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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	Docket Nos. 50-424-OLA-3 50-425-0LA-3
GEORGIA POWER COMPANY, et al.	)	Re: License Amendment (Transfer to Southern Nuclear)
(Vogtle Electric Generating Plant, Units 1 and 2)	)	ASLBP No. 93-671-01-OLA-3

GEORGIA POWER COMPANY'S RESPONSE TO
INTERVENOR'S FIRST REQUEST FOR ADMISSIONS

I. INTRODUCTION.

Georgia Power Company ("GPC") hereby responds to Intervenor's First Request for Admissions to Georgia Power Company, dated May 17, 1994 ("Request for Admissions"). During the May 26, 1994 status conference in the Licensing Board's offices, the parties agreed, with the Board's approval, that GPC's response to the Request for Admissions (1) would be due by June 30, 1994, and (2) would respond only to the numbered factual statements under each allegation of the December 20, 1993 Office of Investigations Report (Case No. 2-90-020R) (the "OI Report"). Tr. 400-01, 407. On June 29, 1994, GPC requested an extension of time within which to file its response to July 7, 1994, which the Board granted in its June 30, 1994 Order. Consistent with the May 26, 1994 status conference discussions, GPC has endeavored to address every one of the 657 evidentiary findings of the OI Report, exclusive of the Investigator's Notes,

NUCLEAR REGULATORY COMMISSION Int.
Docket No. 50-424/425-OLA-3 EXHIBIT NO. II-168
In the matter of Georgia Power Co. et al., Vogtle Units 1 & 2
☐ Staff ☐ Applicant ☑ Intervenor ☐ Other
☑ Identified ☑ Received ☐ Rejected Reporter KHW
Date 7/13/95 Witness Hairston

Int. II-168?

subject to the objections stated herein. GPC has not endeavored to respond to the "Investigator's Notes" included in certain evidentiary findings since those notes were apparently not intended as factual evidentiary findings, but rather were intended to be the surmises of the OI investigator.

II. GENERAL OBJECTIONS.

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 every agent or employee of GPC, The Southern Company, and/or SONOPCO, past or present, their counsel and all their respective agents, servants, associates, employees, and others who have information with respect to any matter referred to in Intervenor's Request. 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 would be unduly burdensome and expensive as well as oppressive and overbroad given the fact that the evidentiary findings, for the most part, involve statements by individuals which were recorded on a tape or a transcript. Without waiving this objection, GPC has endeavored to respond to Intervenor's Request by making a reasonable inquiry of those individuals who are identified in each evidentiary finding.

GPC objects to Instructions E and F of Intervenor's Request which require detailed information concerning every oral communication and person referred to in each of GPC's responses. Compliance with such instructions would be unduly burdensome and oppressive given

that most of the 648 responses refer to persons having oral communications. Furthermore, Intervenor is intimately familiar with these communications and the persons and involved.

GPC also generally objects to Intervenor's Request to the extent that it requires GPC to identify and produce every document which supports GPC's answer to each request for admission. Compliance with this request would be unduly burdensome and oppressive given the large number of evidentiary findings. Moreover, Intervenor is well acquainted with the documents relevant to such evidentiary findings and it is unlikely that any such documents have not already been produced to Intervenor among the nearly 60,000 pages of documentation made available to Intervenor in 1993. Nonetheless, without waiving this objection, in connection with any denial of an admission herein, GPC has endeavored to identify and produce any documents which it reasonably believes is not among the documents previously produced to Intervenor. No such documents were identified.

Furthermore, GPC generally objects to the identification, or disclosure, of those communications and documents which are subject to the attorney work product doctrine or the attorney-client communication privilege. GPC has been defending actions initiated by Intervenor since mid-1990. In addition to this proceeding, such actions include (1) NRC inspections, an NRC Office of Investigations ("OI") investigation, and an NRC enforcement action respecting those allegations lodged by Intervenor in the Hobby/Mosbaugh Petition related to the diesel generator statements issue, (2) three separate actions before the Department of Labor, (3) an investigation by the Department of Justice, and (4) an inquiry by a Congressional Subcommittee. GPC's legal counsel has been heavily involved in the defense of these actions and, as a result, has generated a large number of documents in preparation of such defenses. It would be oppres-

sive 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 REQUEST FOR ADMISSIONS.

A. Response to Evidentiary Findings for Allegation No. 1

1. Admit.

2. Deny. GPC disagrees with the characterization of Mr. Cash's count in that Mr. Cash has stated that he counted all starts, not just those considered successful by Mr. Mosbaugh. Tape 58, Tr. 35-37.

3. Deny. GPC interprets the reference to Mr. Mosbaugh's "master list" in this evidentiary finding as referring to the list of EDG 1B starts included in his allegation submitted on or about June 14, 1990. Mr. Mosbaugh's "master list" shows inconsistencies between the control log and the data sheets but makes no mention of the shift supervisor log. Furthermore, Mr. Mosbaugh's master list makes no mention of Diesel Generator data sheets that would have been generated by site procedure SOP-13145-1 "Diesel Generators."

4. Deny. GPC disagrees with the characterization of Mr. Cash's count in

that Mr. Cash has stated that he counted all starts, not just those considered successful by Mr. Mosbaugh. Tape 58, Tr. 35-37.

5. Deny. Mr. Mosbaugh's lack of involvement in the preparation of presentation materials was not "extremely unusual." Presentations made to the NRC typically involve only those personnel responsible for the presentation. Mr. Mosbaugh had no responsibility for the presentation.

6. Deny. GPC agrees that the PRB normally reviews written correspondence from GPC to the NRC regarding Plant Vogtle. However, GPC denies that verbal communications or presentations made by site personnel are "normally reviewed" by the PRB. See GPC's response to evidentiary finding No. 157. GPC agrees that the April 9, 1990 letter is the type of correspondence normally reviewed by the PRB. However, even though the letter was not formally reviewed by the PRB, it was reviewed and commented on by many of the Vogtle managers who are also PRB members. See GPC's response to Allegation No. 2, evidentiary finding No. 60.

7. Deny. Mr. Mosbaugh did not have any reason to suspect that diesel start numbers were incorrectly stated in the April 9, 1990 letter to the NRC. On April 19, 1990, Mr. Mosbaugh stated to Messrs. Odom and Aufdenkampe that he did not know if the number of successful diesel starts was correctly stated and that it may, in fact, be correct. Tape 57, Tr. 121.

8. Deny. GPC believes that Mr. Kochery's list was given to the Incident Investigation Team and has been labeled IIT Document No. 05-180-90. This document only lists starts through March 23, 1990.

9. Deny. See GPC's response to evidentiary finding No. 8 above.

10. Deny. See GPC's response to evidentiary finding No. 7 above.

11. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

12. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

13. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

14. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

15. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

16. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or

truthfulness of this evidentiary finding.

17. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding. Furthermore, GPC believes that the "special Tech Spec amendment" referred to in this evidentiary finding was approved on May 25, 1990 (not the end of April 1990).

18. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

19. Admit.

20. Admit.

21. Admit.

22. Admit.

23. Admit.

24. Admit.

25. Neither admit nor deny. GPC admits that this evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of this statement because of the differing recollections of Messrs. Bockhold and Burr.

26. Admit with the clarification that successful starts did have engineering value to demonstrate that the diesels were capable of performing their

intended function. Exh. 13, pp. 11-12.

27. Neither admit nor deny. GPC admits that this evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of this statement because of the differing recollections of Messrs. Bockhold and Burr.

28. Neither admit nor deny. GPC admits that this evidentiary finding accurately summarizes the portion of the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of this statement because of the differing recollections of Messrs. Bockhold and Burr.

29. Admit.

30. Neither admit nor deny. GPC admits that this evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of these statements because of the differing recollections of Messrs. Cash and Burr.

31. Deny. GPC admits that the evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC believes Mr. Burr assisted Mr. Bockhold in developing the Diesel Testing overhead.

32. Deny. GPC admits that the evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC

assisted Mr. Bockhold in developing the Diesel Testing overhead.

