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LILCO, July 30, 1984

RELATED CORRESPONDENCE

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

- Before the Atomic Safety and Licensing Board P2:33

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322 (OL)
	)	
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

ANSWER TO SUFFOLK COUNTY'S MOTION  
TO COMPEL THE PRODUCTION OF DOCUMENTS

On July 24, 1984, Suffolk County filed its Motion to Compel the Production of Documents (Motion to Compel). To avoid any further delay in this proceeding, LILCO has attempted to expedite production of the documents included in the County's Motion to Compel. Many of those documents were in the possession of Transamerica Delaval, Inc. (TDI) and Failure Analysis Associates (FaAA). LILCO strongly urged the cooperation of both FaAA and TDI in complying with production of the requested documents.

On Thursday, July 26, 1984, LILCO initiated a conference call with the NRC Staff and Suffolk County to discuss the status of LILCO's attempt to furnish documents listed in the Motion to Compel. At that time, several of the documents covered by the Motion to Compel had already been produced to

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the County. LILCO continued its efforts to obtain the remaining documents and advised the County of those efforts on a moment-to-moment basis. To avoid the delay involved in photocopying the FaAA material and to expedite its production to the County, those documents were made available to the County for its review on Friday, July 27, 1984, in the Washington, D.C. offices of Hunton & Williams. The County chose to review the documents on Saturday, July 28, 1984.

A review of the status of LILCO's response to the specific items in Suffolk County's Motion to Compel is detailed below:

(1) German Design Criteria for Crankshafts -- By telex communication, FaAA contacted Dr. Franz C. Pischinger and asked him to provide a copy of the German design criteria. Dr. Pischinger agreed to send to FaAA on Thursday, July 26, 1984 a copy of the design criteria via DHL courier service. FaAA anticipated it would have the design criteria in its possession on Friday, July 28, 1984, but did not receive the information until Monday, July 30. Consequently, this information will be made available on Tuesday, July 31, 1984.

(2) FaAA Calculations -- This information was made available to the County at the Washington, D.C. offices of Hunton & Williams on Friday, July 27, 1984.

(3) Crankshaft Forging Specifications -- Via Federal Express on July 25, 1984, TDI sent to the County documents responsive to this request.

(4) Documents Showing Heat Treatment Processes on the Replacement Crankshafts -- TDI had searched its files for this information, but was unable to locate it. TDI telexed the crankshaft manufacturer in West Germany to provide this information. TDI expects to receive this information by special courier on Monday, July 30, 1984, and will that day forward it to the County.

(5) Details of the Weight of the Replacement Cylinder Block -- Via Federal Express on Thursday, July 26, 1984, TDI sent to the County information responsive to this request.

(6) Material Properties of the Cylinder Blocks -- Via Federal Express on Wednesday, July 25, 1984, LILCO sent to the County the chemical and mechanical properties of the new block from the EDG 103 documentation package. The County's earlier requests in letters dated June 12 and July 9, 1984 had not clearly requested material properties for the EDG 101 and 102 blocks. In the conference call on Wednesday, July 25, 1984, the County clarified that it wanted the material properties for those blocks as well. TDI has agreed to produce this

information and anticipates that it will be able to send it to the County on Monday, July 30, 1984. TDI and LILCO have unsuccessfully searched for the other portion of the County's request regarding "certain foundry inspection reports and reports on chemical and physical properties of the original cylinder blocks." LILCO and TDI will continue the search for this information. The material properties information to be supplied by TDI on Monday, July 30, 1984, however, may satisfy the County's need for these reports.

(7) Glen Allen, Alaska, Cylinder Block Documents -- The source of the County's request for this information is a list relating generally to the TDI engines at Glen Allen, Alaska, mentioned by Dr. Wells in his deposition. As noted in the County's Motion to Compel, LILCO produced the information in its possession regarding any incident involving the TDI engines at Glen Allen, Alaska. LILCO asked FaAA to continue a search of its files for any other information specifically relating to the block on the Glen Allen engine. The documents located by FaAA responsive to this request were made available to the County for its review in the Washington, D.C. offices of Hunton & Williams on Friday, July 27, 1984. By production of these documents, LILCO does not waive any objection it may later have as to their relevancy to the Shoreham proceeding.

(8) M/V Gott Cylinder Block Documents -- Via Federal Express on Thursday, July 26, 1984, TDI sent to the County documents responsive to this request. This request asks for production of correspondence between TDI and the ABS concerning the cylinder block top fractures on the M/V Gott. It should be noted that the County had an opportunity to ask for these documents in the July 18, 1984 depositions of ABS representatives, but did not do so. By production of these documents, LILCO does not waive any objection it may later have as to their relevancy to the Shoreham proceeding.

(9) Professor Wallace Documents -- TDI made available to the County for its review in Oakland, California, on March 22 and 23, 1984, all Wallace correspondence regarding his comments on analyses of the TDI series R-48 diesel engines. In addition, portions of letters written by Professor Wallace were produced to the County by Hunton & Williams. The County requested complete copies of those letters, as well as any other letters from Professor Wallace containing his comments or analyses of the R-48 engines. Neither Hunton & Williams nor Guggenheimer & Untermyer (current counsel for TDI) have the complete letters that were produced to the County. TDI has attempted, to date unsuccessfully, to find the unedited versions of those letters. Professor Wallace has searched his

file, but has been unable to locate that correspondence. TDI is continuing its efforts to locate these documents, including contacting TDI's former counsel.

