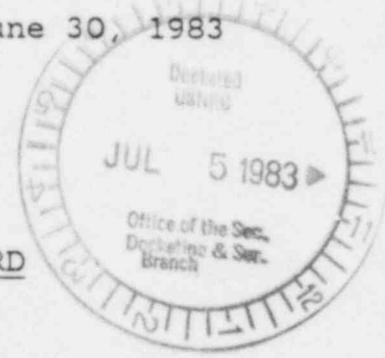


June 30, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY)
AND NORTH CAROLINA EASTERN)
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant, Units 1 and 2)

Docket Nos. 50-400 OL
50-401 OL

APPLICANTS' INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS TO JOINT
INTERVENORS (THIRD SET)

Pursuant to 10 C.F.R. §§ 2.740b and 2.741 and to the Atomic Safety and Licensing Board's "Memorandum and Order (Reflecting Decisions Made Following Second Prehearing Conference)" of March 10, 1983, Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency hereby request that Joint Intervenors (CHANGE, CCNC, Kudzu Alliance and 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. In accordance with informal discussion held among the parties, Applicants request that Joint

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Intervenors serve a single, consolidated set of answers and responses to these discovery requests.

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 Joint Intervenors or any individual acting on their behalf obtain any new or differing information responsive to these interrogatories. The request for production of documents is also continuing in nature and Joint Intervenors must produce immediately any additional documents they, or any individual acting on their 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 Joint Intervenors 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.

"Joint Intervenors" is intended to encompass the following organizations and individuals, jointly and severally: Chapel Hill Anti-Nuclear Group Effort, the Environmental Law Project, the Conservation Council of North Carolina and the Kudzu Alliance, including the organization, its members and its representatives, and Mr. Wells Eddleman.

"Document(s)" means all writings and records of every type in the possession, control or custody of Joint Intervenors or any individual acting on their 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 Joint Intervenors. A document shall be deemed to be within the "control" of Joint Intervenors or any individual acting on their behalf if they have ownership, possession or custody of the document or copy thereof, or have the right to secure the document or copy thereof, from any person or public or private entity having physical possession thereof.

The "Beir-III Report" is the 1980 report authored by the National Academy of Science's Committee on the Biological

Effects of Ionizing Radiations entitled, "The Effects on Populations of Exposure to Low Levels of Ionizing Radiation."

GENERAL INTERROGATORIES

1(a). State the name, present or last known address, and present or last employer of each person (not organization or group), other than affiant, who provided information upon which Joint Intervenors relied in answering each interrogatory herein.

(b). Identify all such information which was provided by each such person and the specific interrogatory response in which such information is contained.

(c). If, in responding to General Interrogatory 1, Joint Intervenors rely on any of the protection afforded in the Licensing Board's Memorandum and Order of May 27, 1983, describe, as applicable, the "expertise" of the persons whose identities are being withheld, the facts underlying any "retained or specially employed" status, the need to withhold each person's identity, and the applicability of any other privilege.

2(a). Identify all documents in Joint Intervenors' possession, custody or control, including document title, author(s), date and name of publication, publisher and all relevant page citations, upon which you relied in answering each interrogatory herein.

(b). Identify the specific interrogatory response(s) to which each such document relates.

3(a). Identify any other source of information, not previously identified in response to Interrogatories 1 or 2, which was used in answering the interrogatories set forth herein.

(b). Identify the specific interrogatory response(s) to which each such source of information relates.

INTERROGATORIES ON JOINT CONTENTION II
(HEALTH EFFECTS)

II-51(a). Specify the contention(s) superseded by Joint Contention II to which you refer in your response to Interrogatory 1(b) contained in Joint Intervenors Response to Applicants' Interrogatories on Joint Contention II (First Set), dated May 16, 1983 ("J.I.'s May 16, 1983 Response").

(b). Identify the name, present or last known address, and present or last known employer of each person known to Joint Intervenors to have first-hand knowledge of the facts alleged in the superseded contention(s) identified in response to Interrogatory 51(a) and upon whom Joint Intervenors relied in formulating each such superseded contention.

(c). Identify those facts contained in the superseded contentions identified in response to Interrogatory 51(a) concerning which each such person has first-hand knowledge.

(d). State the specific allegation in the superseded contention which Joint Intervenors contend such facts support.

II-52(a). Identify each distinct reason provided in Joint Contention II which support your conclusion that "[t]he long term somatic and genetic health effects of radiation releases from the facility during normal operation, even when such releases are within existing guidelines, have been seriously underestimated."

(b). With respect to each distinct allegation identified, provide a list of all of the documents on which you rely, including document title, author(s), date and name of publication, publisher and all relevant page citations.