33. Admit with the clarification that Mr. Bockhold, later in this OI interview, recalls that his definition of a successful start was one "that didn't show a significant problem that would have caused the engine to trip or cause the engine not to meet its intended purpose," (Exh. 13, p. 18) and Mr. Cash understood the term to mean essentially the same thing. See GPC's Response to the NRC Staff's First Set of Interrogatories, August 9, 1993, Responses 7a. and b., at 12.

34. Admit with the clarification that Mr. Bockhold, later in his August 1990 interview, recalls that Mr. Cash started his count after the overhaul period on EDG 1B. Exh. 12, p. 18.

35. Admit with the clarification that Mr. Bockhold's testimony was that Mr. Cash started his count "sometime about that time or after that time" and that Mr. Bockhold, later in his August 1990 interview, recalls that Mr. Cash started his count after the overhaul period on EDG 1B. Exh. 12, p. 18.

36. Admit.

37. Deny. The evidentiary finding mischaracterizes Mr. Bockhold's testimony. The question posed to Mr. Bockhold differs from the summary in the evidentiary finding in that the summary adds the words "with no further instructions." Those words were not included in the question posed to Mr. Bockhold in his interview.

38. Admit.

39. Admit.

40. Admit.

41. Deny. Mr. Cash began his review of the control room logs for successful starts by reviewing entries beginning before the March 20, 1990 event, and ending sometime shortly before April 9, 1990. Mr. Cash reported to Mr. Bockhold that there were 19 successful starts on EDG 1B during this time period. Mr. Cash's data included more than 19 starts, therefore, Mr. Cash must have excluded some of the starts as not being successful. See Exh. 11 and Tape 58, Tr. 35.

42. Deny. The evidentiary finding accurately reflects the interview transcript of Mr. Cash but GPC believes Mr. Cash provided Mr. Bockhold with only the summary of the diesel start information (i.e., the total starts for each diesel) and assisted the secretary with more than just format changes (Exh. 10, p. 26). See GPC's response to evidentiary finding No. 43 and Tape 58, Tr. 35.

43. Admit with the clarification that GPC believes Mr. Cash gave only the total number of successful starts for each diesel to Mr. Bockhold.

44. Neither admit nor deny. GPC admits that this evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of these statements because of the differing recollections of Messrs. Cash and

Burr.

45. Deny. The evidentiary finding accurately reflects the OI interview testimony of Mr. Cash. However, GPC does not believe Mr. Cash supplied Mr. Bockhold with the sequence of testing activities shown on the April 9, 1990 diesel testing transparency. See GPC's response to evidentiary finding Nos. 23 and 24, and Exh. 13, p. 16.

46. Admit.

47. Admit.

48. Admit with the clarification that the OI interview transcript shows that Mr. Cash's response meant that the successful starts shown on the transparency were all the successful starts of which he was aware.

49. Deny. GPC believes this evidentiary finding accurately reflects Mr. Cash's OI interview testimony. However, GPC believes Mr. Cash gave Mr. Bockhold the successful diesel start numbers of 18 and 19. Exh. 12, pp. 7, 8.

50. Deny. GPC believes this evidentiary finding accurately reflects Mr. Cash's OI interview testimony. However, GPC believes Mr. Cash gave Mr. Bockhold the successful diesel start numbers of 18 and 19. Exh. 12, pp. 7, 8.

51. Admit.

52. Admit.

53. Admit with the clarification that GPC observes that the numbers above the

line appear to add up to the numbers below the line.

54. Admit.

55. Admit.

56. Admit.

57. Admit with the clarification that Mr. Cash's testimony was that he obtained his count from the Unit 1 Control Log and the Shift Supervisor's Log. Exh. 9, p. 4.

58. Admit.

59. Admit.

60. Admit with the clarification that while neither Mr. Bockhold nor Mr. Cash can recall such discussion, Mr. Cash does recall that he understood Mr. Bockhold wanted him to count starts without significant problems, where the diesel had started properly and reached the required voltage and frequency. See GPC's Response to NRC's First Set of Interrogatories, August 9, 1993, at 12.

61. Neither admit nor deny. GPC admits that the evidentiary findings accurately summarize this portion of Mr. Bockhold's OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of this statement because of the differing recollections of Messrs. Bockhold and Burr.

62. Admit.

63. Admit.

64. Admit

65. Neither admit nor deny. GPC agrees that the evidentiary finding accurately summarizes Mr. Cash's testimony. However, reference to Mr. Cash's computer-generated list shows more starts are included than Mr. Cash reported to Mr. Bockhold.

66. Admit.

67. Admit with the clarification that the statement regarding the beginning of Mr. Cash's start count relates directly to EDG 1A and not EDG 1B.

68. Admit.

69. Admit.

70. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that the question of how successful starts compared to valid tests came up during the presentation. See NRC Staff's Supplemental Response to Intervenor's First Set of Interrogatories, September 15, 1993, at 6.

71. Admit.

72. Admit.

73. Admit.

74. Admit with the clarification that Mr. Cash's testimony was that he did not recall such discussions.

75. Admit.

76. Admit.

77. Admit with the clarification that GPC believes Mr. Cash understood his task was to count starts without significant problems. See GPC's response to evidentiary findings Nos. 38, 69 and 75.

78. Admit with the clarification that GPC believes Mr. Cash understood his task was to count starts without significant problems. See GPC's response to evidentiary findings Nos. 38, 69 and 75.

79. Admit.

80. Admit.

81. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that the NRC asked GPC to explain how successful starts compared to valid tests during the presentation. See NRC Staff's Supplemental Response to Intervenor's First Set of Interrogatories, September 15, 1993, at 6.

82. Admit.

83. Admit with the clarification that "successful starts associated with operability" does not mean starts that were completed in accordance with Technical Specification operability requirements.

84. Admit.

85. Neither admit nor deny. GPC does not know the manner in which the information was conveyed from Mr. Cash to Mr. Bockhold, but GPC believes the information consisted of only the total number of successful starts for each diesel. See GPC's response to evidentiary finding No. 42.

86. Admit.

87. Admit.

88. Admit.

89. Neither admit nor deny. GPC admits that this evidentiary finding accurately summarizes this portion of the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of the statement because of the differing recollections of Messrs. Bockhold, Burr and Cash.

90. Admit.

91. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that the NRC asked GPC to explain how successful starts compared to valid tests during the presentation. See NRC Staff's Supplemental Response to Intervenor's First Set of Interrogatories, September 15, 1993, at 6.

92. Admit.

93. Admit.

94. Admit.

95. Admit.

96. Admit with the clarification that Mr. Bockhold's testimony was not intended to imply that Messrs. Odom and Aufdenkampe should have seen the transparencies prior to the presentation to the NRC.

97. Admit.

98. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

99. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

100. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

101. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

102. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

103. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

104. Admit.

105. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

106. Admit.

107. Admit.

108. Admit.

109. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

110. Admit.

111. Admit.

112. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

113. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

114. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding. However, GPC denies the assertion that Mr. Bockhold was nonresponsive and had a disdain for NRC involvement.

115. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

116. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

117. Admit.

118. Admit.

119. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

120. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

121. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

122. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

123. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding. However, GPC denies that Mr. Bockhold and his Engineering Department staff lacked initiative or basic engineering inquisitiveness.

124. Admit.

125. Admit.

126. Admit.

127. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

128. Admit.

129. Admit.

130. Admit.

131. Admit.

132. Admit.

133. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding.

134. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding. However, GPC denies that the NRC Staff was not aware of the troubleshooting problems as of April 9, 1990. See Interrogatory Response of Kenneth E. Brockman to GPC's First Set of Interrogatories, December 23, 1993, at 2, 7, and 8.

135. Admit.

136. Admit.

137. Admit.

138. Admit.

139. Admit.

140. Admit.

141. Admit.

142. Admit.

143. Admit with the clarification that Mr. McCoy recalled reviewing the presentation material prior to the presentation. See GPC's response to evidentiary finding No. 168.

144. Admit.

145. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes Mr. Burr, whose principal place of employment was Birmingham, assisted Mr. Bockhold in developing presentation material. See GPC's responses to evidentiary finding Nos. 23 and 24.

