

SALP and Inspection Reports which are in the PDR. Chapter 13 of the Safety Evaluation Report, NUREG-1038, Nov. 1983 also contains the latest Staff evaluation. We did not cite it in our previous response as we did not understand that Mr. Eddleman was inquiring of documents which we had previously provided to him. With the addition of the portions of the SER cited above. The Staff feels it has provided all relevant information to Mr. Eddleman's request.

Interrogatory 22 requested documents that the Staff relied upon in making its analysis of Applicants' management qualification. They are I&E Inspection Reports, Applicants' responses thereto and the SALP reports - all of which were identified for Mr. Eddleman. With the information furnished herein the Staff feels it has provided all relevant information to Mr. Eddleman's request.

Interrogatory 24 asks will the Staff provide Mr. Eddleman with documents not in the PDR for inspection and copying. In the Staff reply to Mr. Eddleman's first Interrogatories dated May 6, 1983, I stipulated on behalf of the Staff that I would make available to Mr. Eddleman all documents within the possession and control of NRC, not classified or proprietary, for his copying at the NRC offices in Washington, D.C. or our Atlanta Regional office.^{3/}

Interrogatory 141. Here Mr. Eddleman now asks which reports other than SALPs relate to management. The answer is the answer we provided in our April 25, 1984 reply - the Inspection Reports listed on pages 5 and 6 of our reply.

^{3/} NRC Staff Response To Interrogatories Dated May 6, 1983 Propounded By Wells Eddleman And Joint Intervenors dated June 24, 1983. Interrogatory Answer 11 on page 22.

Interrogatory 144 asks whether CP&L has had a problem caused by management. The Staff judges CP&L against the Commission's regulations. We answered that violations were in the Inspection Reports in the PDR, and violations identified by the Licensee that meet the criteria of the NRC enforcement policy for which the Applicants were not cited were usually in the Inspection Reports. We consider this a full answer.

Interrogatory 145. Upon further thought, we feel that our reply, April 25, 1984, is a best answer.

Interrogatory 147 requested reports and documents relating to NRC - Applicant problems. Our answer, essentially, is that the Inspection Reports and SALP Reports, in the Public Document Room evidence NRC management discussions with the Applicants.

Interrogatories 149 and 150 were objected to in the Staff Reply dated April 18, 1984. we rest on our objections which are reproduced below.^{4/}

INTERROGATORY 149. Please state if there is any nuclear management in the US involved with commercial nuclear power plants, concerning which (i) the Staff (ii) anyone on the Staff, holds the opinion that the management is (aa) unqualified to operate nuclear power plants safely (bb) doubtfully qualified to operate nuclear power plants safely.

INTERROGATORY 150. Does the NRC Staff or anyone on it have any documents concerning management weaknesses at nuclear power plants or management weaknesses of nuclear power utilities (or any nuclear facility)? If so, please identify all documents containing such information, most specifically any such information concerning CP & L not identified in response to the above interrogatories, any information comparing management of

^{4/} NRC Staff Response To Interrogatories Dated March 28, 1984
Propounded By Wells Eddleman And Joint Intervenors at 2 and 3.

nuclear utilities and/or nuclear power plants, or assessing the management competence of any nuclear (e.g. Metropolitan Edison, GPU Nuclear, CP & L).

§ OBJECTION: These interrogatories are so broad as to be meaningless. They are almost totally subjective and lack defined objective parameters which would permit answer. Secondly the contention is restricted to Applicants management and the Interrogatory is not relevant thereto.

However, to respond further with the obvious, SALPs and I&E Inspection Reports and NRC civil penalties, all in the PDR, do set forth the NRC view of utilities operation under the licenses.

Interrogatory 151 requested identification of NRC reviews of CP&L (management). We feel our answer of April 5, 1984 is responsive. If asked today, there would be no change in our answer.

Interrogatory 152 was fully answered in our April 25, 1984 response to Mr. Eddleman.

Interrogatory 153 asks whether there are NRC personnel who think CP&L unqualified to manage Harris. Our April 25, 1984 reply stated that the Staff has procedures for such views to be made known to management and, as of April 25, 1984 no such views had been brought forward. This is a conclusive reply to the Interrogatory.

Interrogatory 154 relates to core-damage precursors. Mr. Eddleman's complaint about the Staff answer goes way beyond the limits of the Interrogatory.

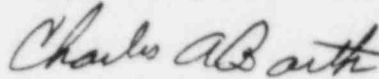
Interrogatory 156 asks has the Staff undertaken any review of statements of CP&L witnesses at the Harris 1979 remand hearing. We replied "No." This is a complete and conclusive reply. In addition, Mr. Eddleman's motion to compel is unrelated to the subject of the contention.

Interrogatory 157 relates to non-CP&L utilities improperly disposing of radioactive waste. We objected as this goes way beyond the contention which is, the capability of CP&L to manage the operation of Harris.

CONCLUSION

The Staff is of the view that Mr. Eddleman's motion to compel discovery is without merit and should be denied.

Respectfully submitted,



Charles A. Barth
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 2nd day of July, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

'84 JUL 18 A11:18

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of

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

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

Docket Nos. 50-400-0L
50-401-0L

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO WELLS EDDLEMAN'S MOTION TO COMPEL DISCOVERY FROM NRC STAFF ON JOINT INTERVENORS' CONTENTION I" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system this 2nd day of July, 1984:

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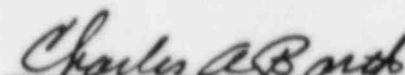
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