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MAY 03 1983

NOTE FOR: Mary E. Wagner, OELD
FROM: Jim C. Petersen, OSP
SUBJECT: WPPSS-1 CPA - STAFF INTERROGATORIES

In accordance with your request I have reviewed the staff's proposed interrogatories for the intervenor in the WPPSS-1 construction permit amendment proceeding. The interrogatories regarding the financial and contractual arrangements between WPPSS and Bonneville Power Administration are correct according to the latest information I have. I believe that thorough answers from the intervenor could assist in the fair disposition of the construction permit extension request.

Original Signed By
Jim C. Petersen

Jim C. Petersen

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Background

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
WASHINGTON PUBLIC POWER SUPPLY SYSTEM)	Docket No. 50-460 CPA
(WPPSS Nuclear Project No. 1))	

NRC STAFF'S FIRST SET OF INTERROGATORIES
AND DOCUMENT PRODUCTION REQUESTS TO
COALITION FOR SAFE POWER

In accordance with 10 CFR Sections 2.740, 2.740b and 2.741, the NRC Staff hereby serves the Coalition for Safe Power (CFSP), as an intervenor in the above-captioned proceeding, with NRC Staff's First Set of Interrogatories and Document Production Requests to Coalition for Safe Power. These interrogatories and document requests relate to CFSP Amended Contention No. 2, as admitted in the Licensing Board's Memorandum and Order (Admitting Intervenor and Contentions) dated March 25, 1983.

Each interrogatory shall be answered separately and fully in writing under oath or affirmation, and shall include all pertinent information available to CFSP, its officers, directors, members, employees, advisors, or counsel, based upon the personal knowledge of the person answering. Answers to these interrogatories are required to be served upon all parties to the proceeding within 14 days after service of the interrogatories. By each request for production of documents, the NRC Staff seeks to inspect and copy pertinent documents which are in the possession, custody or control of CFSP, its officers, directors, members, employees, advisors or counsel.

As used herein, the term "documents" shall include any writings, drawings, graphs, charts, and schedules, however produced; photographs or other pictorial representations; recordings and tapes, whether sound or visual; and data compilations of whatever form.

Each interrogatory should be answered in six parts as follows:

- (1) Answer the direct question asked or provide the information requested.
- (2) Identify fully any documents (a) used as the basis for the answer to the interrogatory or (b) related to the subject of the interrogatory upon which you intend to rely in establishing the contention.
- (3) Give the name, address, occupation and employer of the person or persons (a) answering each interrogatory, or (b) who have served, presently serve, or it is anticipated will serve as consultants or advisors to CFSP on the subject matter of the interrogatory.
- (4) Identify each person whom you expect to call as a witness to testify as to the issue addressed in the pertinent interrogatory. As to each such person, please state (a) the subject matter of his or her testimony and (b) the substance of the testimony.
- (5) Is the answer based on a calculation? If so, describe (a) the calculation, (b) identify any documents setting forth such calculation, (c) identify the person who performed each calculation, (d) when it was performed, (e) each parameter used in such calculation, each value assigned to the parameters, and the source of your data, (f) the results of each calculation, and (g) how each calculation provides basis for the answers.
- (6) Is the answer based on conversations, consultations, correspondence or any other type of communications with one or more individuals? If so, (a) identify each such individual by name and address, (b) state the educational and professional background of each such individual, (c) describe the information received from such individual and its relation to your direct answer (d) identify each writing or record related to each such conversation, consultation, correspondence or other communication with such individual.

In addition, CFSP is requested, pursuant to 10 CFR Section 2.740(e), to supplement its responses as necessary with respect to the identity of each person expected to be called as an expert witness at the hearing in this proceeding, the subject matter on which he or she is expected to testify, and the substance of such testimony. Similarly, CFSP is requested to amend its responses if CFSP subsequently learns that any response made to the interrogatories herein was incorrect when made, or that the response though correct when made is no longer correct.

INTERROGATORIES

INTERROGATORY 1

Explain fully the relationship between your statement that the decision to defer construction of WNP-1 for a two-to-five year period was "made upon reviewing the recommendations of the Bonneville Power Administration (BPA), reviewing alternative proposals and taking public comment" and your contention that Permittee's decision to defer construction was "dilatory" and without "good cause."

INTERROGATORY 2

Is it your statement that the Permittee was "dilatory" in not notifying the NRC on or about April 29, 1982 that it was modifying its request for a completion date from 1986 to 1991?

INTERROGATORY 3

If your answer to Interrogatory No. 3 is in the affirmative, explain fully the basis for that statement.

INTERROGATORY 4

Is it your statement that BPA support is not necessary to the financing of WNP-1?