146. Admit.

147. Admit.

148. Admit.

149. Admit.

150. Admit.

151. Admit.

152. Admit.

153. Admit.

154. Admit with the clarification that there were 18 consecutive starts of EDG 1B following the comprehensive test program as that term was defined by Mr. Aufdenkampe on April 19, 1990. See Tape 58, NRC Insert 5, Tr. 4-7.

155. Admit with the clarification that Mr. Cash also used the Shift Supervisor's Log.

156. Admit with the clarification that the meeting did occur and copies of the presentation were distributed. See Tape 40, April 10, 1990.

157. Admit.

158. Admit.

159. Admit.

160. Neither admit nor deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC lacks sufficient information to determine whether Mr. Kochery provided diesel testing information to Mr. Bockhold because recollections have faded.

161. Admit.

162. Deny. This evidentiary finding inaccurately describes Mr. McCoy's testimony in that Mr. McCoy indicated that one purpose of the April 9 presentation was to address all of the issues in the Confirmation of Action letter including restart approval and not "the restart issue."

163. Admit.

164. Admit.

165. Admit.

166. Admit.

167. Admit with the clarification that Mr. Cash's only involvement after the April 9 presentation was in verifying a list of diesel starts developed by Mr. Mosbaugh on or about April 30, 1990.

168. Admit.

169. Admit.

170. Admit.

171. Admit.

172. Admit.

173. Admit.

174. Admit.

175. Admit.

176. Admit with the clarification that Mr. McCoy's testimony is that he did not recall having any questions.

177. Admit.

178. Admit with the clarification that Messrs. Cash and Burr did attend the meeting.

179. Admit.

180. Admit.

181. Admit.

182. Admit.

183. Admit.

184. Admit.

185. Admit.

186. Admit.

187. Deny. The first sentence of this evidentiary finding inaccurately summarizes Mr. McCoy's testimony. Mr. McCoy's testimony was that he had no knowledge of Mr. Bockhold's instruction "to just get successful starts" prior to the April 9 presentation. (Exh. 29, p. 25.)

188. Admit.

189. Admit.

190. Admit with the clarification that Messrs. Hairston or McCoy would typically be involved in setting up such a meeting. While Mr. Hairston does not recall giving instructions to anyone regarding preparation for the meeting, it is possible that he had discussions with Mr. McCoy during the week prior to the meeting. (Exh. 31, p. 18.)

191. Admit in substance with the clarification that Mr. Hairston has no specific recollection of any particular goal for this meeting. He was there to discuss all relevant issues and answer any questions. (Exh. 31, pp. 21-22.)

192. Admit.

193. Admit.

194. Admit.

195. Admit with the clarification that Mr. Hairston's testimony was that the meeting could have been longer.

196. Admit with the clarification that GPC believes Mr. Burr assisted Mr. Bockhold in developing the Diesel Testing overhead. See GPC's responses to evidentiary finding Nos. 23 and 24.

197. Admit with the clarification that the meeting was to give an overall view of the event and discuss all of the issues that related to it including what GPC had done and what GPC would be doing in the future.

198. Admit.

199. Admit.

200. Admit.

201. Admit.

202. Admit.

203. Admit.

204. Admit.

205. Admit.

206. Admit.

207. Admit with the clarification that conversations among Vogtle plant staff regarding the performance of the Calcon sensors occurred shortly after the Site Area Emergency.

208. Admit.

209. Admit.

210. Admit.

211. Admit with the clarification that GPC believes it would be inaccurate to say that "most" of the meeting was spent discussing diesels.

212. Admit.

213. Admit.

214. Admit with the clarification that Mr. Majors did have general knowledge that the March 20, 1990, event involved diesel generator problems.

215. Admit.

216. Admit.

217. Admit.

218. Admit.

219. Admit.

220. Admit.

B. Response to Evidentiary Findings for Allegation No. 2

1. Admit.

2. Admit.

3. Admit.

4. Admit with the clarification that Mr. Cash provided Mr. Bockhold with the EDG start count numbers which were used in the April 9, 1990 presentation and letter.

5. Deny. GPC agrees that the evidentiary finding accurately reflects the OI

interview testimony. However, see GPC's response to Allegation No. 1, evidentiary finding No. 41.

6. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, diesel start information in the April 19, 1990 LER resulted from review of operator logs in addition to the review performed for the April 9, 1990 presentation and letter. See Tape 58, NRC Insert 4, Tr. 1, and Tape 57, Tr. 121-125.

7. Neither admit nor deny. GPC notes that the OI interview transcript citation for this evidentiary finding should have been Exhibit 12, p. 16. GPC believes the evidentiary finding mischaracterizes Mr. Bockhold's testimony in that it implies Mr. McCoy drafted the referenced statement while Mr. Bockhold does not actually state who drafted the statement. GPC lacks sufficient information to determine who drafted the statement, but notes Mr. McCoy does not believe he drafted it. See GPC's responses to evidentiary finding Nos. 36-37.

8. Admit.

9. Admit.

10. Admit.

11. Admit.

12. Admit.

13. Admit.

14. Admit.

15. Admit.

16. Deny. GPC believes the April 9 letter had been drafted prior to the April 9 presentation and was revised by meeting participants while returning to their offices. See GPC's responses to evidentiary finding Nos. 50-60.

17. Admit.

18. Admit.

19. Admit with the clarification that it was primarily Mr. Bailey rather than Mr. Stringfellow that worked with Mr. Aufdenkampe and Mr. Aufdenkampe's people in drafting the April 9 letter prior to the presentation. See GPC's responses to evidentiary finding Nos. 50, 51, 54, 57 and 60.

20. Deny. This evidentiary finding inaccurately summarizes Mr. Aufdenkampe's testimony. Mr. Aufdenkampe actually states that the first time he saw a signed copy of the April 9 letter was sometime after 2:43 p.m. (central time) on April 9, 1990. GPC believes Mr. Aufdenkampe had probably reviewed draft versions of this letter prior to April 9. See GPC's response to evidentiary finding No. 19.

21. Admit.

22. Admit with the clarification that Mr. Stringfellow's testimony was not that Mr. Hairston "just wanted to get the letter out" but rather that Mr. Hairston wanted to get the letter out because Mr. Hairston "just wanted to go ahead and get it on the record." (Exh. 30, p. 13.)

23. Admit.

24. Admit with the clarification that GPC believes the error in the April 9 letter was not the result of imprecision in the logs with respect to valid starts or successful starts. See Exh. 11.

25. Admit.

26. Admit.

27. Admit with the clarification that the April 9 letter was not formally reviewed by the PRB.

28. Admit.

29. Admit.

30. Admit.

31. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that the accuracy of the statement referenced does not depend on the criteria used by the person obtaining the data.

32. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that the April 9 letter implies that the starts were consecutive.

33. Admit.

34. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC believes Mr. Bockhold's direct involvement was not a determinative factor in not obtaining PRB review

and approval of this letter.

35. Admit.

36. Neither admit nor deny. See GPC's responses to evidentiary finding Nos. 7 and 54.

37. Admit.

38. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that more than one start occurred that calls into question the wording in the April 9, 1990 letter (i.e., "No failures or problems have occurred").

39. Admit with the clarification provided in GPC's response to Allegation No. 1, evidentiary finding No. 6.

40. Admit.

41. Admit.

42. Admit.

43. Admit.

44. Admit.

45. Admit.

46. Admit.

47. Admit with the clarification that GPC believes more than one start occurred that calls into question the wording in the April 9, 1990 letter (i.e., "No failures or problems have occurred").

48. Admit with the clarification that Mr. Bockhold did not intend for

successful to mean the diesel did not trip within one minute. See GPC's response to Allegation No. 1, evidentiary finding No. 75.

49. Admit.

50. Admit.

51. Admit.

52. Admit.

53. Admit.

54. Admit.

55. Admit.

56. Admit with the clarification that the April 9, 1990 letter (paragraph C, page 2) describes an event on EDG 1A where one of the Calcon sensors vented and would not reset during a diesel run.

57. Admit.

58. Admit with the clarification that GPC believes Mr. Burr may have been on the plane also.

59. Admit.

60. Admit.

61. Admit.

62. Admit.

63. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes more than one start occurred that calls into question the wording in the April 9, 1990 letter

(i.e., "No failures or problems have occurred").