(10) Determinations and Reviews by TDI's Material Review Board -- Via Federal Express on Wednesday, July 25, 1984, TDI sent to the County documents responsive to this item.

(11) Camshaft Drawings -- On Friday, July 27, 1984, TDI sent to the County documents responsive to this item.

(12) DRQR Phase II Reports on Cylinder Blocks, Cylinder Heads, Crankshafts and AE Pistons -- Via Federal Express on July 24 and 27, 1984, LILCO sent to the County documents responsive to this item. Two of the documents, the piston support packages, were provided by FaAA and were made available for the County's review in the Washington, D.C. offices of Hunton & Williams on Friday, July 27, 1984. The County was advised that these documents were in the form of microfiche and that the County would have to furnish its own viewing equipment. Two of the documents, the support packages for the cylinder blocks, have not been issued due to the continuing review of materials mentioned in the cylinder block section of the Phase II report.

The response to this item is complete with one other exception. The County had requested reproduction of E&DCR 46505 which has not yet been issued. This document is the implementation mechanism for the Owners Group DRQR maintenance recommendations. The maintenance recommendations are shown on the matrix included in Appendix II of the DRQR Phase II report, which is already in the possession of the County.

It should be noted that LILCO had previously supplied some of the documents requested in this item, but to avoid delay, has again reproduced and furnished them to the County.

(13) Deficiency Reports -- Via Federal Express on Thursday, July 26, 1984, LILCO sent to the County documents responsive to this item.

(14) Museler Memorandum -- Via Federal Express on July 26, 1984, LILCO sent this document to the County pursuant to an understanding with the County that it was being furnished pursuant to a protective agreement governing the earlier production of the handwritten memorandum relating to this document.

(15) References Cited in FaAA Reports on Pistons, Crankshafts, Cylinder Blocks and Cylinder Heads -- These documents were available for review by the County in the Washington, D.C. offices of Hunton & Williams on Friday, July 27, 1984.

(16) FaAA Crack Standard PAO-C-1 and FaAA NDE Procedure 6.2 -- The NDE procedure was made available for the County's review in the Washington, D.C. offices of Hunton & Williams on Friday, July 27, 1984. The crack standard is an actual piece of metal which was not brought to Washington for the County's review.

(17) Photographs of the Shotpeening of the Replacement Crankshafts -- LILCO had offered to make available for the County's review photographs of the secondshot peening. The County indicated in a telephone conversation on Wednesday, July 25, 1984, that it was most interested in inspecting photographs of the first shotpeening. LILCO located photographs of the initial shotpeening in the possession of FaAA in Charlotte, North Carolina. Via Federal Express on Friday, July 27, 1984, FaAA sent those photographs immediately available from its files to the Washington, D.C. offices of Hunton & Williams for review by the County on Saturday, July 28, 1984. Lilco is



verifying with FaAA whether other shotpeening photographs exist that may inadvertently have been omitted from those sent to Washington on Saturday.

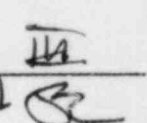
In the spirit of cooperation encouraged by the Board's Order of July 25, 1984, LILCO has used its best efforts immediately to produce the items set forth in the County's Motion to Compel. LILCO, however, would again point out to the Board that the discovery process in this proceeding has been one-sided. As the Board knows, LILCO has been subjected to extensive discovery by the County during the course of these proceedings and has produced well over 60,000 pages of documents to the County. Despite LILCO's continued requests, including those made during the course of depositions of the County's consultants and at the close of the conference of parties on July 5, 1984, the County has still failed to produce to LILCO any substantial indication of its consultants' calculations or reports. The County did provide a few pages of preliminary and superficial calculations, but has failed to produce more. In our conversation on July 26, 1984, LILCO reiterated its request and was told that no more calculations or reports were available. On Saturday, July 28, 1984, however, the County furnished LILCO with five pages of hand-written calculations concerning crankshafts.

LILCO has produced or has taken all the measures within its control to produce the items included in the County's Motion to Compel. As of this time only four items (Nos. 4, 6, 9 and 12) have not been produced in their entirety. As indicated above, several of the documents in response to Item No. 12 are not yet in existence. The documents in response to Item Nos. 4, 6 and 9 must be produced by TDI. Most of those documents will probably be available for production to the County at the beginning of the week of July 30, 1984. The only documents about which there remains substantial questions are the "Professor Wallace Documents" (Item No. 9). As noted above, TDI has not yet been able to locate those documents, but is continuing its efforts.

LILCO considers that it has substantially complied with production of the documents requested and respectfully requests the Board to deny the County's Motion to Compel.

Respectfully submitted,

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DATED: July 30, 1984

CERTIFICATE OF SERVICE

I hereby certify that copies of LILCO's Answer to Suffolk County's Motion to Compel the Production of Documents were served this date upon the following by first-class mail, postage prepaid, or by hand as indicated by an asterisk:

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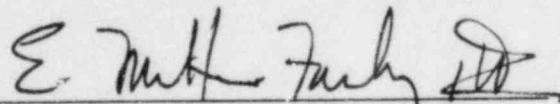
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