II-53(a). Identify the individual or individuals (not the group or organization) whose "general knowledge, experience, and information" was relied upon by Joint Intervenors in providing the interrogatory answers contained in J.I.'s May 16, 1983 Response.

(b). Identify the specific interrogatory response(s) to which each such source of information relates.

II-54. Identify the study or studies of Mancuso-Stewart-Kneale to which you refer in your response to Interrogatory II-2(a) contained in J.I.'s May 16, 1983 Response.

II-55(a). Identify each specific authority generally referred to in Joint Intervenors' answer to Interrogatory II-3 contained in J.I.'s May 16, 1983 Response who is "questioning the use of a 'latency period' for cancers induced by radiation,

on the basis that the greater the number of exposed persons studied, the sooner the first cases show up."

(b). For each specific authority identified, identify the document(s) in which the individual's opinion about the use of a latency period for cancers induced by radiation is discussed, including document title, author(s), date and name of publication, publisher and all relevant page citations.

II-56. In the following responses contained in J.I.'s May 16, 1983 Response, Joint Intervenors refer to the work of Bertell: II-2(a), II-9, II-11, II-12. Please identify the study or studies to which you are referring in each of these interrogatory answers, including study title, author(s) in addition to Bertell, date and name of publication, publisher and all relevant page citations.

II-57. Explain the effect, "failure to achieve full potential," as that expression is used in your response to Interrogatory II-9 contained in J.I.'s May 6, 1983 Response.

II-58. Identify the work(s) by Bross et al. to which you refer in your response to Interrogatory II-11 contained in J.I.'s May 16, 1983 Response, including the title(s), author(s) in addition to Bross, date and name of publication(s), publisher(s) and all relevant page citations.

II-59. Identify the specific work(s) by K. Z. Morgan to which you are referring in your response to Interrogatories

II-10 and II-18 contained in J.I.'s May 16, 1983 Response, including the title(s), author(s) in addition to Morgan (if any), date and name of publication, publisher and all relevant page^s citations.

II-60. Identify any documents on which you rely other than NRC Translation 520 to support the allegation that the internal absorption of radionuclides has been incorrectly modeled. Please provide the title, author(s), date and name of publication, publisher and all relevant page citation for each document identified.

II-61. Identify all of the analyses of Hiroshima and Nagasaki data on which you rely in your response to Interrogatory II-22 in J.I.'s May 16, 1983 Response in challenging the data on the health effects of Hiroshima and Nagasaki used in the Beir-III Report.

II-62. Identify the rabbit lung studies of C. Aranyi et al. to which you refer in your response to Interrogatory II-41 in J.I.'s May 16, 1983 Response. For each study identified, provide the title, author(s), date and name of publication, publisher and all relevant page citations.

II-63. Identify all of the studies on which you rely to support your allegation that less rather than more reactive forms of radionuclides are used in computing radionuclide concentrations. For each study identified, provide the title,

author(s), date and name of publication, publisher and all relevant page citations.

II-64(a). Are there any regulatory guides besides Reg. Guide 1.109 and 1.113 which contain radionuclide concentration models which use less rather than more reactive forms of radionuclides in computing radionuclide concentrations?

(b). If the answer to Interrogatory II-11(a) is affirmative, please identify the other regulatory guides which you are challenging in Joint Intervenors' Contention II (f).

II-65(a). Explain the weight, if any, Joint Intervenors give to the conclusions reached by (i) the Beir-III Committee, (ii) the International Commission on Radiological Protection ("ICRP") and (iii) the United Nations Science Commission on the Effects of Radiation ("UNSCEAR")?

(b). If the answer to Interrogatory II-65(a)(i)-(iii) is other than "None," please identify those portions of Beir-III and the reports of the ICRP and UNSCEAR which you do not challenge.

II-66. Identify the studies or reports on which you rely to support Joint Intervenors' Contention II(c). For each study or report identified, provide the title, author(s), date and name of publication, publisher and all relevant page citations.

II-67. What, if any, elements of Eddleman Contention 37B are not covered by Joint Contention II?

II-68. Would Joint Intervenors oppose having Eddleman
Contention 37B consolidated with Joint Contention II? If the
answer is affirmative, please explain why.

Respectfully submitted,

Deborah B. Bauser

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Dated: June 30, 1983

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NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Interrogatories and Request for Production of Documents to Joint Intervenors (Third Set)" were served this 30th day of June, 1983 by deposit in the U.S. mail, first class, postage prepaid, to the parties on the attached Service List.

Deborah B. Bauser
Deborah B. Bauser

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