64. Admit.

65. Admit.

66. Admit.

67. Admit.

68. Admit.

69. Admit.

70. Admit.

C. Response to Evidentiary Findings for Allegation No. 3

1. Admit.

2. Admit.

3. Admit.

4. Admit.

5. Admit.

6. Admit.

7. Admit.

8. Admit.

9. Admit.

10. Admit.

11. Admit.

12. Admit.

13. Admit.

14. Admit.

15. Admit.

16. Admit.

17. Admit.

18. Admit.

19. Deny. Mr. Stringfellow actually asks the question, "Can you [Mosbaugh] determine if those were valid tests or valid failures?" (Exh. 34, NRC Insert 3, p. 3).

20. Admit.

21. Admit.

22. Admit.

23. Admit.

24. Neither admit nor deny. GPC lacks sufficient information to determine whether this is "new" terminology being introduced by Mr. McCoy. However, based on the discussions recorded on Tape 58, GPC suspects that the terminology was discussed by the participants on the call prior to Mr. Mosbaugh's entry into the discussion. The tape recording does not capture the entire conversation. See also GPC's response to evidentiary finding No. 133.

25. Admit with the clarification that Mr. Cash did not perform a separate verification other than his original review of the control room logs.

26. Admit.

27. Deny. This evidentiary finding inaccurately reflects the conversation in that Mr. McCoy's statement was in the form of a question rather than an imperative.

28. Admit.

29. Admit.

30. Admit.

31. Admit.

32. Admit.

33. Admit.

34. Deny. GPC's position is that these words are not audible on Tape 58. Counsel for GPC, NRC and Intervenor have discussed their respective versions on this portion of Tape 58 and are preparing a revised transcript for stipulation that includes each party's position.

35. Deny. GPC's position is that these words are not audible on Tape 58. Counsel for GPC, NRC and Intervenor have discussed their respective versions on this portion of Tape 58 and are preparing a revised transcript for stipulation that includes each party's position.

36. Admit.

37. Admit.

38. Admit.

39. Admit.

40. Admit.

41. Admit with the clarification that the use of the adjective "suddenly" to describe Mr. Aufdenkampe's discussion on this portion of the tape is inaccurate and that Mr. Aufdenkampe's "guess" is based on a list of diesel starts provided by Messrs. Odom and Webb. See Tape 58, Tr. 37.

42. Deny. GPC agrees that the quoted portion of the evidentiary finding is accurate. However, GPC denies that Mr. Aufdenkampe (a) had not defined the end of the comprehensive test program, and (b) did not have a rational basis for this conclusion. See Tape 58, NRC Insert 5, Tr. 4-7.

43. Admit.

44. Admit.

45. Admit.

46. Admit.

47. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC does not believe the substance of the finding to be an accurate reflection of what was said and when it was said. The more accurate record is the Tape 57 transcript, recorded on April 19, 1990.

48. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that Mr. Mosbaugh accurately describes the events or participants. See Tape 58 Tr. at NRC Insert 4, p. 1.

49. Admit with the clarification that the more accurate record is the Tape 58

transcript, recorded on April 19, 1990.

50. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC denies (a) the characterization of the process in which the LER was reviewed, and (b) that the LER was inaccurate because there were failures on the EDG 1B identified by Mr. Mosbaugh on April 19, 1990. See generally, Tape 57 and 58.

51. Admit.

52. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC does not believe the substance of the finding to be an accurate reflection of what was said and when it was said. The more accurate records are the Tapes 57 and 58 transcripts, recorded on April 19, 1990.

53. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that the LER drafts did not contain any specific statements of diesel starts.

54. Deny. Mr. Mosbaugh should have been aware of everything

55. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that Mr. Mosbaugh and others "realized" the diesel start statements in the April 9 letter and draft LER were false. See Tape 57, Tr. at 120-121.

56. Neither admit nor deny. GPC agrees that the evidentiary finding accurately reflects the OI interview transcript. However, GPC lacks

sufficient information to admit or deny the truth of Mr. Mosbaugh's statements.

57. Neither admit nor deny. GPC agrees that the evidentiary finding accurately reflects the OI interview transcript. However, GPC lacks sufficient information to admit or deny the truth of the finding.

58. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that Mr. Mosbaugh heard Mr. McCoy make such a statement. See GPC's response to evidentiary finding No. 49.

59. Admit.

60. Admit with the clarification that GPC believes the participants on the call are identified in the NRC's Tape 58 transcript.

61. Admit.

62. Admit with the clarification that Mr. Aufdenkampe was a participant to a conversation where Mr. Stringfellow was so put on notice. See Tape 57 transcript, Insert 1, at 1.

63. Admit with the clarification that there were not more than 18 consecutive starts using the definition of comprehensive test program described in the June 29, 1990 LER revision cover letter.

64. Admit.

65. Admit.

66. Admit with the clarification that GPC believes that Messrs. Odom and

Webb did provide Messrs. Aufdenkampe and Mosbaugh with a list of starts before the LER was issued on April 19, 1990. See GPC's response to evidentiary finding No. 67 and Tape 58, Tr. at 37.

67. Admit.

68. Admit.

69. Admit.

70. Admit.

71. Admit with the clarification that there was a conversation on April 19, 1990, in which the comprehensive test program language was selected to clarify when the diesel start count began. See Tape 58, NRC Insert 4, Tr. 1, and GPC's response to evidentiary finding No. 24.

72. Admit with the clarification that GPC believes Messrs. Aufdenkampe and Shipman had a discussion on this subject with Mr. Bockhold on April 19, 1990 which was not taped. See Tape 58, NRC Insert 5, Tr. 4-7.

73. Admit.

74. Admit.

75. Admit with the clarification that Mr. Aufdenkampe did make that statement to Mr. Stringfellow. See Tape 57, NRC Insert 1, Tr. 1.

76. Admit with the clarification that GPC believes the site did confirm the accuracy of "at least 18" diesel starts.

77. Admit.

78. Admit.

79. Admit.

80. Admit.

81. Admit.

82. Admit.

83. Admit.

84. Admit with the clarification that GPC believes Mr. Stringfellow was a party to the telephone conference call involving Messrs. Mosbaugh, Aufdenkampe and Shipman on April 19, 1990 where the participants discussed the meaning of the comprehensive test program. See Tape 58, Tr. NRC Insert 5, at pp. 4-7.

85. Admit.

86. Admit with the same clarification as in GPC's response to evidentiary finding No. 84.

87. Admit.

88. Admit with the clarification that GPC interprets "other that" to mean "other than."

89. Admit.

90. Admit.

91. Admit.

92. Admit.

93. Admit.

94. Admit.

95. Admit.

96. Admit with the clarification that based on Tape 58, GPC believes Mr. Shipman did participate on a telephone conference call with Mr. McCoy which included discussion of that term.

97. Admit.

98. Admit.

99. Admit.

100. Admit.

101. Admit.

102. Neither admit nor deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC lacks sufficient information to admit or deny that the conversation occurred in the conference room between the offices of Messrs. Shipman and McCoy.

103. Admit.

104. Admit.

105. Admit.

106. Admit.

107. Admit.

108. Admit with the clarification that GPC does not believe that Mr. Bailey participated on the call. See GPC's response to evidentiary finding No. 194.

109. Admit.

110. Admit.

111. Admit with the clarification that GPC believes that multiple, simultaneous conversations took place on this portion of Tape 58.

112. Admit with the clarification that GPC believes there was a fair amount of discussion regarding the meaning of the term comprehensive test program. See Tape 58.

113. Admit with the clarification that GPC believes Mr. Cash counted starts as successful which occurred before the point in time Mr. Bockhold believed the start count to begin. (See Exh. 11.)

114. Neither admit nor deny. GPC agrees this evidentiary finding accurately reflects the OI interview testimony. However, GPC lacks sufficient information to admit or deny the truth.

115. Deny. GPC agrees this evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that Mr. Bockhold could not have identified a definitive ending point for the comprehensive test program if he had been provided with sufficient information. See GPC's Response to NRC Staff's First Set of Interrogatories, dated August 9, 1993, at 3.

