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October 11, 1984

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

In the Matter of
Georgia Power Company, et al.
(Vogtle Electric Generating Plant, Units 1 and 2)
Docket Nos. 50-424 and 50-425 (OL)

Dear Administrative Judges:

As instructed by the Board's Memorandum and Order dated September 5, 1984, the parties met in Atlanta on October 3, 1984, in an effort to agree on a revised quality assurance contention (CPG/GANE Contention 8). We were unable to do so. Accordingly we agreed that Applicants and CPG/GANE would each file with the Board their separate proposals for revision of Contention 8 and that the NRC Staff would submit its comments on the proposals to the Board within five days after receipt of both proposals. At the October 3 meeting CPG/GANE and Applicants exchanged the wording of the revised contention each would propose.

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Applicants propose that Contention 8 be read as follows:

Contention 8.

Applicant has failed to enforce a quality assurance program in the welding of both the reactor coolant and containment systems of Plant Vogtle that provides adequately for the safe functioning of diverse structures, systems and components, as required by 10 C.F.R. 50 Appendix B such that reasonable assurance exists that operation of the plant will not endanger the public health and safety.

The Board will note that the proposed contention is comparable in scope to revised Contention 8 as submitted to the Board by CPG at the prehearing conference on May 30, 1984. The scope of the proposed contention is much narrower, however, than Contention 8 as originally filed by GANE.

In support of its revised contention and in opposition to the revised contention to be filed by CPG/GANE, Applicants make the following observations:

(1) CPG/GANE's revised proposal does not meet the Board's objective of "focussed" litigation. In particular, the inclusion without limitation of all "inspection/testing," "material preservation," "procurement" and "adequate and complete corrective action" could encompass an almost unbounded and potentially broad range of QA/QC activities and lead to massive interrogatories and document requests. In Applicants' view, focussed litigation includes focussed discovery.

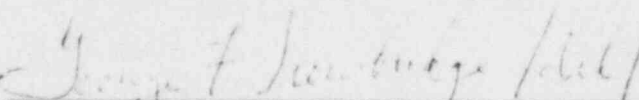
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(2) The scope of Applicants' proposal involves a finite but still large and important area of construction work involving in itself a wide range of QA activities. Applicants' performance in this area will provide a solid indication of the adequacy of Applicants' overall QA program.

(3) The bases set forth by CPG and GANE in support of their original Contention 8 arguably support a QA contention relating to welding. (Three of the five minor non-compliance listed by CPG and a number of the contractor non-conformances involve welding.) The other bases advanced by CPG and GANE do not in Applicants' view justify a QA contention, much less a contention of the scope now proposed by CPG/GANE. See Applicants' Response to GANE and CPG Supplements to Petitions for Leave to Intervene, dated May 7, 1984 (pp. 46-63).

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



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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
) 50-425
(Vogtle Electric Generating Plant,)
Units 1 and 2))

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