INTERROGATORY 5

If your answer to Interrogatory No. 4 is in the affirmative, identify and give full details with respect to all information upon which you base that statement.

INTERROGATORY 6

If your answer to Interrogatory No. 4 is in the affirmative, explain fully how the financing of WNP-1 could be accomplished if BPA were to disapprove any further financing of WNP-1 construction.

INTERROGATORY 7

✓ Is it your contention that the financial support or lack of financial support by BPA for WNP-1 would have no effect on the financing costs of WNP-1?

INTERROGATORY 8

Is it your contention that the opinion of BPA on the PNCC as to when WNP-1 should go into commercial operation, would have no effect on the financing costs of WNP-1?

INTERROGATORY 9

Is it your statement that BPA does not have the authority to disapprove any further financing of WNP-1 construction?

INTERROGATORY 10

If your answer to Interrogatory No. 9 is in the affirmative, explain fully the factual basis for that statement.

INTERROGATORY 11

Is it your contention that there has not been a slowing in growth rate of electric power requirements in the Pacific Northwest?

INTERROGATORY 12

✓ Is it your contention that the growth rate of electric power requirements in the Pacific Northwest has stopped or will stop completely before 1991?

INTERROGATORY 13

Is it your contention that the growth rate of electrical power requirements has no business relationship as to when WNP-1 should go into commercial operation?

INTERROGATORY 14

Is it your statement that the January 11, 1983 letter to H. Denton, Director, NRR, NRC, from G.D. Bouchev, WPPSS, does not support

Permittee's assertion that a deferred need for power constitutes "good cause" for deferring construction?

INTERROGATORY 15

If your answer to Interrogatory No. 14 is in the affirmative, set forth and explain fully the factual basis or legal authority for your statement.

INTERROGATORY 16

Do you contend that a deferred need for power cannot as a matter of law constitute "good cause" under 10 CFR § 50.55(b)?

INTERROGATORY 17

If your answer to Interrogatory No. 16 is in the affirmative, set forth and explain fully the factual basis or legal authority for this contention.

INTERROGATORY 18

Do you claim that the actual deferral in the need for power in the Northwest United States does not justify deferring construction of WNP-1?

INTERROGATORY 19

Explain fully your answer to Interrogatory No. 18.

INTERROGATORY 20

If your answer to Interrogatory No. 18 is in the affirmative, state the relevance of your statement that "Petitioner ... does not believe the power from WNP-1 will ever be needed?" to your claim that need for power in the Northwest United States does not justify deferring construction of WNP-1.

INTERROGATORY 21

What is factual basis for your statement that "Petitioner ... does not believe the power from WNP-1 will ever be needed"?

INTERROGATORY 22

Is it your contention that if and when WNP-1 is completed and ready to operate, that it will not be operated because there would be no need for the power?

INTERROGATORY 23

What factors do you contend are relevant in assessing whether power from WNP-1 will ever be needed?

INTERROGATORY 24

Explain the factual basis and/or legal authority for your statement that "[s]ix to nine years cannot have been contemplated as a 'reasonable period of time' by the writers of 10 CFR 50.55(b)."

INTERROGATORY 25

What do you contend would be a reasonable period of time for extension of the construction completion date for WNP-1?

INTERROGATORY 26

Identify any and all "requirements of any regulations" promulgated since the date of docketing of the WNP-1 operating license application from which WNP-1 would otherwise be grandfathered by virtue of its date of docketing.

INTERROGATORY 27

Explain fully how each of the requirements identified in response to Interrogatory No. 26 will delay completion of the plant beyond the requested completion date of 1991. Give full details as to the extent of delay attributable to each such requirement.

REQUEST FOR DOCUMENTS

Pursuant to 10 CFR Section 2.741, the NRC Staff requests you to make available for inspection and copying at a time and location to be designated any and all documents, of whatever description, identified in the responses to the above Staff interrogatories, including, but not limited to:

- (1) any written record of any oral communication between or among Intervenor, its advisors, consultants, agents, attorneys, and/or any other persons, including but not limited to the Permittee, and its advisors, consultants, agents, attorneys and/or any other persons; and
- (2) any documents, correspondence, letters, memoranda, notes, diagrams, reports, charts, photographs, or any other writing of whatsoever description, including but not limited to work papers, prior drafts, and notes of meetings.

If CFSP maintains that some documents should not be made available for inspection, it should specify the documents and explain why such are not being made available. This request extends to any such document, described above, in the possession of CFSP, its advisors, consultants, agents, or attorneys.

Respectfully submitted,

Mary E. Wagner
Counsel for NRC Staff

Dated at Bethesda, Maryland
this day of April, 1983