116. Admit.

117. Admit.

118. Admit.

119. Admit.

120. Admit with the clarification that GPC believes Mr. Bockhold did have knowledge on April 19, 1990, of how the comprehensive test program language was inserted into the LER. See Tape 58, NRC Insert 4, Tr. 1.

121. Admit.

122. Admit with the clarification that Mr. Bockhold participated in the April 19, 1990, conference call where it was decided to insert this language into the LER. See Tape 58, NRC Insert 4, Tr. 1.

123. Deny. On April 19, 1990, although the specific point in time was not identified, Messrs. Bockhold, Aufdenkampe and Shipman had a working definition of the end of the comprehensive test program and on June 29, 1990, a new definition was assigned to the term in the cover letter for the revised LER.

124. Admit with the clarification that GPC believes Mr. Bockhold advised Messrs. Aufdenkampe and Shipman on April 19, 1990, that the comprehensive test program ended right after the calibration of the sensors. See Tape 58, NRC Insert 5, Tr. 4-7.

125. Deny. GPC does not believe that this evidentiary finding is an accurate reflection of Mr. Bockhold's testimony. The evidentiary finding mischaracterizes Mr. Bockhold's response as an attempt to "absolve himself of any responsibility." See also GPC's response to evidentiary finding No. 124.

126. Admit with the clarification that use of the adjective "just" incorrectly

characterizes the testimony of Mr. Bockhold.

127. Admit.

128. Admit.

129. Admit.

130. Admit.

131. Admit.

132. Neither admit nor deny. GPC agrees that this evidentiary finding accurately summarizes the testimony. However, GPC lacks sufficient information to admit or deny its truth. Based on the discussions recorded on Tape 58, GPC suspects that the participants to the April 19, 1990 conference call discussed the term comprehensive test program before Mr. Mosbaugh entered the conversation and began his taping. GPC also believes there may have been other conversations regarding this subject on the same day that were not recorded. See GPC's response to evidentiary finding No. 133.

133. Admit.

134. Admit with the clarification as in GPC's response to evidentiary finding No. 124.

135. Deny. This evidentiary finding does not accurately reflect the testimony of Mr. Bockhold. Mr. Bockhold's testimony is that he does not remember the conference call because the OI investigator is jumping from one section of the tape to another without allowing Mr. Bockhold to hear the

tape recording in a continuous uninterrupted fashion.

136. Admit.

137. Admit.

138. Admit.

139. Admit.

140. Neither admit nor deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC lacks sufficient information to admit or deny its truth.

141. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding. However, GPC denies that (a) Mr. McCoy told Mr. Brockman that GPC was only going to count EDG test failures as they were defined in the Reg. Guide and (b) Mr. McCoy did not mention that there had been EDG troubleshooting failures after the March 20, 1990 event. See Tape 58, Tr. 27, 38.

142. Neither admit nor deny. See GPC's response to evidentiary finding No. 141.

143. Admit.

144. Admit.

145. Admit.

146. Admit.

147. Admit.

148. Admit with the clarification that GPC believes there may have been other conversations on the same subject as the group conversation which are not recorded on Tape 58. See GPC's responses to evidentiary finding Nos. 132 and 133.

149. Neither admit nor deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC lacks sufficient information to admit or deny its truth.

150. Admit with the clarification that the language in the LER was a change from the language in the April 9 letter.

151. Admit.

152. Admit.

153. Admit.

154. Admit.

155. Admit.

156. Admit.

157. Admit.

158. Admit.

159. Admit.

160. Admit.

161. Admit.

162. Admit with the clarification that GPC believes Mr. Hairston's question was answered in one of the inaudible simultaneous, multiple conversations

recorded on Tape 58.

163. Admit.

164. Admit.

165. Admit with the clarification that Mr. McCoy said the phrase "sounded similar to" not "sounded familiar to."

166. Admit with the clarification that GPC believes Mr. Hairston's question was answered in one of the inaudible simultaneous, multiple conversations recorded on Tape 58.

167. Admit with the clarification that GPC believes Mr. Hairston's question was answered in one of the inaudible simultaneous, multiple conversations recorded on Tape 58.

168. Admit.

169. Admit.

170. Admit.

171. Admit.

172. Admit.

173. Admit.

174. Admit.

175. Admit.

176. Admit.

177. Admit.

178. Admit.

179. Admit.

180. Admit.

181. Admit.

182. Admit.

183. Deny. GPC denies that this evidentiary finding accurately reflects the conversation recorded on Tape 58. Counsel for GPC, NRC and Intervenor have discussed their respective versions of this portion of Tape 58 and are preparing a revised transcript for stipulation.

184. Admit.

185. Admit.

186. Admit.

187. Admit.

188. Admit with the clarification that GPC believes the participants on the referenced section of Tape 58 are identified in the associated NRC transcript.

189. Admit.

190. Admit with the clarification that Mr. Hairston did not state that he was "speculating" during this portion of his OI testimony.

191. Admit.

192. Admit.

193. Admit.

194. Admit.

195. Admit with the clarification that, based on PRB meeting minutes and portions of Tapes 57 and 58, GPC knows the PRB addressed the LER a number of times before it was signed on April 19, 1990.

196. Admit.

197. Admit.

198. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that the comprehensive test program had been defined on April 19, 1990, before the LER was issued. See GPC's response to evidentiary finding No. 124.

199. Admit.

200. Admit with the clarification that, based on GPC's review of Tape 58, GPC believes Mr. McDonald did review and comment on the LER before it was issued.

201. Admit with the same clarification as in GPC's response to evidentiary finding No. 200.

202. Admit.

203. Admit.

204. Admit.

205. Admit.

206. Admit.

207. Admit.

D. Response to Evidentiary Findings for Allegation No. 4

1. Neither admit nor deny. GPC lacks sufficient information to admit or deny this evidentiary finding. No PRB meeting minutes or NRC tapes address this matter.

2. Admit.

3. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that this testimony accurately describes the conversation between Messrs. Bockhold and Mosbaugh. Mr. Bockhold was first to question how Mr. Mosbaugh's validated information would effect the April 9, 1990 letter. Mr. Bockhold did not state he would address this issue in the May 15, 1990 proposed letter. Rather, he suggested this might be an appropriate means for addressing the April 9, 1990 letter and Mr. Mosbaugh was tasked with making the appropriate corrections by working with his subordinate, Mr. Odom. See GPC transcript of Tape 90, Tr. 1-3.

4. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that this testimony accurately describes the timing of the QA audit. Mr. Hairston requested the audit on or about June 8, 1990. See Exh. 31, pp. 79-80.

5. Admit.

6. Admit.

7. Admit with the clarification that on April 19, 1990 start count verification

efforts were conducted, in addition to those performed by Mr. Cash, and that several "start counts" were made between April 19 and June 29, 1990.

8. Admit.

9. Neither admit nor deny. GPC agrees that this evidentiary finding accurately summarizes the OI interview testimony. However, GPC lacks sufficient information to either admit or deny its truth.

10. Admit.

11. Admit.

12. Deny. GPC denies that this evidentiary finding accurately reflects Mr. Bockhold's testimony. Further, GPC does not believe that "interpretation of the data" is part of what GPC meant by diesel generator record keeping practices as that term was used in the June 29, 1990 LER revision cover letter. See Tape 187.

13. Admit.

14. Admit with the clarification that Mr. Majors prepared the June 29, 1990 cover letter.

15. Admit.

16. Admit with the clarification that Mr. Bockhold did have a discussion with Mr. McCoy and other members of the plant staff on August 15, 1990, regarding how Mr. Cash developed the start count for Mr. Bockhold.

17. Admit.

18. Admit.

19. Admit.

20. Admit.

21. Admit.

22. Admit.

23. Admit.

24. Admit.

25. Admit.

26. Admit.

27. Admit.

28. Deny. GPC denies that this evidentiary finding accurately reflects Mr. Aufdenkampe's testimony. Mr. Aufdenkampe could not recall with certainty what the time period was between the issuance of the LER and the site transmittal of a draft-revised LER to the Corporate offices. This transmittal did not occur until about May 15, 1990. See Mr. Mosbaugh's testimony, Exhibit 5, pp. 232-240.

