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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

August 17, 1984

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Glenn O. Bright
Dr. James H. Carpenter
James L. Kelley, Chairman

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USNRC

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of

CAROLINA POWER AND LIGHT CO. et al.
(Shearon Harris Nuclear Power Plant,
Unit 1)

Docket 50-400 OL

ASLBP No. 82-468-01
OL

Dear Judges Kelley, Bright and Carpenter,

Attached are filled-out subpoena forms for witnesses not called by CP&L and/or the NRC Staff related to Contentions 41 and 65. These are persons with direct knowledge of the subject matter of these contentions. Please advise me if any further showing of need for these persons' testimony is required. The information and objects they are asked to bring with them are clearly relevant.

With respect to Staff inspector George Maxwell, he has direct knowledge of (1) how the pipe hanger weld defects were first discovered (2) CP&L's response(s) to these discoveries (3) actual occurrences on-site at the Harris plant concerning pipe hangers, defects therein, repairs and inspections thereof, and further inspection by NRC; (4) applicable procedures and rules involved in pipe hanger construction and inspection and QA/QC. Under 10 CFR 2.720(h)(2)(i), Maxwell's direct knowledge of these facts, which are not known to NRC's witnesses in the proceeding, is good cause to have Maxwell either subpoenaed or deposed. I request a subpoena since the evidence of Maxwell's direct experience is very important; he is near the hearing site and thus more available to testify; and a deposition cannot cover matters discovered by cross-examination of other witnesses.

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Following is a list of other persons for whom subpoenas are attached:

(Contention 65) (All are identified in pour packages at issue)

Russell L. Breedlove (Construction Inspector)

Mac D. Sealey (Construction Insp. Supervisor)

Thomas Smith (Constr. Insp. Supervisor,)

Charles S. French (Constr. Insp.)

Wendy J. Wotty (B Lab QA/QC Inspector)

Steve Mountcastle (Lab QC Inspector)

Ricky Strickland (Field QC Inspector)

Bruce Troxel (Field QC Inspector)

(Contention 41)

George Maxwell (NRC Staff) -- note, the Staff and I currently have the question of whether they will voluntarily produce him under discussion, but no decision has been reached.

G.A. DeBarres (CP&L) QA Welding Supervisor

K.A. Douglas, QA Weld Monitor

Steve Mountcastle, QA Weld Inspector

W.H. Pere, QA Weld Inspector

G.G. (Pete) Tingen, QA Weld Inspector

D.L. Cauble, Welder (Daniel)

M.D. Warlick, Welder (Daniel)

Charles S. French (Discipline Engineer (FCR AS 334 Rev.1 etc)

David Timberlake (Welding Training Instructor)

Authors of CP&L Document CQA-1 Personnel Training and Qualif.
dated 16 March, 1981

Requester of FCR AS-4294 dated 1/16/84 (William Lewis?)

Originator of Revision 10 changes to CP&L Work Procedure

WP-110 (Pipe Hangers) 4/3/84 (Randy Gardner?)

Originator of CP&L NDFP-605 Visual Examination of ... Welds

Originator of CP&L CQC-19, Weld Control

The board has stated filled-out subpoena forms will be treated as requests for subpoenas (transcript of May 1984 prehearing conference).

I hereby request that these subpoenas be issued under

the applicable provisions of 10 CFR 2.720.



Wells Eddleman
17 August 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of CAROLINA POWER & LIGHT CO. Et al.)
Shearon Harris Nuclear Power Plant, Unit 1)

Docket 50-400
O.L.

CERTIFICATE OF SERVICE

Letter to Board requesting subpoenas

I hereby certify that copies of _____
re contentions 41 and 65

HAVE been served this 17 day of August 1984, by deposit in
the US Mail, first-class postage prepaid, upon all parties whose
names are listed below, except those whose names are marked with
an asterisk, for whom service was accomplished by including a copy
of filled-out subpoena forms for each individual named in the letter
or identified therein.

* Judges James Kelley, Glenn Bright and James Carpenter (1 copy each)
Atomic Safety and Licensing Board
US Nuclear Regulatory Commission
Washington DC 20555

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Ruthanne G. Miller
ASLB Panel
USNRC Washington DC 20555

Office of the Executive Legal Director
Attn Dockets 50-400/401 O.L.
USNRC (w/spare copy of 8/10 contentions)
Washington DC 20555

Spence W. Perry
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Docketing and Service Section (3x)
Attn Dockets 50-400/401 O.L.
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Certified by

W. E. Eddleman