor. Provide all calculations, including backup and support, that support this capacity factor.

15AA-23(a). Describe in detail your basis for the alleged correlation between the extent of CP&L involvement in construction of a generating unit and the capacity factor of the same generating unit. Identify all documents and other sources of information that support this alleged correlation between degree of CP&L involvement in construction and capacity factor.

(b) Describe in detail the basis for your allegation in response to Interrogatories No. 15AA-2(b) and 15AA-2(c) that a 30 percent decrease in the Harris capacity factor is attributable to CP&L's involvement in construction. Identify all documents and other sources of information that support this allegation. Provide all calculations, including backup and support, that support this allegation.

15AA-24(a). Do you allege that your extrapolated reduction in the Harris capacity factor attributable to the degree of CP&L's involvement in construction (based solely on the degree of CP&L involvement in construction of Robinson Unit No. 2 and the Brunswick units and the capacity factors of said units to date) employs sound and generally accepted statistical methodology and results in a statistically valid conclusion?

(b) If your answer to Interrogatory No. 15AA-24(a) is other than an unequivocal "no", describe in detail the basis for your answer, and identify all documents and other sources of information that support the validity of the statistical methodology used for your extrapolation.

15AA-25(a). With respect to your response dated 10/6/83 to General Interrogatory 1(a), identify A. Ronald Jacobstein, his present or last known address, present or last known employer, job title and nature of employment responsibilities.

(b) Identify the specific testimony, report(s), paper(s) or document(s) given or prepared by Mr. Jacobstein upon which you rely in connection with the allegations in Contention 15AA. Identify the particular allegation(s) to which such material relates. Specifically indicate whether or not you have discussed with Mr. Jacobstein directly the allegations in Contention 15AA or the interrogatories therefor, and what assistance, if any, Mr. Jacobstein has provided to you in connection with Contention 15AA.

15AA-26(a). With respect to your response dated 10/6/83 to General Interrogatory 1(a), identify Thomas Lam, his present or last known address, present or last known employer, job title and nature of employment responsibilities.

(b) Identify the specific testimony, report(s), paper(s) or document(s) given or prepared by Mr. Lam upon which you rely in connection with the allegations in Contention 15AA. Identify the particular allegation(s) to which such material relates. Specifically indicate whether or not you have discussed with Mr. Lam directly the allegations in Contention 15AA or the interrogatories therefor, and what assistance, if any, Mr. Lam has provided to you in connection with Contention 15AA.

15AA-27. Describe in detail the basis for your allegation in response to Interrogatory 15AA-2(b) that "larger reactors tend to have lower capacity factors." Identify each and every document upon which you rely to support this allegation. Specifically identify all documents containing the "analysis" prepared by you and Dr. Lavon Page on this issue, and identify all calculations and background documents prepared in support of this "analysis."

15AA-28(a). Describe in detail the basis for your allegations in response to Interrogatory 15AA-2(b) that "it is likely NRC will limit backfits of existing nuclear plants" and that Harris "will likely be subject to stricter regulatory requirements than existing plants." Identify all documents and other sources of information upon which you rely to support these allegations.

(b) With respect to your response to Interrogatory 15AA-13(a), what is your understanding of how proposed changes in law and regulations "make it possible for existing plants to escape regulation and repairs that would be applied to plants (e.g. Harris) still under construction"? Identify all documents and other sources of information upon which you rely to support your response.

15AA-29. Describe in detail the basis for your view expressed in answer to Interrogatory 15AA-13(b) that the capacity factor will decrease from 2 to 5 percentage points as a result of increased regulation. Provide any calculations supporting a 2 to 5 percentage point decrease and identify all documents upon which you rely to support this view.

REQUEST FOR PRODUCTION OF DOCUMENTS

Applicants request that Wells Eddleman respond in writing to this request for production of documents and produce the original or best copy of each of the documents identified or described in the answers to each of the above interrogatories at a place mutually convenient to the parties.

This the 21st day of October, 1983.

*Dale E. Hollar*

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Dale E. Hollar, Esq.  
Associate General Counsel  
Carolina Power & Light Company  
Post Office Box 1551  
Raleigh, North Carolina 27602  
(919) 836-6839

Attorneys for Applicants:

Thomas A. Baxter, Esq.  
John H. O'Neill, Jr., Esq.  
Shaw, Pittman, Potts & Trowbridge  
1800 M Street, N.W.  
Washington, D.C. 20036  
(202) 822-1000

Richard E. Jones, Esq.  
Samantha Francis Flynn, Esq.  
Carolina Power & Light Company  
Post Office Box 1551  
Raleigh, North Carolina 27602  
(919) 836-6517

Dated: October 21, 1983

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### CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Second Set of Interrogatories and Request for Production of Documents to Intervenor Wells Eddleman Relating to Eddleman Contention 15-AA" and "Applicants' Interrogatories and Request for Production of Documents on Eddleman Contention 8F(1) (Second Set)" were served this 21st day of October, 1983 by deposit in the United States mail, first class, postage prepaid, to the parties on the attached Service List.

Hill Carrow  
Attorney  
Carolina Power & Light Company  
Post Office Box 1551  
Raleigh, North Carolina 27602  
(919) 836-6839

Dated: October 21, 1983

## SERVICE LIST

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

Mr. Glenn O. Bright  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. James H. Carpenter  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Charles A. Barth, Esquire  
Myron Karman, Esquire  
Office of Executive Legal Director  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Docketing and Service Section  
Office of the Secretary  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Mr. Daniel F. Read, President  
Chapel Hill Anti-Nuclear  
Group Effort  
Post Office Box 524  
Chapel Hill, North Carolina 27514

Dr. Linda Little  
Governor's Waste Management Board  
513 Albemarle Building  
325 Salisbury Street  
Raleigh, North Carolina 27611

Ruthanne G. Miller, Esquire  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

John D. Runkle, Esquire  
Conservation Council of North Carolina  
307 Granville Road  
Chapel Hill, North Carolina 27514

M. Travis Payne, Esquire  
Edelstein and Payne  
Post Office Box 12643  
Raleigh, North Carolina 27605

Dr. Richard D. Wilson  
729 Hunter Street  
Apex, North Carolina 27502

Mr. Wells Eddleman  
718-A Iredell Street  
Durham, North Carolina 27705

Thomas A. Baxter, Esquire  
John H. O'Neill, Jr., Esquire  
Shaw, Pittman, Potts & Trowbridge  
1800 M Street, N.W.  
Washington, D. C. 20036

Dr. Phyllis Lotchin  
108 Bridle Run  
Chapel Hill, North Carolina 27514

Bradley W. Jones, Esquire  
U. S. Nuclear Regulatory Commission  
Region II  
101 Marietta Street  
Atlanta, Georgia 30303

Robert P. Gruber  
Executive Director  
Public Staff  
North Carolina Utilities Commission  
Post Office Box 991  
Raleigh, North Carolina 27602