29. Admit with the clarification that GPC believes Mr. Aufdenkampe did review the June 29, 1990 cover letter, in his capacity as a member of the PRB. See PRB Meeting Minutes, Meeting No. 90-91.

30. Admit.

31. Admit.

32. Admit.

33. Neither admit nor deny. The interview notes of the OI investigator are an insufficient basis for GPC to determine either the accuracy or truthfulness of this evidentiary finding. However, GPC believes that Mr. Aufdenkampe spoke to Ms. Trocine sometime during the week of June 11-15, 1990, regarding the mistake in the diesel start count and requested that Ms. Trocine pass the information along to Mr. Brockman. See GPC transcript of Tape 172, Tr. 31.

34. Admit.

35. Admit.

36. Admit with the clarification that GPC believes that the comprehensive test program was defined in the June 29, 1990 cover letter.

37. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that the June 29, 1990 SAER audit report accurately identified the causes for the error in the April 19, 1990 LER.

38. Admit.

39. Admit.

40. Admit.

41. Admit with the clarification that GPC believes Mr. Frederick talked to Messrs. Bockhold and Cash during the course of the SAER audit.

42. Admit.

43. Admit.

44. Admit.

45. Admit.

46. Admit.

47. Admit.

48. Admit.

49. Admit.

50. Admit with the clarification that the evidentiary finding reflects Mr. Hairston's opinion.

51. Admit.

52. Admit.

53. Admit with the clarification that Mr. Frederick's knowledge of Mr. Mosbaugh's "concern about the diesel start numbers in the April 9, 1990, letter and the April 19, 1990, LER," was limited to the information he learned through his membership on the PRB.

54. Admit.

55. Admit.

56. Admit with clarification that Mr. Frederick told Mr. Mosbaugh that he was also supposed to determine why the discrepancy exists. See GPC's response to evidentiary finding No. 62 and Tape 160, Tr. 23-29.

57. Admit.

58. Admit.

59. Admit.

60. Admit.

61. Admit.

62. Admit with the clarification that where the evidentiary finding indicates that Mr. Frederick "is suppose to find why the discrepancy exists," the discrepancy Mr. Frederick is referring to is the various diesel start counts reported to the PRB during the May to June, 1990 time frame.

63. Admit.

64. Admit.

65. Admit.

66. Admit with the clarification that GPC is aware, based on a review of Tape 187, Mr. Majors stated that he believed Mr. Hairston assisted Mr. McCoy in drafting portions of the June 29, 1990 cover letter. See GPC's response evidentiary finding to No. 70.

67. Admit.

68. Admit.

69. Admit.

70. Admit.

71. Admit.

72. Admit.

73. Admit.

74. Admit.

75. Admit.

76. Admit with the clarification that, based on review of Tape 187, GPC is aware that Mr. Mosbaugh did express such concerns to Mr. Greenee.

77. Deny. GPC believes that Mr. Greene was aware on June 29, 1990, that Mr. Cash made the diesel start count for the April 9 presentation. See Tape 187.

78. Admit.

79. Deny. This evidentiary finding takes a quote attributed to Mr. Greene out of context and thus creates a mischaracterization of the portion of Tape 187 that the evidentiary finding purports to summarize. Mr. Greene does recommend changing the word "discrepancy" to "difference" in the June 29, 1990 cover letter. However, his reason for suggesting this change, as reflected at Tr. 56, is his view that the cover letter is intended to explain the difference between what is being reported in the revised LER and the cover letter. See Exh. 47, pp. 34, 35.

80. Admit.

81. Admit.

82. Admit.

E. Response to Evidentiary Findings for Allegation No. 5

1. Deny. This evidentiary finding inaccurately reflects the OI interview testimony in that Mr. Bockhold stated that he did not recall if he assisted in drafting the August 30, 1990 letter. GPC is aware, based on review of Tape 184, that Mr. Bockhold did assist in the drafting of that letter.

2. Deny. See GPC's response to evidentiary finding No. 1.

3. Admit with the clarification that GPC believes Mr. Bockhold reviewed the August 30, 1990 letter. See Tape 184.

4. Admit with the clarification that Mr. Bockhold's testimony was that he personally was not confused about the distinction between successful start and valid test.

5. Admit with the clarification that Mr. Bockhold's testimony refers to individuals, other than Mr. Cash, who attended the April 9 presentation. See Exh. 23, p. 1.

6. Admit with the clarification that confusion arose among GPC personnel, other than Mr. Cash, who tried to count successful starts after April 9, 1990.

7. Admit.

8. Admit.

9. Admit.

10. Admit.

11. Admit.

12. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that Mr. Cash did make mistakes in performing his count. See GPC's response to Allegation No. 1, evidentiary finding No. 66.

13. Deny. GPC agrees that this evidentiary finding accurately reflects the OI

interview testimony. However, GPC believes that Mr. Ajluni discussed mistakes in Mr. Cash's count in a December 1990, note to Mr. McCoy. (Bates No. 044750-51.)

14. Admit.

15. Admit.

16. Admit.

17. Admit.

18. Admit.

19. Admit.

20. Admit.

21. Deny. This evidentiary finding does not accurately reflect the OI interview testimony. Mr. Stringfellow stated that there were "a couple of differences" between his tables and the tables returned to him from the site "in the area of diesel starts 132, 134, and 136."

22. Admit.

23. Admit.

24. Admit.

25. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, this does not accurately reflect the criteria used by Mr. Cash to count successful starts. See GPC's response to Allegation No. 1, evidentiary finding Nos. 40 and 69.

26. Admit.

27. Admit.

28. Deny. GPC agrees that the evidentiary finding accurately reflects the OI interview testimony. However, GPC believes that Mr. Cash counted more than one problem start as successful.

29. Admit.

30. Admit with the clarification that Mr. Cash counted more than one problem start as successful.

31. Admit.

32. Admit.

33. Admit.

34. Admit.

35. Admit.

36. Admit.

37. Admit with the same clarification as in GPC's response to evidentiary finding No. 30.

38. Admit.

39. Admit.

40. Admit with the clarification that Mr. McDonald's testimony reflects he was talking about calls to the NRC regarding the same subject matter as was being addressed in the August 30, 1990 letter and not calls to the NRC regarding the August 30, 1990 letter in particular.

41. Admit.

42. Admit with the clarification that GPC interprets "April 9, 1991" to mean "April 9, 1990."

43. Admit.

44. Admit with the clarification that Mr. Greene's testimony was that the August 30, 1990 letter was prepared using the same process as that used for preparing all correspondence with the NRC (i.e., there was no special process employed for drafting this letter).

45. Admit.

46. Admit with the clarification that Mr. Bockhold was present at the PRB meeting where the August 30, 1990 letter was discussed.

47. Admit with the clarification that GPC interprets "that the number reported" to mean "than the number reported."

48. Admit.

49. Deny. This evidentiary finding does not accurately reflect Mr. Greene's testimony.

F. Response to Evidentiary Findings for Allegation No. 6

1. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC does not believe it accurately describes or characterizes the control air quality during the relevant time frame. See Tape 41.

2. Admit.

3. Admit with the clarification that GPC believes the air quality was

satisfactory at the controls. See Tape 41, Tr. 49-50.

4. Admit.

5. Admit.

6. Admit.

G. Response to Evidentiary Findings for Allegation No. 7

1. Deny. The final revisions to the LER were not made on this particular conference call. See Tape 58.

2. Deny. The diesel starts language was finally approved by site personnel (Aufdenkampe and Mosbaugh) on this call and other portions of the LER were finalized with the additional participation of Mr. Swartzwelder. See Tape 58, Tr. 27-32.

3. Admit with the clarification that GPC did not have the benefit of Mr. Mosbaugh's tapes at that time.

4. Deny. The final revisions to the LER were not made on this particular conference call. See Tape 58.

5. Deny. See GPC's response to Allegation No. 3, evidentiary findings Nos. 34 and 35.

6. Deny. GPC's statements have been made in good faith based on the knowledge possessed by GPC at the time.

7. Admit.

8. Admit with the clarification that GPC interprets "April 1, 1990" as "April 1, 1991."

9. Deny. GPC agrees that this evidentiary finding accurately reflects the OI interview testimony. However, GPC denies that the individuals identified were the ones on the call. See Tape 58, NRC Insert 5, Tr. 4-7, and Tr. 27-32 for proper identification of the participants.

10. Admit.

H. Response to Evidentiary Findings for Investigative Conclusion from Review of Audio Tapes

1. Deny. This evidentiary finding mischaracterizes the portion of Tape 42 it references. Mr. Aufdenkampe, at Tr. 14, indicates that GPC's obligation to tell the NRC about diesel control air problems would not arise until such problems had been confirmed. Mr. Aufdenkampe's views, when reviewed in context, clearly demonstrate that his comment regarding not telling the NRC about diesel control air matters was aimed at the timing of providing confirmed information and not whether such information should be provided.

2. Deny. This evidentiary finding mischaracterizes the portions of Tapes 269 and 184 it purports to summarize. The referenced portion of Tape 269 is a discussion between Messrs. Aufdenkampe and Mosbaugh regarding the PRB meeting earlier that day in which the August 30, 1990 letter was reviewed. Mr. Aufdenkampe states that he was "glad George [Bockhold] left because I was going to call point of order that we [the PRB] couldn't advise George [Bockhold] on something when he was there trying to,

trying to." At that point Mr. Aufdenkampe is cut off by Mr. Mosbaugh who finishes the sentence by stating, "advise the Board when he's telling the Board what statements to take out of a letter." Tape 269, Tr. 1-2. Mr. Bockhold was suggesting revisions to a prior draft of the August 30, 1990 letter. The referenced portion of Tape 184 is a portion of the PRB meeting where the August 30, 1990 letter is discussed. The evidentiary finding indicates that Mr. Aufdenkampe's "frustration shows" on this part of the Tape because Mr. Bockhold "ran" the meeting. The word "ran," which according to the evidentiary finding is a quote from the Tape, cannot be found on the cited portion of the Tape or on the NRC's transcript of the Tape. Mr. Greene, as PRB chairman, chaired the meeting and, as reflected in the PRB meeting minutes, Mr. Bockhold participated as a guest/technical advisor. GPC also notes that Mr. Brian Bonzer, NRC resident inspector, attended the meeting. Nothing on the cited portion of the Tape supports the conclusion that Mr. Bockhold "ran" the meeting.

3. Deny. GPC believes this evidentiary finding inaccurately characterizes the referenced portion of the tape transcript. Mr. Horton is expressing his preference for using the phraseology "the errors ... were the result" as opposed to "the errors ... appear to be the result." Mr. Horton expresses his belief that using the word "appear" suggests that GPC does not know the reason for the errors. (Tr. at 33.) Later in the conversation, Mr.

Bockhold suggests changing the word "errors" to "confusion" because he believes the NRC was confused by GPC's use of the term "successful start" as opposed to "valid start." (Tr. at 33-34.)

4. Admit with the clarification that it was Mr. Bockhold's firm belief that no GPC or SNC employee intentionally provided false information to the NRC. Furthermore, the evidentiary finding's observation that Mr. Bockhold "speaks in terms of what other people believe, as opposed to what the situation actually is," is conclusory and not substantiated by this portion of Tape 258.

5. Admit.

6. Deny. Mr. Coursey denies this evidentiary finding for two reasons. First, Mr. Coursey's question regarding how many failures had occurred once the diesels were "up and running" does not indicate a "history of diesel problems." Rather, it is simply a question posed as a part of the investigation of diesel problems associated with the March 20, 1990 event. Second, contrary to the evidentiary finding, Mr. Coursey is not a participant to any conversations surreptitiously recorded by Mr. Mosbaugh on Tape 258.

7. Deny. GPC does not agree that this evidentiary finding accurately reflects the taped conversation. Mr. Frederick does not say "that burns you up." Based on review of the tape, GPC believes that someone else makes that statement but is unable to identify the speaker.

8. Deny. This evidentiary finding inaccurately characterizes the referenced portion of the tape in that it implies that the revised LER will dictate language in the QA audit report. The taped conversation actually discusses a potential wording change in the LER revision that would change the reference point for the diesel starts count in the audit report from "completion of the comprehensive test program" to "subsequent to the event." The audit report was complete at this time and a change in the reference point would require a revision to that report. This is why in the conversation Mr. Frederick states "I may have to put some words in the audit report based on that."

9. Deny. This evidentiary finding inaccurately characterizes this portion of the tape transcript. Mr. Horton is providing his own independent, (technical) evaluation of diesel generator 1A, start number 148 as part of the PRB's effort to develop a tabular summary of diesel starts during the relevant time frame. Mr. Horton had independently collected his own data in preparation for this meeting (Tape 184, Insert, Tr. 3). His statements are that start 148 resulted in an unplanned trip of DG 1A, however, the start should be declared successful because of the circumstances involved. The diesel had been started for bubble testing. GPC received a malfunction alarm signal associated with a group of three sensors. This alarm indicated that one of the three sensors was venting, but not specifically which one. GPC decided to continue with the bubble

test knowing that disconnection of either of the non-venting sensors would result in a trip. This was the basis for declaring the start as a success while at the same time acknowledging that the trip was unplanned. Mr. Horton's statements, when understood in this context, are clear on their face, i.e., he is filling out the tabular summary that was attached to the August 30, 1990 letter.

12. Deny. GPC denies this evidentiary finding. Mr. Odom has no specific recollection of this conversation other than his review of the audio tape, however, based on his review he denies the OI investigator's characterization that he was "frustrated." Mr. Odom did not believe that GPC was trying to attribute the error in the LER to a typographical mistake and does not believe either the tone or the content of his response reflect frustration on this point.

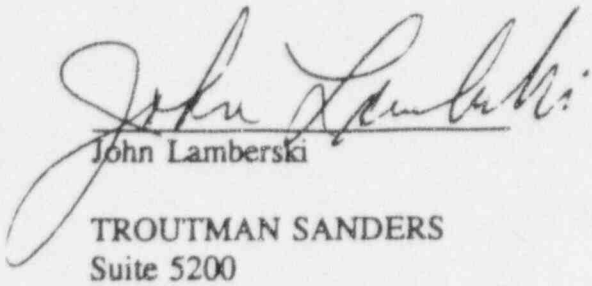
13. Deny. Ms. Tynan denies this finding on two grounds. First, the language quoted is an inaccurate transcription of the taped statement of Ms. Tynan on June 29, 1990. The statement made by Ms. Tynan should read as follows: "Why can't we get through what we keep approving? Sending off-site." Second, the investigator's characterization of Ms. Tynan's statement is inaccurate. Ms. Tynan believes she was frustrated at the time, but not for the reason stated by the investigator (i.e., she is not "expressing frustration about corporate always changing what is approved by the site"). Her frustration stemmed from changes being made by the

corporate office to the particular document which is being discussed on this portion of the tape. Based on her review of the tape, Ms. Tynan believes the document being discussed is the revision to LER 90-006 which was under review by the site and corporate office on June 29, 1990.

14. Admit.

15. Deny. GPC denies both the accuracy and truthfulness of this OI evidentiary summary. The summary inaccurately quotes language from the tape and mischaracterizes Mr. Bockhold's conversation with his plant staff. A more accurate summary of this conversation is that Mr. Bockhold informs his plant staff that each of them will be provided with legal counsel, if they so choose, to assist them in any OI interviews. Mr. Bockhold indicated that assistance by legal counsel is often helpful in that legal counsel can help in organizing facts and clarifying ambiguous questions on the part of the OI investigator. Mr. Bockhold indicated that he had been interviewed in other contexts previously, and as a result, would not need to be briefed by legal counsel regarding preparation for and participation in an interview of this type. Finally, Mr. Bockhold indicated that these are consensual interviews and should the OI interviewer express concern over the consensual conditions then the employee may decline the interview and require the OI investigator to subpoena his or her presence.

GPC objects to responding to Intervenor's request for admissions for evidentiary finding Nos. 10, 11, and 16-26 because the subject matter of these findings is outside the scope of this proceeding as defined by the Board's June 2, 1994, Order.



John Lamberski

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(202) 663-8084

Counsel for Georgia Power Company

Dated: July 7, 1994

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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 Nuclear)
(Vogtle Electric Generating 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 Intervenor's First Request for Admissions," dated July 7, 1994, were served by deposit with Airborne Express mail service, upon the persons listed on the attached service list, this 7th day of July, 1994.

John Lamberski

Dated: July 7, 1994

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE 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

Administrative Judge
Peter B. Bloch, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge
James H. Carpenter
Atomic Safety and Licensing Board
933 Green Point Drive
Oyster Point
Sunset Beach, NC 28468

Administrative Judge
Thomas D. Murphy
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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USNRC, Region II
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Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555
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Charles Barth, Esq.
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Stop 15B18
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Director,
Environmental Protection Division
Department of Natural Resources
205 Butler Street, S.E.
Suite 1252
Atlanta, Georgia 30334

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE 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-OLA-3

AFFIDAVIT OF JOHN G. AUFDENKAMPE

I, John G. Aufdenkampe, being duly sworn, state as follows:

1. I am currently employed by Southern Company Services as Design Team Leader, Vogtle Project.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 1	Nos. 154, 155
Allegation No. 3	Nos. 41-42
Investigative Conclusion from Review of Audio Tapes	No. 1, 2

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

John G. Aufdenkampe

Sworn to and subscribed before me this 6th day of July. 1994.

Mary N. Bentley
Notary Public
My commission expires:
May, 1995

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

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

AFFIDAVIT OF MARK J. AJLUNI

I, Mark J. Ajluni, being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Operating Company as Senior Project Engineer, Vogtle Project.

2. I have been expressly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions. Specifically I am duly authorized to respond on behalf on the Company to the First Request for Admissions for evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report Case No. 2-90-20R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny requested Admissions not otherwise addressed by individual attestations.

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

Mark J. Ajluni

Sworn to and subscribed
before me this 1st day of
July, 1994.

Notary Public
My commission expires:
April 14, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF GEORGE BOCKHOLD, JR.

I, George Bockhold, Jr., being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Operating Company as General Manager, Nuclear Tech Support.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 1	Nos. 26, 33-35, 37, 60, 77, 78, 83, 96
Allegation No. 2	No. 4
Allegation No. 3	Nos. 25, 115, 125-126, 135
Allegation No. 6	No. 3
Investigative Conclusion from Review of Audio Tapes	Nos. 4, 15

I hereby cert: that the statements and inions in such response are true and correct to the best of my personal knowledge and belief.

George Bockhold Jr.

Sworn to and subscribed before me this 7 day of July, 1994.

Notary Public
My commission expires:
MY COMMISSION EXPIRES JANUARY 12, 1997

TOTAL P.03

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE 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-OLA-3

AFFIDAVIT OF JIMMY PAUL CASH

I, Jimmy Paul Cash, being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Operating Company as Strategic Analyst.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 1	Nos. 57, 64, 67, 74

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

Sworn to and subscribed
before me this __ day of
July, 1994.

Notary Public
My commission expires:
9-14-94

Jimmy Paul Cash

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF CHARLES L. COURSEY

I, Charles L. Coursey, being duly sworn, state as follows:

1. I am currently employed by Georgia Power Company as Superintendent, Maintenance, Vogtle Electric Generating Plant.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Investigative Conclusion from Review of Audio Tapes	No. 6

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

Charles L. Coursey

Charles L. Coursey

Sworn to and subscribed
before me this 6th day of
July, 1994.

Patricia C. Clarke
Notary Public
My commission expires:

PATRICIA C. CLARKE, NOTARY PUBLIC
[illegible] COUNTY, GEORGIA
MY COMMISSION EXPIRES 6-2-97

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE 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-OLA-3

AFFIDAVIT OF G. R. FREDERICK

I, G. R. Frederick, being duly sworn, state as follows:

1. I am currently employed by Georgia Power Company as Manager, Maintenance, Vogtle Electric Generating Plant.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 4	Nos. 53, 62
Investigative Conclusion from Review of Audio Tapes	Nos. 7, 8

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

G. R. Frederick
G. R. Frederick

Sworn to and subscribed
before me this 6th day of
July, 1994.

Patricia C. Clarke
Notary Public
My commission expires:

PATRICIA C. CLARKE, NOTARY PUBLIC
JENKINS COUNTY, GEORGIA
MY COMMISSION EXPIRES 6-6-97

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE 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-OLA-3

AFFIDAVIT OF THOMAS V. GREENE

I, Thomas V. Greene, being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Company Operating as Manager-Nuclear Engineering & Licensing, Vogtle Project.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 4	Nos. 79, 81
Allegation No. 5	Nos. 44, 47, 49

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

Thomas V. Greene

Thomas V. Greene

Sworn to and subscribed before me this 6th day of July, 1994.

Mary N Bentley

Notary Public

My commission expires:

May, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF W. G. HAIRSTON, III

I, W. G. Hairston, III, being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Operating Company as President and Chief Executive Officer and by Georgia Power Company as Executive Vice President.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 1	No. 190, 191, 195, 197
Allegation No. 3	No. 190
Allegation No. 4	No. 50

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

W. C. Hairston, III

Sworn to and subscribed before me this __ day of July, 1994.

Notary Public

My commission expires:

9-14-94

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF MICHAEL W. HORTON

I, Michael W. Horton, being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Operating Company as Project Manager - Nuclear Technical Services.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Investigative Conclusion from Review of Audio Tapes	Nos. 3, 9

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

Michael W. Horton

Michael W. Horton

Sworn to and subscribed
before me this 7 day of
July, 1994.

Notary Public
My commission expires:

Notary Public, Cobb County, Georgia
My Commission Expires January 12, 1998

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF C. KENNETH MCCOY

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

1. I am currently employed by Southern Nuclear Operating Company as Vice President-Vogtle Project and by Georgia Power Company as Vice President-Vogtle.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor denyas follows:

Allegation No. 1	Nos. 162, 176, 187
Allegation No. 2	No. 39
Allegation No. 3	Nos. 27, 165

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

C. Kenneth McCoy

Sworn to and subscribed before me this 6th day of July, 1994.

Mary N. Bentley
Notary Public
My commission expires:
May, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF R. P. MCDONALD

I, R. P. McDonald, being duly sworn, state as follows:

1. I am currently employed by Advanced Reactor Corp. as Executive Director.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 5	Nos. 40, 42
Allegation No. 7	No. 8

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

Page 1 of 2

R. P. McDonald

Sworn to and subscribed
before me this 6 day of
July, 1994.

Notary Public
My commission expires:
November 19, 1997

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF RICHARD M. ODOM

I, Richard M. Odom, being duly sworn, state as follows:

1. I am currently employed by Georgia Power Company as Engineering Supervisor, Vogtle Electric Generating Plant.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Investigative Conclusion from Review of Audio Tapes	No. 12

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

Richard M. Odom

Richard M. Odom

Sworn to and subscribed
before me this 6th day of
July, 1994.

Patricia C. Clarke

Notary Public
My commission expires:

PATRICIA C CLARKE, NOTARY PUBLIC
BENHAM COUNTY, GEORGIA
MY COMMISSION EXPIRES 2-6-97

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE 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-OLA-3

AFFIDAVIT OF N. J. STRINGFELLOW

I, N. J. Stringfellow, being duly sworn, state as follows:

1. I am currently employed by Southern Nuclear Operating Company as Project Engineer, Nuclear Licensing, Vogtle Project.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the responses to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Allegation No. 2	No. 22
Allegation No. 3	Nos. 19, 88
Allegation No. 5	No. 21

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

N. J. Stringfellow

Sworn to and subscribed
before me this 6th day of
July, 1994.

Mary N Bentley
Notary Public
My commission expires:
May, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF CAROLYN C. TYNAN

I, Carolyn C. Tynan, being duly sworn, state as follows:

1. I am currently employed by Georgia Power Company at Plant Vogtle as a Supervisor assigned to the Performnce Improvement Team.

2. I am duly authorized to verify Georgia Power Company's Response to Intervenor's First Request for Admissions, specifically the response to evidentiary findings contained in the Nuclear Regulatory Commission Office of Investigations Report, Case No. 2-90-020R, dated December 17, 1993, which deny, admit with clarification, or neither admit nor deny as follows:

Investigative Conclusion from Review of Audio Tapes	No. 13

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